Dear [Redacted] - s.30(1)

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act MIGA/2015/003

On January 19th, the Department of Municipal and Intergovernmental Affairs received your request for access to the following records:

"Any and all relevant documents, materials, correspondence, letters, phone calls, or other related communications to/from the department pertaining to:

• Discussions with Town of Portugal Cove/St. Philip's re: zoning/proposed re-zoning of Bauline Line Extension road and surrounding area from RDSA to RUR.

• Discussions with Town of Portugal Cove/St. Philip's re: zoning/proposed re-zoning of Woodland Drive and surrounding area from RDSA to RLD.

• Discussions with Town of Portugal Cove/St. Philip's re: updating or amending the applicable municipal plan in respect of Bauline Line Extension."

And further defined in your email correspondence with Mr. Scott Winters on January 22, 2015:

"In addition to what we've already set out in the ATIPPA request, the crux of what we're looking for is the province's rationale for the last minute zoning change respecting the two areas noted on the maps. Accordingly, that's why we're looking for any internal Department correspondence or documents (or any discussions, correspondence, and other relevant documents or communications with the Town or others on this issue) in 2013 or 2014 that help clarify the 11th hour decision for the zoning changes gazetted in early October 2014."

P.O. Box 8700, St. John's, NL, Canada A1B 4J6  t 709.729-3052  f 709.729-0943
I am pleased to inform you that your request for access to these records has been granted. In accordance with your request for a copy of the records, the appropriate copies have been enclosed. If you have any further questions related to your access request, please contact the ATIPP Coordinator, Rosalind Squires at 729-1953 or rosalindsquires@gov.nl.ca.

Sincerely,

Colleen Janes
Deputy Minister of Municipal Affairs
Municipal and Intergovernmental Affairs

Enclosures
Title: Proposed Amendment to the St. John’s Urban Region Regional Plan
Town of Portugal Cove-St. Philip’s (Jera Street, Chesley Van Heights, Bauline Line Ext.)

Decision Required:
- Whether to proceed with an amendment to the St. John’s Urban Region Regional Plan (SJURRP), as requested by the Town of Portugal Cove-St. Philip’s.

Background and Current Status:
- The SJURRP is a statement of provincial policy approved by Cabinet in 1976.
- The Minister of Municipal Affairs is the “Authority” for the SJURRP.
- Plans prepared by municipalities within the St. John’s Urban Region must conform to the SJURRP.
- Amendments to the SJURRP are subject to public consultation, which the Town is responsible to pay for and arrange.
- The Town of Portugal Cove-St. Philip’s has requested an amendment to the SJURRP to change the land use designation of property located off Bauline Line Extension to accommodate an extension of the Chesley Van Heights Subdivision (13-lots, serviced on-site, on a cul-de-sac that allows future connectivity).
- The area for the proposed development is designated “Rural” by the SJURRP, which does not provide for urban type residential subdivision developments. In order to accommodate the proposed residential development, the Town requested the SJURRP be amended to re-designate the area from “Rural” to “Urban Development”.
- The number of proposed lots triggered the Department of Environment and Conservation’s requirements for a Ground Water Assessment, which was completed to the satisfaction of ENVC.
- The proposed amendment relates only to a local area and does not have broad policy implications affecting the greater region.
- The Minister must determine whether or not to proceed with an amendment to the SJURRP.
- Agreement to proceed through initial public consultation does not bind the Minister to approving the amendment should a provincial interest or public opinion warrant further consideration.

Recommendation:
- Draft correspondence is attached for the Minister’s consideration (TRIM: COR/2013/03629-02), which would allow Council to proceed with public, stakeholder, and other consultations in accordance with Section 14 of the Urban and Rural Planning Act, 2000.

Prepared by / Approved by: Kim Blanchard  
July 25, 2013
17 April 2013

The Honourable Kevin O’Brien
Minister
Department of Municipal Affairs
P. O. Box 8700
St. John’s, NL
A1B 4J6

Dear Minister O’Brien:

The Town Council of Portugal Cove-St. Philip’s is considering draft Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013, to the current Portugal Cove-St. Philip’s Municipal Plan. The draft amendments will allow an extension of Jera Street to the south of the Chesley Van Heights residential subdivision located off Bauline Line Extension.

We have reviewed the proposed Municipal Plan and Development Regulations Amendment for conformity with the St. John’s Urban Region Regional Plan and have determined that the location falls within the “Rural” designation of the St. John’s Urban Region Regional Plan. Prior to the Town proceeding with the Municipal Plan and Development Regulations Amendment, the Regional Plan also requires an amendment.

I am requesting your approval to amend the St. John’s Urban Region Regional Plan and to proceed with Public Consultation on the Town’s proposed Municipal Plan and Development Regulations amendment.

Should you have any questions or concerns please contact me at 895-8000.

Yours truly,

Gordon Tucker, Acting Mayor
Town of Portugal Cove-St. Philip’s
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
AUG 14 2013

Mr. Chris Milley, P.Eng.,
Town Manager
Town of Portugal Cove-St. Philip’s
1119 Thorburn Road
Portugal Cove-St. Philip’s, NL A1M 1T6

Dear Mr. Milley:

RE: Request for Amendment to the St. John’s Urban Region Regional Plan
Town of Portugal Cove-St. Philip’s Municipal Plan Amendment #22, 2013 and
Development Regulations Amendment # 51, 2012
(Jera Street, Chesley Van Heights, off Bauline Line Extension)

I have reviewed the Town’s letter requesting that I consider an amendment to the St. John’s Urban Region Regional Plan to accommodate a 13-lot unserviced cul-de-sac extension to the Chesley Van Heights residential subdivision off Bauline Line Extension in the Town of Portugal Cove-St. Philip’s.

The number of lots proposed with on-site servicing triggered Ground Water Assessment (GWA) requirements. It is our understanding that a Level I GWA has been performed to the satisfaction of the Department of Environment and Conservation.

You may now proceed with public consultation as required by Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan to re-designate the subject property to “Urban Development”. Consultation for the proposed Regional Plan amendment (SJURRP Amendment # 9, 2013) should be concurrent and referenced with that required for the Town’s proposed amendments to its Municipal Plan and Development Regulations.

As provided by the Act, I will require that you consult with the public and the other 14 municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to these proposed amendments.

Upon completion of the consultation process, please provide me with a summary of the consultation along with any written representations received by the Town.

Sincerely,

KEVIN O’BRIEN
Minister

cc: Mr. Reginald Garland, MCIP, Plan-Tech Environment
28 August 2013

Department of Municipal Affairs
Corrie Davis, Manager of Land Use Planning
Confederation Building
P.O. Box 8700
Prince Philip Drive
St. John’s, NL A1B 4J6

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Davis:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development Coordinator
Enclosures:  
Minister Kevin O’Brien’s letter
Draft Municipal Plan Amendment
Draft Development Regulations Amendment
Town’s Land Use Zoning Map with proposed concept
Town’s Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
AUG 14, 2013

Mr. Chris Milley, P.Eng.
Town Manager
Town of Portugal Cove-St. Philip’s
1119 Thorburn Road
Portugal Cove-St. Philip’s, NL A1M 1T6

Dear Mr. Milley:

RE: Request for Amendment to the St. John’s Urban Region Regional Plan

Town of Portugal Cove-St. Philip’s Municipal Plan Amendment #22, 2013 and Development Regulations Amendment #51, 2012
(Jera Street, Chesley Van Heights, off Bauline Line Extension)

I have reviewed the Town’s letter requesting that I consider an amendment to the St. John’s Urban Region Regional Plan to accommodate a 13-lot unserviced cul-de-sac extension to the Chesley Van Heights residential subdivision off Bauline Line Extension in the Town of Portugal Cove-St. Philip’s.

The number of lots proposed with on-site servicing triggered Ground Water Assessment (GWA) requirements. It is our understanding that a Level 1 GWA has been performed to the satisfaction of the Department of Environment and Conservation.

You may now proceed with public consultation as required by Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan to re-designate the subject property to “Urban Development”. Consultation for the proposed Regional Plan amendment (SJURRP Amendment # 9, 2013) should be concurrent and referenced with that required for the Town’s proposed amendments to its Municipal Plan and Development Regulations.

As provided by the Act, I will require that you consult with the public and the other 14 municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to these proposed amendments.

Upon completion of the consultation process, please provide me with a summary of the consultation along with any written representations received by the Town.

Sincerely,

KEVIN O’BRIEN
Minister

cc: Mr. Reginald Garland, MCIP, Plan-Tech Environment
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
23 October 2013

The Honourable Steve Kent
Minister
Department of Municipal Affairs
P. O. Box 8700
St. John’s, NL
A1B 4J6

Dear Minister Kent:

Re: St. John’s Urban Region Regional Plan Amendment No. 9, 2013
Portugal Cove-St. Philip’s Municipal Plan Amendment No. 22, 2013
Portugal Cove-St. Philip’s Development Regulations Amendment No. 51, 2013
(Jera Street, Chesley Van Heights, off Bauline Line Extension)

As directed in a letter from the Minister’s Office, the Town of Portugal Cove-St. Philip’s has completed the required Public Consultation on the proposed Municipal Plan Amendment Number 22, 2013 and Development Regulations Amendment Number 51, 2013.

The Town advertised a notice in the August 31st, 2013 edition of The Telegram newspaper that the amendments would be on display at the Town Office (see attached public advertisements). No written objections or concerns were received in advance of the stated deadline.

Comments were also requested from Municipalities in the Northeast Avalon under the jurisdiction of the St. John’s Urban Region Regional Plan, as per Section 14 of the Urban and Rural Planning Act, 2000. Comments were received by the Town during the public consultation period and considered at a regular meeting of Council on October 22nd, 2013 (see correspondence attached).

The Town of Portugal Cove-St. Philip’s is now requesting that you proceed with the required Regional Plan Amendment and provide the Town with a letter of release before proceeding with officially adopting the proposed amendments and proceeding with the statutory public hearing.

For your information we have enclosed the following documentation:

- Copy of letter from the Minister allowing the Town to proceed with Public Consultation as required by Section 14 of the Urban and Rural Planning Act, 2000;
- Text and map pertaining to Municipal Plan Amendment No. 22, 2013;
- Text and map pertaining to Development Regulations Amendment No. 51, 2013;
- Copy of August 31st, 2013 Public Notice advertisement in The Telegram newspaper;
- Copy of letters forwarded to all Municipalities that are subject to the St. John's Urban Region Regional Plan;
- Copy of comments received as a result of consulting with all the municipalities that are subject to the St. John's Urban Region Regional Plan, and;
- Copy of Council Motion (comments considered at a regular meeting of Council).

Should you have any questions or concerns please contact the undersigned at 895-8000.

Sincerely,

Moses Tucker
Mayor
Town of Portugal Cove-St. Philip's
NEWFOUNDLAND
LABRADOR

AUG 14 2013

Mr. Chris Milley, P.Eng.
Town Manager
Town of Portugal Cove-St. Philip’s
1119 Thorburn Road
Portugal Cove-St. Philip’s, NL A1M 1T6

Dear Mr. Milley:

RE: Request for Amendment to the St. John’s Urban Region Regional Plan

Town of Portugal Cove-St. Philip’s Municipal Plan Amendment #22, 2013 and
Development Regulations Amendment # 51, 2012
(Jera Street, Chesley Van Heights, off Bauline Line Extension)

I have reviewed the Town’s letter requesting that I consider an amendment to the St. John’s Urban Region Regional Plan to accommodate a 13-lot unserviced cul-de-sac extension to the Chesley Van Heights residential subdivision off Bauline Line Extension in the Town of Portugal Cove-St. Philip’s.

The number of lots proposed with on-site servicing triggered Ground Water Assessment (GWA) requirements. It is our understanding that a Level 1 GWA has been performed to the satisfaction of the Department of Environment and Conservation.

You may now proceed with public consultation as required by Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan to re-designate the subject property to “Urban Development”. Consultation for the proposed Regional Plan amendment (SJURRP Amendment # 9, 2013) should be concurrent and referenced with that required for the Town’s proposed amendments to its Municipal Plan and Development Regulations.

As provided by the Act, I will require that you consult with the public and the other 14 municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to these proposed amendments.

Upon completion of the consultation process, please provide me with a summary of the consultation along with any written representations received by the Town.

Sincerely,

KEVIN O’BRIEN
Minister

cc: Mr. Reginald Garland, MCIP, Plan-Tech Environment
Potential copyright material

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Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
28 August 2013

CBCL Limited
Mary Bishop, Senior Project Planner
187 Kenmount Road
ICON Building
St. John’s, NL A1B 3P9

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Bishop:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Baoline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development Coordinator
Enclosures:  Minister Kevin O'Brien's letter
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Town's Land Use Zoning Map with proposed concept
Town's Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
28 August 2013

City of Mount Pearl
Stephen Jewczyk, Director of Planning and Development
3 Centennial Street
Mount Pearl, NL
A1N 1G4

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Jewczyk:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development Coordinator
Enclosures:  
Minister Kevin O’Brien’s letter  
Draft Municipal Plan Amendment  
Draft Development Regulations Amendment  
Town’s Land Use Zoning Map with proposed concept  
Town’s Future Land Use Map with proposed concept  
Regional Plan Map showing amendment area  
Aerial Map
28 August 2013

Ken O’Brien
Manager of Planning & Information
City of St. John’s
10 New Gower Street, P.O. Box 908
St. John’s, NL A1C 5M2

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. O’Brien:

The Town of Portugal Cove-St. Philip's has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/ email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development Coordinator
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Aerial Map
28 August 2013

Department of Municipal Affairs
Corrie Davis, Manager of Land Use Planning
Confederation Building
P.O. Box 8700
Prince Philip Drive
St. John’s, NL A1B 4J6

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Davis:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development Coordinator
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Aerial Map
29 August 2013

Town of Bauleine
Raylene Manning, Town Clerk
2 Brook Path, Bauleine, NL
A1K 1E9

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Manning:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauleine Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development Coordinator
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Town’s Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Bay Bulls
Janet O’Brien, Town Clerk
Cemetery Lane West
P.O. Box 70
Bay Bulls, NL A0A 1C0

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. O’Brien:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

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The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator
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Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Conception Bay South  
Elaine Mitchell, Director of Planning  
106 Conception Bay Highway  
Conception Bay South, NL,  
A1W 3A5

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Mitchell:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

[Signature]

Les Spurrell  
Planning & Development  
Coordinator
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28 August 2013

Town of Flatrock
663 Wind Gap Road
Flatrock, NL
A1K 1C7

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Town Clerk:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrrell
Planning & Development
Coordinator

Enclosures: Minister Kevin O’Brien’s letter
Draft Municipal Plan Amendment
Draft Development Regulations Amendment
Town’s Land Use Zoning Map with proposed concept
Town’s Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Holyrood
Barry Snow, Economic Development
P. O. Box 100
Holyrood, NL A0A 2R0

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Snow:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator

Enclosures:  
Minister Kevin O’Brien’s letter
Draft Municipal Plan Amendment
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Town’s Land Use Zoning Map with proposed concept
Town’s Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Logy Bay - Middle Cove - Outer Cove
Richard Roche, Town Clerk
744 Logy Bay Rd
Logy Bay, NL A1K 3B5

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Roche:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator
Enclosures: Minister Kevin O’Brien’s letter
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28 August 2013

Town of Paradise
Ann-Marie Cashin, Planner
28 McNamara Drive
Paradise, Newfoundland, Canada A1L 0A6

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Cashin:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator
Enclosures:  Minister Kevin O'Brien's letter
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Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Petty Harbour-Maddox Cove
Noreen Costello, Town Clerk
P.O. Box 434
Petty Harbour-Maddox Cove, NL A0A 3H0

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Costello:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator: Minister Kevin O’Brien’s letter
Draft Municipal Plan Amendment
Draft Development Regulations Amendment
Town’s Land Use Zoning Map with proposed concept
Town’s Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Pouch Cove
Jacquie Berkshire, Town Clerk
660 Main Road
P.O. Box 59
Pouch Cove, NL A0A 3L0

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Berkshire:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

A letter requesting that an amendment to the St. John’s Urban Regional Plan be considered was sent to the Minister of the Department of Municipal and Provincial Affairs. The Minister has agreed to consider the proposed amendment provided that the Town of Portugal Cove-St. Philip’s undertake the public consultation process required under Section 14 of the Urban and Rural Planning Act, 2000 related to the proposed amendment to the Regional Plan, concurrently with the public consultation process required for the amendments to the Town of Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator

Enclosures:  
Minister Kevin O'Brien's letter
Draft Municipal Plan Amendment
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Town's Land Use Zoning Map with proposed concept
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Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Torbay
Brian Winter, Director of Planning
P.O. Box 1160
1288 Torbay Road
Torbay, NL A1K 1K4

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Winter:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

[Signature]

Les Spurrell
Planning & Development
Coordinator

Enclosures:
- Minister Kevin O'Brien's letter
- Draft Municipal Plan Amendment
- Draft Development Regulations Amendment
- Town's Land Use Zoning Map with proposed concept
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- Aerial Map
28 August 2013

Town of Wabana
Ben Noseworthy, Town Clerk
P.O. Box 1229
Bell Island, NL A0A 4H0

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Mr. Noseworthy:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de-sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

[Signature]

Les Spurrell
Planning & Development
Coordinator
Enclosures: Minister Kevin O’Brien’s letter
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Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Town of Witless Bay
Geraldine Caul, Town Clerk/Manager
Town of Witless Bay
P.O. Box 130
Witless Bay, NL A0A 4K0

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Caul:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Baulline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

The Town of Portugal Cove-St. Philip’s submits this letter and attached information relating to the proposed amendments for your consideration and comment.

