

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

Meeting #: PDC 23-01  
Date: January 9, 2023  
Time: 4:32 pm - 5:44 pm  
Location: Zoom

**Members Present**      **Councillor Hillier, Chair**  
                                 **Deputy Mayor Gosse**  
                                 **Councillor Hardy**

**Other Councillors Present**      **Mayor Bent**  
                                 **Councillor Connors**

**Staff Present**              **Corrie Davis, Director of Planning and Development**

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### **1. Committee Role & Processes**

In consideration of new membership on the Committee, the Committee discussed Council's Delegation of Planning Authority Policy which is the principle tool that determines what items are referred for Committee discussion, direction and recommendation. The Committee was also discussed department staffing levels and responsibilities. The Committee also discussed Council's public engagement processes.

### **2. Development Applications**

#### **2.a 30 Millers Road**

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

**Recommendation:**

Be it so resolved, that in accordance with Council's authority of Section 5.3.1(2) of the Town's Development Regulations, Application No. 2463 received December 20, 2022 for an accessory building with 6m<sup>2</sup> lot coverage at 30 Millers Road, be refused in consideration that the accessory building can be reasonably accommodated in the rear yard of the property and the accessory building is not effectively screened from the street and/or adjacent properties.

**2.b 2644 Topsail Road**

The Committee considered the proposed subdivision of the property and concurred to make the following recommendation.

**Recommendation:**

Be it so resolved, that in accordance with sub section 108(3)(f) of the Urban and Rural Planning Act, 2000 and section 10.11.3 of the Town's Development Regulations, Application No. 1223 dated January 31, 2022 to subdivide the property located at 2644 Topsail Road, be refused as the proposal would result in an increase in the non-conformity of the building line setback and the resulting building lot cannot accommodate development of a dwelling that would meet the building line and rear yard setback requirements.

**2.c 282 Conception Bay Highway**

The Committee considered an application to replace an existing accessory building on the property. After a discussion the, Committee recommended approval of the application with the following conditions:

- That the applicant consult the Water Resources Management Division of the Department of Environment and Climate Change to determine any permit requirements.
- That the applicant completes an assessment of their project under the requirements of the Department of Fisheries and Oceans Canada (DFO).
- That if any portion of the accessory building (greenhouse) is to be located within the High Hazard Zone, a Land Use Impact Assessment Report (LUIAR) be required.

- That the accessory building (greenhouse) be referred to the Town's Finance Department and the Municipal Assessment Agency to determine if it should be assessed and taxed as a commercial use.
- That the accessory building (shipping container) be removed from the property.

**Recommendation:**

Be it so resolved that, in accordance with 108(3)(f) of the *Urban and Rural Planning Act, 2000*, Application Nos. 2410 and 2411, received on November 9, 2022 seeking reconstruction of a greenhouse at 282 Conception Bay Highway, be approved.

**2.d 7-11 Pine Tree Road**

The Committee considered an application for a four-unit row dwelling and concurred to make the following recommendation.

**Recommendation:**

Be it so resolved, that in accordance with Council's authority of section 10.11.3 of the Town's Development Regulations, Application No. 2455 for a four-unit row dwelling at 7-11 Pine Tree Road, be refused in consideration that the property does not meet the minimum lot area requirement.

**3. Planning Matters**

**3.a Ewings Road**

The Committee considered the proposed sale of Town land to an adjacent property owner and concurred to make the following recommendation.

**Recommendation:**

Be it so resolved, that in accordance with sub section 201.2(8) of the *Municipalities Act, 1999*, the Town sell approximately 15m<sup>2</sup> of land at Ewings Road to the adjacent property owner at 62 Cabot Road at fair market value in consideration that the land is of minimal value to any other person.

### **3.b 118 Red Bridge Road**

The Committee considered the proposed re-zoning of the property and concurred to make the following recommendation.

