

**TOWN OF ISLE WITLESS BAY
DEVELOPMENT REGULATIONS**

DEVELOPMENT REGULATIONS AMENDMENT No. 4, 2020

**Rezoning of Property at Civic # 47-115 Deans Road
to the
Residential Land Use Zone**

Prepared by Paul Boundridge, MCIP

December 2020

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BACKGROUND

The Town of Witless Bay Municipal Plan 2013-2023 and the Town of Witless Bay Development Regulations 2013-2023 came into effect on June 24, 2016 and have been amended twice. The Town now wishes to amend the current Development Regulations and this report has been prepared to explain the proposed change.

The Town of Witless Bay received an application from the owner Civic # 47-115 Deans Road to rezone this property to the Residential Zone. The rezoning will not trigger a municipal plan amendment to another landuse designation as it is presently in the Residential Designation. The purpose of the rezoning is to subsequently accommodate a future application for approval to develop on the subject property a residential subdivision.

A Planning Report to the Town of Witless Bay Municipal Council was prepared on the rezoning application on November 5, 2020. The report discussed the rezoning application and the amendment to the Development Regulations which would be involved and included a recommendation that if Council wished to consider the rezoning application for approval, the application and amendment be referred to the public consultation process (issuance of a public notice advising of the intent of the proposed amendment and that interested persons are invited to submit written representations to the Town on it).

At the Regular Meeting of Council of November 10, 2020 Council decided to refer this rezoning application to the public consultation process. Notices were prepared advising that the rezoning application had been received and that interested persons had until 1:00 P.M. on Monday, November 30, 2020 to obtain information and provide written comments to Council. The Town's standard practice for public notification was followed and involved a combination of advance publication of a notice in the *Irish Loop Post* newspaper and on the Town of Witless Bay website and Facebook page.

PUBLIC CONSULTATION

During the preparation of the amendment, Council undertook the following initiatives so that individuals and groups could provide input to the proposed Development Regulations Amendment Number 4, 2020. A Public Notice of a Proposed Zoning Amendment to the Development Regulations appeared in the November 12, 2020 edition of the *Irish Loop Post-Shoreline* newspaper, and on the Town of Witless Bay website and Facebook page. The Notice indicated that interested persons would have until 1:00 P.M. of Monday, November 30, 2020 to examine the proposed amendment and file with the Town written submissions of any concerns or objections to the proposed amendment. Any submissions received would be forwarded to Council for its consideration.

In response to the public notice, three written representations were received by the Town Clerk Administrator just prior to the deadline and one several hours after. The representations spoke to the subject of the "Dean's Road track" which is located on the subject property and is on the site of the railbed of the former Reid Newfoundland Railway. The representations did not state opposition to the proposed rezoning of the subject property but urged Council to consider the value of the long-existing track as a public community recreational resource that is in continuous use and needs to remain intact.

At the Regular Meeting of the Town of Witless Bay Council held on Tuesday, 8 December 2020, Council considered the written representations that were received and subsequently made a decision to adopt the Witless Bay Development Regulations Amendment Number 4, 2020.

AMENDMENT

The Town Witless Bay Development Regulations 2013-2023 shall be amended as follows:

Rezone land at Civic Number 47-115 Deans Road from the Residential Rural (RR) Land Use Zone to the Residential (Res) Land Use Zone as shown on Land Use Zoning Map 2 attached.

**RESOLUTION TO ADOPT
TOWN OF WITLESS BAY DEVELOPMENT REGULATIONS AMENDMENT NUMBER 4, 2020**

WHEREAS the Town of Town of Witless Bay wishes to accommodate a residential subdivision development on land at Civic Number 47-115 Deans Road.

BE IT THEREFORE RESOLVED that the Town of Witless Bay hereby adopts the following map amendment to the Town of Witless Bay Development Regulations in accordance with the provisions of the Urban and Rural Planning Act.

Rezone land at Civic Number 47-115 Deans Road from the Residential Rural (RR) Land Use Zone to the Residential (Res) Land Use Zone as shown on Land Use Zoning Map 2 attached.

BE IT FURTHER RESOLVED that the Town of Witless Bay requests the Minister of Environment, Climate Change and Municipalities to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the Town of Witless Bay has been hereunto affixed and this Resolution has been signed by the Mayor and the Town Clerk on behalf of Council this 9th day of December, 2020.



Mayor, Dermot Moran



Town Clerk Administrator, Geraldine Caul

MCIP Certification:

*I hereby certify that this Amendment has been prepared
in accordance with the Urban and Rural Planning Act, 2000.*



Paul Boundridge, MCIP



December 8, 2020

Council Adoption

**Development Regulations/Amendment
REGISTERED**

Provincial Registration

Number	<u>5455-2020-003</u>
Date	<u>December 15, 2020</u>
Signature	<u>Milly O'Shea</u>

