

**TOWN OF WITLESS BAY
DEVELOPMENT REGULATIONS**

DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2019

Rezoning of Property at Civic # 22-40 Cemetery Road

**to the
Residential Land Use Zone**

Prepared by Paul Boundridge, MCIP

August 2020

DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2019

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 not been amended since. The Town now wishes to amend the current Plan and Development Regulations and this report has been prepared to explain the proposed change.

The Town of Witless Bay has received an application from the owner Civic # 22-40 Cemetery Road to rezone this property from the Public Use Zone and the Industrial Light Zone to the Residential Zone.. The rezoning would trigger a municipal plan amendment involving re-designating the subject property from the Industrial Land Use Designation and the Public Use Land Use Designation to the Residential Land Use Designation. The purpose of the rezoning is to subsequently accommodate a future application for approval to develop on the subject property a residential building lot for the applicant's son

A Planning Report to the Town of Witless Bay Municipal Council was prepared on the rezoning application in June 2019. The report discussed the rezoning applications and the amendments to the Municipal Plan and Development Regulations which would be involved. After a public consultation meeting was held on August 27, 2019 at the Witless Bay Town Hall, Council decided to adopt-in-principle the proposed amendments at the Regular Meeting of Council of September 10, 2019.

A Release from the Department of Municipal Affairs and Environment (DMAE) was issued on March 13, 2020. The Town of Witless Bay Municipal Council decided at the Regular Meeting of Council of May 19, 2020 to adopt the proposed Witless Bay Municipal Plan Amendment No. 2, 2019 and the proposed Witless Bay Development Regulations Amendment No. 2, 2019. At the Regular Meeting of Council of May 19, 2020 Council also decided to appoint Mr. Wayne Thistle as Commissioner for a Modified Public Hearing, a COVID 19 pandemic and recommended by the DMAE.

PUBLIC CONSULTATION

During the preparation of the amendment, Council undertook the following initiatives so that individuals and groups could provide input to the proposed Municipal Plan Amendment No. 2, 2019 and the Development Regulations Amendment Number 2, 2019. A Public Notice of Modified Public Hearing appeared in the Saturday, 23 May 2020 edition of the *Telegram* 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 Friday, 26 June 2020 to examine the proposed amendments and file with the Town written submissions of any concerns or objections to the proposed amendments. Any submissions received would be immediately forwarded to the Commissioner for consideration in the report that he would be preparing for Council.

No written representations were received by the stated deadline. In a 17 July 2020 Commissioner's Report to Council on the proposed Witless Bay Municipal Plan Amendment No. 1, 2019 and Witless Bay Development Regulations Amendment Number 1, 2019 it was recommended that Council should approve the amendments as adopted.

AMENDMENT

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

Rezone land at Civic Number 22-40 Cemetery Road from the Industrial Light Land Use Zone and the Public Buildings Land Use Zone to the Residential Land Use Zone as shown on Land Use Zoning Map 2 attached.

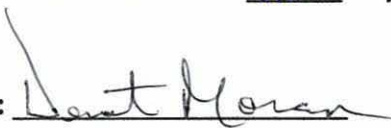
URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
WITLESS BAY DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2019

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Witless Bay:

- a) adopted the Witless Bay Development Regulations Amendment No. 2, 2019 on the 19th day of May 2020.
- b) gave notice of the adoption of the Witless Bay Development Regulations Amendment No. 2, 2019 by public notice of a Modified Public Hearing placed on May 23, 2020 in the *Telegram* newspaper and on the Town of Witless Bay Municipal Council website on May 21, 2020 and the Town of Witless Bay Municipal Council Facebook page on May 28, 2020;
- c) set the 26th day of June at 1:00 P.M. for any interested person to submit a written representation or objection to the Town Clerk for referral to the independent Commissioner for consideration in the preparation of a Commissioner's Report to Council; and
- d) confirms that no written representations were received by the stated deadline, and that that in a July 17, 2020 Commissioner's Report to Council on the proposed Witless Bay Development Regulations Amendment No. 2, 2019 it was recommended that Council should approve the amendment as adopted.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Witless Bay Town Council approves on this 20th day of August 2020 the Witless Bay Development Regulations Amendment No. 2, 2019 as adopted on May 19, 2020.

SIGNED AND SEALED this 20th day of AUGUST 2020

Mayor: 
Dermot Moran

Clerk: 
Geraldine Caul

(Council Seal)



Provincial Registration

**RESOLUTION TO ADOPT
TOWN OF WITLESS BAY
DEVELOPMENT REGULATIONS AMENDMENT NUMBER 2, 2019**

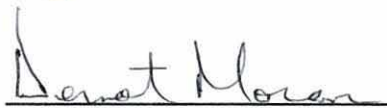
WHEREAS the Town of Town of Witless Bay wishes to accommodate residential development at Civic Number 22-40 Cemetery Road.

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 22-40 Cemetery Road from the Industrial Light Land Use Zone and the Public Buildings Land Use Zone to the Residential 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 Municipal Affairs and Environment 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 20th day of August, 2020.



