

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

Meeting #: 23-06  
Date: March 27, 2023  
Time: 4:02 pm - 5:15 pm  
Location: Zoom

**Members Present**      **Councillor Hillier, Chair**  
                                 **Councillor Hardy**

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

**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 1820 Conception Bay Highway**

The Committee considered a variance request related to subdividing the property for infill lots that will front onto Seal Cove Road and submissions that were received by the Town. After a discussion, the Committee concurred to make the following recommendation.

#### **Recommendation:**

Be it so resolved, that in accordance with Council's discretion at sections 3.12 and 10.10.3 of the Town's Development Regulations, Application No. 2480 received January 17, 2023 to subdivide the property located at 1820 Conception Bay Highway into four lots, three of which will front onto Seal Cove Road, with two lots having a reduced frontage of 18.9m be approved.

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

The Committee considered a proposed grouped dwelling development. The Committee stated that they were very supportive for potential redevelopment of the property. However, the Committee determined that the current proposal does not meet the minimum frontage requirements for a grouped dwelling development. The Committee also determined that the proposal could be altered so that it complies with the Town's Regulations.

The Committee requested that staff provide feedback to the applicant regarding potential changes to the proposal that could be considered.

**1.c 718 Conception Bay Highway**

The Committee considered an application for a front yard fence and after a discussion, concurred to make the following recommendation.

**Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority at section 15, 17, and 18(b) of the Town's Fence Regulations, Application No. 2592 received on March 21, 2023 for a front yard fence at 718 Conception Bay Highway be approved on condition that the fence have a minimum setback of 10m from the front lot line and be constructed to a maximum height of 2.7m.

**1.d 10-16 Kingsway Drive**

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

**Recommendation:**

Be it so resolved, that in accordance with Section 5.3(2) of the Town's Development Regulations, Application No. 2546 dated February 27, 2023 for the development of an accessory building with lot coverage of 83.6m<sup>2</sup> at 10-16 Kingsway Drive, be approved.

**1.e 36 Middle Bight Road**

The Committee considered a change to non-conforming use and noted the change was approved in February 2022. The Committee considered section 5.19 of the Town's Development Regulations and determined that the approval will remain valid for 18 months from date of initial approval, and that the applicant is to be advised of the time frame in which they must secure a permit to operate under the current approval.

**2. Planning Matters**

**2.a Church Terrace**

Councillor Hillier declared a conflict of interest in this matter given his governance role with the previous property owner.

The Committee therefore lacked quorum to discuss the matter, and it was deferred to a future meeting of the Committee.

**2.b 118 Red Bridge Road**

The Committee considered the proposed re-zoning of the property and noted that Council hosted a public information session for the proposal on March 22, 2023. The Committee acknowledged the concerns raised through submissions made to the Town and discussions at the information session primarily involved current issues and whether potential development arising from the re-zoning would exacerbate those concerns.

After a further discussion, the Committee concurred to make the following recommendation.

**Recommendation:**

Be it so resolved that, in accordance with Section 15 of the *Urban and Rural Planning Act, 2000*, Municipal Plan Amendment No. 28 and Development Regulations Amendment No. 47, 2023, for proposed re-zoning of the property at 118 Red Bridge Road, be referred to the Department of Municipal and Provincial Affairs for determination of any provincial interests

### 3. Information Items

#### 3.a 9-11 Pine Tree Road

The Committee was advised of an application for a three-unit building, which is a permitted use in the R2 Zone.

#### 3.b Notices Published

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

**Submission Deadline: March 27, 2023:**

- 512 Conception Bay Highway, light industry
- 1323 Conception Bay Highway, variance minimum lot frontage
- 48 Rideouts Road, variance minimum lot frontage
- 8, 10 & 13 Nextor Place, variance lot coverages

**Submission Deadline: April 10, 2023:**

- 240-258 Anchorage Road, Re-zoning Public Hearing

**Submission Deadline: May 8, 2023:**

- 135-137 Seal Cove Road / 7-17 Aprils Lane, Re-zoning Public Hearing

**Public Hearings:**

- 240-258 Anchorage Road Re-Zoning: April 12, 2023
- 135-127 Seal Cove Road & 7-17 Aprils Lane: May 10, 2023

### 4. Additional Items

#### 4.a 464 Dunns Hill Road

The Committee considered proposed development of the property and determined that infrastructure (expansion of road right of way, extension of water and sewer mains, creation of turning area, etc.) must be completed in order to accommodate development of the property. The Committee also determined that the Town does not have any legal authority to require that those costs be shared amongst property owners that could potentially benefit from the infrastructure unless those costs were incurred by the Town. Finally, the Committee determined that upgrades to the end of Dunns Hill Road and extension of water and sewer services are not currently on any capital works plan by the Town.

The Committee was advised of other recent matters where individuals were responsible for extension of infrastructure to accommodate their proposed development at Metcalfes Lane, Church Terrace, Tilley's Road South, Calvin Manor Road, Woodview Place and Hands Road.

The Committee therefore concluded that the applicant would be responsible for cost and effort to extend any infrastructure necessary for the development of the property.

#### **4.b 1754 Conception Bay Highway**

The Committee was advised that Town staff are scheduled to meet with the property owner of 1754 Concretion Bay Highway on March 28, 2023 to review their proposed development.

#### **4.c 193 Seal Cove Road**

Councillor Connors advised the Committee that the property owner disagrees with Council's decision to defer consideration of an accessory building application at the noted property. The Committee noted that the deferral is necessary to ensure that new development is not located within areas prone to flood risk.

#### **4.d South West Boundary Proposal**

The Committee was advised that correspondence to the Minister of Municipal and Provincial Affairs is anticipated in coming days regarding the Town's desire to continue with the south west boundary proposal.

### **5. Department Update**

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

### **6. 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 March 27, 2023 be accepted as presented. Topics discussed were:

- 79-83 Chamberlains Road
- 36 Middle Bight Road
- Church Terrace
- 9-11 Pine Tree Road
- Notices Published
- 464 Dunns Hill Road
- 1754 Conception Bay Highway
- 193 Seal Cove Road
- SW Boundary Proposal
- Department Update

There being no further business, the meeting was adjourned at 5:15 p.m.

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Councillor Hillier, Chair

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Corrie Davis, Director of Planning and  
Development