

Planning and Development Committee Meeting Minutes

Meeting #: 24-03
Date: February 12, 2024
Time: 4:00 pm - 6:04 pm
Location: Long Pond Boardroom

Members Present **Councillor Tilley, Chair**
 Councillor Hillier
 Councillor Moores

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

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

Guests **Mr. & Mrs. Waterman, 142 Greeleytown Road**

1. Development Applications

1.a 2571 Topsail Road

Councillor Tilley declared a conflict of Interest with this item stating he had family members that live in the immediate area. Councillor Tilley left the meeting from 4:00 to 4:02pm while the matter was discussed. Councillor Moores assumed the Chair in his absence.

The Committee considered an application to serve alcohol at an existing salon business along with submissions received in response to public notification of the application, and after a discussion concurred to make the following recommendation:

Recommendation:

Be it so resolved that, in accordance with sections 10.7 and 10.12.2 of the Town's Development Regulations, Application No. 3579 received on December 22, 2023 proposing to serve alcohol to clients within the existing personal service (salon) at 2571 Topsail Road, be approved.

1.b 21A Shetland Place

The Committee considered an application to operate a pet sitting service as a home based business and after a discussion, concurred to make the following recommendation:

Recommendation:

Be it so resolved that, in accordance with sections 10.8 and 10.11 of the Town's Development Regulations, Application No. 3620 received on January 30, 2024 to operate a dog boarding and dog daycare business as a home occupation at 21A Shetland Place, be refused as the use is not permitted within the R-2 land use zone.

1.c 48 Indian Pond Drive

The Committee considered an application to alter grades within the shoreline reservation of Indian Pond. The Committee considered the fact that development had occurred prior to application for, and issuance of permits from the Town, province and federal government. The Committee also considered correspondence from the provincial and federal government authorities having jurisdiction, that they are unable to issue permits after work has been completed.

The Committee therefore requested that staff write to the authorities having jurisdiction to seek direct commentary on the work and any follow up actions those authorities may be contemplating.

1.d 142 Greeleytown Road

The Committee reviewed the file and Council's recent decision with respect to the proposed re-development of the property in anticipation of the owners joining the Committee later in the meeting.

2. Planning Matters

2.a Consultation Process

The Committee discussed submission deadlines in relation to timing of public information sessions and determined that opportunity for written submissions should not close until after a public information session, when such a session is scheduled.

The Committee also determined that the Public Information Sessions for proposed re-zonings at 705 Conception Bay Highway / 10-14 Jeffers Lane and 1659-1663 Conception Bay Highway be held on Wednesday March 6, 2024.

2.b 2-10 Buckleys Path

The Committee considered the submissions and feedback received during the initial consultation regarding the proposed re-zoning, and after a discussion, concurred to make the following recommendation:

Recommendation:

Be it so resolved that, in accordance with section 15 of the Urban and Rural Planning Act, 2000, proposed Municipal Plan Amendment No. 33 and Development Regulations Amendment No. 53, 2024, regarding proposed rezoning of 2-10 Buckleys Path, be referred to the Department of Municipal and Provincial Affairs to determine and comment on any provincial interests.

3. 142 Greeleytown Road

The property owners joined the meeting at approximately 5:00pm to discuss their proposed re-development of the property and Council's recent refusal of their application.

The owners indicated they have lived at the property since 2012. They noted that the existing dwelling is many years old and does not meet their current housing needs. They also indicated that the house requires upgrades with respect to its structure and insulation.

The owners acknowledged the proximity of their property to Steadywater Brook and noted that the flood risk boundary lines established by the Steadywater Brook Storm Water Management Plan do not reflect their lived experience with the water levels during storm events.

The owners committed to providing additional detail to the Town for consideration, including correspondence from provincial government officials.

The Committee thanks the guests for the discussion and the guests left the meeting at approximately 5:20pm.

4. Planning Matters

4.a 384-390 Fowlers Road

The Committee considered the owners' offer to sell 384-390 Fowlers Road to the Town for \$150,000. After a discussion, the Committee concurred that the Town decline the offer in consideration that the Town has no budgeted or surplus funds to acquire the land, and there is no immediate municipal purpose for acquiring this particular land.

