

# **CITY OF MOUNT PEARL**

## **MUNICIPAL PLAN**

### **BLACKMARSH ROAD NORTH**

### **COMPREHENSIVE DEVELOPMENT SCHEME 2009**

**THE URBAN AND RURAL PLANNING ACT, 2000**

**APRIL 2009**

***Revised – August 3, 2018 – As a Result of the  
Mount Pearl Municipal Plan 2010 Amendment No. 20, 2018***

***Please Note:*** This is not the official copy of the aforementioned Blackmarsh Road North Comprehensive Development Scheme, but rather a consolidated copy to include amendments. The Scheme is subject to periodic amendments. Please contact the City of Mount Pearl Department of Community Development for information relating to recent amendments.

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**URBAN AND RURAL PLANNING ACT, 2000**

**MOUNT PEARL MUNICIPAL PLAN**

**BLACKMARSH ROAD NORTH COMPREHENSIVE DEVELOPMENT SCHEME, 2009**

Under the authority of Section 29 and Section 30 of the *Urban and Rural Planning Act 2000*, the City Council of Mount Pearl:

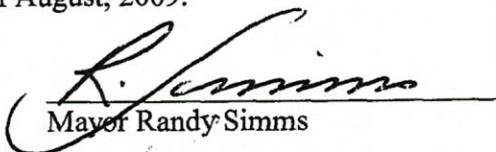
- a) Adopted the Blackmarsh Road North Comprehensive Development Scheme, 2009 on the 16<sup>th</sup> day of June, 2009.
- b) Gave notice of the adoption of the Blackmarsh Road North Comprehensive Development Scheme, 2009 by advertisement inserted on the 20<sup>th</sup> day and 27<sup>th</sup> day of June, 2009, in the *Telegram* newspaper, by circulating the notice to surrounding property owners and by posting the advertisement on the City of Mount Pearl website.
- c) Set the 7<sup>th</sup> day of July, 2009 at 7:00 p.m. at Mount Pearl City Hall for the holding of a public hearing to consider objections and submissions.

Now, under Section 23 of the *Urban and Rural Planning Act 2000*, the City Council of Mount Pearl approves the Blackmarsh Road North Comprehensive Development Scheme, 2009 as adopted.

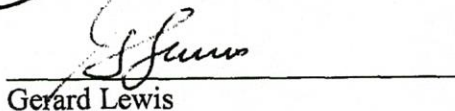
**APPROVED** by the City Council of Mount Pearl on the 25<sup>th</sup> day of August, 2009.

**SIGNED AND SEALED** this 25<sup>th</sup> day of August, 2009.

Mayor:

  
Mayor Randy Simms

Chief Administrative Officer:

  
Gerard Lewis

PROVINCIAL REGISTRATION

Municipal Plan/Amendment	
<b><u>REGISTERED</u></b>	
Number	<u>3345-2009-031</u>
Date	<u>Sept 4, 2009</u>
Signature	<u>Constance</u>



**URBAN AND RURAL PLANNING ACT, 2000**

**MOUNT PEARL MUNICIPAL PLAN**

**BLACKMARSH ROAD NORTH COMPREHENSIVE DEVELOPMENT SCHEME, 2009**

**RESOLUTION TO ADOPT**

Under the authority of Sections 29 and 30 of the *Urban and Rural Planning Act 2000*, the City Council of Mount Pearl adopts the Blackmarsh Road North Comprehensive Development Scheme, 2009.

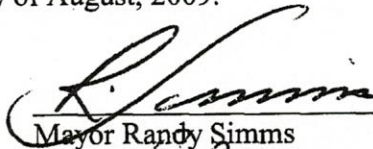
The purposes of the Amendment are to:

- (a) ensure that the lands within the Blackmarsh Road North Comprehensive Development Area are developed or used in the manner described in the Scheme policies and future land use plan that form a part of this scheme,
- (b) amplify the details of the development and use of land; and
- (c) identify those public purpose initiatives that are to be carried out to complement and support the comprehensive development scheme.

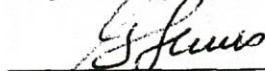
**ADOPTED** by the City Council of Mount Pearl on this the 16<sup>th</sup> day of June, 2009.

**SIGNED AND SEALED** this the 25<sup>th</sup> day of August, 2009.

Mayor:

  
Mayor Randy Simms

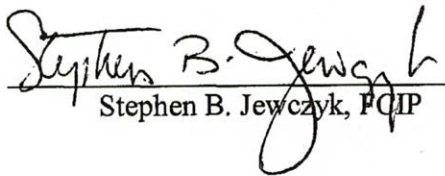
Chief Administrative Officer:

  
Gerard Lewis

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Blackmarsh Road North Comprehensive Development Scheme, 2009 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

FCIP:

  
Stephen B. Jewczyk, FCIP



## **INTRODUCTION**

In accordance with Sections 29 and 30 of The Urban and Rural Planning Act, 2000, the City Council of Mount Pearl in the Province of Newfoundland and Labrador, as Planning Authority for the lands identified as part of the Blackmarsh Road North Comprehensive Development Area (See Map 1) wishes to adopt the Blackmarsh Road North Comprehensive Development Scheme, 2009. The Development Scheme provides details on the proposed changes in the land use policies in the Municipal Plan and to the designations of the Future Land Use Plan for the Blackmarsh Road North Comprehensive Development Area ("Area") and provides the framework for the amendments to the zoning map as part of the Mount Pearl Development Regulations. This Scheme and the corresponding amendments to the zoning map will form the basis for consideration by the general public before the Development Scheme is submitted by Council to the Minister of Municipal Affairs for Registration.

