

TERMS OF REFERENCE

Requirements for Land Use Impact Assessment Report 583-585 Conception Bay Highway / Butlers Road South Town of Conception Bay South

Issued for Public Review
July 22, 2022

Application to Develop 5.02 Hectares (12.4 Acres) of Land Located at 583-585 Conception Bay Highway for the Purpose of Subdividing Land to Accommodate 31 Separate Buildings Comprising 61 Dwelling Units (30 Double Dwellings and 1 Single Dwelling) With Road Connection and Water and Sewer Services

Proponent: Infini-T Holdings Inc.

Background

Infini-T Holdings Inc. is proposing to develop a residential subdivision with 61 lots at 583-585 Conception Bay Highway which would be accessed from Butlers Road South. The property is 5.02 hectares (12.4 acres) and has approximately 140m (459') of frontage on Conception Bay Highway. The property also has frontage in two segments of Butlers Road South of approximately 79m and 40m (259' and 131', respectively).

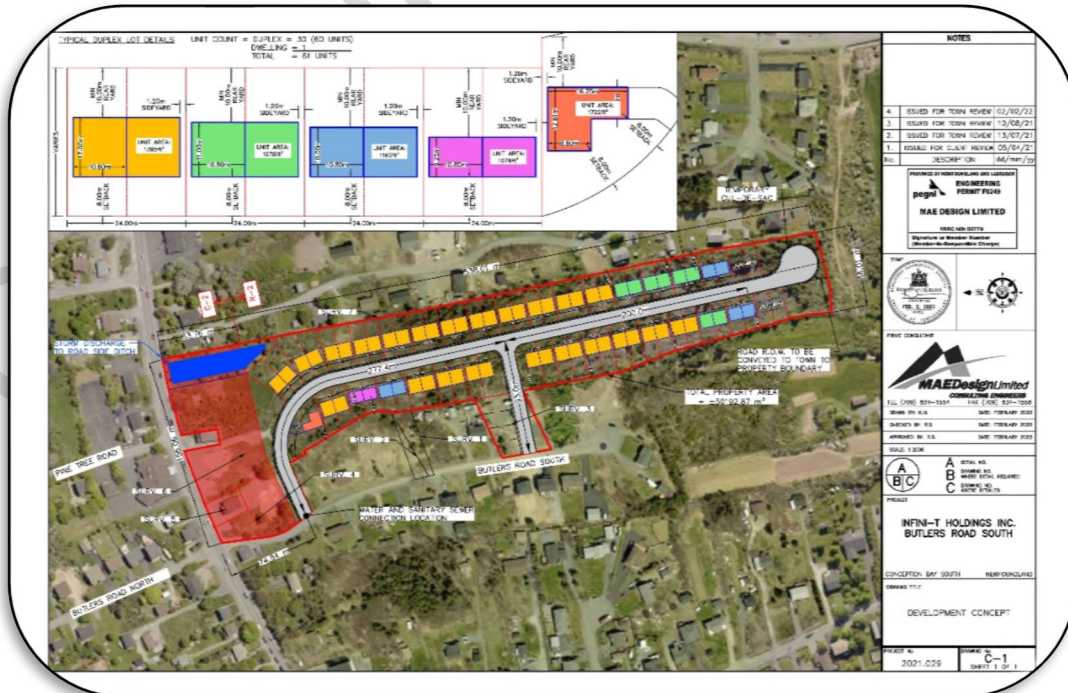


Figure 1: Proposed Development Concept

The applicant has provided the concept drawing above to illustrate the proposed development.

The Conception Bay South Municipal Plan and Development Regulations zone the affect property as Commercial General (C-2) and Residential Medium Density (R-2) land use zoning. The proposed residential subdivision development is contained within the limits of the Residential Medium Density land use zone.

The proposal complies with the intent of the residential policies of the Municipal Plan and uses that are permitted in the Residential Medium Density zone. The Town therefore issued an Approval in Principle in accordance with Section 4.10 of the Town's Development Regulations subject to a number of conditions, including that the applicant complete a Land Use Impact Assessment Report. Before any development can proceed, the Town will have to consider the Land Use Impact Assessment Report, and is deemed acceptable, a final development approval would be required.