The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator
Enclosures: Minister Kevin O'Brien’s letter
Draft Municipal Plan Amendment
Draft Development Regulations Amendment
Town’s Land Use Zoning Map with proposed concept
Town’s Future Land Use Map with proposed concept
Regional Plan Map showing amendment area
Aerial Map
28 August 2013

Northeast Avalon Regional Economic Development Board
Christine Snow
90 O’Leary Avenue
First Floor
St. John’s, NL A1B 2C7

Re: Proposed Amendments: St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

Dear Ms. Snow:

The Town of Portugal Cove-St. Philip’s has received a request to rezone an area of land located south of the Chesley-Van Heights Subdivision off Bauline Line Extension to accommodate a thirteen (13) lot un-serviced cul-de sac as an extension to the Chesley-Van Heights Residential Subdivision. In order to do this, the land currently designated Rural must be changed to Rural Residential in the Town’s Municipal Plan and from Rural to Residential Rural in the Town’s Development Regulations. A Regional Plan Amendment is also required to re-designate the same land from Rural to Urban Development.

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The Minister also requires that the Town consult with all municipalities that are subject to the St. John’s Urban Region Regional Plan in relation to the proposed amendments.

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The Town of Portugal Cove-St. Philip’s respectively requests a written response on the proposed amendment on or before September 28th, 2013. Please fax or email your comments to the undersigned at 895-3780 (fax)/email les.spurrell@pcsp.ca or to the Minister of Municipal Affairs.

Sincerely,

Les Spurrell
Planning & Development
Coordinator

Enclosures:
- Minister Kevin O'Brien's letter
- Draft Municipal Plan Amendment
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- Aerial Map
September 11, 2013

Mr. Les Spurrell  
Town of Portugal Cove-St. Phillips  
1119 Thorburn Road  
Portugal Cove-St. Philips, NL  
A1M 1T6

Dear Mr. Spurrell:

Re: Proposed Amendments to the St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 222, 2013 and Development Regulations Amendment No. 51, 2012

Please be advised that your letter on the above noted matter was presented to Council at a meeting held on September 9, 2013.

I am pleased to advise you that Council does not have any concerns with this proposed amendment.

Sincerely,

[Signature]
Noreen Costello  
Chief Administrative Officer
September 13, 2013

Mr. Les Spurrell
Planning & Development Coordinator
Town of Portugal Cove St. Philip’s
1119 Thorburn Road
Portugal Cove St. Philip’s, NL   A1M 1T6

Via Fax: 895-3780

Dear Mr. Spurrell:

Re: Proposed St. John’s Urban Region Regional Plan Amendment No. 9, 2013
Portugal Cove St. Philip’s Municipal Plan Amendment No. 22, 2013 and
Development Regulations Amendment No. 51, 2013
Chesley-Van Heights Subdivision Extension, Town of Portugal Cove St. Philip’s

A referral has been received by the City of St. John’s Department of Planning, Development and Engineering from the Town of Portugal Cove St. Philips regarding a proposed amendment to the Town’s Municipal Plan and Development Regulations for the Chesley-Van Heights subdivision expansion, located off Bauline Line Ext. The amendments were reviewed by the City’s Department of Planning, Development and Engineering.

The City has no objections to the proposed amendments, but would encourage the Town to consider the impacts of rezoning rural land and the pressure it places on future backland development and the pressure to extend new roads and municipal water services. It would also be encouraged, that the Town consider maintaining appropriate setbacks between the proposed development and the adjacent watercourse identified on amendment maps.

Thank you for the referral and the opportunity to comment on these amendments. Should you require any further information from the City of St. John’s respecting these amendments, please contact the Department of Planning, Development and Engineering at 576-8220 or e-mail to planning@stjohns.ca

Yours truly,

[Signature]

Ken O’Brien, MCIP
Chief Municipal Planner

ST. JOHN’S
CITY OF ST. JOHN’S P.O. BOX 908 ST. JOHN’S NL CANADA A1C 5M2 WWW.STJOHNS.CA
September 25th, 2013

Mr. Les Spurrell
Planning & Development
Town of Portugal Cove – St. Phillip’s
1119 Thorburn Road
Portugal Cove – St. Phillip’s, NL
A1M 1T6

Dear Mr. Spurrell:


In response to your letter received September 3rd, 2013, regarding the Town of Portugal Cove – St. Phillip’s proposed St. John’s Urban Region Regional Plan Amendment, please be advised that this proposal was presented and reviewed by the Town of Paradise Planning Committee. The Town of Paradise has no objections to the Regional Plan Amendment, provided that there are no harmful effects to the regional water system.

Should you require any additional information, please contact the undersigned at acashin@townofparadise.ca or 782-1536.

Sincerely,

[Signature]

Ann-Marie Cashin
Planner
September 5, 2013

Mr. Les Spurrell, Planning and Development Coordinator
Town of Portugal Cove–St. Philip's
1119 Thorburn Road
Portugal Cove – St. Philip's, NL A1M 1T6

Dear Sir:


Thank you for providing the Town of Conception Bay South with an opportunity to review the proposed amendments to the St. John's Urban Region Regional Plan to facilitate the above noted amendments to the Portugal Cove–St. Philip's Municipal Plan and Development Regulations to accommodate a thirteen lot unserviced residential subdivision as an extension to the Chesley-Van Heights Residential subdivision.

The Town of Conception Bay South can identify no substantive issues of concern and therefore has no objection to the amendments as proposed. Should you require anything further, please do not hesitate to contact the undersigned at emitchell@conceptionbaysouth.ca or 834-6520.

Yours truly,

Elaine Mitchell, MCIP
Director of Planning and Development

/ag
Motion: Collins/Bartlett
2013-366 Resolved that the following be accepted as per Schedule (Appendix) A: Tabled Report:
2013-366-11 Minister of Municipal Affairs – St. John’s Urban Region Regional Plan Amendment No. 9, 2013, Municipal Plan Amendment No. 22, 2013 & Development Regulations Amendment No. 51, 2012 – Forward Correspondence

Schedule (Appendix) A: Tabled Report
October 15th, 2013


The Committee recommends that the consultation results and draft planning documents for Municipal Plan Amendment No. 22, 2013; Development Regulations Amendment No. 51, 2013 & St. John’s Urban Region Regional Plan Amendment No. 9, 2013 be forwarded to the Department of Municipal Affairs for Provincial Review and release as per Section 15 (Review of Plan) of the Urban and Rural Planning Act, 2000.
Hi Guys,

I'm not sure which of you prepared the attached map, but would the appropriate person please update it to reflect change in Minister and ministerial responsibility (Minister of Municipal and Intergovernmental Affairs).

Thanks

Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
St. John's, NL  A1B 4J6
Tel 709.729.5409 Fax 709.729.0477
From: Davis, Corrie
Sent: Friday, November 01, 2013 3:39 PM
To: Carew, Gerry; Allston, Peter
Subject: RE: Revisions needed to the attached map
Attachments: SJURRP amd 9 2013 Jera PI ext PCSP MAP.pdf

Non responsive
Actually attached it this time.

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

From: Davis, Corrie
Sent: Friday, November 01, 2013 3:31 PM
To: Carew, Gerry; Allston, Peter
Subject: Revisions needed to the attached map

Hi Guys,

I'm not sure which of you prepared the attached map, but would the appropriate person please update it to reflect change in Minister and ministerial responsibility (Minister of Municipal and Intergovernmental Affairs).

Thanks

Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
St. John's, NL A1B 4J6
Tel 709.729.5409 Fax 709.729.0477
St. John's Urban Region Regional Plan
Amendment 9, 2013

Re-designate from "Rural"
to "Urban Development"

I, Kevin O'Brien, Minister of Municipal Affairs under authority of Section 16 of the Urban and Rural Planning Act 2000, adopt the St. John's Urban Region Regional Plan Amendment No. 9, 2013

Dated at St. John's, Newfoundland and Labrador this ______ day of _________ 2013

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 9, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000

Dated at St. John's, Newfoundland and Labrador this ______ day of _________ 2013
November 4, 2013

Mayor Moses Tucker
Town of Portugal Cove – St. Philip’s
1119 Thorburn Road
Portugal Cove – St. Philip’s
A1M 1T6

Dear Mayor Moses:

Re: St. John’s Region Regional Plan Amendment No. 9, 213
    Portugal Cove – St. Philip’s Municipal Plan Amendment No. 22, 2013
    Portugal Cove – St. Philip’s Development Regulations Amendment No. 51, 2013
    (Jera Street, Chesley Van Heights, off Bauline Line Extension)

We are in receipt of your letter addressed to our Minister dated October 21, 2013 with enclosures, wherein you request that we proceed with the required Regional Plan Amendment and provide the Town with a Letter of Release.

Please be advised that we are in the process of reviewing the documentation and we will be in contact with you in the near future.

Yours truly,

Corrie Davis, MCIP
Manager, Land Use Planning

/CH

cc: Honourable Steve Kent
    Minister of Municipal and Intergovernmental Affairs
Title: Proposed St. John's Urban Region Regional Plan Amendment No. 9, 2013
Jera Street Extension, Portugal Cove-St. Philip's

Issue:
- The Town of Portugal Cove-St. Philip's request that the Minister adopt St. John's Urban Region Regional Plan Amendment No. 9, 2013.

Background and Current Status:
- The Town of Portugal Cove-St. Philip's requested an amendment to the St. John's Urban Region Regional Plan (SJURRP) to accommodate to accommodate a residential subdivision.
- The proposed subdivision would consist of 13 residential lots on a new road serviced with individual well and septic systems on each lot.
- The SJURRP must be amended to re-designate the land from “Rural” to “Urban Development” in order to accommodate the Town’s proposal.
- The Minister of Municipal Affairs is the “Authority” for the SJURRP.
- The Minister previously agreed to commence public consultation regarding this proposed amendment.
- There was no public opposition to the proposal as a result of the public consultation.
- The Town requested that the Minister adopt the amendment to the Regional Plan in accordance with Sections 16 and 19 of the Urban and Rural Planning Act, 2000.
- Should the Minister agree to adopt the noted amendments, the Town will be responsible for preparing and publishing a Notice of Adoption and Public Hearing.
- An independent commissioner must be appointed to hear objections and prepare a report with recommendations for consideration by the Minister and the Town Council.
- Council has not yet provided a name of a commissioner to facilitate a joint appointment by the Minister and the Council.

Action Required:
- Land Use Planning recommends that the Minister adopt the proposed amendment to the Regional Plan by signing the attached Resolution to Adopt and Map.

Prepared / Approved by: C. Davis /

November 1, 2013
Government of Newfoundland and Labrador  
Department of Municipal Affairs  
Engineering & Land Use Planning Division

November 13, 2013

Chris Milley, P.Eng.  
Town Manager/Engineer  
Town of Portugal Cove-St. Philip’s  
1119 Thorburn Road  
Portugal Cove-St. Philip’s, NL A1M 1T6

Dear Mr. Milley:

Re: St. John’s Urban Region Regional Plan Amendment #9, 2013, related to Town of Portugal Cove St. Philip’s Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013 (Jera Street)

The Minister of Municipal and Intergovernmental Affairs has adopted St. John’s Urban Region Regional Plan Amendment No. 9, 2013; copy attached.

Therefore, in keeping with the requirements of Section 15 of the Urban and Rural Planning Act, 2000, I have reviewed the above noted municipal amendments for conformity with provincial interest and law. In my opinion, the municipal amendments do not conflict with any stated provincial policies and I release them from the provincial review.

The amendments may now be considered for adoption by Council. If adopted, a Commissioner must be appointed to convene a Public Hearing. Please advise the Department who the Town intends to appoint as commissioner. The Minister will consider appointing that individual to serve as Commissioner for the regional plan amendment hearing as well.

Council must schedule the public hearing for the Regional Plan Amendment simultaneous with the Town’s Development Regulations Amendment. The notices of public hearing must explicitly reference the regional plan amendment in addition to the municipal amendments. The Town is responsible for all costs including publication of notices, commissioner fees and expenses.

Please note that the municipal amendments and the accompanying map(s) must be certified by a member or fellow of the Canadian Institute of Planners, and must be dated, signed and embossed with the Council Seal.

Yours truly,

Corrie Davis, MCIP  
Manager, Land Use Planning

Attachments
ST. JOHN’S URBAN REGION REGIONAL PLAN
PLAN AMENDMENT # 9, 2013

Jera Street Extension (Chesley Van Heights Subdivision)
Portugal Cove-St. Philip’s

September 2013
URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT

ST. JOHN’S URBAN REGION REGIONAL PLAN
AMENDMENT # 9, 2013

I, Steve Kent, Minister of Municipal and Intergovernmental Affairs, under the authority of Section 16 of the Urban and Rural Planning Act, 2000 adopt the St. John’s Urban Region Regional Plan Amendment No. 9, 2013.

Signed and sealed at St. John’s Newfoundland and Labrador this 7th day of November, 2013.

Steve Kent
Minister of Municipal and Intergovernmental Affairs
ST. JOHN'S URBAN REGION REGIONAL PLAN
AMENDMENT # 9, 2013

BACKGROUND
The Portugal Cove-St. Philip’s Town Council is proposing to implement Municipal Plan Amendment Number 22, 2013 and Development Regulations Amendment Number 51, 2013. These amendments are intended to accommodate a new 13-lot cul-de-sac extension to the Chesley Van Heights residential subdivision off Bauline Line Extension. The proposed development requires that the Town undertake a mapping change to its Future Land Use Map to re-designate lands from “Rural” to “Rural Residential”, and a change to its Zoning Map to re-zone lands from “Rural (RUR)” to “Residential Rural (RR)”.

The St. John’s Urban Region Regional Plan (Regional Plan) sets out a framework for growth and development within the St. John’s Urban Region. Municipal Plans prepared by municipalities in the St. John’s Urban Region must be consistent with the Regional Plan. In accordance with the Regional Plan, the subject lands are located in the “Rural” designation. Urban development patterns, such as residential subdivisions, are directed to the “Urban Development” designation of the Regional Plan. In order to accommodate the proposed residential designation and zoning, Portugal Cove-St. Philip’s requested that the Regional Plan be simultaneously amended to accommodate the Town’s Municipal Plan and Development Regulations amendments.

To accommodate the Town’s amendments for this residential subdivision, the Regional Plan designation for the subject lands in the area of the Chesley Van Heights subdivision will be changed to “Urban Development”. The attached Regional Plan map amendment illustrates the full extent of the urban development area to be amended.

PUBLIC CONSULTATION
During the preparation of this amendment Council undertook a public consultation process, seeking comments or representations from the public on the proposed amendments to the Town’s Development Regulations and the Regional Plan. As part of the process, the Town provided consultation opportunity for the other municipalities in the Northeast Avalon subject to the St. John’s Urban Region Regional Plan. Public notification was achieved by way of postings on the Town’s website and publications in the Telegram.

AMENDMENT # 9, 2013
The St. John’s Urban Region Regional Plan is amended by re-designating the subject property in the area of Jera Street from “Rural” to “Urban Development” as shown on the attached map.

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION
I certify that the attached St. John’s Urban Region Regional Plan Amendment No. 9, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.
St. John's Urban Region Regional Plan
Amendment 8, 2013

Re-designate from "Rural" to "Urban Development"

I, Steve Kent, Minister of Municipal and Intergovernmental Affairs under authority of Section 16 of the Urban and Rural Planning Act 2000, adopt the St. John's Urban Region Regional Plan Amendment No. 8, 2013

Dated at St. John's, Newfoundland and Labrador this ______ day of Nov. 2013

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 8, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000

Dated at St. John's, Newfoundland and Labrador this ______ day of ________ 2013
Hi Robert,

Please see attached memo and map respecting the Portugal Cove-St. Philip's Plan Review.

I trust you will find the attachments in good order. If you have questions or would like to discuss, I'd be happy to do so in the new year. I will be taking time off over the holidays while my children are off school on Xmas break.