#### **Recommendation:**

Be it so resolved that, subject to payment of the appropriate fee and deposit, and in accordance with section 14 of the *Urban and Rural Planning Act, 2000*, the Town undertake initial public and stakeholder consultation with respect to proposed re-zoning of property at 118 Red Bridge Road from Open Space Recreation to Residential Medium Density.

### **3.c 135-137 Seal Cove Road**

The Committee considered the Applicant's request to meet and discuss the proposed subdivision. After a discussion, the Committee concurred to invite the applicant to its January 30, 2023 meeting.

## **4. Information Items**

### **4.a 73 Cherry Lane**

The Committee was advised that Municipal Plan Amendment No. 20 and Development Regulations Amendment No. 38, 2022 rezoning the property were registered by the Minister of Municipal and Provincial Affairs and are now in legal effect.

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

The Committee was advised that Municipal Plan Amendment No. 25 and Development Regulations Amendment No. 43, 2022 rezoning the property were registered by the Minister of Municipal and Provincial Affairs and are now in legal effect.

## 5. Notices Published

The Committee was advised of the following notices currently in circulation:

### **Submission Deadline: January 9, 2023:**

- 131 Peachytown Road, home based business.
- 1890A Conception Bay Highway, home based business.
- 251 Seal Cove Road, hobby farm.
- 282 Conception Bay Highway, replace accessory building (legal non-conformity).

### **Submission Deadline: January 23, 2023:**

- 2 Heidi Crescent, Variance.

### **Submission Deadline: January 30, 2023:**

- 137 Seal Cove Road, Re-zoning.

### **Public Information Sessions:**

- 240-258 Anchorage Road re-zoning: January 25, 2023.
- 137 Seal Cove Road re-zoning: February 1, 2023.

## 6. Additional Items

### **6.a Correspondence - Municipal Plan Policies**

The Committee considered a request from a builder to meet and discuss Municipal Plan policies with the Committee. After a discussion, the Committee concurred to invite the builder to a future meeting of the Committee.

### **6.b 59 Foxtrap Access Road & 83 Chamberlains Road**

The Committee considered correspondence from a builder within the Community regarding 59 Foxtrap Access Road and 83 Chamberlains Road. After a discussion, the Committee requested that the Director report back to the Committee on the files and that the builder be invited to discuss the files with the Committee at their February 13, 2023 meeting.

### **6.c 167 Conception Bay Highway**

The Committee was advised that the Provincial Government advised the Town that they would allow use of their storm water system on the south side of Route 60 for the proposed subdivision. The Town was further

advised that use of the storm water system would subject to an analysis of the existing system and confirmation that it has capacity for the additional discharge generated by the proposed development. The Committee was advised that developer would be responsible for that assessment and analysis.

#### **6.d Builders and Realtors Forums**

The Committee discussed hosting separate Builders' and Realtors' Forums in spring 2023 and requested that the Director initiate planning for those events.

### **7. 2410 Topsail Road**

The Committee considered an application for a single dwelling and concurred to require that the proposed dwelling be located towards the western boundary on the property so that it is not behind the dwelling at the adjacent property to the east. The Committee also concurred that the proposed setback be approved as presented subject to the requirement that no portion of the dwelling encroach into the Open Space Conservation zone and the High hazard vulnerability area.

### **8. Department Update**

The Director provided an update on recent, current and upcoming activities within the Department along with areas of concern.

### **9. Committee Report**

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

Be it so resolved that the decisions and recommendations made at the Planning and Development Committee meeting on January 9, 2023 be accepted as presented. The following topics were discussed:

- Committee Role and Processes
- 135-137 Seal Cove Road
- 73 Cherry Lane
- 1621-1627 Conception Bay Highway

- Notices Published
- Correspondence - Municipal Plan Policies
- 59 Foxtrap Access Road and 83 Chamberlains Road
- 167 Conception Bay Highway
- Builders and Realtors Forums
- 2410 Topsail Road
- Department Update

There being no further business, the meeting was adjourned at 5:44 p.m.

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Councillor Hillier, Chair

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Corrie Davis, Director of Planning  
and Development