

**TOWN OF WABANA**

**DEVELOPMENT REGULATION AMENDMENT No. 6, 2021**

(Text and Land Use Zoning Map)

**MAY, 2021**

**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO APPROVE  
THE TOWN OF WABANA  
DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2021**

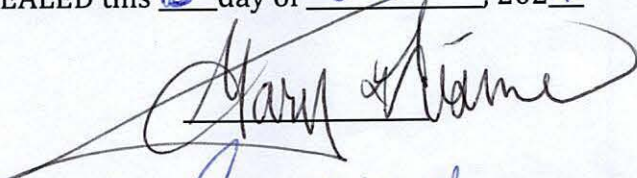
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Wabana.

- a) adopted the Amendment No. 6, 2021 to the Town of Wabana Development Regulations on the 16<sup>th</sup> day of September, 2021
- b) gave notice of the adoption of the Amendment No. 6, 2021 to the Wabana Development Regulations by publishing a Notice in the Northeast Avalon Times October 13, 2021 and in the Telegram on October 30, 2021.
- c) set the 15<sup>th</sup> day of November as the deadline for submission of objections and submissions for the Public Hearing Commissioner, as per the Provincial Government COVID-19 protocol regarding Public Hearings.

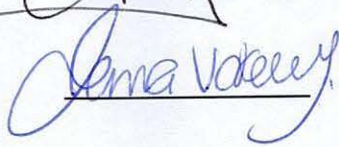
Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Wabana approves the Amendment No. 6, 2021 to the Town of Wabana Development Regulations as adopted.

SIGNED AND SEALED this 13<sup>th</sup> day of Dec, 2021

Mayor:



Town Manager/Clerk



Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>5245-2022-005</u>
Date	<u>21 JULY 2022</u>
Signature	<u>[Handwritten Signature]</u>

(Council Seal)





**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

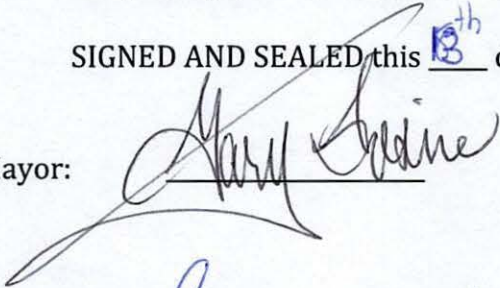
**AMENDMENT No. 6, 2021  
TOWN OF WABANA DEVELOPMENT REGULATIONS**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Wabana adopts the Amendment No. 6, 2021 to the Wabana Development Regulations.

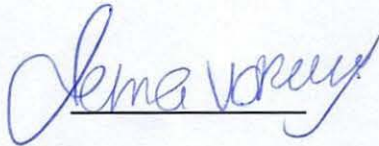
Adopted by the Town Council of Wabana on the 16<sup>th</sup> day of September, 2021.

SIGNED AND SEALED this 18<sup>th</sup> day of SEP, 2021

Mayor:



Clerk:



(Council Seal)



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Amendment No. 6, 2021 to the Town of Wabana Development Regulations has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.



Anna Myers  
Member of Institute of Planners (MCIP)





## **TOWN OF WABANA DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2021**

### **BACKGROUND**

The Town Council of Wabana wishes to amend its Development Regulations, 1990. The proposed amendment seeks to (1) change the 1990 Municipal Plan's Land Use Zoning Map and (2) the uses in the text of the Development Regulations.

The Town of Wabana reviewed the 'Water Supply Catchment Area' zoning at West Dam Pond, with the view of promoting recreation, economic development and tourism opportunities. Almost 30 years ago, the pond was identified for consideration as potential water supply areas; however, this protection is no longer needed as the Town made the commitment to provide drinking water from 12 Protected Wells in the Town. The Town has invested \$6 M already, and has approved another \$5 M in the well system for the community. The Protected Wellhead designations have been made under the Water Resources Act, 1990 and the Provincial Protected Wellhead Regulations apply in these areas to protect the water supply for the Town of Wabana. Note that at this time, West Dam Pond is only used as a water supply for fire-fighting purposes in the nearby neighbourhood.