Merry Christmas and happy holidays to you and yours!

Kim
MEMO

December 2013

Robert Ross, MCIP
Tract Consulting Inc.
P.O. Box 504
St. John's, NL A1C 5K4

Subject: Provincial Review – Portugal Cove-St. Philip’s Municipal Plan & Development Regulations

Dear Robert:

Release of the PCSP Town Plan Review documents from Provincial review (URPA S.15) is subject to the following comments being addressed, and any necessary changes should be made prior to adoption of the documents by Council. Please see comments below respecting content as well as general typographical/grammatical errors, organized into categories to differentiate the more critical aspects of the review that are necessary for release from the more general professional suggestions/commentary. We ask that any inconsistency between Land Use Regulation and Policy be addressed prior to Registration.

NECESSARY FOR RELEASE:

Mapping – MIMS compliancy:

As you are aware, MIMS compliance of the mapping products is a requirement for release from provincial review. Gerry Carew of our office has worked with your mapping technician to adjust the mapping issues and has determined that it is in accordance with our required standards.

Referrals:

Please ensure that any referral commentary received from provincial departments and agencies is considered in the final documents and recommendations/requirements incorporated as necessary.

Municipal Plan & Development Regulations:

Schedule A: Definitions

- The list of definitions includes some terms that may be pertinent in the general context of land use planning but seem not to appear elsewhere in the documents or maps. Having additional definitions does not pose a concern from a provincial review perspective, as long as there are no contradictions with legislation, but merely begs the question of relevance.

- Definitions cannot contravene parallel definitions in legislation.

- In instances where definitions are provided by the Ministerial Regulations, be cautious against contradiction or confusion. For example, “Established Grade” is cited using language consistent with the Ministerial Regulations; however, “Grade” is also defined separately. If “Grade” is desired as a definition under “G”, then perhaps it could be cross-referenced, as in “see Established Grade”. Similarly “Building Height” and “Height”. It is noted that this approach is used elsewhere for definitions such as “Small-Scale Agriculture” which states “see Hobby Farming”.

- Please ensure that the definitions terms such as “High Water Mark”, “Natural Boundary”, and “Top of Bank” are in accordance with the Water Resources Act.
- Ensure that references to legislation are specific to Newfoundland and Labrador provincial legislation and correctly referenced. For example: "Schools Act", "Day Nurseries Act". See "Schools Act, 1997" and "Child Care Services Act".
- "Strata title" referenced in definitions and general regulations may require clarification or adjustment. This legal term referring to condominium ownership does not appear to be referenced in NL legislation generally, or the "Condominium Act, 2007".
- Granny Suite is referenced as an aspect of Subsidiary Apartment. Incorporating granny flats into subsidiary apartments appears to be a new direction for the Town's planning documents. It might be helpful to have more detail and policy direction around Council's intention for Granny Suites. There may also be considerations respecting the National Building Code.
- Where definitions deviate from typical wording, they may need to be cross-referenced with provincial agencies and legislation. In particular, the Water Resources Act: "High Water Mark", "Natural Boundary".

- **Plan policies for protection of environmentally sensitive areas/ Environmental protection map overlay**
  - Areas with slopes greater than 25% appear to somewhat conform to areas designated on the Regional Plan map as Restricted. Opening up Restricted lands for new future development may pose a provincial interest concern (for example, see RDSA area along the coast between the Portugal Cove and St. Philip's TC zones).

- **Backlot/ Panhandle Lot**
  - Some clarification may be necessary. It is unclear if it is intended that backlot or panhandle development be a permitted form of development, or if the reference might be limited to existing development situations. There appears to be no policy directives or allowance for backlot development or development standards within any of the use zones that would accommodate such development. If it is intended that backlot development be a regulated form of development, it would also require enabling policy.

**St. John's Urban Region Regional Plan:**

As you are aware, Municipal Affairs requested that the Town's Plan Review process include an assessment of how the Municipal Plan relates to the Regional Plan and identify any conflicts with the Regional Plan. The Conflict Report submitted provides an assessment of the Town as a Local Centre within the Region and analyses the Town's Plan as compared to the directives of the Regional Plan; however, it did not make any recommendations or requests respecting specific amendments to the Regional Plan that would address the conformity.

PCSP, along with other municipalities in the St. John's Urban Region, has been required to request amendments to bring Municipal Plan Reviews into compliance with the Regional Plan. This process is similar to the many other Regional Plan amendment processes undertaken by the Town in recent years, but simply addresses the Town Plan in its entirety rather than an ad hoc development area. Amending the Regional Plan to bring existing and future development into conformance and will minimize the need for Regional Plan amendments in the future.

The amendment to the Regional Plan should address the following questions:
- What changes are required to the SIURRP Map required to bring existing/future development in the municipality into compliance? For example, land use zones that reflect actual development or proposed future development have been identified for change to "Urban Development".
- Are there changes required to the written text of the Regional Plan document?
Municipal Affairs staff has worked with the submitted Future Land Use and Zoning maps to facilitate the process. The attached draft map overlays the Town’s proposed zoning with the SJURRP and can be used to identify the zones that would require a change to the Regional designation. This map depicts what we understand may be required to amend the Regional Plan Map to enable the Town’s Plan Review. Once you have reviewed the documents, please confirm the specifics of the amendment that you deem necessary to integrate the PCSP Plan into the Regional Plan. The Minister will be open to consider the Town’s requested amendment.

Agricultural Development Area:

As you are aware from communications with government, the Agricultural Development Area review was completed resulting in lands being released from the ADA. The Town’s documents acknowledge that future processes may be undertaken by the Town to comprehensively review future use of agricultural lands within the community. Please note that the Regional Plan provides for lands released from the ADA to revert to SJURRP Rural policy directives. The amended SJURRP map will therefore reflect Rural for non-ADA AG zones in the Town and a Regional Plan amendment can be requested at such time as it may be required in the future to enable the Town’s development plans for formerly agricultural development area lands.

Please note a conflict with the ADA in the area of Winsor Heights where the RLD zone is proposed. There appears to be existing non-conforming development. The lands that are currently contained within the ADA (subsequent to the ADA review and 2013 release of lands) are illustrated on the map and must remain within the ADA.

Watershed:

As you are aware, in accordance with the City of St. John’s Act, the City has authority to control the Windsor Lake watershed. The watershed boundary as depicted on the Regional Plan map is generalized and should not be considered specific or accurate. Plan policies should reflect that the watershed falls under the authority of the City of St. John’s and its legislation. Zoning intended for development cannot conflict with the watershed.

It should be noted that Government will not support changes in the St. John’s Urban Region Regional Plan or the Municipal Plan / Development Regulations (Future Land Use Map / Zoning Map) that will result in uses other than those permissible such as the previously noted encroachments into the Protected Watershed and Agricultural Development Area.

City of St. John’s has mapped the Windsor Lake/ Broad Cove River Watershed boundary more accurately via LIDAR based digital elevation model and Municipal and Intergovernmental Affairs and Environment and Conservation accept this boundary as a more accurate portrayal of the watershed boundary. The Plan should also include general policies for referral of development proposals both within and adjacent to the Windsor Lake/ Broad Cove River Watershed to the City of St. John’s.

Professional Suggestions (i.e. not mandatory release):

Mapping

As indicated previously, the final mapping should strive for legibility, usability, and print-friendliness. The Town Plan that has been in effect in PC-SP since 2001 utilized mapping that spliced together from multiple large scale map sheets. In the 2013-2023 Town Plan Review submission, the only hardcopy map included was an 11x17 tabloid scale map bound within the document as a fold-out. While including all the information on one map is helpful for context, the small print copy lacks detail and legibility to assess individual properties, boundaries, roads, etc. There is no specific requirement for the exact scale or number of maps suitable to illustrate a community; however, the design of the mapping must be at a scale or flexible to produce different scales such that land use can be interpreted at broad or detailed contexts. Please ensure that the final mapping has the ability to be printed at the necessary scales.
Environmental protection map overlay

Does this map incorporate hazard mapping provided to the Town by DNR Geological Survey?

Backlot/ Panhandle Lot

The definition in Schedule A for Backlot references the alternate term Panhandle, and both terms are included in the R. 90 Subdivision Design Standards. It should be noted the term "Backlot" is a commonly used terminology while "Panhandle lot" is not a common reference used in NL planning documents.

Horses

In the RMD and RLD use zones, conditions related to the discretionary use of Animals state "Horses (maximum one) may be permitted as a pet..." subject to a number of conditions that are listed. A note of caution regarding the potential for land use conflict and well-water contamination in residential zones.

Other general comments:

A couple of notable typo's that you may wish to correct:
- In the use zone tables that provide conditions for Swimming Pools, the statement "shall be located in the rear yard or..." should be "of"
- Definition of "Development Regulations" "land sue" should be "land use"

A general note about the official community name: the correct spelling is Portugal Cove-St. Philip's, and should be consistent in the text documents and mapping.

PROCEEDING FORWARD:

The following outlines the general steps wherein the Municipal Plan / Development Regulations are processed in conjunction with the Regional Plan amendment:

- Once the requirements for the St. John's Urban Regional Plan amendment are finalized with the Minister's consent, we will provide you with the full text amendment for the purposes of public consultation.

- An advertisement will be required to note that the SJURP is proposed for amendment in conjunction with the Town's Plan Review, and will need to be referred to the other 14 municipalities in the Region (to satisfy URPA 5.14 re SJURP).

- The results of this public consultation are to be returned to our Department for the Minister's consideration to adopt the enabling Regional Plan amendment (SJURP Amendment #20, 2013), which then would allow for Council's consideration to adopt its Municipal Plan (URPA 5.15).

- The Council would then bring forward a nomination for the Minister's consideration to facilitate a joint appointment for a commissioner to oversee the Public Hearing for the Municipal Plan Review and the associated Regional Plan amendment.

- The municipality would pay for and arrange the Public Hearing process (URPA 5.17-21).

- The commissioner's report would then be submitted to both authorities (the Minister and Council) (URPA 5.22-23) along with the (URPA 5.24) submission for final review and registration.
Given the significant turnover in Council during the recent municipal election this fall, and some recent comments made by Councilors in the media, does this draft Plan reflect Council’s vision for guiding development? While the legislation provides for opportunity to amend the adopted version prior to the final approved version, modifications are usually minor, and provision for amending is on the basis of consultation and the results of the public hearing process. Councilors should be prepared to adopt the content of the Municipal Plan and Development Regulations documents that are considered for release from Provincial Review.

After a lengthy process to complete the Plan Review process, it is hoped that the new Plan will enable the Town to guide development in accordance with Council’s vision. We look forward to working with you to guide the completion of the registration process in accordance with the Urban and Rural Planning Act.

If you have any questions, please feel free to contact me at your convenience.

Kind regards,
Kim

Copy:  
* Chris Milley, Town Manager/Engineer; Les Spurrell, Planning Technician, Town of Portugal Cove-St. Philip’s  
* Neil Dawe, Tract  
* Corrie Davis, Manager of Land Use Planning, Municipal & Intergovernmental Affairs

---

Newfoundland
Labrador

Kimberley J. Blanchard  
M.E. (Planning), MCP  
Senior Planner

Government of Newfoundland and Labrador  
Department of Municipal and Intergovernmental Affairs  
Engineering and Land Use Planning Division  
Confederation Bldg, West Block – First Floor  
PO Box 8700, St. John’s, NL A1B 4J6  
t. 1 (709) 729-4970  
f. 1 (709) 729-0477  
e. KimberleyBlanchard@gov.nl.ca
From: rross@tractconsulting.com
Sent: Thursday, January 09, 2014 12:07 PM
To: Blanchard, Kimberley
Subject: TRIM: Re: FW: PC-SP Draft Municipal Plan and Development Regulations Comments

Hello Kim

Thanks for your reply. I am having a phone call this afternoon with the Town with regard to your review comments letter of Dec. 23rd, 2013. Additional queries may be sent your way after that Town conversation.

With regard to the definitions in the DRegs for High Water Mark, Top of Bank, I’ll await comments back from Haseen of Water Resources as long as they do not take an undue amount of time, but wished to assure you that such environmental definitions originate from BC where environmental protection is seemingly held in much higher regard than I see evident throughout Atlantic Canada.

As I wade through some of the additional review comments such as for backlot and panhandle lots, reference to granny suites, etc. the intent will be to provide the additional clarification and understanding that you identify as being required.

Take care and thanks again - Robert

---

On 2014-01-09 04:53, Blanchard, Kimberley wrote:
> Hi Robert,
> 
> In response to your two questions:
> 
> Question 1:
> - Firstly you request that we ensure that the definition terms for high water mark, natural boundary, top of bank, etc. are in accordance with the of the Water Resources Act - good comment. However when I review the interpretation section of the Water Resources Act, none of these terms are so defined. Can you provide more definitive reference source for such terms?
> 
> Response:
I recognize that the Water Resources Act does not specifically define terms proposed in the definitions section; however, I don't have any alternate reference for definitions. My intention in my comment to please ensure that new terms are in accordance with WRA is not to discourage new definitions that the Town may wish to define and clarify, but rather to avoid conflict with existing legislative frameworks. The attached email inquiry was referred to ENVC in Dec but we have not yet received response. I will forward any feedback I receive.

Question 2:
- Secondly, does the provided map of December 23rd reflect the entirety of map amendments you deem required to comply with the Regional Plan?

Response:
- The map overlaying the proposed Town Zoning Map with the Regional Plan is provided to assist in the process of identifying conflicts and to facilitate the Town's determination of specifically what it may need to request in terms of a SJURR amendment to enable the compliance of its Municipal Plan.

Call me if you wish to discuss.

Thanks,
Kim

-----Original Message-----
From: Blanchard, Kimberley
Sent: Monday, January 06, 2014 3:21 PM
To: 'ross@tractconsulting.com'
Cc: Davis, Corrie
Subject: RE: PC-SP Draft Municipal Plan and Development Regulations
Comments

Hi Robert,

Yes, always nice to have a break and extra family time.

Indeed, a winter we won’t forget, and it's only early January! I'm sure people feel the same in yours and other parts as it's been a tough season for many places it seems.

I just wanted to acknowledge your email as I am back in the office and I will get back to you on your inquiries within the next day or so.

K

-----Original Message-----
> From: rross@tractconsulting.com [mailto:rross@tractconsulting.com]
> Sent: Monday, January 06, 2014 2:32 PM
> To: Blanchard, Kimberley
> Subject: PC-SP Draft Municipal Plan and Development Regulations
> Comments
> Hi Kim
> I trust that you had a good break from work tasks and feel somewhat
> re-energized for 2014. Whew we certainly have had quite a display of
> winter’s finest thus far, and now you also have to contend with the
> power challenges - good luck with all of that.
> I appreciate the work that went into your review comments of the
> aforementioned, received shortly before Christmas. I am beginning the
> conversation with the Town on the varied revisions.
> Two items in the early stages of responding to your review comments
> include the following questions:
> Firstly you request that we ensure that the definition terms for
> high water mark, natural boundary, top of bank, etc. are in accordance
> with the of the Water Resources Act - good comment. However when I
> review the interpretation section of the Water Resources Act, none of
> these terms are so defined. Can you provide more definitive reference
> source for such terms?
> Secondly, does the provided map of December 23rd reflect the
> entirety of map amendments you deem required to comply with the
> Regional Plan?
> Thanks for your help and direction,
> Robert Ross
> “This email and any attached files are intended for the sole use of
> the primary and copied addressee(s) and may contain privileged and/or
> confidential information. Any distribution, use or copying by any
> means of this information is strictly prohibited. If you received this
> email in error, please delete it immediately and notify the sender.”
> Dear Haseen,
> Please see the following excerpts from the Portugal Cove-St. Philip’s
> Draft Development Regulations submitted in conjunction with the Town’s
> Plan Review for provincial review and release. We would appreciate if
> you could kindly provide comment on whether there are any concerns or
> conflicts with respect to the Water Resources Act. In particular,
respecting the definitions for Natural Boundary/ High Water Mark.

SCHEDULE A: DEFINITIONS

HIGH WATER MARK: carries the same meaning and intent as Natural Boundary.

NATURAL BOUNDARY: refers to the visible high water mark of any pond, river, stream, wetland, marsh

or other body of water where the presence or action of water of the water are so common and usual,

and so long continued in all ordinary years as to mark upon the soil of the bed of the pond, river, stream,

wetland, marsh or other body of water, a character distinct from that of its banks, in respect of vegetation, as well as in respect to the nature of the soil itself.

TOP OF BANK: means the point closest to the natural boundary of an environmentally sensitive area

where a break in the slope of land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 metres (49.2 feet) measured perpendicularly from the break.

