



2012 Development Regulations

Development Regulations Amendment No. DR18-09

February, 2019

Prepared by:



Contents

1. Type	1
2. Purpose	1
3. Public Consultation	2
4. Provincial Release	2
5. Adoption by Council and Public Hearing	2
6. Approval by Council	2
7. Amendment Statement	2

1. Type

Development Regulations Amendment No. DR18-09 to the City of Corner Brook's 2012 Development Regulations (henceforth the "Amendment") is a text amendment.

2. Purpose

The principal purpose of this Amendment is to allow Council to consider 'ATV/snowmobile trail' as a discretionary use throughout the Municipal Planning Area (MPA).

First, the Amendment proposes to introduce a new definition for the 'ATV/snowmobile trail' use. The new use is also proposed to be placed under a new use class (subsection G.1. (l) 'Motorized Recreation') within 'Schedule B: Classification of Uses of Land and Buildings.'

Second, a new regulation '129.1 Uses Permitted in All Zones' is proposed, which includes a despite clause allowing Council to consider specific uses as permitted or discretionary in any use zone within the MPA. For the purposes of this Amendment, this section is proposed to only include 'ATV/snowmobile trail' as a discretionary use. However, regulation 129.1 also sets the framework for allowing the Town to implement other specific uses, on as needed basis and upon associated amendment to the Integrated Municipal Sustainability Plan, in any zone within the MPA.

3. Public Consultation

In accordance with section 14 of the *Urban and Rural Planning Act, 2000* (henceforth the "Act"), City staff conducted public consultation by advertising the Amendment in a locally circulated newspaper (Western Star) on September 19, 2018. City staff provided the public with opportunity to inspect and provide comments on the Amendment.

4. Provincial Release

In accordance with section 15 of the Act, City staff forwarded the Amendment to the provincial Department of Municipal Affairs and Environment for review. Where no agency or departmental interests were identified, the Amendment was released from the Local Governance and Planning Division on December 13, 2018.

5. Adoption by Council and Public Hearing

In accordance with section 16 of the Act, Council adopted the Amendment on January 21, 2019. In accordance with section 17 of the Act, notice of adoption and tentative public hearing date (February 6, 2019) was published in a locally circulated newspaper (Western Star) on January 23, 2019 and January 30, 2019.

Where no objections were received two (2) days before the tentative public hearing date, Council cancelled the public hearing in accordance with section 20 and subsection 21(1) of the Act.

6. Approval by Council

In accordance with section 23 of the Act, Council approved the Amendment (as adopted) on February 8, 2019.

7. Amendment Statement

As per the attached "proposed regulation" and the following, the City of Corner Brook's 2012 Development Regulations are amended by adding:

- 1) The following definition for 'ATV/snowmobile trail' use in alphabetical order under 'Schedule A: Definitions':

ATV/SNOWMOBILE TRAIL: A single trail or network of trails, corridors, and/or accesses designed principally for use by motorized snow vehicles or all-terrain vehicles (vehicle, as defined under the *Motorized Snow Vehicles and All-Terrain Vehicles Regulations*, CNLR 1163/96). In addition to off-street facilities, this use may also include portions of the street right-of-way that may serve as linkages within the trail network. As accessory to an ATV/snowmobile trail, this use may also incorporate active transportation modes including, but not limited to, hiking, walking, or cycling;

- 2) The new use class 'Motorized Recreation' as subsection G.1. (I) under 'Schedule B: Classification of Uses of Land and Buildings';
- 3) 'ATV/snowmobile trail' use as an example under the new 'Motorized Recreation' use class under subsection G.1. (I); and
- 4) Regulation '129.1 Uses Permitted in All Zones,' which allows Council to consider the new 'ATV/snowmobile trail' use as a discretionary use throughout the Municipal Planning Area of the City.

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
DEVELOPMENT REGULATIONS AMENDMENT NO. DR18-09

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the City of Corner Brook adopts Development Regulations Amendment No. DR18-09 to the City of Corner Brook's 2012 Development Regulations.

Adopted by the City Council of Corner Brook on the 21 day of January, 2019.

SIGNED AND SEALED this 8 day of February, 20 19

Mayor: _____

City Clerk: _____





(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.





URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
CITY OF CORNER BROOK
DEVELOPMENT REGULATIONS AMENDMENT DR18-09

Under the authority of Sections 16, 17, and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of Corner Brook:

- a) Adopted the Development Regulations Amendment DR18-09 on the 21st day of January, 2019;
- b) Gave notice of the adoption of the Development Regulations Amendment DR18-09 by advertisement inserted on the 23rd day of January and the 30th day of January, 2019 in the Western Star newspaper;
- c) Set the 6th day of February, 2019 at 7:00 p.m. at the City Hall, Corner Brook, for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Corner Brook **approves** the Development Regulations Amendment DR18-07 as adopted.

SIGNED AND SEALED this 8 day of February, 2019.

Mayor: _____

Clerk: _____



(Council Seal)

Development Regulations/Amendment	
REGISTERED	
Number	<u>1200-2019-060</u>
Date	<u>March 10, 2019</u>
Signature	<u>[Handwritten Signature]</u>

(Provincial Registration Stamp)

SCHEDULE B: Classification of Uses of Land and Buildings

PROPOSED REGULATION

G. NON BUILDING USES	1. Uses not directly related to building (continued)	(h) Solid Waste	Plants <ul style="list-style-type: none"> • Solid Waste Disposal • Sanitary Land Fill • Incinerators 	
		(i) Animal	<ul style="list-style-type: none"> • Animal Pounds • Kennels • Zoos • Animal Breeders (other than domestic dogs or cats) 	
			(j) Antenna	<ul style="list-style-type: none"> • TV, Radio and Communications Transmitting and Receiving Masts and Antennae
			(k) Transportation	<ul style="list-style-type: none"> • Airfields • Railway Yards • Docks and Harbours • Bus Terminals
			(l) Motorized Recreation	<ul style="list-style-type: none"> • ATV/Snowmobile Trail

128. DISCRETIONARY USES

Subject to these Regulations, the uses that fall within the Discretionary Use Classes set out in the appropriate Use Zone Table in Schedule C may be permitted in that Use Zone if the Authority is satisfied that the development would not be contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any further scheme or plan or regulation pursuant thereto, and to the public interest, and if the Authority has given notice of the application in accordance with Regulation 26 and has considered any objections or representations which may have been received on the matter.

129. USES NOT PERMITTED

Uses that do not fall within the Permitted Use Classes or Discretionary Use Classes set out in the appropriate Use Zone Tables in Schedule C, shall not be permitted in that Use Zone. This regulation applies to all parking areas, driveways, accesses, uses and areas or activities defined as development that area subsidiary to, associated with and/or connected to the permitted or discretionary use.

129.1 USES PERMITTED IN ALL ZONES

Despite any other regulation and in accordance with the following table, the uses hereunder shall be considered as permitted or discretionary by Council in any zone within the Municipal Planning Area.

PERMITTED USES

DISCRETIONARY USES

- **ATV/Snowmobile Trails**

SCHEDULE A: Definitions

(10) 1 sow or breed sow (including weaners and growers based on 453.6 kg = 1 unit);

(11) X turkeys, ducks, geese (based on 2,268 kg = 1 unit).

ANTENNA: Any exterior apparatus such as wires, poles, rods, or reflecting dishes used for the transmission or reception of television, radio, telephone or data signals from other antennae or satellites.

APARTMENT BUILDING: A building containing three or more dwelling units, but does not include a row dwelling or a single dwelling with a subsidiary apartment.

APPLICANT: A person who has applied to the Authority for approval or a permit to carry out a development.

APPEAL BOARD: The appropriate Appeal Board established under the Act.

APPROVAL IN PRINCIPLE: The preliminary approval of an application relating to the development subject to later submission to the Authority, for consideration and approval, which does not permit development, of details not stated in the application.

ARTERIAL STREET: The streets in the Planning Area constituting the main traffic arteries of the area and may be defined as arterial streets or highways in the Municipal Plan or on the Zoning Map.