The purpose of this Municipal Plan Amendment No. 6, 2021 is to make the following changes to the Land Use Zoning Map of the Development Regulations:

To rezone the area around West Dam Pond from 'Water Supply Catchment Area' to 'Recreation Open Space'; See attached Town of Wabana Municipal Plan Amendment No. 6, 2021 Map.

Council will also consider an associated amendment to the 1990 Municipal Plan Future Land Use map.

In addition to rezoning these areas for "Recreation Open Space", the Town wishes to expand the types of uses in this zone by adding to Discretionary Uses: 'outdoor market' and 'campground'. This will necessitate adding a definition for campground in the Development Regulations.

### **PUBLIC CONSULTATION**

During the preparation of this proposed amendment, Council undertook the following initiatives so that individuals could provide input.



A Notice was published in the local newspaper, the Northeast Avalon Times, on June 21, 2021 to inform and to invite the public for input to the proposed changes. The last day for public input was June 30, 2021.

Three submissions were received, plus a positive comment was posted on Facebook. Two expressions of concern from two residents living on Butterville Road. The proposed "Recreation Open Space" area is located over 300 metres from Butterville Road. The area in between is zoned "Resource Management Area" and as several Town wells are located within this buffer, it is protected from any future development. This serves as a 300 m buffer between the "Recreation Open Space" zone and Butterville Road residents.

The third submission received was from an individual interested in developing a campground at Bell Pond, which is located at the southeastern area of the island, near the community of Freshwater. Mr. Barrett has received approval-in-principle for his development subject to obtaining provincial government approvals, but these have not been submitted to finalized approval of his application.

The Town also reached out to the Water Resources Management Division for comment. The Manager of Water Rights, Investigations and Modelling indicated that the Department had no comments regarding the proposed amendment. The Manager, Groundwater Section indicated that "...the area is outside of any wellhead protection areas so no Section 61 permitting is required.

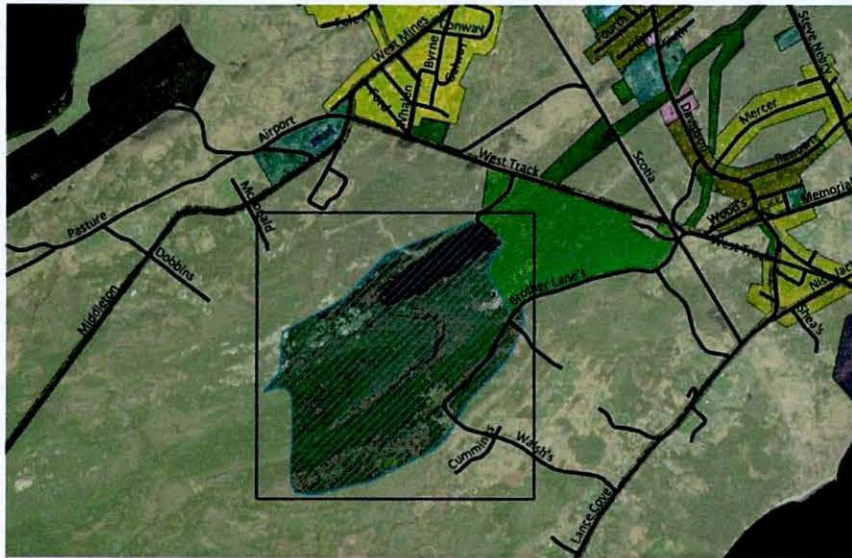
Based upon the 2016 CBCL Well Field Assessment study, the surface water (including the wetlands) in the area serve as recharge zones for the groundwater. Increased development in this area may affect the groundwater quantity and quality for both the private well users in the vicinity and the users on the nearby public water supply wells. Extra caution should be used when developing this area and consideration of maintaining as much undeveloped green space and wetland areas as possible should be a priority."

It should be noted that development must comply with Federal and Provincial legislation and regulations, in particular, (1) under Section 7 of the Lands Act, 1990, there is a 15 m shoreline reserve; and (2) any development in wetlands and near waterbodies must be referred to the Water Resources Management Division.