PART I, GENERAL REGULATIONS

22. Compliance with Legislation

(1) New development will comply with applicable acts and regulations including, but not limited to,

the provincial Water Resources Act, Environmental Assessment Act,

Lands Act, Health and

Community Services Act, and Building Near Highways Regulation, as well as the federal Fisheries


Environmental Protection

(5) Designated Flood Risk Areas

The Province has formally identified and mapped areas across Newfoundland and Labrador that are
subject to flooding. The Town of Portugal Cove-St. Philip's also identified areas that are subject to
flooding in its Stormwater Management Plan.
The Environmental Protection Map indicates two designated flood risk areas in the Town of Portugal.
Cove-St. Philip's that represent the areas identified by both the Province and the Town. Any
development activities within these areas should be in accordance with the Department of Environment
Areas that are likely to be flooded once in any twenty-year interval are "designated floodways," while
areas likely to be flooded once in any hundred-year interval are identified as "floodway fringe" areas. A
permit is required under Section 48 of the Water Resources Act for any activities in or within fifteen
metres of these Designated Flood Zones.
Development within the Floodway Fringe designation shall meet the following conditions:
(a) The ground floor elevation of the structure is higher than the 1:100 year flood level;
(b) The structure will not interfere with flow of water or displace water such that it creates a worse
flooding situation for other properties;
(c) The structure and associated utilities must be designed and constructed in accordance with
approved flood proofing guidelines of the Province, and entrances and exits from the building
(can be safely used without hindrance in the event of a flood; and
(d) The proposed use of the facility and site will not involve any storage of pollutants such as fuels,
chemicals, pesticides, etc.
(a) Development within the Floodway shall be restricted to public uses and public works, any
proposed use of a facility and site will not involve any storage of pollutants such as fuels,
chemicals, pesticides, etc.

(6) Wetlands

Where Council believes that a proposed development may affect a wetland, it shall be a policy of Council to, at its discretion:

(a) Require the developer to have the wetland delineated by a qualified consultant;

(b) Establish a sufficient buffer from the edge of the wetland, in which development will not be permitted (the Department of Environment and Conservation requires a minimum buffer of fifteen (15.0) metres);

(c) Require other conditions or restrictions to protect the wetland; and/or

(d) Refuse to approve the development if it believes that identified impacts cannot be sufficiently minimized or mitigated.

Where there is uncertainty regarding the existence of a wetland identified on the Environmental Protection Map, field verification by a qualified consultant will be required at the expense of the developer. If the qualified consultant determines that the size and area extent of the wetland needs to be adjusted, or that the wetland does not exist, the buffer area established in the Environmental Protection Map will either be refined, or where the wetland does not exist, the buffer area shall not apply, and the land will be subject to the terms and conditions of the use zone indicated on the Land.
Use Zoning Map.

The links for the full copy of the Municipal Plan and Development
Regulations are below:

http://www.pcsp.ca/userfiles/files/TRACT\%20-%20PC-SP\%20Municipal\%20Pla
n\%20FINAL\%20DBL.PDF
[1]

egulations\%20May\%2021\%20FINAL\%20DBL.PDF
[2]

Many thanks,
Kim

KIMBERLEY J. BLANCHARD
M.E.DES. (PLANNING), MCIP
Senior Planner

GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS Engineering and
Land Use Planning Division Confederation Bldg, West Block - First
Floor PO Box 8700, St. John's, NL A1B 4J6

_T._ (709) 729-4970
_F._ (709) 729-0477
_E._ KimberleyBlanchard@gov.nl.ca

Links:
[1]

http://www.pcsp.ca/userfiles/files/TRACT\%20-%20PC-SP\%20Municipal\%20Pla
n\%20FINAL\%20DBL.PDF
[2]

egulations\%20May\%2021\%20FINAL\%20DBL.PDF
Hi Kim

Following conversations with the Town yesterday, it appears that we will be able to address all and/or majority of your text comments in relatively efficient fashion but the mapping issues with regard to the Regional Plan will pose more challenges.

The following questions are posed:
- Do you have a digitized version of the Regional Plan mapping that you can share with us?
- If a digitized version is not available, would Mr. Gerry Carew or other Municipal Affairs staff persons be able to overlay the Regional Plan map over the Town's Draft 'Generalized Future Land Use Map' and provide that copy result to both Tract and the Town?

Thanks for your help and enjoy the w/e,

Robert Ross
Hi Kim
Yes I received the email. I'll review the provided comments from Haseen. Thanks for that.

Have you had time yet to look at the Regional Plan mapping request from me from late last week?

Regards,

Robert

On 2014-01-14 06:31, Blanchard, Kimberley wrote:
> Hi Robert,
> 
> I received a bounce-back message and it appeared this email failed to
> transmit. Please let me know if you receive this message.
> 
> Thanks,
> 
> Kim
> 
> FROM: Blanchard, Kimberley
> SENT: Monday, January 13, 2014 3:07 PM
> Q: rross@tractconsulting.com
> CC: 'Les Spurrell (Lester.Spurrell@pcsp.ca)'; "Chris Milley"
> (Chris.Milley@pcsp.ca); Khan, Haseen; Davis, Corrie
> SUBJECT: FW: PCSP Municipal Plan Review
> Hi Robert,
> 
> > As promised, for your information and consideration, I'm sharing the
> > comments provided by Water Resource Management Division of DDEC. WRMD
> > comments are integrated throughout the excerpts from the PCSP Plan
> > Review documents that were included in the email referral.
> > 
> > Kim
> > 
> > FROM: Khan, Haseen
> > SENT: Monday, January 13, 2014 11:04 AM
> > TO: Blanchard, Kimberley
> > SUBJECT: PCSP Municipal Plan Review
> > 
> > Hi Kim;
> > 
> > Please see our comments. Thanks.
> > 
> > Haseen Khan, P.Eng.
> > 
> > Director
> > 
> > Water Resources Management Division
> > 
> > Department of Environment and Conservation
> > 
> > 4th Floor, Confederation Building West Block
> > 
> > PO Box 8700
> > 
> > St. John's NL Canada A1B 4J6
> > 
> > T (709) 729-2563
> > 
> > F (709) 729-0320
> > 
> > E hkhan@gov.nl.ca
> > 
> > www.gov.nl.ca/env [1]
> > 
> > FROM: Blanchard, Kimberley
> > SENT: Tuesday, December 17, 2013 3:30 PM
> > TO: Khan, Haseen
> > CC: Davis, Corrie
> > SUBJECT: PCSP Municipal Plan Review
> > 
> > Dear Haseen,
> > 
> > Please see the following excerpts from the Portugal Cove-St. Philip's
> > Draft Development Regulations submitted in conjunction with the Town's
> > Plan Review for provincial review and release. We would appreciate if
> > you could kindly provide comment on whether there are any concerns or
> conflicts with respect to the Water Resources Act. In particular,
> respecting the definitions for Natural Boundary/ High Water Mark.

> SCHEDULE A: DEFINITIONS
>
> HIGH WATER MARK: carries the same meaning and intent as Natural
> Boundary.
>
> Yes. The high water level of a water body is taken to be the 1:100
> year return period water level. For a fresh water body, this level
> includes water levels caused strictly by storm runoff or hydraulic
> effects of ice or both.
>
> NATURAL BOUNDARY: refers to the visible high water mark of any pond,
> river, stream, wetland, marsh
>
> or other body of water where the presence or action of water of the
> water are so common and usual,
>
> and so long continued in all ordinary years as to mark upon the soil
> of the bed of the pond, river, stream,
>
> wetland, marsh or other body of water, a character distinct from that
> of its banks, in respect of

vegetation, as well as in respect to the nature of the soil itself.

Yes

TOP OF BANK: means the point closest to the natural boundary of an
environmentally sensitive area

where a break in the slope of land occurs such that the grade beyond
the break is flatter than 3:1 at any

point for a minimum distance of 15 metres (49.2 feet) measured
perpendicularly from the break.

PART I, GENERAL REGULATIONS

22. Compliance with Legislation

(1) New development will comply with applicable acts and regulations
including, but not limited to,

the provincial Water Resources Act, Environmental Assessment Act,
Lands Act, Health and

Community Services Act, and Building Near Highways Regulation, as well
as the federal Fisheries

Act of Canada, Environmental Protection Act of Canada, and Canadian
> Migratory Bird Act.
>  
> Environmental Protection
>  
> [5] Designated Flood Risk Areas
>  
> The Province has formally identified and mapped areas across Newfoundland and Labrador that are
>  
> subject to flooding. The Town of Portugal Cove-St. Philip's also
>  
> identified areas that are subject to
>  
> flooding in its STORMWATER MANAGEMENT PLAN. It should be noted that
>  
> the Town's Stormwater Management Plan does not replace the
>  
> Hydrotechnical Study that was completed in 1996 and design of new
>  
> structures should be based on flows provided in the 1996 report until
>  
> such time that a new Hydrotechnical Study has been undertaken and
>  
> updated mapping produced??
>  
> The Environmental Protection Map indicates two designated flood risk
>  
> areas in the Town of Portugal
>  
> Cove-St. Philip's that represent the areas identified by both the
>  
> Province and the Town. Any
>  
> development activities within these areas should be in accordance with
>  
> the Department of Environment
>  
> and Conservation's Policy for Floodplain Management W.R. 96-1 and the
>  
> Water Resources Act.
>  
> Areas that are likely to be flooded once in any twenty-year interval
>  
> are "designated floodways," while
>  
> areas likely to be flooded once in any hundred-year interval are
>  
> identified as "floodway fringe" areas. A
>  
> permit is required under Section 48 of the Water Resources Act FOR ANY
>  
> ACTIVITIES IN OR WITHIN FIFTEEN
>  
> (15.0) METRES OF THESE DESIGNATED FLOOD ZONES.
>  
> DOECC's Definitions are as follows:
>  
> Floodway
>  
> The portion of a flood plain where the most frequent flooding occurs
>  
> and where the flow of water is fastest. This area is determined on the
>  
> basis of the 1 in 20 year (1:20) return period flood.
>  
> Floodway Fringe
> The portion of a flood plain where less frequent flooding occurs and where the flow of water is considered to be tranquil. This area is where flooding occurs up to 1 in 100 years (1:100) on average.

> Development within the Floodway Fringe designation shall meet the following conditions:

> (a) The ground floor elevation of the structure is higher than the 1:100 year flood level;

> (b) The structure will not interfere with flow of water or displace water such that it creates a worse flooding situation for other properties;

> (c) The structure and associated utilities must be designed and constructed in accordance with approved flood proofing guidelines of the Province, and entrances and exits from the building can be safely used without hindrance in the event of a flood; and

> (d) The proposed use of the facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides, etc.

> (e) Development within the Floodway shall be restricted to public uses and public works, any proposed use of a facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides, etc.

> (f) Wetlands

> Where Council believes that a proposed development may affect a wetland, it shall be a policy of Council to, at its discretion:

> (a) Require the developer to have the wetland delineated by a qualified consultant;

> (b) Establish a sufficient buffer from the edge of the wetland, in which development will not be permitted (THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION REQUIRES A MINIMUM BUFFER OF)
> FIFTEEN (15.0) METRES; SG: ENVC promotes avoidance, refer to policy
> for Developments in Wetland
> [2]. Generally do not recommend approval for residential
> development on wetland areas, must apply under Section 48 of the Water
> Resources Act for work in wetland areas, 15 meters to be removed.
> >
> > (c) Require other conditions or restrictions to protect the wetland;
> > and/or
> >
> > (d) Refuse to approve the development if it believes that identified
> > impacts cannot be sufficiently
> > minimized or mitigated.
> >
> > WHERE THERE IS UNCERTAINTY REGARDING THE EXISTENCE OF A WETLAND
> > IDENTIFIED ON THE ENVIRONMENTAL
> >
> > PROTECTION MAP, FIELD VERIFICATION BY A QUALIFIED CONSULTANT WILL BE
> > REQUIRED AT THE EXPENSE OF THE
> >
> > DEVELOPER. IF THE QUALIFIED CONSULTANT DETERMINES THAT THE SIZE AND
> > AREA EXTENT OF THE WETLAND NEEDS TO
> >
> > BE ADJUSTED, OR THAT THE WETLAND DOES NOT EXIST, THE BUFFER AREA
> > ESTABLISHED IN THE ENVIRONMENTAL
> >
> > PROTECTION MAP WILL EITHER BE REFINED, OR WHERE THE WETLAND DOES NOT
> > EXIST, THE BUFFER AREA SHALL NOT
> >
> > APPLY, AND THE LAND WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE
> > USE ZONE INDICATED ON THE LAND
> >
> > USE ZONING MAP. SG: Existence of wetland should be confirmed with
> > DOE, WRMD prior to development or rezoning.
> >
> > The links for the full copy of the Municipal Plan and Development
> > Regulations are below:
> >
> > n%20FINAL%20DBL.PDF](http://www.pcsa.ca/userfiles/files/TRACT%20-%20PC-SP%20Municipal%20Plan%20FINAL%20DBL.PDF)
> > [3]
> >
> > [http://www.pcsa.ca/userfiles/files/TRACT%20-%20PC-SP%20Development%20Reg
> > ulations%20May%202021%20FINAL%20DBL.PDF](http://www.pcsa.ca/userfiles/files/TRACT%20-%20PC-SP%20Development%20Regulations%20May%202021%20FINAL%20DBL.PDF)
> > [4]
> >
> > Many thanks,
> >
> > Kim
> >
> > KIMBERLEY J. BLANCHARD
From: Blanchard, Kimberley
Sent: Wednesday, January 15, 2014 8:07 AM
To: 'rross@tractconsulting.com'
Cc: 'Les Spurrell'; Batterson, Martin; Davis, Corrie
Subject: TRIM: RE: Recent Email Comments

Hi Robert,

It's difficult for me to speak for someone else's schedule, but I'd be hopeful we will hear back from Geological Survey fairly soon. From what I understand, a key factor in the response time depends on whether data is available and mapped for the area in question. It is my understanding that the Hazard mapping was prepared by Geological Survey for PCSP and shared with the Town last year. As you may recall from my review memo, I posed the question whether the hazard mapping was incorporated into the Plan Review work (eg. Environmental protection map). With hazard mapping available, I think the time of response may be more favorable once DNR has opportunity to review the referral and provide comment. I will copy this email to Martin Batterson to keep him in the loop.

Regards,
Kim

---Original Message---
From: rross@tractconsulting.com [mailto:rross@tractconsulting.com]
Sent: Tuesday, January 14, 2014 2:38 PM
To: Blanchard, Kimberley
Cc: Les Spurrell
Subject: Recent Email Comments

Hi Kim

Thanks for your recent email reply with info on what is available from a digitized mapping perspective with respect to the Regional Plan, and additionally with comments related to the Town's steep slope areas with regard to the Regional Plan's designated 'Restricted' areas and DNR's hazard land mapping.

Leave the items with us as Les and I chat further on these issues and to best address, hopefully tomorrow.

Do you have any feel for what type of time-frame DNR may be able to respond and provide comments?

I appreciate your assistance in helping to move the Draft documents forward.

Regards,
Robert Ross
Dr. Christopher Sharpe  
Professor  
Department of Geography  
Memorial University of Newfoundland  
St. John's, NL  
A1B 3X9

Dear Dr. Sharpe:

Re:  Hearing Commissioner  
St. John's Urban Region Regional Plan Amendment No. 9, 2013

I am pleased to appoint you in accordance with Section 19 of the Urban and Rural Planning Act, 2000 as Commissioner to conduct a Public Hearing regarding St. John's Urban Region Regional Plan Amendment No. 9, 2013. The amendment to the Regional Plan is required in order to accommodate proposed amendments to the Portugal Cove-St. Philip's Municipal Plan and Development Regulations. I understand that the Town has appointed you to act similarly for the amendments to the Town's Municipal Plan and Development Regulations.

I have asked the Town that the Public Hearings for the Regional and Municipal Plan Amendments be undertaken simultaneously, and that the Town be responsible for all costs associated with the process; including your fees and expenses.

Should the Public Hearing be necessary, I will require from you, a written report that outlines the issues raised through the Public Hearing process and a clear recommendation on how the proposed amendment to the Regional Plan should proceed based on your findings. Ultimately, you may recommend that the Amendment proceed as presented, be modified, or that the Amendment not be accepted.

Should you have any questions on this matter, please contact my Manager of Land Use Planning, Mr. Corrie Davis, MCIP by email corriedavis@gov.nl.ca or telephone (709) 729-5409.

Sincerely,

STEVE KENT  
Minister of Municipal and Intergovernmental Affairs

cc: Town of Portugal Cove-St. Philip's
Decision / Direction Note
Department of Municipal and Intergovernmental Affairs

Title: St. John's Urban Region Regional Plan Amendment # 9, 2013
Chesley Van Heights, Portugal Cove St. Philip's

Issue:
- The Minister has adopted and amendments to the St. John’s Urban Region Regional Plan (SJURRP), in order to accommodate proposed amendments to the Portugal Cove-St. Philip’s Municipal Plan and Development Regulations.

