

**TOWN OF CARBONEAR
DEVELOPMENT REGULATIONS
AMENDMENT NO. 39, 2021**

Child Care use in Light Industrial Use Zone

Prepared by:
Mary Bishop, FCIP
November, 2021

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF CARBONEAR
DEVELOPMENT REGULATIONS AMENDMENT NO. 39, 2021**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Carbonear adopts Development Regulations Amendment No. 39, 2021.

Adopted by the Town Council of Carbonear on the 14th day of December, 2021.

Signed and sealed this 26th day of January, 2022.

Mayor: Frank Butt
Frank Butt

Clerk: Cathy Somers
Cathy Somers



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 39, 2021 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

Mary Bishop
Mary Bishop, FCIP



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF CARBONEAR
DEVELOPMENT REGULATIONS AMENDMENT NO. 39, 2021**

Under the authority of Sections 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Carbonear

1. Adopted Development Regulations Amendment No. 39, 2021 on the 14th day of December, 2021.
2. Gave notice of the adoption of Development Regulations Amendment No. 39, 2021 by advertisement in the December 16 and 23rd 2021 editions of the Shoreline.
3. Set the 17th day of January, 2022 for the holding of a Public Hearing in accordance with COVID-19 Public Health protocols, to consider objections and submissions.
4. No written submissions were received by the advertised deadline of January 17.
5. The Commissioner's report was received and considered by Council at its regular meeting of January 25th, 2022.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Carbonear approves Development Regulations Amendment No. 39, 2021 on the 25th day of January, 2022.

SIGNED AND SEALED this 26th day of January, 2022.

Mayor: Frank Butt
Frank Butt

Clerk: Cathy Somers
Cathy Somers

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|-----------------------------------|----------------------|
| Development Regulations/Amendment | |
| REGISTERED | |
| Number | <u>950-2022-042</u> |
| Date | <u>Feb. 17, 2022</u> |
| Signature | <u>[Signature]</u> |

TOWN OF CARBONEAR DEVELOPMENT REGULATIONS AMENDMENT NO. 39, 2021

BACKGROUND

This amendment to the Development Regulations is intended to comply with Municipal Plan Amendment No. 27, 2021.

The Town proposes to add childcare as a discretionary use to the Light Industrial land use zone to accommodate a new building that will house a childcare centre at Civic No. 41-43 Goff Avenue.

This change will implement Municipal Plan Amendment No. 27, that enables consideration of child care uses in areas that are zoned for light industrial uses subject to conditions.

In considering allowing childcare on sites zoned Light Industry, Council will require sites to have adequate area to ensure sufficient separation from other light industry uses where such uses may generate noise, fumes or traffic, and where safe and adequate parking is available to enable efficient drop off and pickup of children. Access to onsite or offsite open space shall also be taken into consideration when assessing applications, as well as conformity with provincial licensing requirements.

Childcare centres may also be allowed in existing buildings such as office buildings and multi-unit commercial buildings.

PUBLIC CONSULTATION

The public consultation process for this amendment was the same as that for the Municipal Plan Amendment No. 27, 2021.

AMENDMENT

The Carbonear Development Regulations shall be amended as follows:

1. By adding childcare to the list of Discretionary uses in the Light Industrial (IL) land use zone of Schedule C, and adding the following as condition 7:
 7. *Child care uses may be permitted in this zone where:*
 - a). *Surrounding industrial uses do not pose safety hazards for the childcare use;*

- b). *Sufficient space is available on the lot to achieve adequate separation distances from adjoining industrial uses to reduce any impacts from noise, dust or odours on the childcare use;*
- c). *Adequate space for access, drop off and parking are available to ensure the safety of children; and*
- d). *Fencing and screening will be required for any outdoor play areas that are part of the childcare use.*
- e). *Childcare uses may also be considered within existing buildings such as office buildings or multi-unit commercial buildings, provided adjacent uses are compatible with the childcare use.*