The Blackmarsh Road North Comprehensive Development Scheme, 2009 ("Scheme") outlines the proposed Goal, Objectives, and Land Use Policies for the Area. The Scheme was prepared on the basis of the background report prepared by Tract Consulting Inc. and follow up public consultations with the Area's property and business owners, nearby residents, and the public at large. While not forming a part of the Scheme, the Tract Consulting Inc. background report provides the foundation for this Scheme and presents ideas and concepts on the orderly growth and development and use of lands within the Area. Also attached is the public consultation report which outlines the process undertaken by the City to receive public feedback during the preparation of the Scheme.

## **PURPOSE**

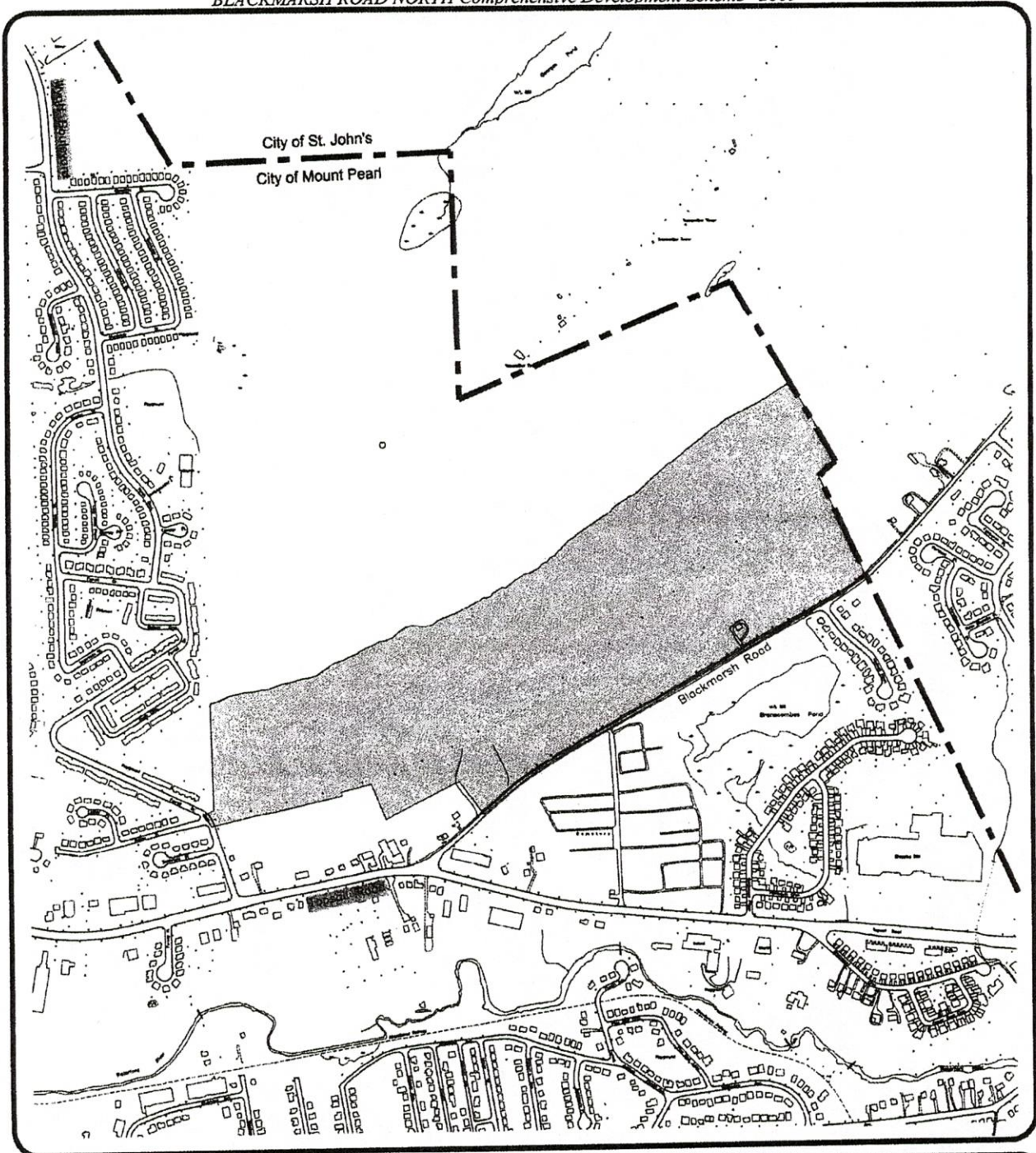
The City of Mount Pearl wishes to adopt the Blackmarsh Road North Comprehensive Development Scheme, 2009 and to designate the lands (within the development) as a Special Policy Area. The purpose of the Scheme is to provide detailed policy direction in the orderly growth, development and use of land with the Area.

## **THE MOUNT PEARL MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS**

The existing Mount Pearl Municipal Plan was adopted in 1988. The Municipal Plan designated the land in the Area as **RURAL** and **MIXED USE** which limits the uses of the land to those associated with agriculture, forestry, small scale quarrying activities, fishing, hunting and utility uses and allows retail, service commercial, office commercial, light industrial, cultural and civic uses and shopping centres in the area designated Mixed Use.



BLACKMARSH ROAD NORTH Comprehensive Development Scheme 2009



City of Mount Pearl Planning Department

Blackmarsh Road North  
Comprehensive Development Area



Subject Property

Scale: 1:10000	Date: May. 1, 09
Drawn By: HF	Dwg. File: map 1
Map 1	

Prior to any development occurring in the Area, the preparation and approval of a comprehensive development scheme under the Urban and Rural Planning Act, 2000 was required.

## **THE DEVELOPMENT SCHEME: GOAL, OBJECTIVES AND POLICIES**

### **1. Goals**

The following goals apply to the Area:

- 1.1 To encourage the orderly growth, development and use of land in the Area in a sustainable, efficient and environmentally sensitive manner.
- 1.2 To provide a land use framework for the future growth of the Area as a predominantly medium density residential area linked with recreational open space areas with appropriate location for associated commercial/residential mixed use buildings.

