

TOWN OF GRAND FALLS-WINDSOR



DEVELOPMENT REGULATION AMENDMENT No. 8, 2023

JULY, 2023

(Child Care – Text only)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

AMENDMENT No. 8, 2023

TOWN OF GRAND FALLS-WINDSOR DEVELOPMENT REGULATIONS

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Grand Falls-Windsor adopts the Amendment No. 8, 2023 to the Grand Falls-Windsor Development Regulations, 2022-2032.

Adopted by the Town Council of Grand Falls-Windsor on the 16th day of April, 2024.

Signed and sealed this 26th day of April, 2024.

Mayor:

Raymond

Chief Administrative Officer:

Dawn F.

(Council Seal)



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Amendment No. 8, 2023 to the Town of Grand Falls-Windsor Development Regulations has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

Anna Myers

MCIP: Anna Myers
Member of Canadian Institute of Planners (MCIP)



Development Regulations/Amendment	
REGISTERED	
Number	<u>1960-2024-006</u>
Date	<u>11 JUNE 2024</u>
Signature	<u>[Signature]</u>

TOWN OF GRAND FALLS-WINDSOR DEVELOPMENT REGULATIONS AMENDMENT No. 8, 2023

BACKGROUND

The Town Council of Grand Falls-Windsor wishes to amend its Development Regulations. The proposed amendment seeks to change the text in the 2022-2032 Development Regulations. The purpose of this amendment is to enable the provision of quality, affordable child care spaces that are accessible to all families. An important part of this objective is to ensure that there are opportunities for child care operations to offer regulated family child care in their homes. The Town wishes to update the text regarding the regulation of home-based child care operations to ensure that these operations are subject to the *Child Care Regulations, 2017* that are implemented by the provincial government.

This proposed change is consistent with the objectives set out in the Integrated Community Sustainable Municipal Plan, 2022-2023, Chapter 2: Building Livable Neighbourhoods, Section 2.13 Home Based Businesses, where it states that:

“The key variable in policy development for Home Based Businesses is that the business needs to operate and perform as a discretionary, secondary, or accessory use to the primary residential use and not detract from the residential character of the neighbourhood. The details of the home occupation use provisions for Grand Falls-Windsor are to be detailed within the Development Regulations. “

PUBLIC CONSULTATION

During the preparation of this proposed amendment, Council undertook the following initiatives so that individuals could provide input.. A Notice was published in the Newfoundland Wire on February 21, 2023 . The Notice was published on the Town Facebook page, website and Twitter on February 13, 2024.

There were no submissions received by the Town Clerk by the deadline for the Public consultation.

DEVELOPMENT REGULATIONS AMENDMENT No. 8, 2023.

TEXT CHANGES TO DEVELOPMENT REGULATIONS, 2022-2032:

FROM:

14.1 ACCESSORY USE

All home-based businesses shall:

- Be entirely enclosed within a building, except a Child Care Centre is to use the rear yard as a play area;

TO:

14.1 ACCESSORY USE

All home-based businesses shall:

- Be entirely enclosed within a building, except a Regulated Child Care Service is to use the rear yard as a play area;

FROM:

14.5 GENERAL REGULATIONS

- A home-based business use shall occupy less than 25% of the total floor area space of the dwelling unit, except for a Child Care Centre which may use 50% of the total area space of the dwelling unit and where an accessory building is used for the home-based business; Refer to Regulation 14.11.

TO:

14.5 GENERAL REGULATIONS

- A home-based business use shall occupy less than 25% of the total floor area space of the dwelling unit, except where the area of a Regulated Child Care Service is determined under the *Child Care Regulations, 2017*, and where an accessory building is used for the home-based business; Refer to Regulation 14.11.

FROM:

14.6 HOME BASED BUSINESS PARKING REQUIREMENTS

- A minimum of two parking spaces are required for Home Based Business uses involving students, patrons and a Child Care Centre, and for a Bed and Breakfast Use;

TO:

14.6 HOME BASED BUSINESS PARKING REQUIREMENTS

- A minimum of two parking spaces are required for Home Based Business uses involving students, patrons and a Regulated Child Care Service, and for a Bed and Breakfast Use;

FROM:

14.9 CHILD CARE CENTRE AS HOME BASED BUSINESS

- A Child Care Centre shall be permitted in the Rural and RR-1 zones, but shall be a discretionary Use within the identified RS and RT zones;
- A Child Care Centre shall be duly licensed and approved, staffed, equipped and operated in accordance with the requirements of the agencies having jurisdiction or authority; and,
- A Child Care Centre operating as Home-Based Businesses shall be sited a minimum of 300 m from another Child Care Centre.

