

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

Meeting #: PDC 22-12  
Date: August 8, 2022  
Time: 4:00 pm - 6:45 pm  
Location: Zoom

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

**Regrets**                      **Councillor Hillier**

**Other Councillors Present**      **Deputy Mayor Gosse**  
   **Councillor Hardy**

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

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### **1. Development Applications**

#### **1.a 24 Steep Nap Road**

The Committee discussed an application to construct a front yard fence.

After a discussion, the Committee concurred to recommend the application be approved.

#### **Recommendation:**

Be it so resolved, that in accordance with Section 15 of the Town's Fence Regulations, Application No.1927 received on July 6, 2022 for a front yard fence along the western boundary of the property of 24 Steep Nap Road be approved on condition that the fence be a maximum height of 1.2m and protrude a maximum of 7.3m from the front building line of the adjacent

dwelling located at 22 Steep Nap Road toward the front lot line of 24 Steep Nap Road.

**1.b 80 Monument Road**

The Committee discussed an application for a front yard fence.

After a discussion, the Committee concurred to recommend the application be approved.

**Recommendation:**

Be it so resolved, that in accordance with Section 15 of the Town's Fence Regulations, Application No. 1951 received on July 12, 2022 for the replacement of an existing fence at 80 Monument Road be approved on condition that the fence be a maximum height of 1.2m from the front boundary line to the front building line.

**1.c 304 Conception Bay Highway**

The Committee discussed an application for a front yard fence.

After a discussion, the Committee concurred to recommend the application be approved to allow a fence be built along the side boundary of the property such that it does not project forward of the front wall of the dwelling.

Whereas the recommendation is consistent with the requirements of the Town's Fence Regulations, the Committee concurred that staff continue to process the application without further referral to the Committee or Council in accordance with the Town's Delegation of Planning Authority Policy.

**1.d 9 Dawes Hill Road**

The Committee discussed an application for a front yard fence.

After a discussion, the Committee concurred to recommend the application be approved.

**Recommendation:**

Be it so resolved, that in accordance with Section 15 of the Town's Fence Regulations, Application No. 1980 received on July 18, 2022 for the replacement and repair of an existing front yard fence at 9 Dawes Hill

Road be approved on condition that the fence be a maximum height of 1.02m between the front boundary line and the front building line.

**1.e 24 Fagans Road**

Prior to discussion of the application, Councilor Hardy requested the Committee determine if she was in a conflict of interest due to a relative living near the property. The Committee determined that the relative was not an immediate family member listed by the *Municipalities Act*, and therefore Councilor Hardy is not in a conflict of interest with respect to the proposed development.

The Committee discussed an application for an accessory building.

After a discussion, the Committee concurred to recommend the application be approved.

**Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority of Section 5.3(3) of the Town's Development Regulations, Application No. 962 received October 6, 2021 for an accessory building be approved on the condition that the no placement of fill be permitted on the property to accommodate the construction of the accessory building.

**1.f 52 Readers Hill Crescent**

The Committee discussed an application for an accessory building.

After a discussion, the Committee concurred to recommend the application be refused in consideration that the cumulative lot coverage of all accessory buildings at the property would exceed the maximum that is permitted by the Regulations.

**Recommendation:**

Be it so resolved, that in accordance with Section 5.3(2) and 3.12 of the Town's Development Regulations, Application No. 1910 received July 4, 2022 for an accessory building be refused as it would exceed the permissible lot coverage for accessory buildings on the property.

**1.g 41 Rideouts Road**

The Committee discussed an application for an accessory building.

After a discussion, the Committee concurred to defer consideration of the application to allow staff time to work with the applicant to identify a new location for the accessory building on the property.

**1.h 2213 Topsail Road**

The Committee discussed an application for an accessory building.

After a discussion, the Committee concurred to recommend the application be refused in consideration that the cumulative lot coverage of all accessory buildings at the property would exceed the maximum that is permitted by the Regulations.

**Recommendation:**

Be it so resolved, that in accordance with Section 5.3(2) and 3.12 of the Town's Development Regulations, Application No. 1897 dated June 28, 2022 for an accessory building be refused in consideration that the proposal exceeds the maximum lot coverage.