### **2. Objectives**

The following objectives apply to the Area:

- 2.1 To guide the development and use of land in accordance with the policies of this Scheme and the Future Land Use Plan.
- 2.2 To ensure that the Scheme's policies and designations are integrated and compatible with the surrounding and existing land use pattern and development.
- 2.3 To encourage the development to create an environment of high residential quality of life and encourage social interaction by through the use of open spaces and pathway connections.
- 2.4 To create a neighbourhood that contains a more sustainable mix of housing choice, price point & densities for a variety of life situations.
- 2.5 To provide local retail and commercial opportunities for the neighbourhood through mixed use (commercial/residential) development.
- 2.6 To introduce principles of sustainable development through energy efficient design and standards.



- 2.7 To protect and support natural areas that are deemed environmentally important or sensitive areas within the Area and to maintain as much vegetation within the proposed development as possible.
- 2.8 To work with the existing topography of the Area by minimizing the amount of grading and earthworks where possible and using slope adaptive building design.
- 2.9 To optimize the use of existing infrastructure while minimizing the need for new infrastructure.
- 2.10 To improve the transportation network by developing a local residential road pattern that efficiently serves the residential neighbourhood without compromising the function of Blackmarsh Road.
- 2.11 To provide direction for the amendment to the Mount Pearl Development Regulations to support and implement the Scheme.

### **3. The Future Land Use Plan and Associated Land Use Policies**

The following policies with the accompanying Future Land Use Plan constitute the land use component of the Blackmarsh Road North Comprehensive Development Scheme, 2009. The policies and land use designations have been prepared within the context of the Mount Pearl Municipal Plan. The Scheme will provide further detailed policies for the Area and is not intended to replace all policies of the Mount Pearl Municipal Plan for this Area. Where the Scheme outlines a policy direction or a land use change, this will be the policy of land use for the Area. Where the Scheme does not reference a specific policy or change in land use, it is the intention of the Scheme that the current policies and land use designations of the Mount Pearl Municipal Plan continue to be in effect.

#### **3.1 General**

- 3.1.1 The policies and land use designations expressed in this Scheme apply to the Area and replace the policies and land use designations of the Mount Pearl Municipal Plan that directly affect this Area. Where the Scheme does not reference a specific policy or change in land use for the Area, it is the intention of the Scheme that the current policies and land use designations of the Mount Pearl Municipal Plan shall continue to be in effect