The purpose of the Land Use Impact Assessment Report is to assess both the long-term and short-term implications in the vicinity of the proposed development and to recommend appropriate cost-effective mitigation measures to address any adverse effects caused by the development.

Policy 4.3.8 of the Town of Conception Bay South Municipal Plan outlines under what scenarios a land use impact assessment report would be required and what it is to include. Policy 4.3.8 states:

Where a development or use is proposed that cannot be adequately evaluated, the Town may require the preparation of a Land Use Assessment Report. A Land Use Assessment Report is a report prepared by suitably qualified persons to assess any significant impacts a use or development may have on the urban environment and/or surrounding lands or neighbourhood. The report and any supporting documentation shall be prepared at the expense of the developer unless otherwise determined by Council. The report shall evaluate the impacts identified in a Terms of Reference prepared by the Town, evaluate their importance and recommend measures of control and mitigation where appropriate.

The Town of Conception Bay South Development Regulations provide requirements for how the Town should manage the development, review and consideration of a Land Use Impact Assessment Report.

Section 4.15 of the Town's Development Regulations, titled "Land Use Impact Assessment" states:

1. *Assessment Required – The Authority may require a Land Use Impact Assessment to evaluate any proposed land use or development that affects the policies contained in the Municipal Plan.*
2. *Terms of Reference – The Terms of Reference for a Land Use Impact Assessment shall be prepared and approved by the Authority.*
3. *Impact Assessment Report - The report and any supporting studies shall be prepared at the expense of the applicant unless otherwise determined by the Authority.*
4. *Mitigation Plan – The report shall identify significant impacts, evaluate their importance, and recommend measures of control or mitigation, where appropriate.*
5. *Public Review –The Authority shall provide adequate time for public review and comment with regards to the items to be addressed in the Terms of Reference for the Land Use Impact Assessment. The Authority may provide an opportunity for public review and comment on the Land Use Impact Assessment report prior to its approval.*

The Town will develop and make public an initial draft of the Terms of Reference for the Land Use Impact Assessment Report. After receiving and considering input from the public, the Town will develop a finalized Terms of Reference.

All information is to be submitted under one report in a form that can be reproduced for public information and review. The numbering and ordering scheme used in the report shall correspond with that used in this Terms of Reference and a copy of the Terms of Reference shall be included as part of the report (including an electronic PDF version).

It is expected that only those professionals who are qualified and/or certified to undertake the various aspects of the report shall be involved in this report. A list of those persons/agencies who prepared the Land Use Impact Assessment Report and their respective qualifications shall be provided as part of the report.

TERMS OF REFERENCE

1. **PROJECT DESCRIPTION AND RELATIONSHIP TO ZONING**
 - a. Provide a description of the development project;
 - b. Provide a site plan which identifies the proposed use of all land within the limits of the development proposal;
 - c. Locate the property including land servicing components in relationship to the Town's land use plan and zoning map;
 - d. Describe how the development project relates to the Town's land use policies and zoning in effect for the property; and,

- e. Describe how the development proposal relates to the surrounding land uses and neighbourhood.

2. PROPERTY OWNERSHIP MODEL

- a. If the ownership model involves anything except selling individual units (ie. if a condominium corporation is proposed for any portion of this development), the report must graphically identify what the ownership model is proposed to be and what land is proposed to be transferred to the Town as a municipal asset; and,
- b. Identify the facilities and services that are proposed to be the responsibility of the Town and what services will constitute the common services of the condominium corporation.

3. LOCATION, BUILDING HEIGHT AND IMPACT ON SURROUNDING PROPERTIES

- a. Identify graphically with dimensions the location and height of the proposed buildings relative to:
 - i. Property boundaries/lot lines; and,
 - ii. The separation distance between the location of the proposed buildings and the locations of the existing surrounding principle buildings.
- b. Identify any potential land use conflict(s) between the development proposal and surrounding existing land uses and measures that are proposed to mitigate the potential conflict(s), specifically adjacent onsite services and drainage mitigation measures for properties on Taylors Lane.

4. BUILDING MATERIALS

- a. Provide dimensioned elevations of the proposed buildings; and,
- b. Identify the finish and anticipated colour of exterior building materials.

