

## **Planning and Development Committee Meeting Minutes**

Meeting #: PDC 22-19  
Date: November 28, 2022  
Time: 4:34 pm - 6:29 pm  
Location: Zoom

**Members Present**      **Councillor Hillier, Chair**  
                                 **Councillor Connors**  
                                 **Councillor Barrett**

**Other Councillors Present**      **Mayor Bent**  
                                 **Councillor Moores**  
                                 **Councillor Hardy**

**Staff Present**              **Corrie Davis, Director of Planning and Development**  
                                 **John Whelan, Manager of Planning and Development**

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### **1. Development Applications**

#### **1.a 1 Gardner Drive**

The Committee considered an application for a flanking street side yard fence, and after a discussion, concurred to make the following recommendation subject to conditions that the fence be a maximum height of 1.8m with a minimum setback of 3m from the eastern boundary line adjacent to Wintergreen Road.

#### **Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority of Section 13(b) of the Town's Fence Regulations, Application No. 2413

received November 10, 2022 for a flanking street side yard fence at 1 Gardner Drive, be approved.

**1.b 45A Chamberlains Road**

The Committee considered an application for an accessory building, and after a discussion, concurred to make the following recommendation on condition that the existing tent garage be removed within 30 days of completion of the accessory building, that the accessory building be placed a minimum of 10m from the rear boundary line of the adjacent property, and that a tree buffer be retained between the building and adjacent property lines.

**Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority of Sections 5.3(2) and 5.3.1(2) of the Town's Development Regulations, Application No. 2170 received September 1, 2022 for an accessory building with 71.3m<sup>2</sup> lot coverage in the front of the dwelling at 45A Chamberlains Road, be approved.

**1.c 79-83 Chamberlains Road**

The Committee considered an application to develop an eight-unit grouped dwelling development, and after a discussion, requested that the applicant revise the proposal so that it meets the minimum frontage and rear yard depth requirements.

**1.d 11 Forest Road**

The Committee considered an application for a fence, and after a discussion, concurred to make the following recommendation on condition that the fence be a maximum height of 1.2m along the front boundary line and along the side boundary lines of the front yard for a distance of 10m from the street line, and may be increased to 1.8m beyond the 10m minimum building line setback to the rear boundary line.

**Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority of Section 15 of the Town's Fence Regulations, Application No. 2407

received on November 7, 2022 for a front yard fence at 11 Forest Road be approved.

**1.e 82 Lawrence Pond Road E**

The Committee considered an application for an accessory building, and after a discussion, concurred to make the following recommendation.

**Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority of Section 5.3.1(2) and 5.3(3) of the Town's Development Regulations, Application No. 2322 received October 14, 2022 for an accessory building with 93.6m<sup>2</sup> of lot coverage in front of the dwelling at 82 Lawrence Pond Road East, be approved.

**1.f 174 Garden Road**

The Committee considered an application for a hobby farm use as an accessory use on the noted property. The Committee considered the comments received by the Town as a result of public notification of the proposal. The Committee concurred with the following recommendation, subject to submission and approval of a manure management plan and that the property register with the provincial farm premises identification program.

**Recommendation:**

Be it so resolved, that in accordance with Sections 10.7 and 10.10.2 of the Town's Development Regulations, Application No. 2217 received on September 16, 2022 for a hobby farm use to keep a horse and a goat at 174 Garden Road, be approved.

The Mayor joined the meeting at approximately 4:58 pm during the discussion of the preceding item.

## **2. Planning Matters**

### **2.a Municipal Planning (Amendment) Process**

The Committee reviewed the requirements of the *Urban and Rural Planning Act, 2000* and information provided by the Department of Municipal and Provincial Affairs regarding minimum requirements for consideration of amendments to municipal planning documents. After a discussion, the Committee requested that a draft procedure be developed for future consideration of the Committee. The Committee requested that such a draft procedure include requirement for a preliminary public information / briefing session prior to a decision by Council on whether or not to adopt any amendments to the Municipal Plan and/or Development Regulations.

Councillor Hardy left the meeting at approximately 5:16 pm during the discussion of the preceding item.

### **2.b 1621-1627 Conception Bay Highway**

The Committee considered a proposal to re-zone the property, and after a discussion, concurred to make the following recommendation.