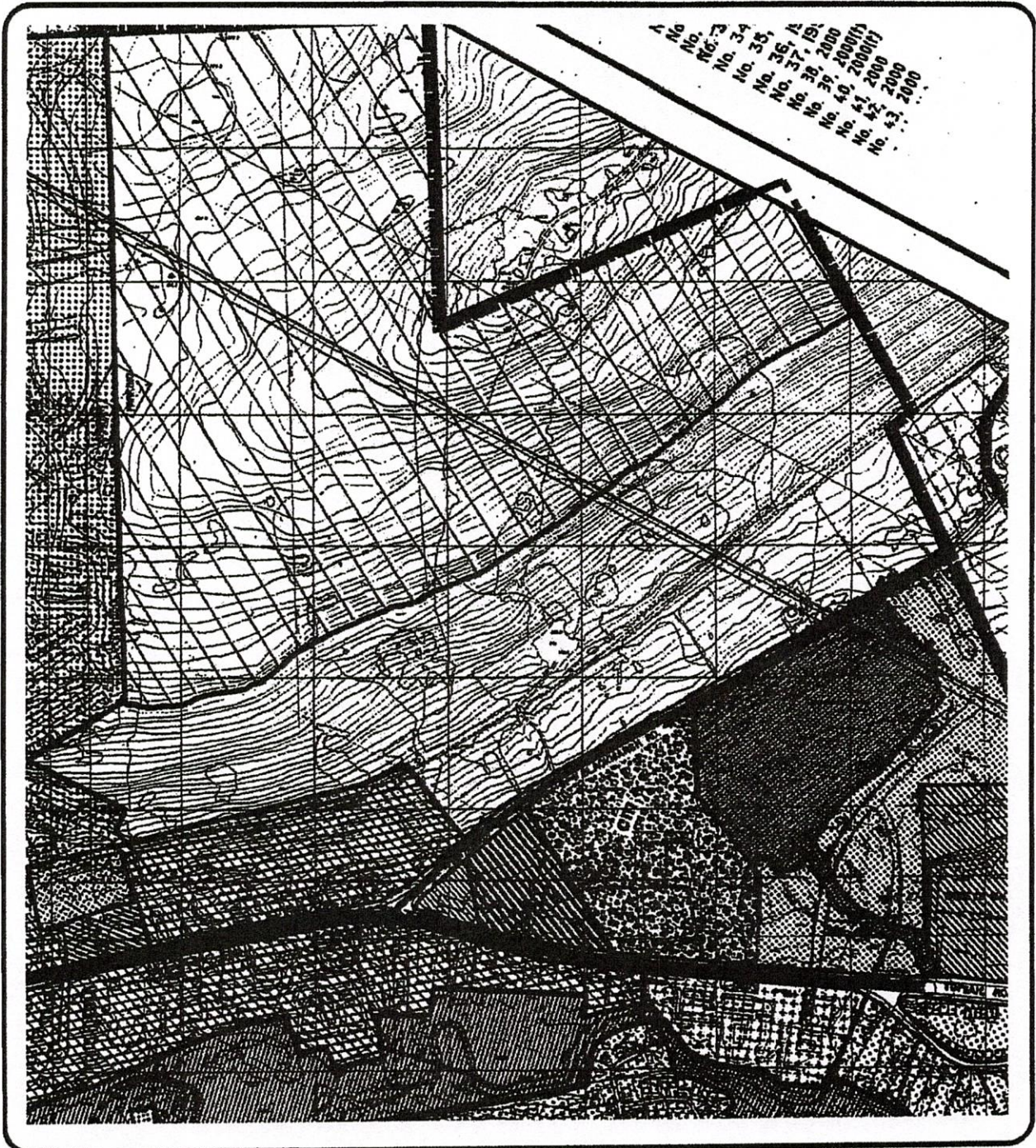
### **3.2 Land Use Designations**

- 3.2.1 The Area shall be redesignated from *Rural* and *Mixed Use* to *Residential, General Commercial and Open Space Recreation* in accordance with the Future Land Use Plan that is identified and attached as Map 2 and forms a part of this Scheme.
- 3.2.2 The specific policies applicable to each of these land use designations will be described in the appropriate sections which follow. These designations are divided further and the detailed regulations and zones which apply to each are included in the Mount Pearl Development Regulations which is to be read and referred to in conjunction with this Scheme.

### **3.3 Residential**

- 3.3.1 The Residential designation applies to areas that form part of the residential neighbourhood of the Area. In order to achieve a more sustainable housing mix, the residential densities will be combination of low density and medium/high density areas. Approximately 50% of the residential area will be for estate size single family detached dwelling with or without subsidiary apartments and the remaining 50% of the residential area will be a mixture of medium/high density housing including executive townhomes and low rise apartment-style condominiums with a building height of up to four storeys. In addition, residential units will also be included on the upper levels of the commercial mixed-use buildings within the General Commercial designation.
- 3.3.2 All residential development shall have direct access onto the local street network via a driveway or a private drive aisle.
- 3.3.3 Where the lots back onto Blackmarsh Road, the developer shall be responsible for providing appropriate landscaping, buffering and consistent privacy fencing. The developer will submit the design and style to the City of Mount Pearl for approval.





**The Hillside**  
Existing Municipal Plan

Scale:	1:8000	Date:	Apr. 27, 09
Drawn By:	HF	Design:	Cynergy 2
Map 2			



### 3.4 General Commercial

- 3.4.1 The General Commercial designation applies to areas that provide a range of commercial and related services uses. Within the context of this Scheme, the area that is currently designated as General Commercial is along Blackmarsh Road, Topsail Road and a portion of Farrell Drive. This designation will remain and be extended east to the main entry road of the community in an attempt to bring local commercial uses closer to the entry of the community.
- 3.4.2 The commercial uses of this site will be restricted to those of a local commercial nature on the ground floor with office or residential uses being permitted on the second and/or higher stories of the building, *with the exception of the land immediately north of Topsail Road, south of the linear tract of land zoned Open Space, east of Farrell Drive, and west of the lands zone Apartment. (2018-08-03)*

### 3.5 Open Space Recreation

- 3.5.1 The Open Space Recreation designation applies to areas that are intended to accommodate active or passive recreation uses throughout the Area. Within the context of this Scheme and due to the topography of the land, the open space areas will respond to a number of recreational needs and population mix of the Area. These include natural areas, walking trails, tot lots and possibly naturalized stormwater retention areas.
- 3.5.2 The use of the individual Open Space Recreation designations and their connections and integration will be guided by the Mount Pearl Recreation Master Plan 2005. In the Master Plan, the Open Space Recreation designations are identified as City and Neighbourhood Parks and should be developed accordingly.
- 3.5.3 A detailed park plan shall be prepared for each of the Open Space Recreation designations which will illustrate the natural features that are to be protected or enhanced and the specific recreation uses and activities of each of the park areas prior to the development of the open space commencing. As part of the park planning process, a draft park plan shall be prepared by the City for public review and consultation prior to Council's final decision and implementation of the park plan.
- 3.5.4 Open space trail systems shall connect to existing trails in the surrounding area including the trail system around Branscombe Pond and to the lands above the 190metre contour.

- 3.5.5 The open space lands to be dedicated to the city of Mount Pearl within the Area will be approximately 20%. This is double the 10% required open space as per the *Urban and Rural Planning Act 2000*.

### **3.6 Mixed Uses**

- 3.6.1 *The Mixed Use designation applies to the areas that provide a range of commercial and related services uses. Within the context of this Scheme, the area that is currently designated as Mixed Use is the land immediately north of Topsail Road, south of the linear tract of land zoned Open Space, east of Farrell Drive, and west of the lands zoned Apartment.*
- 3.6.2 *The commercial uses of the Mixed Use designated areas will be restricted to an appropriate range of light industrial and commercial uses that require exposure to the traveling public and convenient access. While this designation recognizes existing residential development, it is the long-term intention of this designation that all uses will become a light industrial or commercial use. This designation is viewed as a transition from a mix of commercial, light industrial, and residential, to a mix of light industrial and commercial uses. Buffering, screening and separation distance measures will be taken into account where commercial or light industrial development is adjacent to residential uses within the designation or is in close proximity to the lands designated Residential. (2018-08-03)*

## **4. Environmental Policies**

The following environmental policies apply to the development and use of land in the Area:

- 4.1 All newly constructed buildings in the area shall be designed and incorporate construction methods that meet the National Energy Code as a minimum standard.
- 4.2 New housing constructed in the Area shall meet or exceed EnerGuide 75 standards.
- 4.3 To avoid excessive disturbance of the natural topography, the amount of grading and earthworks should be minimized and buildings should be slope adaptive in design where possible.