5. STREET LAYOUT

- a. Identify the type of street(s) that is/are proposed within this subdivision in respect to the Regulation 7.11 Subdivision Design Standards of the Conception Bay South Development Regulations and the Municipal Engineering Residential Subdivision Standards;
- b. Graphically indicate the length of the proposed subdivision street(s) from its connection with Butlers Road South to the intersecting road with the cul de sac and from this intersecting point to the cul de sac;
- c. Describe how the proposed street(s) complies with the conditions and standards of Regulations 7.11.1 and 7.11.2 of the Town of Conception Bay South Development Regulations and the Municipal Engineering Residential Subdivision Standards; and,
- d. Evaluate the road layout from an emergency response perspective and identify if any emergency response deficiencies exist and if any deficiencies exist, how these deficiencies are to be addressed.
- e. Identify an alternative access, other than Butler's Road South, or outline potential upgrades to Butlers Road South to be incorporated with development.

6. ACCESS AND TRAFFIC GENERATION AND IMPACT

- a. The proponent shall produce a Traffic Impact Assessment which shall be signed and stamped by a registered Engineer practicing in the province of Newfoundland and Labrador, with experience in traffic engineering. The statement should not be limited to a specific population. The statement shall:
 - i. Provide the anticipated traffic generation rates associated with the proposed and existing uses, collectively and independently, for the subject property and the subject area, more specifically, Butlers Road South and Conception Bay Highway (Route 60);
 - ii. Identify the peak hours of traffic generation;
 - iii. Evaluate the feasibility of a possible connection of the proposed development directly onto to the Conception Bay Highway; and,
 - iv. Identify street network improvements/changes that may be required, including turning movements, traffic signalization, road markings or signage upgrades, to accommodate the proposed development as it accesses onto Butlers Road South (and possibly the Conception Bay Highway) and its cumulative impact on Butlers Road South and Conception Bay Highway intersection.
- b. The consultant is expected to follow industry best practices, such as I.T.E recommended practices for Transportation Impact Analysis for site developments.
- c. After a review of the Traffic Impact Assessment the Town may further require a more detailed traffic impact study.

7. SERVICES

7.1 WATER AND SEWER

- a. Graphically illustrate information on existing and proposed services (water, storm, and sanitary) and service easements to and on the subject property;
- b. Determine the water and sewer servicing demands that will be created from this development.

7.2 STORM WATER DETENTION

- a. A surface drainage plan to be provided illustrating pre and post development grades in critical areas (primarily high and low points) for the development within its drainage area;
- b. Dimensioned drawing details on the design of the storm detention system to be provided which shall include the following:
 - i. The engineering design and elements of the system to accommodate and control storm water runoff and create a net zero increase in runoff;
 - ii. Maintenance access to and around the system; and,
 - iii. Security measures to prohibit public access to the system
- c. Provide a landscaping plan that incorporates engineering, maintenance and security elements with landscaping features that enhance the visual impact of the

- storm detention system and create an aesthetically pleasing feature as part of the open space network; and,
- d. Identify the costs relating to the ongoing operation and maintenance, insurance and liability of the system and associated infrastructure should the system be a responsibility of the Town.

7.3 POWER

- a. Provide details of intended power servicing to include general layout and design.

8. CONSTRUCTION PHASING AND IMPACT

- a. Indicate the anticipated length of time for the development and completion of the development proposal commencing from on-site work until the homes are ready for occupancy;
- b. Indicate the phasing of the project and the approximate timelines for start and finish of each phase;
- c. Describe the security measures that will be in place to prohibit unauthorized public access onto the site;
- d. Illustrate the location of on-site storage of equipment and supplies and identify the measures that will be undertaken to minimize intrusion to the surrounding homes; and,
- e. Identify any Town street detours or anticipated traffic disruptions required to assist in the development of the site and the appropriate measures to address both public safety and inconvenience during these times of detours or disruptions.

A digital copy of the Land Use Impact Assessment Report, along with any appendices, design drawings, field data, in adobe PDF format and AutoCAD DXF or DWG files for design drawings, should be submitted to:

Planning and Development
Department of Community Development
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P.O. Box 14040, Stn. Manuels
Conception Bay South, NL A1W 3J1
Email: planning@conceptionbaysouth.ca