## **DEVELOPMENT REGULATIONS AMENDMENT No. 6, 2021.**

The Land Use Zoning Map proposed for amendment is as shown on the attached Development Regulations Amendment No. 6, 2021 Map.





Development Regulations/Amendment  
**REGISTERED**  
 Number 5245-2022-005  
 Date 21 JULY 2022  
 Signature [Signature]

# Town of Wabana

## Municipal Plan Land Use Zoning Map Amendment No. 6, 2021



From Water Supply Catchment Area to Recreational  
 Open Space

Dated at Wabana  
 This 15<sup>th</sup> day of Dec, 2021

[Signature]  
 Mayor

[Signature]  
 Town Manager/Town Clerk

I CERTIFY THAT THIS MUNICIPAL PLAN AMENDMENT  
 HAS BEEN PREPARED IN ACCORDANCE WITH THE  
 REQUIREMENTS OF THE *URBAN AND RURAL  
 PLANNING ACT, 2000.*



[Signature]  
 Anna Myers, MCIP





2. The text of the Development Regulations, 1990 will be changed as follows:

**SCHEDULE A: DEFINITIONS**

**ADD:**

“Campground (including RV campgrounds)” means a public or privately-operated facility offering overnight to seasonal camping experiences for 3 or more tent sites or serviced recreational vehicle (RV) sites, associated rental cabins, and including accessory administrative offices, convenience store, laundry facilities, sanitary facilities, recreational hall and associated recreational uses that cater to short-term guests, not to year-round residents and does not include industrial, work or construction camps or permanent mobile home or mini-home parks;

**IN SCHEDULE B: CLASSIFICATION OF USES OF LAND AND BUILDINGS**

**ADD TEXT SHOWN IN BOLD FONT** (after Class ‘Recreation Open Space’)

Group	Division	Class	Examples
Non-Building Uses	Uses not directly related to buildings	<b>Campgrounds</b>	<b>Campgrounds, tenting and recreational vehicle campground</b>

**IN SCHEDULE C: USE ZONE TABLES**

**Note:** Additional uses in Use Zone Table shown in **bold font**

**USE ZONE TABLE**

<b>ZONE TITLE RECREATION OPEN SPACE</b>
<b>PERMITTED USE CLASSES – (see Regulation 85)</b> Outdoor assembly, recreational open space, conservation
<b>DISCRETIONARY USE CLASSES – (see Regulations 22 and 86)</b> Indoor assembly, take-out food service, convenience store, antenna, <b>campgrounds, outdoor market,</b>



**ADD THE FOLLOWING CONDITIONS:**

**7. Campground:**

- (a) A proposed campground, including trailer and Recreational Vehicle park, will require a comprehensive development site plan satisfactory to Council containing the following information:
- i. Location and size of camp and trailer sites
  - ii. Internal roads and accesses
  - iii. Parking areas
  - iv. Accessory uses such as laundry facilities, storage areas, washrooms, showers, convenience store, staff accommodations, and outdoor and indoor recreation facilities
  - v. Water supply and waste disposal
  - vi. Landscaping
  - vii. Buffers and screening between the site and other nearby land uses
  - viii. Delineation of the property to be developed on a legal survey
  - ix. Where deemed necessary by Council, a phasing plan for development.
  - x. On-site water and sewer services must meet minimum standards required by Council and relevant Provincial agencies.
  - xi. Washroom facilities, recreational areas, parking areas, and similar facilities directly associated with the development will not be located on separate properties.
- (b) All camp sites and on-site facilities that form part of the development will be accessible only via the internal road network of the development.
- (c) The development permit will specify the maximum number of campsites for different uses such as tents, trailers, and RVs that will be permitted on the site.
- (d) No expansion or alteration of a campground, other than repairs and maintenance, will take place without the approval of Council.
- (e) The operation will comply with all bylaws and regulations of Council pertaining to noise and unruly behaviour.
- (f) Where deemed necessary by Council, a deposit sufficient to cover the cost of buffers and screening shall be deposited with Council until the work is completed in accordance with the approved plan.