- 4.4 Developers and builders will be encouraged to consider house orientation and form of a passive solar design so as to take advantage of solar energy while protecting it from temperature extremes. This would include such design features as minimizing the windows on the north side, maximizing the windows on the south side, and using roofing and siding materials which will provide insulation while taking advantage of the radiant heat from the sun.
- 4.5 Developers and builders will be encouraged to install energy efficient lighting, appliances and heating systems which are low in greenhouse gas emission and do not place excessive demand on the power network.
- 4.6 Developers and builders shall be responsible for providing landscaping in accordance with the City's landscaping policies, regulations and guidelines. This shall include the planting of trees, bushes and natural vegetation in the front, side and rear yards of lots and along streets. Public spaces to be dedicated to the City shall be landscaped in accordance with a landscape plan as approved by the City.

## **5. Transportation Policies**

### **5.1 Roads**

- 5.1.1 The Area's road system and its hierarchy are identified on the Future Land Use Plan.
- 5.1.2 Blackmarsh Road is identified as a Collector Road but functions as an arterial Road. Its primary function is to provide safe, efficient traffic flow for vehicles travelling adjacent to the Area. Blackmarsh Road will be upgraded to a two lane roadway with left turn lanes at specific intersections to access the Area. Special attention will be given to improving the already problematic Blackmarsh Road intersection at Topsail Road to improve the efficient movement of vehicles through this intersection.
- 5.1.3 Signalized traffic lights will be required at the Blackmarsh Road/Topsail Road intersection and the Blackmarsh Road and Road A intersection.
- 5.1.4 Access connection to Blackmarsh Road will be limited to public road intersections with the exception of the areas of the General Commercial designations where restricted and controlled access onto Blackmarsh Road may be permitted by the City.

- 5.1.5 All streets in the Area are identified as either Collector or Local Streets and are designed to carry traffic through the neighbourhood and provide access to individual properties.
- 5.1.6 To enhance the entry into the development, the three main entry roads into the Area will be designed as a boulevard-style for approximately the first 60 metres. The design will include landscaping in a median and along the sidewalks, decorative lighting fixtures and other enhancements and will not negatively impact snow removal operations.
- 5.1.7 The location of streets may be modified by the City on the basis of the submission of detailed subdivision development provided that the intent of the street system and hierarchy are maintained by the modification.

## **5.2 Public Transportation**

- 5.2.1 As the Area develops, periodic reviews of Metrobus routings and scheduling and public transit infrastructure improvements shall be undertaken by the City to ensure that the Area is appropriately served by public transportation.

## **5.3 Pedestrian Improvements**

- 5.3.1 Sidewalks will be required on both sides of all Collector and Local Streets with the exception of cul-de-sacs. One sidewalk will be required in cul-de-sacs.
- 5.3.2 The walkway system within the open space system will be integrated with the Area's sidewalk network. The walkways shall be designed and constructed to the City's standards. Landscaped walkways shall have a minimum width of 6 metres and shall be clearly visible at the walkways intersection with streets.

## **5.4 Bicycle Routes**

- 5.4.1 The City shall encourage the use of bicycles through the design of the open space, walkway and road network.



## **6. Water and Sewer Services**

### **6.1 General**

- 6.1.1 All water and sewer services shall be designed and constructed in accordance with the Mount Pearl Development Regulations and Government of Newfoundland and Labrador Municipal Water, Sewer and Road Specifications.

### **6.2 Water Supply**

- 6.2.1 Development can proceed in the Area provided that there is sufficient water pressure and flow as determined by the City to supply the development.
- 6.2.2 Connections within the Area can be made to existing local water networks located in Gadwall Place and Topsail Road .

### **6.3 Sanitary Sewer Services**

- 6.3.1 Sanitary sewer services for the Area will be sized and designed so that the flow from the Area can all be collected and directed to an existing 300mm diameter sanitary sewer in Gadwall Place as well as an existing sewer in Farrell Drive. There is also a 200mm diameter sewer in Topsail Road which could be extended to Blackmarsh Road.

### **6.4. Storm Water Management**

In order to help mitigate damage from erosion in the major watercourses through and downstream from Mount Pearl, the City adopted a policy of “zero increase in runoff” several years ago. The objective of this policy is to limit the post development storm water runoff rate from severe rainfall events to the runoff rate experienced during a similar storm prior to development. This can be achieved in the Area by a number of methods but included as part of the storm water management framework are storm water detention facilities which will release water at pre-development rates.

6.4.1 The Scheme designates two areas for storm water detention:

- (i) Detention Area 1 is located on the lands at the intersection of Topsail Road and Blackmarsh Road and will be constructed with Phase 1 development in this location. The stormwater detention will be provided via open ponds or underground storage.
- (ii) Detention Area 2 is located in the central open space area located between the single family residential area and the medium/high density area close to Blackmarsh Road and will be constructed with Phase 1A development. The stormwater detention will be provided via open ponds or underground storage.

6.4.2 Subdivision and specific phasing of site development cannot proceed in the Area until such time as the detention areas that serve the phase are developed and can accommodate the storm water flow from the phased development area or other methods of storm water detention that are in accordance with the City's "zero increase in runoff" policy and acceptable to the City are provided to accommodate the flows generated by the development.

## **7. Newfoundland Power Distribution Line**

Newfoundland Power has a main distribution line that runs east-west through the Area. The transmission line will be maintained as an easement on the public open space lands.

### **7.1 General**

- 7.1.1 Any development within the Area that requires the relocation or realignment of the existing distribution line will be the responsibility of the developer.
- 7.1.2 Site specific development shall take into account the location of Newfoundland Power distributions lines and shall ensure that the use and landscaping and trails within the Newfoundland Power easements shall not interfere with the access, repair and maintenance of the distribution lines.
- 7.1.3 Any development within the existing Newfoundland Power easements will require the approval and condition of Newfoundland Power prior to proceeding with development in the area of the easement.