Mayor, Dermot Moran



Town Clerk/Manager, Geraldine Caul

MCIP Certification:

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

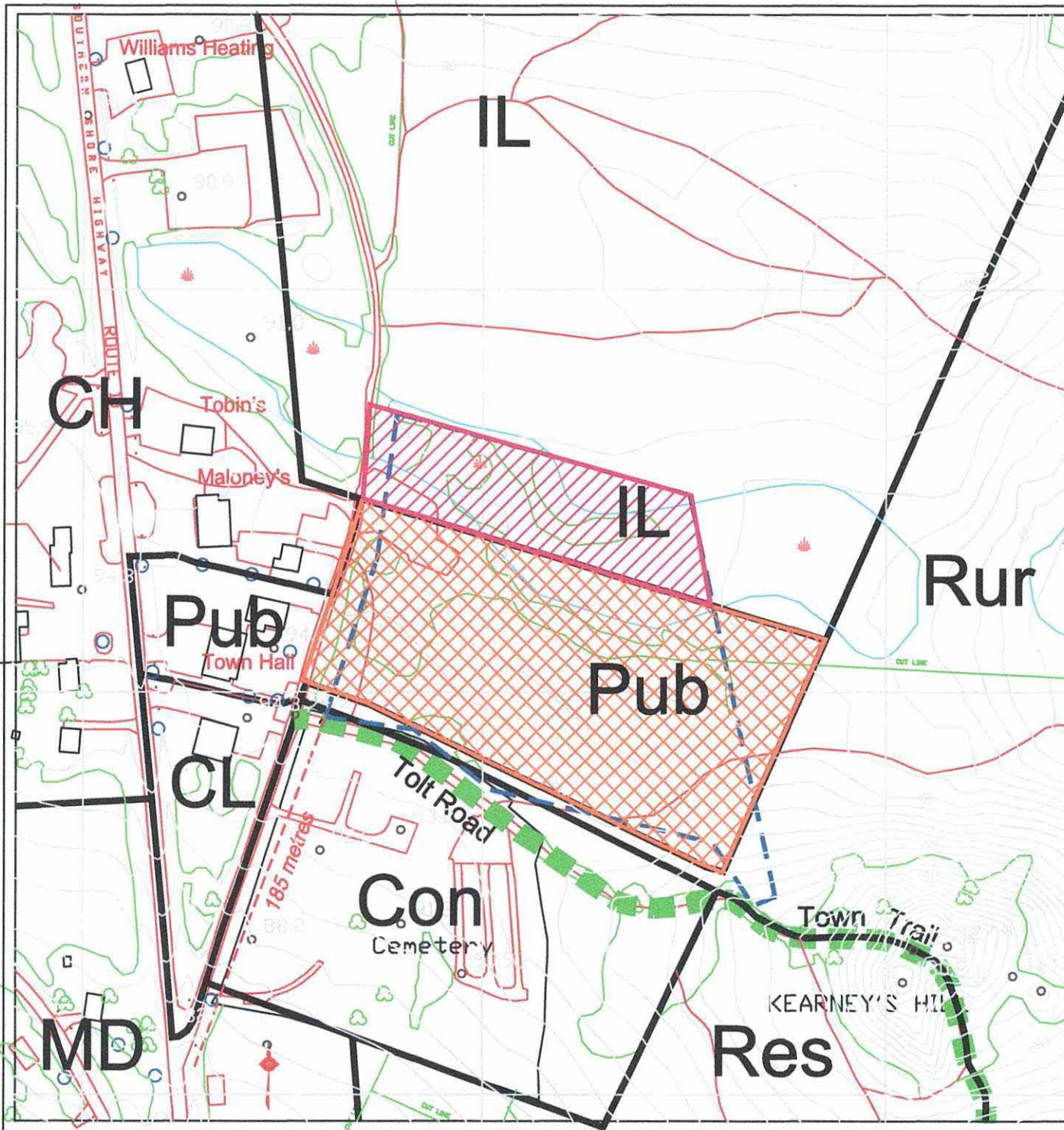

Paul Boundridge, MCIP





MAY 19, 2020
Council Adoption

Development Regulations/Amendment	
REGISTERED	
Number:	<u>5455-2020-002</u>
Date:	<u>September 15, 2020</u>
Signature:	<u>[Handwritten Signature]</u>

Provincial Registration



Town of Witless Bay
 Municipal Plan 2013 - 2023
 Land Use Zoning
 Amendment No. 2, 2019

-  From: Industrial Light (IL)
To: Residential (Res)
-  From: Public (Pub)
To: Residential (Res)

Dated at Witless Bay, Newfoundland and Labrador

This 20th, day of August, 2020

Dermot Moran
 Dermot Moran, Mayor

Geraldine Caul
 Geraldine Caul, Town Clerk/Management

REGISTERED

Number 5455-2020-002
 Date September 11, 2020
 Signature *Paul Boudridge*

I certify that this Amendment No. 2, 2020 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.



Paul Boudridge
 Paul Boudridge, MCIP