

TOWN OF FLOWER'S COVE
DEVELOPMENT REGULATIONS for 2016 to 2026
AMENDMENT No. 1, 2024

Method by which Council would give public notice of its intention to consider an application for a change in a non-conforming use or when the development proposed is listed as a discretionary use.

Adopted by Council on the 8th day of October 2024

RESOLUTION TO ADOPT; CLERK'S & MCIP CERTIFICATE

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Council of the Town of Flower's Cove adopts Amendment Number 1, 2024, to the Development Regulations for 2016 to 2026, so as to amend Regulation 32(1) by deletion of the existing text and substitution of the following text in its place:

When a change in non conforming use is to be considered under Regulation 49, or when the development proposed is listed as a discretionary use in Schedule C of the Regulations, the Authority shall at the applicant's expense give written notice posted on its website and social media and at the post office (if permissible) and the Town Office, and by written notice to all persons whose land is in the immediate vicinity of the location of the development, at least ten days prior to the date upon which Council will consider the matter.

Resolved by the Council of the Town of Flower's Cove on the 8th day of October, 2024.

Signed and sealed this 8 day of October, 2024.

Mayor: [Signature]

Clerk: [Signature] (Council Seal)

MCIP Certificate

I certify that the attached Amendment Number 1, 2024 to the Development Regulations for 2016 to 2026 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Member of the Canadian Institute of Planners

[Signature] Jens Jensen, P.Eng., MCIP (MCIP seal)
Date: 8th day of November, 2024

Development Regulations/Amendment	
REGISTERED	
Number	<u>1625-0002-2024</u>
Date	<u>24 DEC 2024</u>
Signature	<u>[Signature]</u>



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BACKGROUND AND POLICY ANALYSIS

The Council of the Town of Flower's Cove intends to amend the Development Regulations for 2016-2026.

The subject of the amendment is the method by which Council would give public notice of its intention to consider an application for a change in a non-conforming use or when the development proposed is listed as a discretionary use.

The existing requirement in the Development Regulations is that such notices must be given by way of newspaper advertising in a local newspaper, at the expense of the applicant. In recent years, the cost of newspaper advertising has risen to a point which has become onerous and unreasonable for many applicants to bear. Also, where only a weekly newspaper circulates in the area at this time, there can be a delay of over a week between the date on which Council decides to initiate its notice process and the actual appearance of the advertisement.

Moreover, Council now gives most of its civic notices to the public by posting notices on its Facebook social media page and at the notice boards at stores and the Town Office. In cases involving land development, Council feels that it is also appropriate to give a written notice of the proposed development to all persons whose land is in the immediate vicinity of the location of the proposed development.

Consequently, Council is of the view that giving notices in the usual way plus notice to nearby owners is sufficient to achieve adequate public notice of these matters.

This amendment to the Development Regulations does not require a concurrent amendment to the Municipal Plan, as it is consistent with the requirements of Ministerial Development Regulations 15 concerning non-conforming uses and section 35(1)(h) of the *Urban and Rural Planning Act 2000*. The proposed amendment is not unusual.

Council called for submissions from interested parties concerning the proposed amendment.

PUBLIC CONSULTATION

Council gave notice of their intention to make the said amendment by way of posting a notice on the Town's Facebook page and the notice boards at stores and Town Office as is customary for public municipal notices.

The notice invited representations from interested people and associations, to be considered before making any decision to proceed. A notice period of at least three weeks was provided.

PROPOSED AMENDMENT No. 1, 2024

The existing text of Development Regulations #32(1) is deleted and the following substituted in its place:

(1) When a change in non conforming use is to be considered under Regulation 49, or when the development proposed is listed as a discretionary use in Schedule C of the Regulations, the Authority shall at the applicant's expense give written notice posted on its website and social media and at the post office (if permissible) and the Town Office, and by written notice to all persons whose land is in the immediate vicinity of the location of the development, at least ten days prior to the date upon which Council will consider the matter.