## **8. Phasing**

The orderly development of the Area will be implemented in phases. To offer more than one housing type at the beginning of the development of the neighbourhood, two phases are intended to be constructed simultaneously. The first, the site already designated General Commercial north of the intersection of Blackmarsh Road and Topsail Road and the second, the single detached dwelling area (RLD) on the east side of the Area off Blackmarsh Road. The main entry road opposite the cemetery will be part of Phase 2 and development will move north continuing each phase and ultimately connecting to Farrell Drive. The land to the west side of the Area is currently owned by another landowner and the timing of development of this land will be one of the final phases of the Area. Development phasing could change as a result of market conditions but significant changes to the phasing plan will be subject to Council's approval.

### **8.1 General**

- 8.1.1 The phasing of the development and use of land within the Area is illustrated in Concept Plan and is based on the Area's road and service infrastructure being constructed and developed in a timely and orderly manner to accommodate development growth in the Area.

## **9. Public Process**

The following policies apply to the development in the Area:

- 9.1 The public process undertaken for the Blackmarsh Road North Comprehensive Development Scheme will satisfy the requirements under the Urban and Rural Planning Act 2000 for Public Consultation including Public Hearing and Plan Amendments as well as for Discretionary Uses within the Area.
- 9.2 Any changes proposed to the plan once it has been approved by Council and any future Discretionary Use applications that are not covered by 9.1 above, shall be subject to the appropriate public process as per the *Urban and Rural Planning Act 2000*.



## **10. Financial Considerations**

In addition to the developers being responsible for the individual costs of developing property within the Area, the developers are also responsible for a share of the public improvements both internally and externally to the Area undertaken by the City to accommodate the development and use of land in the Area. These costs are in the form of service levies and local improvement assessments that are payable at the time of the issuance of a development permit or the signing of a development agreement.

### **9.1 General**

- 9.1.1 The developer of the land within the Area shall be responsible for the costs associated with the development of the individual property plus the share as determined by the City for any public improvements undertaken by the City both internally and externally to accommodate the development of the Area.
- 9.1.2 The developer shall be responsible for the payment of service levies relating to the development of the property. The service levies shall be determined by the Council and shall be paid prior to development commencing in the area.

## **IMPLEMENTATION**

In order to carry out the objectives and policies of this Scheme in an orderly and cohesive manner, the City Council proposes the following actions:

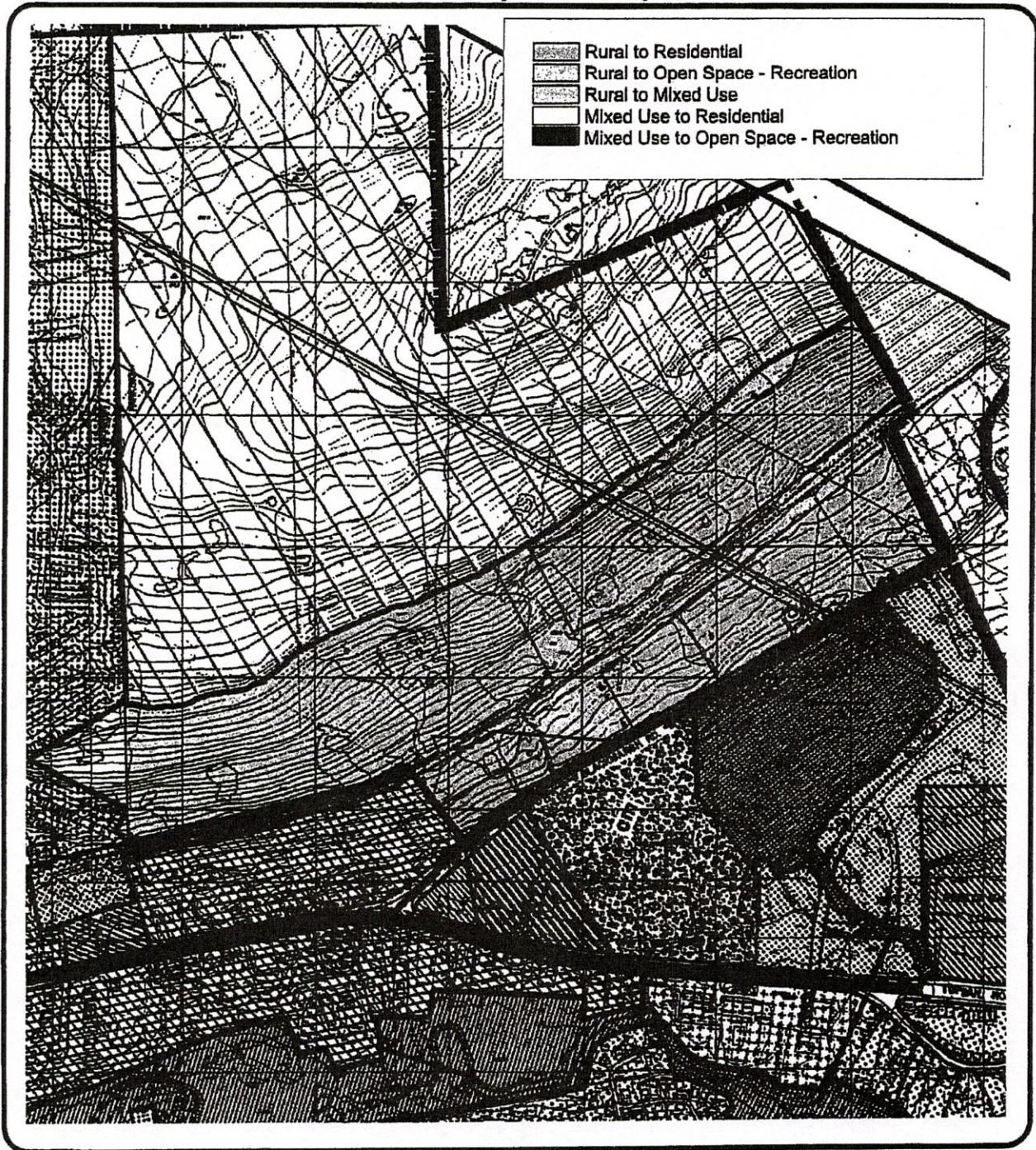
### **1. Approval of the Development Scheme**

The Council has prepared this Scheme to be approved pursuant to the provisions of the Urban and Rural Planning Act, 2000 for the purpose of the orderly growth, development and use of land within the Blackmarsh Road North Comprehensive Development Area.