4.b Mount Batten Estates, Phase 3

The Committee considered a remnant parcel of land within the subdivision and noted that the developer provided additional information just prior to the Committee meeting indicating they may be acquiring adjacent lands to incorporate into the overall subdivision, thereby eliminating any remnant lands.

4.c MacMar Lane

The Committee considered the owners' offer to convey a remnant parcel of land from phase one of the development to the Town. After a discussion, the Committee concurred that the Town decline the offer in consideration that there is no immediate municipal purpose for acquiring this particular land.

4.d Lawrence Pond Estates, Phase 8

The Committee considered a request for a reduced building line setback in the proposed new phase of the subdivision. After a discussion, the Committee concurred to make the following recommendation:

Recommendation:

Be it so resolved that, in accordance with section 7.7 of the Town's Development Regulations, Application No. 2507 received on February 1, 2023, a 23-unit subdivision (Phase 8 of the Lawrence Pond Estates Subdivision) at 2-10 Comerfords Road be approved in principle with a variable building line setback with a minimum setback of 8m.

5. Information Items

5.a Notices Published

The Committee was advised of the following notices in circulation with noted submission deadlines:

February 12, 2024:

- 26 Dunns Hill Road – Accessory Building
- 117-135A Minerals Road – Accessory Building
- 5-7 Coates Road – Accessory Building

February 19, 2024:

- 56 Daniels Road – Discretionary Use

February 26, 2024:

- 215 Conception Bay Highway – Discretionary Use
- 86-88 Daniels Crescent – Accessory Building
- 130 Cherry Lane – Variance
- 31 Greeleytown Road – Variance
- 8 Jamie Murphy Place – Accessory Building

March 4, 2024:

- 80-88 Hops Street - Discretionary Use

5.b 13 Woodgrove Acres

The Committee was advised that work is continuing at the property and there has been progress towards reinstatement of the exterior stairways.

5.c Appeals

The Committee was advised that an appeal hearing is scheduled for February 26, 2024 regarding 92 Cherry Lane. The Committee was also advised that the active appeal files noted below have not yet been scheduled for hearings.

| Filing Date | Address |
|--------------------|--------------------|
| 26-July-2023 | 45 Atkins Road |
| 03-October-2023 | 59 Villa Nova Road |
| 02-January-2024 | 11 Dannic Place |
| 30-January-2024 | 2570 Topsail Rd |

6. Additional Items

6.a 196-202 Conception Bay Highway

At the request of the Chair, the Committee was advised that the property is within the Commercial Main Street (C-1) zone, and the list of permitted and discretionary uses within that zone was provided to the Committee.

6.b 160-180 Spruce Hill Road

At the request of the Chair, the Committee was advised of the current status of the proposed subdivision at the property. The Committee was advised that the subdivision was approved in principle and that detailed design is underway. The Committee noted that the developer has expressed concern about the access to the proposed storm water detention area and its potential impact on the number of lots within the proposed subdivision.

6.c 820 Conception Bay Highway

The Committee was advised that the Town does not have any active applications for the demolition, repair or reconstruction of the building on the property that was damaged by a structure fire in late 2022.

7. Department Update

The Director provided an update on recent, ongoing and upcoming initiatives within the Department and noted files of concern for the information of the Committee.

8. Committee Report

The Committee concurred to make the following recommendation.

Recommendation:

Be it so resolved that the discussion and decisions of the February 12, 2024 Planning and Development Committee meeting, be accepted as presented.

- 48 Indian Pond Drive
- 142 Greeleytown Road
- Consultation Process
- 384-390 Fowlers Road
- Mount Batten Estates, Phase 3
- MacMar Lane
- Notices Published
- 13 Woodgrove Acres
- Appeals
- 196-202 Conception Bay Highway
- 160-180 Spruce Hill Road
- 820 Conception Bay Highway
- Department Update

There being no further business, the meeting was adjourned at 6:04pm.

Councillor Tilley, Chair

Corrie Davis, Director of Planning
and Development