Background and Current Status:
- A Commissioner must now be appointed in accordance with Section 19 of the Urban and Rural Planning Act, 2000 to conduct a Public Hearing regarding SJURRP Amendment # 9, 2013.
- The Council of the Town of Portugal Cove-St. Philip’s intends to appoint Dr. Chris Sharpe, a professor of urban geography at Memorial University, to conduct the Public Hearings regarding the Town’s Amendments. Mr. Sharpe has served as Commissioner for previous Public Hearings.
- In order to facilitate the process, the Minister previously requested that the Town manage the arrangements for the process, including identification of an appropriate person to act as Commissioner for both the regional and municipal plan amendments.
- The Town has agreed that they will be responsible for all costs associated with the process including the fees and expenses of the Commissioner.
- The Commissioner is required by Section 22 of the Urban and Rural Planning Act, 2000 to prepare a report which includes a recommendation on how to proceed with the matter.
- The recommendation of the Commissioner is not binding on the Minister.
- The Minister is required to appoint a commissioner in accordance with Section 19 of the Urban and Rural Planning Act, 2000 to conduct public hearings regarding Amendment # 9, 2013 to the SJURRP.

Action Required:
- It is recommended that the Minister formally appoint Mr. Chris Sharpe as Commissioner to conduct a Public Hearing regarding SJURRP Amendment # 8, 2013 by signing the attached correspondence (COR/2013/03629-09).

Draft / Approved: C. Davis
January 24, 2014
12 March 2014

Corrie Davis
Manager, Land Use Planning
Department of Municipal Affairs
Engineering & Land Use Planning Division
Main Floor (West Block), Confederation Building
P.O. Box 8700
St. John’s, NL A1B 4J6


Dear Mr. Davis:

At a meeting of the Portugal Cove-St. Philip’s Town Council, held on March 11th, 2014, Council moved Motion # 2014-055 to approve Municipal Plan Amendment Nos. 21, 2013 and 22, 2013, and Development Regulations Amendment Nos. 50, 2013 and 51, 2013 as adopted and forward the amendments to Municipal Affairs for registration as per Section 24 (Government Policy Review and Plan Registration) under the Urban and Rural Planning Act, 2000.

Municipal Plan Amendment No. 21, 2013, will re-designate an area of land from Rural to Rural Residential and Development Regulations Amendment No. 50, 2013 will re-zone the same area from Rural to Residential Infill. These Amendments are required to allow for a two-lot residential subdivision serviced with on-site water and sewer, located west of Tolt Road at the end of Tuckford Road. St. John’s Urban Region Regional Plan Amendment No. 8, 2013, will re-designate the same land as described in Municipal Plan Amendment No. 21, 2013, and Development Regulations Amendment No. 50, 2013, from Rural to Urban Development.

Municipal Plan Amendment No. 22, 2013, will re-designate an area of land from Rural to Rural Residential and Development Regulations Amendment No. 51, 2013 will re-zone an area of land from Rural to Residential Rural. The amendment is required to accommodate a new on-site serviced 13-lot Cul-De-Sac extension to the Chesley-Van Heights residential subdivision off Bauline Line Extension. St. John’s Urban Region Regional Plan Amendment No. 9, 2013, will re-designate the same area of land as described in Municipal Plan Amendment No. 22, 2013, and Development Regulations Amendment No. 51, 2013 from Rural to Urban Development.

Therefore, in keeping with the requirements of Section 24 under the Urban and Rural Planning Act, 2000, the Town of Portugal Cove-St. Philip’s would like to proceed with the Minister’s Policy Review and Plan Registration of the above Amendments.

Sincerely,

Les Spurrell
Planning & Development Coordinator
Enclosure:
- Municipal Plan Amendment No. 21, 2013 (two originals);
- Development Regulations Amendment No. 50, 2013 (two originals);
- Municipal Plan Amendment No. 22, 2013 (two originals);
- Development Regulations Amendment No. 51, 2013 (two originals);
- Affidavit for Municipal Plan Amendment No. 21, 2013 and Development Regulations Amendment No. 50, 2013 (one original);
- Affidavit for Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013 (one original);
- Copy of Council Motion for Plan Amendment Nos. 21, 2013 and 22, 2013 and Development Regulations Amendment Nos. 50, 2013 and 51, 2013 (one), and;
- Copy of Public Hearing Advertisement (two).

cc: Chris Milley, Town Manager
    Reg Garland, Plan-Tech Environment
    Robert Ross, Tract Consulting Inc.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
NEWFOUNDLAND
CANADA
TO WIT

I, Judy Squires, hereby make Oath and say that:


2. The Town Council of Portugal Cove-St. Philip's set the 6th day of March, 2014, at 7:30 pm. at the Portugal Cove-St. Philip's Town Hall for the holding of a public hearing to consider objections and representations to the Portugal Cove-St. Philip's Municipal Plan Amendment No. 21, 2013, Development Regulations Amendment No. 50, 2013, and St. John's Urban Region Regional Plan Amendment No. 8, 2013.

3. No objections with respect to the Portugal Cove-St. Philip's Municipal Plan Amendment No. 21, 2013, Development Regulations Amendment No. 50, 2013, and St. John's Urban Region Regional Plan Amendment No. 8, 2013, were received at the Portugal Cove-St. Philip's Town Office within the time stipulated in the notice of public hearing.

4. The Town Council of Portugal Cove-St. Philip's cancelled the scheduled public hearing.


SWORN to at Portugal Cove-St. Philip's
this Day of March, A.D. 2014
before me

Notary Public, Justice of the Peace,
Commissioner of Oaths

A Commissioner for Oaths
In and for the Province, being
the Mayor of Portugal Cove-St. Philip's.
AFFIDAVIT - NO OBJECTIONS

NEWFOUNDLAND CANADA
TO WIT

I, Judy Squires, hereby make Oath and say that:


3. No objections with respect to the Portugal Cove-St. Philip's Municipal Plan Amendment No. 22, 2013, Development Regulations Amendment No. 51, 2013, and St. John's Urban Region Regional Plan Amendment No. 9, 2013, were received at the Portugal Cove-St. Philip's Town Office within the time stipulated in the notice of public hearing.

4. The Town Council of Portugal Cove-St. Philip's cancelled the scheduled public hearing.


SWORN to at Portugal Cove-St. Philip's this 12th Day of March, A.D. 2014

before me

Notary Public, Justice of the Peace,
Commissioner of Oaths

A Commissioner for Oaths in and for the Province, being
the Mayor of Portugal Cove-St. Philip's.
From the Council Meeting of March 22, 2014:

1. Municipal Plan and Development Regulations Amendments

Motion: Butler/Will
2014-055 Resolved that in light of the fact that the Town did not receive objections or submissions on the proposed amendment and the Public Hearing scheduled for March 6th, 2014 was cancelled, that Council approve Municipal Plan Amendment Nos. 21, 2013 and 22, 2013, and Development Regulations Amendment Nos. 50, 2013 and 51, 2013 (Chesley-Van Heights and Tuckford Road) as adopted and forward the amendments to Municipal Affairs for registration as per Section 24 (Government Policy Review and Plan Registration) under the Urban and Rural Planning Act, 2000.

Carried Unanimously

TOWN OF PORTUGAL COVE - ST. PHILIPS
CERTIFIED TRUE COPY
SUBJECT: MSP Amendment 21, 2013 & 22, 2013
DATE: March 22, 2014
TOWN CLERK: [Signature]
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
5 December 2013

Corrie Davis
Manager, Land Use Planning
Department of Municipal Affairs
Engineering & Land Use Planning Division
Main Floor (West Block), Confederation Building
P.O. Box 8700
St. John’s, NL A1B 4J6

Re: Adoption:
Town of Portugal Cove-St. Philip’s Municipal Plan Amendment No. 22, 2013
Town of Portugal Cove-St. Philip’s Development Regulations Amendment No. 51, 2013

Dear Mr. Davis:

Please be advised that the St. John’s Urban Region Regional Plan Amendment No. 9, 2013 was adopted by the Minister of Municipal Affairs on 7th day of November, 2013 and the Town of Portugal Cove-St. Philip’s Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013 was adopted by the Town Council of Portugal Cove-St. Philip’s December 3rd, 2013 (Motion # 2013-410).

The purpose of the above noted Amendment is to accommodate a new on-site serviced 13-lot cul-de sac extension to the Chesley-Van Heights residential subdivision off Bauline Line Extension.

At a Regular Public Council Meeting on December 3rd, 2013 Council reaffirmed the appointment of Dr. Christopher Sharpe as the Commissioner for the purpose of holding a Public Hearing related to the above Town Amendments, as per Section 19 (1) of the Urban and Rural Planning Act, 2000 (Motion # 2013-410).

Therefore, in keeping with the requirements of Section 16, 17, 18 & 19 of the Urban and Rural Planning Act, 2000, the Town of Portugal Cove-St. Philip’s would like to proceed with scheduling the Public Hearing related to the above Amendments pending formal notification of the Minister’s appointment of a Commissioner for the St. John’s Urban Region Regional Plan Amendment No. 9, 2013 (as per your letter dated November 13, 2013).
The Town respectfully requests that the Minister consider appointing Dr. Sharpe to preside over the Public Hearing necessary for the St. John’s Urban Region Regional Plan, so that the Hearing on the Town’s Amendments could proceed simultaneously with the St. John’s Urban Region Regional Amendment No. 9, 2013.

Sincerely,

Les Spurrell
Planning & Development Coordinator

cc: Chris Milley, Town Manager
    Reg Garland, Plan-Tech Environment
    Neil Dawe, Tract Consulting Inc.
Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013

1. Adoption of Amendments and Commissioner Appointments

Motion: Will/Bartlett

2013-410

Resolved that Council adopt Municipal Plan Amendment No. 22, 2013 and Development Regulations Amendment No. 51, 2013, as per Section 16 of the Urban and Rural Planning Act, 2000. The Committee also moves that Council reaffirm the appointment of Christopher Sharpe as the Commissioner for these amendments as per Motion 2013-057. Once a Commissioner has been appointed by the Minister of Municipal Affairs, Council will give public notice of the adoption of the Amendments, and the date, time and location of a statutory public hearing, in accordance with Section 17 & 18 of the Urban and Rural Planning Act, 2000.

Carried

Unanimously
Dear Mayor Murphy,

I am writing to express my support for the current park and recreation plan of the Town of Portuguese Cove-St. Philip's.

I have been a resident of the town for over 30 years and have witnessed the growth and development of the community. The current park and recreation plan is a reflection of the needs and desires of the residents.

I believe that the plan will provide a safe and enjoyable space for all ages to enjoy the outdoors. It will also help to promote a healthy lifestyle and encourage outdoor activities.

I would like to express my confidence in the Town Council and their ability to make the best decisions for the community. I am confident that the plan will be implemented in a timely and cost-effective manner.

Thank you for considering my support.

Sincerely,

[Your Name]
Kimberley Blanchard  
Senior Planner  
Department of Municipal and Intergovernmental Affairs  
Government of Newfoundland and Labrador  
Confederation Building, West Block- First Floor  
PO Box 8700  
St. John’s, NL  
A1B 4J6  

February 3, 2014  

Dear Kim:  

**Re: Town of Portugal Cove-St. Philip’s Draft Municipal Plan et al revisions**  

Following late December, 2013 receipt of your review comments of the Town of Portugal Cove-St. Philip’s Draft Municipal Plan and Development Regulations, and companion maps, and their conformity with the St. John’s Urban Region Regional Plan map, the purpose of this correspondence is to submit the following:  

- Revised Draft Municipal Plan and Generalized Future Land Use Map;  
- Revised Draft Development Regulations, Environmental Protection Overlay and Zoning Maps; and,  
- Appendix 1, as attached to this letter, to outline the varied revisions that the Town has made to the cited planning documents.  

It is also highlighted that on January 31, 2014 that the Town submitted to the Minister a letter requesting approval to proposed amendments to the St. John’s Urban Region Regional Plan map.  

Given that the Plan update et al has been a lengthy and time consuming process, it is hoped that upon your further review of the submitted revised planning documents that the Town may expeditiously move forward to the required next steps of public and community consultation.  

If you have any questions and/or comments with regard to the provided information and documentation, please do not hesitate to contact me.  

Thanking you in advance for your consideration and assistance.  

Yours truly,  

[Signature]  

Robert Ross, MCIP
APPENDIX 1

Town of Portugal Cove-St. Philip’s
Overview of Draft Municipal Plan and Development Regulations Revisions

Introduction
Following receipt of the emailed letter from Municipal Affairs on December 23, 2013 that identified provincial comments and suggestions for revisions to the Town of Portugal Cove-St. Philip’s Draft Municipal Plan and Development Regulations (2013-2023), and additionally upon further review comments provided by Haseen Khan, Director of the Water Resources Management Division of the Department of Environment and Conservation, the purpose of this submission is to generally identify the varied revisions incorporated into the two draft planning documents so as to acquaint you with easy reference as to what wording changes and revisions have been made to the Draft documents.

Revisions

1. DEFINITIONS

- Schedule A of the Draft Development Regulations provides for an interpretation section of varied land use planning terms. At the beginning of the Schedule, additional wording was added to clarify that the defined words assist with understanding of specific terms utilized within the Draft Development Regulations, and also provide for reader clarity and additional understanding of varied land use planning concepts that the Town supports (i.e. such as Compact Development, Complete Community and Sustainable Development).
- All Definitions were checked for conformity with defined terms of the Minister’s Regulations and with the interpretation section of the Urban and Rural Planning Act, and varied minor adjustments were made to terms such as Height, Grade, etc.
- Definitions for High Water Mark, Natural Boundary and Top of Bank were adjusted minimally to respond to Water Resources comments.
- Legislative references to Schools Act, 1997 and Child Care Services Act were made.
- The term ‘strata title’ with reference to the definition for Townhouse and within General Provisions (5) of Schedule C was changed to Condominium Act, 2007.
- The definition for Subsidiary Apartment in Schedule A and the wording within Regulation 60 of the Draft Development Regulations document, and text language within Policy RES-1 of the Draft Municipal Plan, were enhanced by providing for more substantive detail for the intent of a ‘Granny Suite’ as a form of housing targeted for seniors. Additional provisions include reference to the need for a firewall separation between the principal residential use and the subsidiary apartment. Within the individual Use Zones that provide for residential uses, the Subsidiary Apartment provision also added reference that the floor area size of the
subsidary apartment is to be a maximum of 35% of the floor area size of the principal residential dwelling.
• The defined term of Backlot and reference to panhandle lots were deleted entirely from the Draft planning documents.
• No changes were made with reference to the permitted use of a maximum of one horse as a pet within the RMD and RLD use zones, as Town Council is comfortable with this use within residential locales.

2. SLOPES OF 25 %

Municipal Affairs advised that the Regional Plan has designated significant slope areas of the community as ‘Restricted’. The Draft Municipal Plan and Development Regulations sought to retain the possibility to allow for infill residential developments on sloped lands within the Traditional Community area to provide for this historic form of housing on a limited scale with specific requirements such as limited grading and possibly applicant engagement of a geotechnical engineer.

To address the Municipal Affairs comments with regard to the Regional Plan designation of ‘Restricted’ for specific sloping lands, varied wording additions were made to the Draft documents as follows:
• Within the Draft Municipal Plan in Policy TC-9 additional wording was included in part to read: “....and where such sloping lands are not designated as Restricted by the St. John’s Urban Region Regional Plan...”
• Within the Draft Development Regulations in Regulation 70 (3(b)) revised wording was added to include: “....such land is not designated by St. John’s Urban Region Regional Plan as Restricted.”
• An adjustment to the definition of Slope in Schedule A of the Draft Development Regulations, was also adjusted in part to read: ‘No development shall occur on any sloping lands that are designated as Restricted by the St. John’s Urban Region Regional Plan’
• Similar language as the aforementioned was also added to the Terms and Conditions (9) of the Traditional Community Zone, and to Schedule E – Environmental Protection Overlay (4) Steep Slopes of the Draft Development Regulations.

From a land use planning perspective, it is hoped and anticipated that these additional wording inclusions will address the Municipal Affairs’ comments.

Complimentary mapping review work to identify the ‘Restricted‘ designated areas of the Regional Plan map in comparison to the Town’s Draft Generalized Future Land Use, Zoning and Environmental Protection maps was also being undertaken.

3. AGRICULTURAL DEVELOPMENT AREAS

In light of the recent announcement of the release of varied ADA lands within the Town, minor wording adjustments within the Draft Municipal Plan were made to reference this
recent decision and to identify that the Town ‘may consider a comprehensive review of
the recently released lands for the most appropriate and viable future land uses and zoned
uses’. Revisions of this mode were made within varied components of the Draft
Municipal Plan as follows:
- Policy 1.2.2 Physical Structure of Community under ‘Agriculture’ discussion;
- Policy 3.2.2 St. John’s Agricultural Development Plan discussion;
- Policy 3.4.8 Agriculture within the General Intent overview; and,
- Agriculture Policy AG-2.