### **2. Amendments to the Mount Pearl Municipal Plan**

In order to implement the Scheme, amendments to the Mount Pearl Municipal Plan will be required to provide the appropriate land use policies and land use designations to accommodate the Scheme. The following amendments are proposed to the Mount Pearl Municipal Plan for the Area:





City of Mount Pearl Planning Department

**The Hillside**  
Proposed Plan Amendments

Scale:	1:8000	Date:	Apr. 27, 09
Drawn By:	HF	Dwg. No.:	Cynergy 2
Map 3			



- **Mount Pearl Municipal Plan Text**

Amend the text of the Mount Pearl Municipal Plan that is in effect for the Scheme Area and replace these policies with the policies outlined in this Scheme.

- **The Mount Pearl Municipal Plan 1988 Future Land Use Plan**

Amend the future land use map within the limits of the Comprehensive Development Area by redesignating lands from *Rural* to *Residential*, *General Commercial* and *Open Space -Recreation* and from *General Commercial* to *Residential* and *Open Space -Recreation (See Map 3)*.



### 3. Amendments to the Mount Pearl Development Regulations

In order to implement the Scheme, amendments to the Mount Pearl Development Regulations will be required to provide the appropriate use zones, development standards and zoning to accommodate the scheme policies and designations. The following zoning amendments are proposed to the Mount Pearl Development Regulations for the Area:

- Rezone land currently zoned *Rural* to *Residential Low Density (RLD)*, *Apartment (APT)*, *Mixed Development (MD)* and *Recreational Open Space (OS)*.
- Rezone land currently zoned *General Commercial* to *Apartment (APT)* and *Recreational Open Space (OS)*.
- An amendment to the *Apartment (APT)* zone is required to accommodate row dwellings as a discretionary use.

These zone amendments are illustrated on **Map 4** which forms a part of this Scheme.

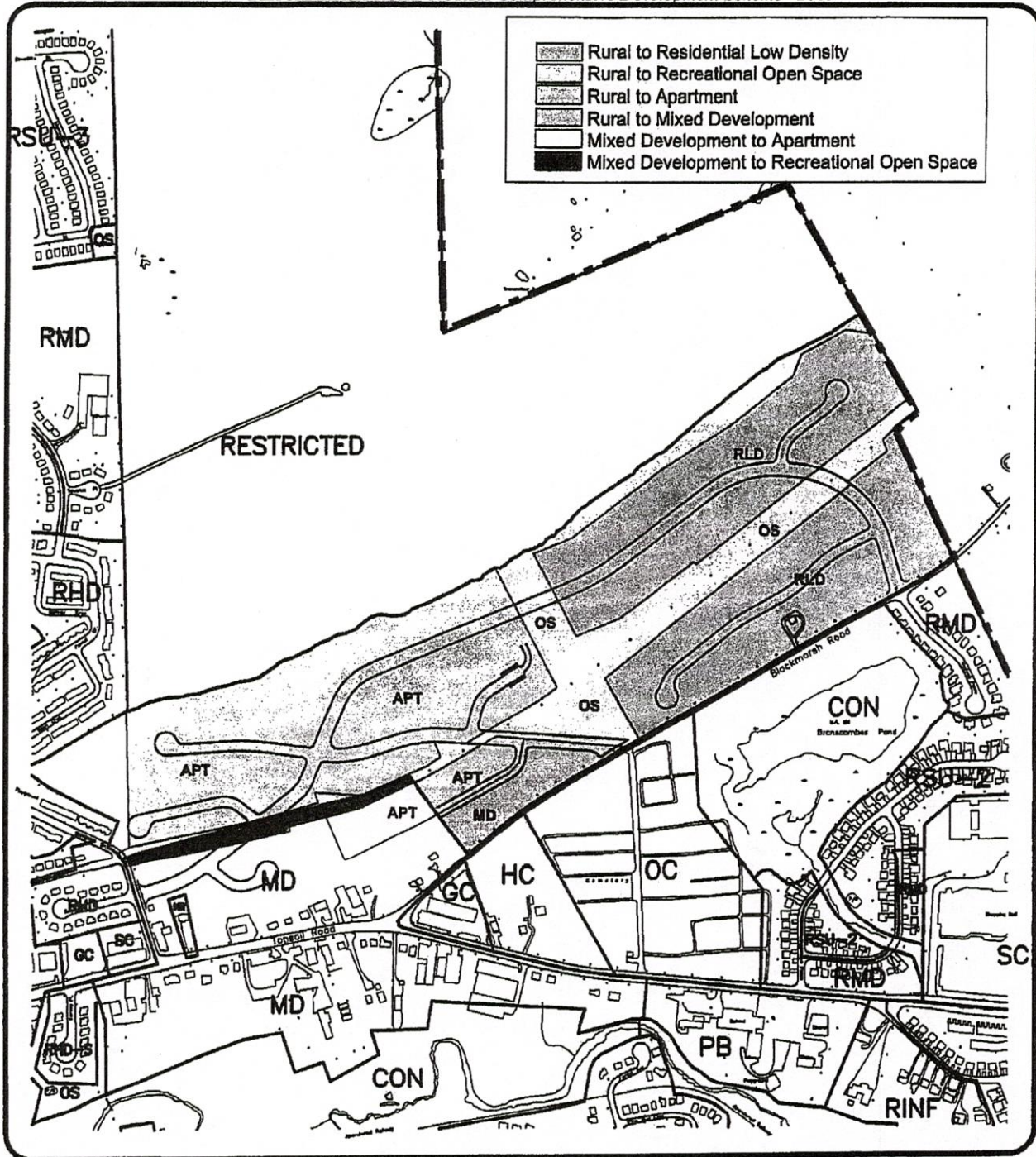
### 4. Other Land Holdings

The Blackmarsh Road North Comprehensive Development Scheme covers lands that are not owned by the proponent. It is important that the development of these lands in the future be subject to the policies of the Blackmarsh Road North Comprehensive Development Scheme to ensure that the development of the neighbourhood is consistent and coordinated.

