

**TOWN OF WHITBOURNE
MUNICIPAL PLAN 2013 - 2023**



DEVELOPMENT REGULATIONS AMENDMENT No. 4, 2022

“Amendment to Schedule A and C”

JUNE 2022

PLAN-TECH



ENVIRONMENT

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF WHITBOURNE
DEVELOPMENT REGULATIONS AMENDMENT No. 4, 2022

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Whitbourne adopts the Town of Whitbourne Development Regulations Amendment No. 4, 2022.

Adopted by the Town Council of Whitbourne on the 20th day of June, 2022.

Signed and sealed this 20th day of June, 2022.

Mayor: *Aldo White* (Council Seal)

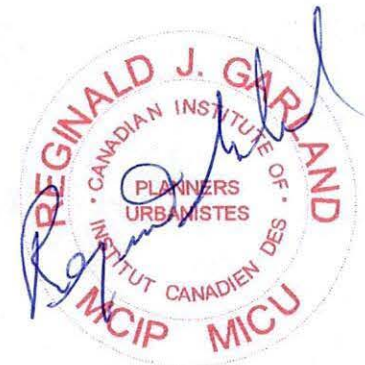
Clerk: *Crystal Peddle*



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Whitbourne Development Regulations Amendment No. 4, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Development Regulations/Amendment	
REGISTERED	
Number	<u>5355-2022-005</u>
Date	<u>13 JUNE 2022</u>
Signature	<u><i>R. Blanchard</i></u>



TOWN OF WHITBOURNE

DEVELOPMENT REGULATIONS AMENDMENT No. 4, 2022

BACKGROUND

The Town of Whitbourne proposes to amend its Development Regulations. The Town has received a proposal to develop a 4-unit plaza or mini-mall building on land fronting on the Argentia Access Road, Route 100. The Units will contain various uses such as food establishment, medical, professional, office and retail.

The Argentia Access Road is a Protected Highway which falls under the Protected Road Zoning Regulations. Section 10 of the Regulations states that where the protected road passes through an area with a Municipal Plan/Development Regulations, land shall be used in accordance with that Plan. The proposed site is located within the Whitbourne Municipal Planning Area.

ANALYSIS:

Municipal Plan section 4.4.3 Commercial-Industrial, states that the intent of this designation is for three existing poultry operations based largely on their size, appearance and nature of their use. Under this section, the Plan also designated land fronting on the Argentia Access Road, near to the intersection of the Trans Canada Highway, as Commercial-Industrial, but with a broader range of industrial and commercial uses to serve a wider region. Plan policy is vague on the types of commercial uses for this designation.

The land is zoned as Commercial-Industrial (CI) on the Whitbourne Land Use Zone Map. The Commercial-Industrial (CI) Land Use Zone Table, Schedule C lists Office, Commercial Residential and Shopping centre as Discretionary Uses. It is determined that the proposed 4-unit plaza or mini-mall building falls under the "Shopping Centre" Use Class as found in the Classification of the Use of Land and Buildings, Schedule B. Examples of a mercantile use for a Shopping Centre are listed as "*Shopping Mall, Strip Mall (5 Units or more), Mini Mall (5 Units or less)*".

The purpose of this Amendment is to change the definition of a shopping centre as found in Schedule A to read:

"SHOPPING CENTRE" means a minimum 4-unit group of stores, shops, offices and medical and professional offices with ample parking which is designed to serve a local community or region."

The Amendment will also add "shop" as a discretionary uses to the Commercial-Industrial (CI) Land Use Zone Table, Schedule C.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. There is no local newspaper in circulation in the Whitbourne area. The Town Council of Whitbourne published a Public Consultation notice on the Town's Facebook page, on the Towns website and on the local community channel, channel six ads from June 6 to June 17, 2022. The amendment was also on display at the Town Office, with a deadline for comments set at June 17. No written comments or objections were received.

DEVELOPMENT REGULATIONS AMENDMENT No. 4, 2022

The Town of Whitbourne Development Regulations is amended by:

A) *Deleting* the definition for "Shopping Centre", as found in Schedule A, and replacing with the following definition:

"SHOPPING CENTRE" means a minimum a 4-unit group of stores, shops, offices and medical and professional offices, with ample parking which is designed to serve a local community or region."

B) *Adding shop* as discretionary uses to the "**Commercial Industrial (CI) Land Use Zone Table** as shown below:

COMMERCIAL-INDUSTRIAL (CI) - Use Zone Table
PERMITTED USE CLASSES - (see Regulation 90) Agriculture (restricted only to the rearing and processing of poultry), general industry, light industry, service station.
DISCRETIONARY USE CLASSES - (see Regulations 34 and 91) Office, commercial residential, shopping centre and <i>shop</i> .