#### **Recommendation:**

Be it so resolved that the report and recommendation of Commissioner Jewczyk respecting Municipal Plan Amendment No. 25, 2022 and Development Regulations Amendment No. 43, 2022 at 1621-1627 Conception Bay Highway be accepted as presented.

#### **And Further:**

Be it resolved that, under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Conception Bay South approves Municipal Plan Amendment No. 25, 2022 and Development Regulations Amendment No. 43, 2022 as adopted.

2.c



**Privileged Legal Matter**



**2.d 73 Cherry Lane**

The Committee considered the Commissioner's report regarding proposed re-zoning of 73 Cherry Lane, and after a discussion concurred to make the following recommendation.

**Recommendation:**

Be it so resolved that the report and recommendation of Commissioner Jewczyk respecting Municipal Plan Amendment No. 20, 2022 and Development Regulations Amendment No. 38, 2022 at 73 Cherry Lane be accepted as presented.

**And Further:**

Be it resolved that, under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Conception Bay South approves Municipal Plan Amendment No. 20, 2022 and Development Regulations Amendment No. 38, 2022 as adopted.

**2.e Proposed ATV Route**

The Committee considered an analysis of zoning along the proposed ATV route, park and staging areas. After a discussion, the Committee requested that Town staff formalize discussions with the Department of Municipal and Provincial Affairs regarding regulatory amendments that might be necessary for development of the proposed ATV Trail.

**2.f 20 Sandstone Drive**

The Committee considered a referral from the Crown lands division for an extension to private property. After a discussion, the Committee concurred

to have staff advise the Crown Lands division that the Town has no objection to the sale of Crown land to the adjacent property owner.

The Mayor left the meeting at approximately 5:52 pm during the discussion of the preceding item.

### **3. Information Items**

#### **3.a 1287-1295 Conception Bay Highway**

The Committee was advised that the re-zoning documents for the property have been registered by the Minister of Municipal and Provincial Affairs and are now in legal effect.

#### **3.b Mount Batten Estates (Erica Avenue)**

The Committee was advised that the developer has notified the Town that Stage II public works (surface coarse asphalt and sidewalks) for Phase 1 & 2 of the subdivision would not be completed this year. The developer has committed to taking precautions to make the driving surface safe and to correct any issues and damage that might arise through the winter.

### **4. Notices Published**

#### **Submission deadline, November 28, 2022:**

- 76 Oaken Drive – Variance

#### **Submission deadline, December 5, 2022:**

- 2571 Topsail Road – Discretionary Use

#### **Submission deadline, December 12, 2022:**

- 8-12 Tilley's Road South - Variance
- 51 Oaken Drive - Variance

#### **Submission deadline, December 19, 2022:**

- 240-258 Anchorage Road, Re-zoning

**5. Additional Items**

**5.a 830 Conception Bay Highway**

As a result of an inquiry to Council, the Committee was advised of the status of the final occupancy inspection for a new dwelling under construction at the noted property. The Committee concurred that the requirements outlined by staff must be met prior to, or as a condition of, occupancy of the new dwelling.

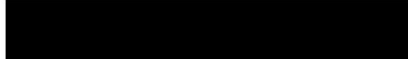
**5.b 2676 Topsail Road**

The Committee requested that staff review the status of an application at the noted property for parking of commercial equipment.

**5.c 22-24 Cherry Lane**

The Committee discussed an informal proposal to redevelop the noted property as a single dwelling with an apartment.

**5.d**



**Privileged Legal Matter**



**6. Department Update**

The Director provided an update on recent activities, upcoming initiatives and issues of concern with departmental operations.

**7. Committee Report**

The Committee concurred to recommend approval of the outcomes of the Committee meeting.

**Recommendation:**

Be it so resolved that the decisions and recommendations made at the Planning and Development Committee meeting on November 28, 2022 be accepted as presented. The following items were discussed:

- 79-83 Chamberlains Road
- Municipal Planning (Amendment) Process
- Proposed ATV Route
- 20 Sandstone Drive
- 1287-1295 Conception Bay Highway
- Mount Batten Estates (Erica Avenue)
- Notices Published
- 830 Conception Bay Highway
- 2676 Topsail Road
- 22-24 Cherry Lane
- Department Update

There being no further business, the meeting was adjourned at 6:29 pm.

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Councillor Hillier, Chair

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Corrie Davis, Director of Planning  
and Development