

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



DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2018

**“Amendment to the Environmental Protection Land Use Zone
Table Schedule C”**

MAY, 2018

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF WHITBOURNE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2018**

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

- a) Adopted the Whitbourne Development Regulations Amendment No. 3, 2018, on the 5th day of September, 2018.
- b) Gave notice of the adoption of the Town of Whitbourne Development Regulations Amendment No. 3, 2018, by advertisement inserted on the 8th day and the 15th day of January, 2019, in *The Compass* newspaper.
- c) Set the 23rd day of January at 7:30 p.m. at the Town Hall, Whitbourne for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Whitbourne approved the Town of Whitbourne Development Regulations Amendment No. 3, 2018, as adopted (or as amended).

SIGNED AND SEALED this 30th day of January, 2019

Mayor:

Aldo Wilson

(Council Seal)

Clerk:

Crystal Peddle

Development Regulations/Amendment
REGISTERED
Number 5355-2019-004
Date March 12, 2019
Signature Mary Dilly

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF WHITBOURNE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2018**

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. 3, 2018.

Adopted by the Town Council of Whitbourne on the 5th day of September, 2018.

Signed and sealed this 30th day of January, 2019.

Mayor: Hilda Whelan (Council Seal)

Clerk: Crystal Peddie



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Whitbourne Development Regulations Amendment No. 3, 2018 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



TOWN OF WHITBOURNE

DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2018

BACKGROUND

The Town of Whitbourne proposes to amend its Development Regulations. . The Town has several significant waterbodies such as Goose Pond, Little Goose Pond and Junction Pond that are developed for residential use with frontage on these waterbodies. Council has received inquiries about development of wharves and docks on these developed waterbodies.

The Environmental Protection Land Use Zone Table zones a 15 metre buffer around all waterbodies. Wharves and docks are considered as transportation uses. The Environmental Protection Land Use Zone Table dos not list transportation as a permitted or discretionary use. The purpose of this Amendment is to add transportation as a discretionary use to the Environmental Protection Land Use Zone Table. The Amendment will also add a condition limiting transportation uses to developed waterbodies as well as requiring the approval of the Minister of Fisheries and Land Resources under the *Lands Act*.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to this Development Regulations Amendment. The Town Council of Whitbourne Cove published a notice in *The Compass* newspaper on May 15, 2018 advertising the proposed amendment seeking comments or representations from the public. The Town Council placed the proposed amendment on display at the Town Council Office from May 15, to May 22, 2018, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. No objections or representations were received within the time stipulated in the notice.

DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2018

The Town of Whitbourne Development Regulations is amended by:

- A) **Adding transportation** as a discretionary use to the "Environmental Protection (EP)" Land Use Zone Table as shown below:

USE ZONE TABLE

ZONE TITLE	ENVIRONMENTAL PROTECTION (EP)
PERMITTED USE CLASSES - (see Regulation 90)	
Maintenance and operation of existing uses, public utilities (water treatment and pump house), conservation.	
DISCRETIONARY USE CLASSES - (see Regulations 34 and 91)	
Recreational open space, antenna, transportation .	

- B) **Adding** the following condition to the "Environmental Protection (EP)" Land Use Zone Table as shown below:

2. Transportation

- a) Transportation uses shall be at the discretion of Council;
- b) Transportation uses shall be limited to waterbodies having existing development; and
- c) The approval of the Minister of Fisheries and Land Resources under the *Lands Act* shall be required.