**1.i 12 Commodore Place**

The Committee discussed consideration of LUIAR Terms of Reference and public submissions.

After a discussion, the Committee concurred to recommend that the Terms of Reference for the Land Use Impact Assessment report be approved as presented.

**Recommendation:**

Be it so resolved that the Terms of Reference for a Land Use Impact Assessment Report regarding proposed development of a private wharf at 12 Commodore Place be approved as presented.

**1.j 583-585 Conception Bay Highway**

The Committee discussed consideration of LUIAR Terms of Reference and public submissions.

After a discussion, the Committee concurred to defer consideration of the file to allow more time to consider comments received with respect to the draft the Terms of Reference for a Land Use Impact Assessment of the proposed development.

**1.k 86 Red Bridge Road**

Prior to discussion, Councillor Connors requested the Committee determine if he was in a conflict of interest due to a relative living near the property. The Committee determined that the relative was an immediate family member listed by the *Municipalities Act*, and therefore Councilor Connors is in a potential conflict of interest with respect to the proposed development of the property. Councillor Connors vacated the meeting at 4:46 p.m. and returned at 4:49 p.m.

The Committee discussed applications for multi-unit developments at the property.

After a discussion, the Committee concurred to defer consideration of applications to allow more time to consider how the definition of a subsidiary apartment might impact one aspect of the proposed development.

**1.l 20 Marions Garden**

The Committee discussed an application to construct an extension to an existing accessory building.

After a discussion, the Committee concurred to recommend the application be approved.

**Recommendation:**

Be it so resolved, that in accordance with Council's discretionary authority of Sections 3.12 and 5.3(1) of the Town's Development Regulations, Application No. 1869 received June 21, 2022 for a 3.7m x 4.3m extension to an existing accessory building, be approved.

**1.m 6 Goldust Place**

The Committee discussed an application for an accessory building.

After a discussion, the Committee concurred to recommend the application be refused in consideration that the cumulative lot coverage of all accessory buildings at the property would exceed the maximum that is permitted by the Regulations.

**Recommendation:**

Be it so resolved, that in accordance with Sections 3.12 and 5.3(2) of the Town's Development Regulations, Application No. 1984 received July 19, 2022 for the extension to an existing accessory building (garage) be refused as it would exceed the maximum cumulative lot coverage for accessory buildings on the property.

**1.n 2676 Topsail Road**

The Committee discussed an application to operate a business.

After a discussion, the Committee determined that the proposed re-development of the property to accommodate a parking area for rental trucks would potentially create new and cumulative impacts on traffic and parking for the adjacent businesses, private lanes, residences, the schools and a church. In consideration of their determination, the Committee concurred to recommend the application be refused.

**Recommendation:**

Be it so resolved that, in accordance with Council's discretionary authority at Sections 10.7 and 10.12.2 of the Town's Development Regulations, Application No. 1641 to redevelop the property at 2676 Topsail Road to accommodate a general service use (moving truck rental business and parking), be refused in consideration of new and cumulative negative impacts on traffic and parking in the general area.

**1.o 31-49 Tippet Place**

The Committee discussed an application for a commercial motor vehicle parking permit.

After a discussion, the Committee concurred to recommend the application be approved.

**Recommendation:**

Be it so resolved, that in accordance with section 6(c) of the Town's Commercial Motor Vehicle Regulations, Application No. 1933 received on July 6, 2022 for parking of a backhoe at 31-49 Tippet Place, be approved.

**1.p 2-22 Barley Road**

The Committee discussed a request for Council's consideration of proposed fence location, associated with industrial site development.

After a discussion, the Committee concurred to recommend the application be approved.

**Recommendation:**

Be it so resolved that, in accordance with Council's discretionary authority at Section 17 of the Town's Fence Regulations, Application No. 1631, for a chain link fence along the front and flanking street lot lines of the industrial lot at 2-22 Barley Road, be approved.

**2. Planning Matters**

**2.a Municipal Plan Review**

The Director advised the Committee that the consultant will submit a list of items to be clarified and or determined by Council for inclusion in the initial draft Municipal Plan and Development Regulations in the coming weeks.

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

The Committee discussed a request that the noted property be re-zoned.