ATV/SNOWMOBILE TRAIL: Means a single trail or network of trails, corridors, and/or accesses designed mainly for use by motorized snow vehicles or all-terrain vehicles (as defined under the *Motorized Snow Vehicles and All-Terrain Vehicles Regulations, CNLR 1163/96*). In addition to off-street facilities, this use may also include portions of the street right-of-way that may serve as linkages within the trail network. As accessory to an ATV/Snowmobile trail, this use may also incorporate active transportation modes including, but not limited to, hiking, horse riding, walking/running, cycling, cross country ski-ing, or snow-shoeing,

AUTHORITY: The Council of the City of Corner Brook or its employees so designated by

SCHEDULE A: Definitions

(10) 1 sow or breed sow (including weaners and growers based on 453.6 kg = 1 unit);

(11) X turkeys, ducks, geese (based on 2,268 kg = 1 unit).

ANTENNA: Any exterior apparatus such as wires, poles, rods, or reflecting dishes used for the transmission or reception of television, radio, telephone or data signals from other antennae or satellites.

APARTMENT BUILDING: A building containing three or more dwelling units, but does not include a row dwelling or a single dwelling with a subsidiary apartment.

APPLICANT: A person who has applied to the Authority for approval or a permit to carry out a development.

APPEAL BOARD: The appropriate Appeal Board established under the Act.

APPROVAL IN PRINCIPLE: The preliminary approval of an application relating to the development subject to later submission to the Authority, for consideration and approval, which does not permit development, of details not stated in the application.

ARTERIAL STREET: The streets in the Planning Area constituting the main traffic arteries of the area and may be defined as arterial streets or highways in the Municipal Plan or on the Zoning Map.

ATV/SNOWMOBILE TRAIL: Means a single trail or network of trails, corridors, and/or accesses designed mainly for use by motorized snow vehicles or all-terrain vehicles (as defined under the *Motorized Snow Vehicles and All-Terrain Vehicles Regulations, CNLR 1163/96*). In addition to off-street facilities, this use may also include portions of the street right-of-way that may serve as linkages within the trail network. As accessory to an ATV/Snowmobile trail, this use may also incorporate active transportation modes including, but not limited to, hiking, horse riding, walking/running, cycling, cross country skiing, or snow-shoeing.

AUTHORITY: The Council of the City of Corner Brook or its employees so designated by

SCHEDULE B: Classification of Uses of Land and Buildings

PROPOSED REGULATION

G. NON BUILDING USES	1. Uses not directly related to building (continued)	(h) Solid Waste	Plants <ul style="list-style-type: none"> • Solid Waste Disposal • Sanitary Land Fill • Incinerators 	
		(i) Animal	<ul style="list-style-type: none"> • Animal Pounds • Kennels • Zoos • Animal Breeders (other than domestic dogs or cats) 	
			(j) Antenna	<ul style="list-style-type: none"> • TV, Radio and Communications Transmitting and Receiving Masts and Antennae
			(k) Transportation	<ul style="list-style-type: none"> • Airfields • Railway Yards • Docks and Harbours • Bus Terminals
			(l) Motorized Recreation	<ul style="list-style-type: none"> • ATV/Snowmobile Trail

128. DISCRETIONARY USES

Subject to these Regulations, the uses that fall within the Discretionary Use Classes set out in the appropriate Use Zone Table in Schedule C may be permitted in that Use Zone if the Authority is satisfied that the development would not be contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any further scheme or plan or regulation pursuant thereto, and to the public interest, and if the Authority has given notice of the application in accordance with Regulation 26 and has considered any objections or representations which may have been received on the matter.

129. USES NOT PERMITTED

Uses that do not fall within the Permitted Use Classes or Discretionary Use Classes set out in the appropriate Use Zone Tables in Schedule C, shall not be permitted in that Use Zone. This regulation applies to all parking areas, driveways, accesses, uses and areas or activities defined as development that area subsidiary to, associated with and/or connected to the permitted or discretionary use.

129.1 USES PERMITTED IN ALL ZONES

Despite any other regulation and in accordance with the following table, the uses hereunder shall be considered as permitted or discretionary by Council in any zone within the Municipal Planning Area.

PERMITTED USES

DISCRETIONARY USES

- **ATV/Snowmobile Trails**