Municipal Affairs comments of the recent release of lands designated as Agricultural
Development Areas (ADA) acknowledged that the Town intends to conduct a land use
review of such lands, and made note that in the interim period, the subject lands will be
designated by the Regional Plan map designation of Rural as non-ADA Agricultural
Zoned lands. In the future as the Town completes its proposed review of recently released
ADA lands, an amendment to the Regional Plan map can be requested.

Municipal Affairs further advised that there appears to be a conflict with the ADA in the
area of Windsor Heights where the RLD zone is proposed, in that existing non-
conforming development appears to exist. The ADA designation for this locale is
retained.

4. WATERSHED

Municipal Affairs placed emphasis on the issue of the Windsor Lake Watershed being
under the authority of the City of St. John’s, in accordance with the City of St. John’s
Act. Additional Draft Municipal Plan policy wording was made to varied policies within
Section 3.4.7 Protected Watershed to include enhanced reference to the City of St. John’s
authority, of the need to make development referrals to the City and to introduce new
discussion within Section 3.4.7 to identify the Town’s recent letter to the Minister to
request a more clear articulation of the watershed boundary in relation to the Town’s
boundary through survey delineation and subsequent efforts to gazette the boundary by
Regulation.

Within the Watershed Zone of the Draft Development Regulations, minor wording
revisions were also made to the Terms and Conditions section under (1) Development
Approval and (2) Forestry to further address Municipal Affairs comments of the need to
reference the City of St. John’s as the ‘authority’ for the Windsor Lake watershed.

5. MINOR TYPOS

Three references of minor typo errors were identified by Municipal Affairs, and were
remedied within the updated Draft copies.

6. MUNICIPAL PLAN POLICY ADDITION

Through conversation with the Town, a new policy GL-8 was added as follows:
“Policy GL- 8 Where development is proposed on adjacent parcels of land to the Town’s municipal boundary and correspondingly on adjacent parcels of land to another municipality’s or on adjacent parcels of land to another jurisdiction’s boundary, and as determined by the Town, such proposed development shall be referred by the Town to the applicable adjacent municipality or jurisdiction for comment.”

7. MAPPING

The primary mapping issue identified by Municipal Affairs pertained to the need for the Town to bring into compliance its Municipal Plan and Zoning maps with the St. John’s Urban Region Regional Plan map. Town staff, in concert with Tract mapping staff, spent considerable time and effort on this task, and the Town has recently submitted a letter to the Minister to request varied Regional Plan map amendments. No text wording revisions to the Regional Plan were deemed required.

The Town’s and Tract’s mapping resource persons also undertook within their mapping work to review that the Department of Natural Resources hazard lands mapping that was provided to the Town last year be included as part of the Environment Protection Map as part of the Draft Development Regulations.

8. Ten Year Planning Period

The ten year planning timeframe for the Draft Municipal Plan and Development Regulations has been adjusted from the previous 2013-2023 planning horizon to 2014-2024 to account for the lengthy period of review and anticipated approval/ registration dates for the Town’s updated planning documents.

Summation
The Town of Portugal Cove-St. Philip’s was appreciative to receive review comments from Municipal Affairs on the Draft Municipal Plan and Development Regulations, and companion maps. The Town has since expended considerable effort to cooperatively respond to the provincial comments. This Overview has attempted to capture the revisions subsequently made to the Draft documents.

Robert Ross, MCIP
Tract Consulting Inc.
February 3, 2014
Hi Robert,

Thanks for your update and clarification that the Regional Plan amendment request, which will involve only SJURRP mapping changes, will soon be articulated in a revised submission. We look forward to seeing the mapping. If you wish to send along something to accompany the mapping that outlines the list of locations proposed for Regional re-designation, as suggested, that would certainly be helpful. Similarly, an outline of the changes made in the revised MPlan and Dregs submission to address the review commentary would help to expedite the process.

Draft documents can be submitted in hardcopy or electronically - your preference. The medium used to transmit the draft stages of the documentation is not critical. For the final version of the documents and maps that are to be signed, stamped, sealed, and registered as the legal copy, two print copies are required. An electronic version of this material can be attached to the final submission on an accompanying disk or data storage device of choice.

The decision regarding the final date on the documents is really up to the Town and its consultants I think. If the Town wishes the document's title to reflect that it is the 2014 Town Plan, I don't think there is an issue with that. Sometimes when municipalities are working on a Plan, the date will reflect the preceding years during the working stage rather than the year it comes into legal effect. This is fine too. Unless Corrie directs otherwise, I think it is up to you and your client.

From a process perspective, once we have a complete submission that is ready to be released and a request for an amendment to the Regional Plan that clearly outlines required changes to it to bring the MPlan and DRegs into conformance with the Regional Plan, then the Minister can consider authorizing that the amendment process proceed. The Minister would send correspondence consenting to the process. Public consultation of the SJURRP amendment would involve the standard public notice in the paper and a referral to the other municipalities in the Region, making the proposed Regional Plan amendment documents available for review/comment. Once this phase of consultation is complete, the Minister may consider adoption of the Regional Plan amendment, enabling the Council to consider adoption of its documents, which would then lead to a parallel and coordinated process for the public hearing. The Town would normally bring forward the name of an individual selected to nominate for a commissioner, and that person can be considered for joint appointment by the Council and the Minister to oversee the Hearing and provide back a report and recommendations to both authorities respecting all aspects of the amendment (the Town's Plan/Regs and the SJURRP Amt).

I hope this helps to provide the direction you were seeking.

Kind regards,
Kim
-----Original Message-----
From: ross@tractconsulting.com [mailto:ross@tractconsulting.com]
Sent: Wednesday, January 29, 2014 3:20 PM
To: Blanchard, Kimberley
Cc: Les Spurrell
Subject: Town of PC-SP Compliance to Regional Plan

Hello Kim

How are things going along this week?

I am writing to advise that the Town is getting close to responding to all of your varied review comments with regard to the Draft Municipal Plan and Development Regulations, and maps. In particular, a fair bit of effort has been expended by the mapping persons to attempt to bring the Town's mapping in alignment with the Regional Plan.

Prior to finishing the outstanding work, I wanted to check with you to verify what will be needed for submission as we proceed to next steps of the process.

To this end, I'll pose several questions that you'll hopefully be able to provide direction on, as follows:

1. MAPPING

Both Town and Tract staff have found it difficult to comprehensively utilize and work with the Regional Plan map designations due to their approximate scale against the more defined municipal mapping designations. However staff have put their best efforts forward to prepare a separate map with a colour coded legend to define those locations of the community where there is a conflict with the Regional Plan designations. It has also been verified that the Environmental Protection map captures all of the noted hazard lands of the DNR resource material, and all existing ADA locations such as near Windsor Lake (those lands remaining after the recent provincial release) will be retained. In other instances such as within one of the designated Regional Plan 'Restricted' locations, and due perhaps to the broad scale of the Regional Plan map designations, the real world is such that the Town has a well established and somewhat older residential development area within the noted 'Restricted' area, and that is a location that will require Regional Plan map revision.

THE QUESTIONS with regard to submitting a letter to the Minister to request approval for varied Regional Plan Map amendments, are what additional information should be provided beyond the referenced newly prepared map that clearly identifies the locations where Regional Plan amendments will be necessary to align with current municipal land uses.

Should we also submit a written outline of the actual individual Regional Plan map designation changes being requested, and their location?

During the review, the Town has not identified any policy or text amendments that will be required to the Regional Plan to provide compliance to the Town's MPlan and DRegs

2. COPIES OF DOCUMENTS

How many copies of the revised Draft Municipal Plan and Development Regulations documents and their companion maps does Municipal Affairs now require? Do you wish to receive a noted summary of where revisions were generally made to the documents in response to your review comments? Will the Minister require a hard copy of the said documents?
3. NAME CHANGE OF DOCUMENTS

Due the length of time during 2013 to receive review comments from Municipal Affairs and the circumstance that it is now 2014, can the Town now rename its documents from 2013-2023 to 2014-2024?

SUMMARY

Any additional information, comments or direction that you can provide Kim to assist the Town to move successfully through the next steps of the process, are appreciated.

Thanks for your help Kim,

Best Regards,

Robert Ross
Hi Chris,

Carol spoke to Mayor Tucker and he indicated someone from staff would be attending this meeting with him — would that be you?

I am just looking to ensure we have a proper attendee list.

Thanks,

Corrie
Hi Kim,

Today was the first time that I received a copy of the email below, with no attachments. I would suggest that Robert did not receive the email either possibly for the same reason (may have been the large attachments, as you stated). I will contact Robert for a response.

Regards,
Les

---

From: Blanchard, Kimberley [mailto:KimberleyBlanchard@gov.nl.ca]
Sent: Thursday, February 27, 2014 3:44 PM
To: 'ross@tractconsulting.com'
Cc: Davis, Corrie; Carew, Gerry; Les Spurrell
Subject: RE: TRIM: PCSP Plan Review & SJJRRP Amendment

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Crescent). It is recognized that this existing portion of the development is non-conforming in the ADA. On the Town’s maps, the RLD LUZone and the Residential FLU Designation must not conflict with the ADA.

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always, if you wish to call to discuss, please feel free to do so.

Kind regards,
Kim

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Kimberley J. Blanchard
M.Eng. (Planning), M.C.P.
Senior Planner

Government of Newfoundland and Labrador
Department of Municipal and Intergovernmental Affairs
Engineering and Land Use Planning Division
Confederation Bldg, West Block – First Floor
PO Box 8700, St. John’s, NL A1B 4J6

t. 1 (709) 729-4970
f. 1 (709) 729-0477
e. kimberley.blanchard@gov.nl.ca

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Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Brown, Jennifer Erin

From: Blanchard, Kimberley
Sent: Friday, February 28, 2014 11:35 AM
To: s.30(1) rross@tractconsulting.com
Cc: Davis, Corrie; Carew, Gerry; 'Les Spurrell'
Subject: TRIM: RE: Re-sending 2/4 (PCSP Plan Review & SJURRP Amendment)

Okay, [redacted] Glad we got that cleared up. Speak to you soon.

Thanks,
Kim

From: [redacted] rross@tractconsulting.com
Sent: Friday, February 28, 2014 11:33 AM
To: Blanchard, Kimberley; rross@tractconsulting.com
Cc: Davis, Corrie; Carew, Gerry; 'Les Spurrell'
Subject: RE: Re-sending 2/4 (PCSP Plan Review & SJURRP Amendment)

Excellent. I have received all 4 emails with attachments. Thank you for your assistance, Kim.

Myself or Robert will be touch to follow up.

Best Regards,

Tract Consulting Inc.
(709) 731-2500 ext 13
tractconsulting.com

From: Blanchard, Kimberley [mailto:KimberleyBlanchard@gov.nl.ca]
Sent: February 28-14 11:21 AM
To: 'rross@tractconsulting.com'; [redacted]@tractconsulting.com
Cc: Davis, Corrie; Carew, Gerry; 'Les Spurrell (Lester.Spurrell@pcsp.ca)'
Subject: RE: Re-sending 2/4 (PCSP Plan Review & SJURRP Amendment)

Re-sending 4/4: ADA revised. As noted, this is really FYI

From: Blanchard, Kimberley
Sent: Friday, February 28, 2014 11:21 AM
To: 'rross@tractconsulting.com'; [redacted]@tractconsulting.com
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Finally 3/ 4: SJURRP

From: Blanchard, Kimberley
Sent: Friday, February 28, 2014 11:20 AM
To: 'ross@tractconsulting.com'; @tractconsulting.com
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Email 2/4: LUZ markup map

From: Blanchard, Kimberley
Sent: Friday, February 28, 2014 11:19 AM
To: 'ross@tractconsulting.com'; @tractconsulting.com
Cc: Davis, Corrie; Carew, Gerry; 'Les Spurrell (Lester.Spurrell@pcsp.ca)'
Subject: Re-sending 1/4 (PCSP Plan Review & SJURRP Amendment)

Hi [name] and Robert,

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- FLU_PCSP
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Thanks for letting me know – It seems I was suspicious for a reason!

Kim

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Confederation Bldg, West Block – First Floor
PO Box 8700, St. John’s, NL A1B 4J6

t. 1 (709) 729-4970
f. 1 (709) 729-0477
e. Kimberley.Blanchard@gov.nl.ca

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M.E.D. (planning), MOP
Senior Planner
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As always, if you wish to call to discuss, please feel free to do so.

Kind regards,
Kim
Re-sending 4/4: ADA revised. As noted, this is really FYI

Email 3/4: SJURRP

From: Blanchard, Kimberley
Sent: Friday, February 28, 2014 11:20 AM
To: ‘ross@tractconsulting.com’; ‘robyn@tractconsulting.com’
Cc: Davis, Corrie; Carew, Gerry; ‘Lester.Spurrell@pcsp.ca’
Subject: Re: Re-sending 2/4 (PCSP Plan Review & SJURRP Amendment)

Email 2/4: LUZ markup map

From: Blanchard, Kimberley
Sent: Friday, February 28, 2014 11:19 AM
To: ‘ross@tractconsulting.com’; ‘[redacted]@tractconsulting.com’
Cc: Davis, Corrie; Carew, Gerry; ‘Lester.Spurrell@pcsp.ca’
Subject: Re-sending 1/4 (PCSP Plan Review & SJURRP Amendment)

Hi [redacted] and Robert,

Based on [redacted] phonecall this morning indicating that there seems to have been a problem with the email and the 4 attachments, I will re-send this, plus 3 more emails to come, for a total of 4 emails with each of the attachments. Please send an email to confirm once you have received the following 4 attachments:

- FLU_PCSP
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- ADA_revised 2013_PCSP

Thanks for letting me know – It seems I was suspicious for a reason!

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Sent: Thursday, February 27, 2014 3:44 PM
To: ‘ross@tractconsulting.com’
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e. Kimberley.Blanchard@gov.nl.ca

Kimberley J. Blanchard
M.Eng. (planing), MCP
Senior Planner

From: Blanchard, Kimberley
Sent: Wednesday, February 12, 2014 3:26 PM
To: rross@tractconsulting.com
Cc: Davis, Corrie; Carew, Gerry; Les Spurrell (Lester.Spurrell@pccsp.ca)
Subject: TRIM: PCSP Plan Review & SJURRP Amendment

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Kimberley J. Blanchard
M.Eng. (planning), MCIP
Senior Planner
Ah. That might explain part of the mystery. said Robert was away and hasn't spoken to him, so it's not clear if TRACT received it or not. But spoke to Les and he apparently didn't receive the email. She said they sometimes have difficulty sending files with attachments to the Town from their office as well. Glad I bugged them.
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e. KimberleyBlanchard@gov.nl.ca

Senior Planner
Brown, Jennifer Erin

From: Davis, Corrie
Sent: Thursday, March 27, 2014 10:33 AM
To: [redacted]
Cc: 'Les Spurrell'; Hanlon, Carol
Subject: RE: PCSP Plan and Mapping Revisions Resubmission

Thank you

You can leave the drive with Carol Hanlon; her number is 729-3090.

You should also note that Kim is currently away from work so you should ensure that I am in the loop of any correspondence to the Department related to this file.

Corrie

Newfoundland Labrador

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

From: [redacted]@tractconsulting.com
Sent: Thursday, March 27, 2014 10:29 AM
To: Davis, Corrie
Cc: Blanchard, Kimberley; 'Les Spurrell'
Subject: PCSP Plan and Mapping Revisions Resubmission

Hello Corrie,

We have completed the PCSP MIPlan and Dreg text and mapping revisions requested by Kim Blanchard last month.

I will send an email with our response to Kim's comments, and attempt to email the mapping, but I think it would also be prudent to drop off a USB drive with the revised files, to Municipal Affairs this afternoon.

This would prevent any further delayed communication as the files are quite large and have repeatedly failed to deliver electronically throughout this process.

Please let me know if you have any issues or concerns regarding this. If you are in agreement, please let me know who I can leave the thumb drive with.

Best Regards,
[redacted]@tractconsulting.com
From: Blanchard, Kimberley [mailto:KimberleyBlanchard@gov.nl.ca]
Sent: February-28-14 11:19 AM
To: 'ross@tractconsulting.com'; [redacted]@tractconsulting.com
Cc: Davis, Corrie; Carew, Gerry; 'Les Spurrell (Lester.Spurrell@pcsp.ca)
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Senior Planner

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“This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender.”
March 27th, 2014

Please see comments from Robert Ross and the Town of PCSP in italics below.