The Committee considered the comments received from residents in relation to the proposed re-zoning. The Committee determined that comments regarding the impact on waterways and wetlands would be reviewed by provincial officials and the concerns could be mitigated through the design of a development on the property should the re-zoning be finalized. The Committee therefore concurred to recommend that the draft amendment documents be referred to the Department of Municipal and Provincial Affairs to determine and comment on any provincial interests.

**Recommendation:**

Be it so resolved that, in accordance with Section 15 of the *Urban and Rural Planning Act, 2000*, Municipal Plan Amendment No. 25 and Development Regulations Amendment No. 43, 2022, for proposed re-zoning of 1621-1627 Conception Bay Highway, be referred to the Department of Municipal and Provincial Affairs for determination of any provincial interests.

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

The Committee discussed a request for a zoning amendment to accommodate proposed development of a four-unit residential apartment building at the noted property.

After a discussion, the Committee concurred to refer the item to a future Committee meeting to allow the Committee Chair an opportunity to participate in a discussion of the request.

**2.d 118 Red Bridge Road**

The Committee discussed a request that the Town re-zone the noted property.

After a discussion, the Committee requested that staff discuss the process with the property owner and determine if there was a specific proposal that they would wish Council to consider with respect to re-zoning.

**2.e 12 Lodge Road**

Deputy Mayor Gosse declared a conflict on this item as an immediate family member owns an adjacent property and she may have a business relationship with the applicant. She vacated the meeting at 5:57 p.m. and returned at 6:04 p.m.

The Committee discussed a request that a portion of the property be re-zoned.

After a discussion, the Committee requested that the property owner consult with the provincial Department of Environment and Conservation's Water Resources Management Division to determine if the land within the OSC zone must remain protected. The Committee also requested that



staff should visit the property to determine if any area for the proposed re-zoning is within a wetland, waterway or buffer. The Committee concurred that the matter be deferred pending outcomes of the foregoing items.

**3. Information Items**

**3.a** [Redacted]

Privileged Legal Matter.

[Redacted]

**3.b 71 Seal Cove Road**

The Director advised the Committee that the Eastern Newfoundland Regional Appeal Board released a decision that confirmed Council's approval of a home-based business at the noted property.

**3.c** [Redacted]

Privileged Matter – Business Interests

[Redacted]

**3.d** [Redacted]

Privileged Matter - Business Interests

[Redacted]

**4. Non Compliance**

**4.a**

[Redacted]

Privileged Legal Matter.

[Redacted]

**4.b**

[Redacted]

Privileged Legal Matter

[Redacted]

**5. Additional Items**

**5.a**

[Redacted]

Privileged Legal Matter

[Redacted]

**5.b.**

[Redacted]

Privileged Legal matter

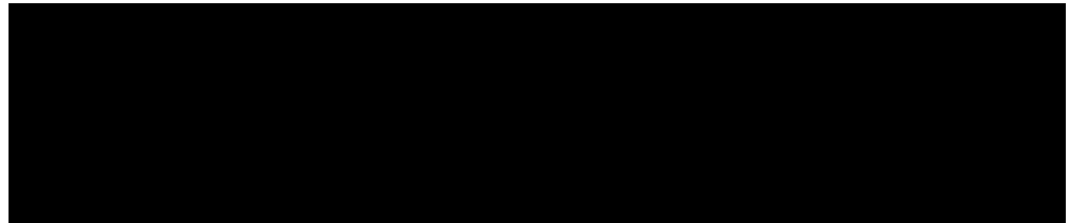
[Redacted]



5.c.



Privileged Legal matter



**6. Department Update**

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

**7. Committee Report**

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

**Recommendation:**

Be it so resolved that the decisions and recommendations made at the Planning and Development Committee meeting on August 8, 2022 be accepted as presented.

- 304 Conception Bay Highway
- 41 Rideouts Road
- 583-585 Conception Bay Highway
- 86 Red Bridge Road
- Municipal Plan Review
- 22-24 Cherry Lane
- 118 Red Bridge Road
- 12 Lodge Road
- 71 Seal Cove Road
- Department Update

There being no further business, the meeting was adjourned at 6:45 p.m.

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Councillor Barrett, Acting Chair

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Corrie Davis, Director of Planning and  
Development