A letter of support from property owners that are directly affected by the Scheme but who are not the proponent shall be required prior to the development occurring in the area.

### 5. Detailed Development Plans

As property owners and developers decide to proceed with the development and use of property in accordance with the Scheme, development applications and detailed plans will be required to be submitted to the City for its review and approval pursuant to Council's adopted policies, regulations, standards and requirements. Development Permits and possibly development agreements will be required prior to site specific development commencing in the Area.



City of Mount Pearl Planning Department

**The Hillside**  
Proposed Zone Amendments  
Subject to Modification

Scale:	1:8000	Date:	Apr. 28, 09
Drawn by:	HF	Drawn by:	Cynergy 4
Map 4			

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Please note that there has been an amendment to this Map 4 as a result of the Mount Pearl Municipal Plan 2010 Amendment No. 20, 2018. The amendment is not reflected on this map, please refer to the Resolution Document for the above-noted amendment for more information.



**6. Water and Sewer Services**

Unless otherwise determined by Council, developers of property will be responsible for the costs and provision of water and sewer services to the development and such services shall be in accordance with the City's municipal engineering standards

**7. Acquisition of Property**

Where the Council deems its necessary and in the public interest, the City will acquire property to implement public purpose aspects of the Scheme.

**List of Amendments to the Blackmarsh Road North Comprehensive Development Scheme  
2009**

**As Per Amendments to the Mount Pearl Municipal Plan 2010**

*(hereinafter referred to as the "Blackmarsh Road North CDS" and the "Municipal Plan")*

Published Date of Amendment	Amendment No. and Description	Municipal Plan, Development Regulations and/or Map Amendment*
August 3, 2018	<p>No. 20, 2018 – Topsail Road Heritage Amendment – consists of the following amendments to the Municipal Plan:</p> <ol style="list-style-type: none"> <li>1. Amend the text of the Blackmarsh Road North Comprehensive Development Scheme, 2009, as follows: <ol style="list-style-type: none"> <li>a. Under Section 3.4 General Commercial, Subsection 3.4.2., at the end of the existing paragraph following "... the building", add ", with the exception of the land immediately north of Topsail Road, south of the linear tract of land zoned Open Space, east of Farrell Drive, and west of the lands zoned Apartment".</li> <li>b. Following Section 3.5 Open Space Recreation, add the following new section:  "3.6 Mixed Use <ol style="list-style-type: none"> <li>1.6.1 The Mixed Use designation applies to the areas that provide a range of commercial and related services uses. Within the context of this Scheme, the area that is currently designated as Mixed Use is the land immediately north of Topsail Road, south of the linear tract of land zoned Open Space, east of Farrell Drive, and west of the lands zoned Apartment.</li> <li>1.6.2 The commercial uses of the Mixed Use designated areas will be restricted to an appropriate range of light industrial and commercial uses that require exposure to the traveling public and convenient access. While this designation recognizes existing residential development, it is the long-term intention of this designation that all uses will become a light industrial or commercial use. This designation is viewed as a transition from a mix of commercial, light industrial, and residential, to a mix of light industrial and commercial uses. Buffering, screening and separation distance measures will</li> </ol> </li> </ol> </li> </ol>	<p>Municipal Plan Amendment No. 20, 2018; Future Land Use Map Amendment; Development Regulations Amendment No. 65, 2018</p>

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	<p>be taken into account where commercial or light industrial development is adjacent to residential uses within the designation or is in close proximity to the lands designated Residential.”</p> <ol style="list-style-type: none"> <li>2. Amend Maps of the Blackmarsh Road North Comprehensive Development Scheme 2009 as follows: <ol style="list-style-type: none"> <li>a. Amend Map 4 – Proposed Zone Amendments, to reflect new road layout, current Land Use Designations and remove any illustrated references to Heritage Land Use Designation and replacement with Mixed Use Land Use Designation.</li> <li>b. Amend Schedule “B” Map, to reflect new road layout, current Use Zones and remove any illustrated reference to the Heritage Resource (HR) Zone and replacement with Commercial – Mixed (CM Use Zone.</li> </ol> </li> <li>3. Amend the text of the Mount Pearl Municipal Plan 2010 as follows: <ol style="list-style-type: none"> <li>a. Under Section 6.2.13 HERITAGE, delete “and the McGrath House at 906 Topsail Road”.</li> <li>b. Under Section 9.3 Development Schemes, following “Blackmarsh Road North Comprehensive Development Scheme 2009”, add “(Amended 2018)”.</li> </ol> </li> <li>4. Amend Map 1 – Further Land Use Map of the Mount Pearl Municipal Plan 2010, by re-designating the parcel at 906 Topsail Road (an area of land 1,808 square metres in size), from Heritage to Mixed Use.</li> </ol>	

*\*If amendments to the Blackmarsh Road North CDS are required as a result of a Municipal Plan Amendment, and if this amendment also involves a Map(s) Amendment, or a Mount Pearl Development Regulations 2010 (referenced as “Development Regulations”, the reference to the related amendment(s) is noted in this column accordingly.*