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reiterate, this is not a provincial concern, but simply raised to ensure that the implications of such decisions are understood at the municipal level.

*This is an intentional structure, and the Town is aware of the procedural implications. Thank you for your comments.*

- Hibbs Place, a cul-de-sac leading off of Bauline Line Extension, is uniquely zoned as “Mixed Use (MIX)” in the context of RLD Residential Low Density. Formerly, this area was zoned RI. There does not appear to be discussion in the MIX section of the documents concerning Hibbs Place. MIGA would have no problem with the Town’s determination of zoning, but simply question if this was the intent to allow a mix of uses in this currently developed area.

*This area has be changed to a Residential LU Designation and RLD Zone*

- As acknowledged in the appendix overview of the revised submission, the ADA designation was not released on the northern area of the existing Windsor Heights subdivision (the portion that extends to the north of Joyce Crescent). It is recognized that this existing portion of the development is non-conforming in the ADA. On the Town’s maps, the RLD LUZone and the Residential FLU Designation must not conflict with the ADA.

*This mapping revision has been made to ensure that there is no conflict with the existing portion of the ADA designation.*

- In the Development Regulations document, page 90, there is a table listing the titles and the reference page number for the zone tables. The page numbers referenced in this table are off. It is recommended that, once final text manipulation is done and page numbers are generated for the table of contents, this table should be updated reflect the correct page numbers for the final version of the document.

*The zone listings identified in the Table have been updated and final formatting revised.*

**Agriculture lands:**

- As it is noted that the Town intends to undertake a comprehensive review of agricultural lands no longer restricted by the provincial Agricultural Development Area under the authority of the Land Development Advisory Authority, please also find a map summary of the ADA as it would apply to PCSP. This is an overview of the ADA prior to the Collins review, and highlights the lands released by the recent ADA changes that came into effect in 2013. This was prepared in-house for our own purposes, but we thought it would be useful to share it with you to complement the Appendix 1 Agricultural lands map, and facilitate the Town in its consideration of this work.

*Thank you. This map has been passed onto the Town.*

**Revisions:**

- Upon completion of the corrections, the revisions can be sent in digitally at this stage.

- For final version, it is important to ensure that all amendments done by the Town in the interim are incorporated into the final approved version.
The town has noted additional amendments and associated mapping are current.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
From: Davis, Corrie
Sent: Friday, March 28, 2014 9:54 AM
To: [redacted]
Cc: "Les Spurrell"
Subject: RE: Received the Jump Drive

Thanks,

If there are issues with emailing the files please have the files delivered to Gerry Carew of our office.

Corrie

---

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Relations
Newfoundland Labrador

From: [redacted]
Sent: Friday, March 28, 2014 9:45 AM
To: Davis, Corrie
Cc: "Les Spurrell"
Subject: RE: Received the Jump Drive

Hi Corrie,

I have requested James Staveley to compile the mapping files for MA and I will forward a zipped file to you today.

Best,

Corrie

---

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: March-27-14 3:40 PM
To: [redacted]
Cc: 'Les Spurrell' (Les.Spurrell@pcsp.ca)
Subject: Received the Jump Drive

Hi [redacted]

As noted I have received the Jump Drive. For clarity, please advise us if the documents and maps on this jump drive are the official version of the PC-SP plan that the Town would like the Department to review pursuant to S15 of the Urban and Rural Planning Act, 2000?

If that is the case we will also need the GIS shape files or AutoCAD dwg files for the mapping products submitted.

Corrie
Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
St. John's, NL A1B 4J6
Tel 709.729.5409 Fax 709.729.0477

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Hello Corrie

Thanks for your email of yesterday. The Town and Tract acknowledge that all future correspondence on the Plan review should be directed to you in Kim Blanchard’s absence.

With regard to the question of whether the Town made any reference to the need to amend the SJURRP in the initial public consultation process, the following comments are provided:

1. The initial public consultation process for this Plan review took place a number of years ago. At that time, the Town was unaware that an amendment to the SJURRP map was required to bring existing/future development in the community into compliance, and thus there was no specific reference to this issue.

2. It was only very recently with Ms. Blanchard’s comments from your office that mapping amendments to the SJURRP would be required as part of the Plan update (i.e. similar comments were passed on by Municipal Affairs to a number of other regional municipalities as well).

3. The Town will most certainly heed your advice and will include and highlight the need for Regional Plan mapping amendments to local residents et al as part of the future required public consultation process of the Town’s Plan, upon your Department’s release of the Municipal Plan and the okay to proceed to the next step of public consultation.

Please advise if you require anything further from the Town and/or Tract to assist you in your review of the Plan.

Enjoy your w/e.

Regards,

Robert Ross, MCIP
Hello Deputy Mayor Will,

The Town's consultant submitted the revised Plan yesterday. I also understand that the Town's consultant will submit the mapping products in digital format soon as well.

The Department will review the documents in light of our earlier comments and provide feedback in the coming days as to whether or not we are in a position to issue a conditional or unconditional release from the provincial review process establish by s15 of the Urban and Rural Planning Act, 2000.

Corrie

Corrie Davis, MCIP  
Manager  
Land Use Planning  
Municipal and Intergovernmental Affairs  
P.O. Box 8700  
St John's, NL A1B 4J6  
Tel 709.729.5409 Fax 709.729.0477

-----Original Message-----
From: Gavin  
Sent: Friday, March 28, 2014 11:54 AM  
To: Davis, Corrie  
Subject: Portugal Cove-St. Philip's Town Plan query

Dear Mr. Davis,

As deputy mayor of Portugal Cove-St. Philip's, and a member of the town's planning and development committee, would it be possible to obtain an update from you regarding progress on completing your Department's work on our new Town Plan?

We have a couple of issues that are tied into the timing of completing the Town Plan, as you are possibly aware.

I would be happy to speak with you by phone, if that is your preference. My phone number is 749-6484.

Our committee meets next Tuesday, and it would be good to provide an update at that time.

Thank you,

Gavin Will

s.30(1)
Good Morning Les,

I'm writing to inform you that the PC-SP Municipal Plan and Development Regulation digital mapping files were delivered to Gerry Carew at Municipal Affairs on Monday.

Today I will be sending you (via courier) all of the files for your office, as well.

Please let me know if any other issues arise.

Best Regards,
From: Gavin Will <Gavin.Will@pcsp.ca>
Sent: Tuesday, April 29, 2014 3:07 PM
To: Davis, Corrie
Cc: Chris Milley
Subject: Re: Portugal Cove-St. Philip's Town Plan query

Corrie
By a few days, are you suggesting by May 9.

Thank you

Gavin Will

On 2014-04-29, at 2:53 PM, "Davis, Corrie" <corriedavis@gov.nl.ca> wrote:

We're hoping to have something to the Town in the coming days.

Corrie

<image001.jpg>

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

From: Gavin Will [mailto:Gavin.Will@pcsp.ca]
Sent: Tuesday, April 29, 2014 1:19 PM
To: Davis, Corrie
Subject: Re: Portugal Cove-St. Philip's Town Plan query

Corrie

Do you have an update I can pass on to members of the Portugal Cove-St. Philip's council regarding progress on the community's municipal plan? I am requesting a meeting between
council members and Minister Kent during the Municipalities NL meetings in Gander this coming week, and an update from your Division prior to the meeting would be useful.

Thank you

Gavin Will

Deputy Mayor

Portugal Cove-St. Philip's

On Mar 31, 2014, at 3:44 PM, "Gavin" wrote:

Gavin Will

Begin forwarded message:

From: Gavin [redacted]
Date: 28 March, 2014 2:21:04 PM NDT
To: "Davis, Corrie" <corriedavis@gov.nl.ca>
Cc: Robert Ross [redacted]
"Les Spurrell' <Les.Spurrell@ncsp.ca>
Subject: Re: Portugal Cove-St. Philip's Town Plan query

Thank you Corrie. Your update is timely and most welcome.

Sincerely,

Gavin Will
On 2014-03-28, at 2:10 PM, "Davis, Corrie" <corriedavis@gov.nl.ca> wrote:

Hello Deputy Mayor Will,

The Town's consultant submitted the revised Plan yesterday. I also understand that the Town's consultant will submit the mapping products in digital format soon as well.

The Department will review the documents in light of our earlier comments and provide feedback in the coming days as to whether or not we are in a position to issue a conditional or unconditional release from the provincial review process establish by s15 of the Urban and Rural Planning Act, 2000.

Corrie

<image001.jpg> Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
St. John's, NL A1B 4J6
Tel 709.729.5409 Fax 709.729.0477

-----Original Message-----
From: Gavin [REDACTED]
Sent: Friday, March 28, 2014 11:54 AM
To: Davis, Corrie
Subject: Portugal Cove-St. Philip's Town Plan query

Dear Mr. Davis

As deputy mayor of Portugal Cove-St. Philip's, and a member of the town's planning and development committee, would it be possible to obtain an update from you regarding progress on completing your Department's work on our new Town Plan?

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Thank you

Gavin Will

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Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer

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Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer
Hi Corrie,

I have already consulted with Mr. Tom Strickland regarding appointment as a commissioner for some of our amendments while Mr. Chris Sharpe is away. I will follow up with correspondence to MA regarding the appointment after our next Council meeting.

Regards,
Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Friday, June 06, 2014 12:58 PM
To: Les Spurrell
Cc: Tizard, Heather; Chris Milley
Subject: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Hi Les,

This file floated to the top of the pile today.

The Town Nominated Chris Sharpe as Commissioner. **Does the Town want to proceed with his appointment or consider someone who may be available over the summer months?**

Corrie

---

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*Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer*

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*Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer*
Hi Corrie,

Re: Portugal Cove-St. Philip’s Development Regulations Amendment No. 53, 2013, and; St. John’s Urban Region Regional Plan Amendment No.14, 2013 (Skinners Road)

Please be advised that Council at their regular public meeting held Tuesday, June 17th, 2014 appointed Mr. Tom Strickland as the Commissioner to hold the Public Hearing in relation to the Skinners Road Amendment, as per Section 19 (1) of the Urban and Rural Planning Act, 2000.

Therefore, in keeping with the requirements of Section 16, 17, 18 & 19 of the Urban and Rural Planning Act, 2000, the Town of Portugal Cove-St. Philip’s would like to proceed with scheduling the St. John’s Urban Region Regional Plan Public Hearing related to the Development Regulations Amendment for Skinners Road. We request that the Minister consider the appointment of Mr. Tom Strickland as the Commissioner to hold Public Hearing for the St. John’s Urban Region Regional Plan Amendment No.14, 2013.

Regards,
Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Tuesday, June 10, 2014 11:12 AM
To: Les Spurrell
Cc: Chris Milley; Tizzard, Heather
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner’s Road) - Appt of Commissioner

Thanks Les,

When is your next Council meeting?

We will move forward on the assumption that Mr. Strickland will be the nominee.

Corrie

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs
From:  Les Spurrell <Les.Spurrell@pcsp.ca>  
Sent:  Friday, June 13, 2014 11:01 AM  
To:  Hanlon, Carol  
Cc:  Davis, Corrie  
Subject:  RE: Registered documents  

Thanks Carol,

I have received the registered planning documents related to Jera Street/Chesley-Van Height but not Tuckford Road.  

Corrie’s email mentioned that Tuckford Road was planned for future years and that it would be scanned and forwarded also.

Regards,
Les

---

From:  Hanlon, Carol [mailto:CarolHanlon@gov.nl.ca]  
Sent:  Friday, June 13, 2014 10:32 AM  
To:  Les Spurrell  
Cc:  Davis, Corrie  
Subject:  Registered documents  

Please find attached registered Municipal Plan Amendment 22, 2013 and Development Regulations Amendment No. 51, 2013, as well as SJURRP No. 9, 2013.

Tks.

Carol

Carol Hanlon  
Land Use Planning Group  
Department of Municipal Affairs  
phone: (709) 729-3090  
fax: (709) 729-0477  
email: carolhanlon@gov.nl.ca

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Hi Jennifer,

In response to your call yesterday, please see the note from Les Spurrell (PCSP Planning and Development Coordinator):

As per call from Jennifer Brown the Town has appointed Mr. Tom Strickland as Commissioner for the Town's Municipal Plan and Development Regulations Review.

In the past, Mr. Strickland has acted as the Commissioner for Torbay, Hearts Delight, Witless Bay, Lower Island Cove (to name a few) as it relates to Town Plans and individual amendments.

The Department would be well acquainted with Mr. Strickland history as a Commissioner.

Can you please confirm with Ms. Brown as to whether or not the Department requires Mr. Strickland to submit his curriculum vitae.

Could you like Mr. Strickland to submit his CV or does the department have all the information it needs?

Best Regards,
From: Les Spurrell [mailto:Les.Spurrell@pcsp.ca]
Sent: Tuesday, June 10, 2014 9:11 AM
To: Davis, Corrie
Cc: Chris Milley
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Hi Corrie,

I have already consulted with Mr. Tom Strickland regarding appointment as a commissioner for some of our
amendments while Mr. Chris Sharpe is away. I will follow up with correspondence to MA regarding the
appointment after our next Council meeting.

Regards,
Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Friday, June 06, 2014 12:56 PM
To: Les Spurrell
Cc: Tizzard, Heather; Chris Milley
Subject: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Hi Les,

This file floated to the top of the pile today.

The Town Nominated Chris Sharpe as Commissioner. Does the Town want to proceed with his appointment or consider someone who may be available over the summer months?

Corrie
From: Davis, Corrie
Sent: Wednesday, June 11, 2014 6:44 PM
To: Les Spurrell
Cc: Chris Milley
Subject: Re: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Thanks.

Corrie

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Les Spurrell
Sent: Wednesday, June 11, 2014 5:32 PM
To: Davis, Corrie
Cc: Chris Milley
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Hi Corrie,

The Planning and Development Committee Report for Council's meeting Tuesday night (June 17, 2014) concludes a recommendation to appoint Mr. Tom Strickland as the Commissioner for the amendment at Skinner's Road.

Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Tuesday, June 10, 2014 11:12 AM
To: Les Spurrell
Cc: Chris Milley; Tizzard, Heather
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Thanks Les,

When is your next Council meeting?

We will move forward on the assumption that Mr. Strickland will be the nominee.

Corrie

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs
Good Morning Jennifer,

Attached is a summary report from the initial development of the Municipal Plan Review project. I believe this will supply the information you are looking for.

Please call me if you have any further questions.

Best Regards,

[Contact Information]

---

From: Ashley Mackinnon
Sent: June-24-14 9:19 AM
To: [Contact Information]
Cc: [Contact Information]
Subject: Municipal Plan Summary Report

Attached is a Summary Report prepared by exp in September 2011. I believe this is what you are looking for. If you require anything else please let me know.

Thank-you,

Ashley Mackinnon
Planning Technician
T: 709.895.8000
F: 709.895.3780
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
From: Davis, Corrie
Sent: Thursday, June 26, 2014 1:40 PM
To: Chris Milley
Cc: Moses Tucker

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Hanlon, Carol <CarolHanlon@gov.nl.ca>
Sent: Thursday, June 26, 2014 1:37 PM
To: 'ross@tractconsulting.com'; Les.Spurrell@prsp.ca
Cc: Tizzard, Heather; Davis, Corrie
Subject: Release letter Portugal Cove - St. Philip's Municipal Plan 2013-2023

Good Afternoon Mr. Ross and Mr. Spurrell:

Please find attached our release letter and attachment with regard to Municipal Plan 2013-2023, original of which will follow in today's mail.

If you have any questions please contact us by email: corridavis@gov.nl.ca, or by telephone: (709) 729-3090.

Sincerely,

Carol Hanlon
Land Use Planning Group
Department of Municipal Affairs
phone: (709) 729-3090
fax: (709) 729-0477
email: carolhanlon@gov.nl.ca
Prown, Jennifer Erin

From: Les Spurrell <Les.Spurrell@pcsp.ca>
Sent: Thursday, June 26, 2014 2:09 PM
To: Hanlon, Carol
Cc: rross@tractconsulting.com; Les Spurrell; Tizzard, Heather; Davis, Corrie
Subject: Re: Release letter Portugal Cove - St. Philip's Municipal Plan 2013-2023

Thanks Carol - much appreciated.