TO:

14.9 REGULATED CHILD CARE SERVICE AS HOME BASED BUSINESS

- Under Home Business Uses, a Child Care Centre may be operated as a Regulated Child Care Service, subject to conditions.
- A Regulated Child Care Service shall be permitted in the Rural and RR-1 zones, but shall be a discretionary Use within the identified RS zones;
- A Regulated Child Care Service shall be duly licensed and approved, staffed, equipped and operated in accordance with the requirements of the agencies having jurisdiction or authority;

FROM:

2.2 DEFINITIONS USED IN THE DEVELOPMENT REGULATIONS

Child Care Centre means a Personal Care Commercial Use that includes a Building or part of a Building with services and regular activities for children for group day care, family day care, pre-school, play school, out-of-school care, specialized day care and emergency day care, all as licensed and regulated by the Province of NL. A Child Care Centre, that is to be operated as a Home-Based Business Use, shall be limited to a maximum of 8 children.

TO:

2.2 DEFINITIONS USED IN THE DEVELOPMENT REGULATIONS

Child Care Centre means a Personal Care Commercial Use that includes a Building or part of a Building with services and regular activities for children for group day care, family day care, pre-school, play school, out-of-school care, specialized day care and emergency day care, all as licensed and regulated by the Province of NL under the *Child Care Regulations, 2017*, as amended from time to time. Under Home Business Uses, a Child Care Centre may be operated as a Regulated Child Care Service, subject to conditions.

FROM:

21.3 USES OF LAND

Discretionary Uses

- Home Based Business for Child Care Centre (subject to Regulation 21.4 (4) Conditions of Use)

TO:

21.3 USES OF LAND

Discretionary Uses

- Home Based Business for Regulated Child Care Service (subject to Regulation 21.4 (4) Conditions of Use)

FROM:

21.4 CONDITIONS OF USE,

3. Child Care Centre use shall only be considered on residential lots that are greater than 550 m² in area size.

TO:

21.4 CONDITIONS OF USE,

3. A Regulated Child Care Service use shall only be considered on residential lots that are greater than 550 m² in area size.

FROM:

22.3 USES OF LAND

Discretionary Uses

- Home Based Business for Child Care Centre (subject to Regulation 22.4 3) Conditions of Use)

TO:

22.3 USES OF LAND

Discretionary Uses

- Home Based Business for Regulated Child Care Service (subject to Regulation 22.4 3) Conditions of Use)

FROM:

22.4 CONDITIONS OF USE

3. Child Care Centre use shall only be considered on residential lots that are greater than 550 m² in area size.

TO:

22.4 CONDITIONS OF USE

3. A Regulated Child Care Service use shall only be considered on residential lots that are greater than 550 m² in area size.

FROM:

23.3 USES OF LAND

Discretionary Uses

- Home Based Business for Child Care Centre

TO:

23.3 USES OF LAND

Discretionary Uses

- Home Based Business for a Regulated Child Care Service

FROM:

24.3 USES OF LAND

Discretionary Uses

- Home Based Business for Child Care Centre (subject to Regulation 24.4 (3)

Conditions of Use)

TO:

24.3 USES OF LAND

Discretionary Uses

- Home Based Business for a Regulated Child Care Service (subject to Regulation 24.4 (3) Conditions of Use)

FROM:

24.4 Conditions of Use

3. Child Care Centre use shall only be considered on residential lots that are greater than 550 m² in area size.

TO:

24.4 Conditions of Use

3. A Regulated Child Care Service use shall only be considered on residential lots that are greater than 550 m² in area size.

FROM:

25.3 USES OF LAND

Prohibited Uses

- Only the following Home-Based Business for Bed and Breakfast and for Child Care Centres are prohibited

TO:

25.3 USES OF LAND

Prohibited Uses

- Only the following Home-Based Business for Bed and Breakfast and a Regulated Child Care Service are prohibited