Regards,
Les

Sent from my iPhone

> On Jun 26, 2014, at 1:38 PM, "Hanlon, Carol" <CarolHanlon@gov.nl.ca> wrote:
> Good Afternoon Mr. Ross and Mr. Spurrell:
> Please find attached our release letter and attachment with regard to Municipal Plan 2013-2023, original of which will
follow in today's mail.
> If you have any questions please contact us by email: corridavis@gov.nl.ca <mailto:corridavis@gov.nl.ca>, or by
 telephone: (709) 729-3090.
> Sincerely,
> Carol
> Carol Hanlon
> Land Use Planning Group
> Department of Municipal Affairs
> phone: (709) 729-3090
> fax: (709) 729-0477
> email: carolhanlon@gov.nl.ca <mailto:carolhanlon@gov.nl.ca>

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Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer <http://pcsp.ca/?Content=Disclaimer>
June 26, 2014

Mr. Robert Ross, MCIP
Tract Consulting, Inc.
100 Lemarchant Rd,
St John’s, NL
A1C 2H2

Dear Mr. Ross

PORTUGAL COVE - ST. PHILIP’S
Municipal Plan 2013-2023

In keeping with the requirements of section 15 of the Urban and Rural Planning Act, 2000, staff of the Land Use Planning Division reviewed the above-noted documents for conformity with provincial interests and law. In our opinion, they do not conflict with any stated provincial policies and we release them from the provincial review. Council may now consider them for adoption and, if it does so, schedule the public hearing.

The necessary changes to the St. John’s Urban Region Regional Plan (SJURRP) will be accommodated by the Minister’s overall map amendment to the SJURRP. Therefore, the Minister will no longer require a SJURRP Amendment specifically related to the draft Municipal Plan and Development Regulations.

Additionally, attached please find a list of non-binding comments compiled by staff of the Land Use Planning Division that you and the Town may wish to consider.

Please note that the documents and the accompanying map(s) must be certified by a full member or fellow of the Canadian Institute of Planners, and must be dated and signed on behalf of the Council.

Sincerely

Corrie Davis, MCIP
Manager, Land Use Planning

Attachments
cc. Town of Portugal Cove - St. Philip’s

P.O. Box 8700, St. John’s, NL, Canada A1B 4J5  709.729-3090 f 709.729-0477
COR/2014/04473

MEMO TO:

MR. ROBERT ROSS, MCIP
TRACT CONSULTING, INC.
100 Lemarchant Rd,
St John's, NL
A1C 2H2

Re: Town of Portugal Cove – St. Philips
Municipal Plan & Development Regulations, 2014-2024

The following comments were drafted for consideration of yourself and council. These comments are not a matter of provincial policy or law, and do not warrant the documents being withheld from release from Government Review under Section 15 of the Urban and Rural Planning Act, 2000.

MUNICIPAL PLAN COMMENTS

3.3.1 General Layout of the Town
Policy GL-7
• Inconsistent formatting.

3.3.3 General Policies for Subdivision of Land
Policy SD-7
• Inconsistent formatting; choose 10% or 10 percent.

3.3.4 Other General Land Use Policies
Policy GLU-18
• Neighbours not defined.

3.4.1 Residential
Policy RES-16
• Backland is not defined.

3.4.4 Mixed Use
Policy MIX-2
• Services and service club not defined.
• Inconsistent use of churches/ place of worship. Place of Worship may be more inclusive.

3.4.5 Public Use
• The Regulations provide for several discretionary uses but none listed in the policies of the Plan.
Policy PU-1
- Inconsistent use of churches/ place of worship. Place of Worship may be more inclusive.

DEVELOPMENT REGULATIONS COMMENTS

Table of Contents
- Page numbering re-starts on the Resolution to Adopt page.

Overview of Development Regulations
- Please reference the Department as the “Department of Municipal and Intergovernmental Affairs”.

Regulation 12. Notice of Variance
- Immediate vicinity not defined.

Regulation 39. Accessory Buildings
- Immediate vicinity not defined.

Regulation 64. Site Suitability
- “marshy” may be vague.

SCHEDULE A
Lot Frontage
- Frontage not defined in Schedule A.

Natural Boundary
- “...where the presence or action of water of the water are so common...”.

Residential Use
- ‘fop’

SCHEDULE C
Residential Medium Density (RMD)
Residential Low Density (RLD)
Residential Rural (RR)
- There is no apparent implementing policy in Section 3.4.1 of the plan to allow kennel, nursing home, and office as discretionary uses.

Animal and Kennels
- Within Schedule ‘B’, “Kennels” are an example of the “Animal” classification and not a classification itself.

Home Occupations
- There is no apparent implementing policy in Section 3.4.1 of the plan to allow nursing home and office as discretionary uses.

Wind Turbines – Commercial
- Unnecessary to state commercial wind turbines are not permitted in consideration of
Regulation 103 of the Part V – Use Zones.

- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Residential Rural (RR)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.1 of the plan to allow double wide mobile (on permanent foundation) homes as a discretionary use.

Traditional Community (TC)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.3 of the plan to allow indoor market and nursing homes as discretionary uses.

Mixed Use (MIX)
Use Zone Table
- Double dwelling appears as both a permitted and discretionary use.
- There is no apparent implementing policy in Section 3.4.4 of the plan to allow restaurants and service clubs as discretionary uses.
  Service club is not defined.

(8) Wind Turbines
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Public Use (PU)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.5 of the plan to allow cemetery, child care, club and lodge (lodges only, funeral home, indoor assembly and outdoor assembly) as discretionary uses.

(2) Wind Turbines – Commercial
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Recreational Open Space
Use Zone Table
- There is no apparent implementing policy in Section 3.4.6 of the plan to allow antenna and take-out food service as discretionary uses.
COR/2014/04473

(3) Wind Turbines – Commercial
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Protected Watershed (PW)

(4) Wind Turbines
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.

Agriculture (AG)

Use Zone Table
- There is no apparent implementing policy in Section 3.4.8 of the plan to allow outdoor market as a discretionary use.

Rural (RUR)

Use Zone Table
- There is no apparent implementing policy in Section 3.4.9 of the plan to allow outdoor assembly as a discretionary use.

(5) Single Dwellings
- (B) Inconsistent format.
COR/2014/04473

MEMO TO:

MR. ROBERT ROSS, MCIP
TRACT CONSULTING, INC.
100 Lemarchant Rd,
St John's, NL
A1C 2H2

Re: Town of Portugal Cove – St. Philips
Municipal Plan & Development Regulations, 2014-2024

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Policy MIX-2
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3.4.5 Public Use
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SCHEDULE A
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- “…where the presence or action of water of the water are so common…”.

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- ‘fop’

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Residential Medium Density (RMD)
Residential Low Density (RLD)
Residential Rural (RR)
- There is no apparent implementing policy in Section 3.4.1 of the plan to allow kennel, nursing home, and office as discretionary uses.

Animal and Kennels
- Within Schedule ‘B’, “Kennels” are an example of the “Animal” classification and not a classification itself.

Home Occupations
- There is no apparent implementing policy in Section 3.4.1 of the plan to allow nursing home and office as discretionary uses.

Wind Turbines – Commercial
- Unnecessary to state commercial wind turbines are not permitted in consideration of
Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Residential Rural (RR)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.1 of the plan to allow double wide mobile (on permanent foundation) homes as a discretionary use.

Traditional Community (TC)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.3 of the plan to allow indoor market and nursing homes as discretionary uses.

Mixed Use (MIX)
Use Zone Table
- Double dwelling appears as both a permitted and discretionary use.
- There is no apparent implementing policy is Section 3.4.4 of the plan to allow restaurants and service clubs as discretionary uses.
  Service club is not defined.

(8) Wind Turbines
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Public Use (PU)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.5 of the plan to allow cemetery, child care, club and lodge (lodges only, funeral home, indoor assembly and outdoor assembly) as discretionary uses.

(2) Wind Turbines – Commercial
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Recreational Open Space
Use Zone Table
- There is no apparent implementing policy in Section 3.4.6 of the plan to allow antenna and take-out food service as discretionary uses.
COR/2014/04473

(3) Wind Turbines – Commercial
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.
- Should Regulation 71 be referenced when private wind turbines appear in the land Use Zone table?

Protected Watershed (PW)
(4) Wind Turbines
- Unnecessary to state commercial wind turbines are not permitted in consideration of Regulation 103 of the Part V – Use Zones.

Agriculture (AG)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.8 of the plan to allow outdoor market as a discretionary use.

Rural (RUR)
Use Zone Table
- There is no apparent implementing policy in Section 3.4.9 of the plan to allow outdoor assembly as a discretionary use.

(5) Single Dwellings
- (B) Inconsistent format.
From: Les Spurrell <Les.Spurrell@pcsp.ca>
Sent: Monday, August 04, 2014 11:42 AM
To: Davis, Corrie
Cc: Chris Milley
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner’s Road) - Appt of Commissioner

Thanks Corrie.

Regards,
Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Monday, August 04, 2014 11:21 AM
To: Les Spurrell
Cc: Chris Milley
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner’s Road) - Appt of Commissioner

Hi Les,

Council can proceed without reference to the SJURRP amendment as the necessary changes will be incorporated in to the larger Amendment the Minister is currently preparing to replace the entire SJURRP Map with a revised electronically stored map that accommodates all pending SJURRP amendments and current Municipal plans.

Corrie

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

From: Les Spurrell [mailto:Les.Spurrell@pcsp.ca]
Sent: Friday, June 20, 2014 12:04 PM
To: Davis, Corrie
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner’s Road) - Appt of Commissioner

Hi Corrie,

Re: Portugal Cove-St. Philip’s Development Regulations Amendment No. 53, 2013, and St. John’s Urban Region Regional Plan Amendment No.14, 2013 (Skinners Road)

Please be advised that Council at their regular public meeting held Tuesday, June 17th, 2014 appointed Mr. Tom Strickland as the Commissioner to hold the Public Hearing in relation to the Skinners Road Amendment, as per Section 19 (1) of the Urban and Rural Planning Act, 2000.
Therefore, in keeping with the requirements of Section 16, 17, 18 & 19 of the Urban and Rural Planning Act, 2000, the Town of Portugal Cove-St. Philip's would like to proceed with scheduling the St. John's Urban Region Regional Plan Public Hearing related to the Development Regulations Amendment for Skinners Road. We request that the Minister consider the appointment of Mr. Tom Strickland as the Commissioner to hold Public Hearing for the St. John's Urban Region Regional Plan Amendment No.14, 2013.

Regards,
Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Tuesday, June 10, 2014 11:12 AM
To: Les Spurrell
Cc: Chris Milley; Tizzard, Heather
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Thanks Les,

When is your next Council meeting?

We will move forward on the assumption that Mr. Strickland will be the nominee.

Corrie

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

From: Les Spurrell [mailto:Les.Spurrell@pcsp.ca]
Sent: Tuesday, June 10, 2014 9:11 AM
To: Davis, Corrie
Cc: Chris Milley
Subject: RE: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner

Hi Corrie,

I have already consulted with Mr. Tom Strickland regarding appointment as a commissioner for some of our amendments while Mr. Chris Sharpe is away. I will follow up with correspondence to MA regarding the appointment after our next Council meeting.

Regards,
Les

From: Davis, Corrie [mailto:corriedavis@gov.nl.ca]
Sent: Friday, June 06, 2014 12:58 PM
To: Les Spurrell
Cc: Tizzard, Heather; Chris Milley
Subject: PCSP DRA 53 2013 & SJURRP 14 2013 (Skinner's Road) - Appt of Commissioner
Hi Les,

s file floated to the top of the pile today.

The Town Nominated Chris Sharpe as Commissioner. Does the Town want to proceed with his appointment or consider someone who may be available over the summer months?

Corrie

Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel 709.729.5409 Fax 709.729.0477

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Please click here for The Town of Portugal Cove-St. Philip’s email Disclaimer
Brown, Jennifer Erin

From: Les Spurrell <Les.Spurrell@pcsp.ca>
Sent: Tuesday, August 19, 2014 4:37 PM
To: [REDACTED]
Cc: RE: Chesley Van Heights, Phase 5

Hi Dorothea,

Thanks for the copy of the 'letter of recommendation' resulting from the ground water study for Stage V of the Chesley Van Heights Residential Subdivision - much appreciated.

Regards,
Les

From: Hanchar, Dorothea [mailto:Dorothea.Hanchar@gov.nl.ca]
Sent: Tuesday, August 19, 2014 10:41 AM
To: Davis, Corrie; Williams, Sharon; Craig, Michelle; Les Spurrell
Cc: William Melandy
Subject: Chesley Van Heights, Phase 5

Attached, please find the letter of recommendation for the Chesley Van Heights Phase 5 Groundwater Study

Please let me know if you have any questions or comments.

Dorothea

Groundwater Resources Manager
Water Resources Management Division
Environment and Conservation
PO Box 8700
Confederation Building, West Block 4th Floor
St. John’s NL A1B 4J6
www.gov.nl.ca/env

p) 709.729.2539
f) 709.729.0320
e) dorotheahanchar@gov.nl.ca

Groundwater Wells - What you Need to Know

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Please click here for The Town of Portugal Cove-St. Philip's email Disclaimer.
Thank you Corrie. Your update is timely and most welcome.

Sincerely,

Gavin Will

On 2014-03-28, at 2:10 PM, "Davis, Corrie" <corriedavis@gov.nl.ca> wrote:

Hello Deputy Mayor Will,

The Town's consultant submitted the revised Plan yesterday. I also understand that the Town's consultant will submit the mapping products in digital format soon as well.

The Department will review the documents in light of our earlier comments and provide feedback in the coming days as to whether or not we are in a position to issue a conditional or unconditional release from the provincial review process establish by s15 of the Urban and Rural Planning Act, 2000.

Corrie

Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
Thank you Corrie. Your update is timely and most welcome.

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Corrie

<image001.jpg> Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
Gavin Will

s.30(1)

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TRANSMITTAL

TO: MIGA – Land Use Planning Div

FROM: Bobbi Skanes

ATTN: Jennifer Brown

DATE:

PROJECT: Portugal Cove – St. Philip’s Municipal Plan

METHOD OF DELIVERY

☑ Courier ☐ TCI ☐ Fax ☐ Pick-up ☐ Mail

ENCLOSED

☐ LETTER ☐ INVOICE ☐ FOR APPROVAL
☐ DRAWINGS ☐ FOR INFORMATION ☐ FOR DISTRIBUTION
☐ SHOP DRAWINGS ☐ FOR REVIEW AND COMMENTS ☐ FOR TENDER CALL
☐ SPECIFICATIONS ☐ FOR PRICING ☐ DOCUMENTS
☐ REPORT ☐ FOR CONSTRUCTION ☐ OTHER:
☐ COMPUTER DISK ☐ FOR YOUR RECORDS

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<td>enclosed: 2 original resolution to approve. 2 original MCIP certification. 1 original affidavit 1 CD (CAD maps, PDF maps, MS Word &amp; PDF Doc’s) 1 Map 1 – Land use</td>
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ISSUED BY: [Signature]  COPIED TO: Town of PCSP
URBAN AND RURAL PLANNING ACT (2000) 
RESOLUTION TO APPROVE


The Development Regulations (2014-2024) were approved by the Town Council of Portugal Cove-St. Philip’s on the 9th day of September, 2014.

Signed and sealed this 15th day of October, 2014.

Mayor Moses G. Tucker:  

Municipal Clerk (Judy Squires):  

Town of Portugal Cove-St. Philip’s seal
CANADIAN INSTITUTE OF PLANNERS (CIP) CERTIFICATION

I certify that the Town of Portugal Cove – St. Philip's Development Regulations (2014-2024) have been prepared in accordance with the requirements of the Urban and Rural Planning Act (2000) of the Province of Newfoundland and Labrador.

[Signature]

Member of Canadian Institute of Planners (MCIP) signature

[MCIP seal]

September 06, 2014

Date signed and sealed
AFFIDAVIT - OBJECTIONS

NEWFOUNDLAND AND LABRADOR
CANADA
TO WIT

I, Judy Squires, hereby make Oath and say that:


2. The Town Council of Portugal Cove - St. Philip's set the 14th day of August, 2014 at 7:30pm, at the Town Hall, 1119 Thorburn Road for the holding of a public hearing to consider objections and representations to the Town of Portugal Cove - St. Philip's Municipal Plan or Development Regulations.

3. Written objections or representations with respect to the Town of Portugal Cove - St. Philip's Municipal Plan or Development Regulations were received at the Portugal Cove - St. Philip's Town Office within the time stipulated in the notice of public hearing and the schedule public hearing proceeded as advertised.

4. A copy of the Commissioner's Report and the written submissions and objections are attached.


   a. The incorporation of Municipal Plan Amendment No. 25, 2014 and Development Regulations Amendment No. 55, 2014 (re-designate and re-zoning of land for new school), and;

   b. Revision to text and mapping as reflect in Council's Motion # 2014-095 dated April 22, 2014 to re-designate and re-zone land currently zoned Agricultural (non ADA) along existing publicly maintained roads to residential.


SWORN to at Portugal Cove, St. Philip's this 1st day of October, A.D. 20_, before me

Notary Public, Justice of the Peace, Commissioner of Oaths

Town Clerk
Potential copyright material

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There were 4 large maps responsive to this request and provided to the applicant that cannot be reproduced electronically and therefore are not included in these records. If you wish to arrange a time to view these maps please call (709) 729-1953.