

TOWN OF PLACENTIA

DEVELOPMENT REGULATION AMENDMENT No. 2, 2024

(Tourist Accommodation in Mixed Development zone)

JUNE 2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE AMENDMENT No. 2, 2024

TO THE TOWN OF PLACENTIA

DEVELOPMENT REGULATIONS, 2014-2024

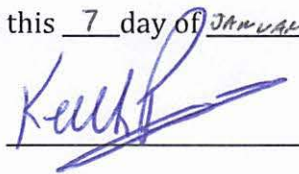
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Placentia:

- a) adopted the Amendment No. 2, 2024 to the Town of Placentia Municipal Plan on October 15, 2024.
- b) gave notice of the adoption of the Amendment No. 2, 2024 to the Town of Placentia Municipal Plan by the Town posting the notice on the Town website, dropping off notices to neighbouring property owners, and putting posters up throughout the community in 11 locations.
- c) set November 21, 2024 at the Arts Centre, 21 Patterson Drive, Placentia at 7 p.m. 2024, at for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Placentia approves the Amendment No. 2, 2024 to the Town of Placentia Development Regulations as adopted.

SIGNED AND SEALED this 7 day of JANUARY, 2025.

Mayor:



Chief Administrative Officer:



Development Regulations/Amendment

REGISTERED

Number 3800-0007-2025

Date 30 JAN 2025

Signature [Handwritten Signature]

(Council Seal)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

AMENDMENT No. 2, 2024

TOWN OF PLACENTIA DEVELOPMENT REGULATIONS

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Placentia adopts the Amendment No. 2, 2024 to the Placentia Development Regulations, 2014-2024.

Adopted by the Town Council of Placentia on the October 15, 2024.

Signed and sealed this 7 day of JANUARY, 2025.

Mayor:



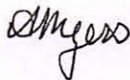
Chief Administrative Officer:



(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Amendment No. 2, 2024 to the Town of Placentia Development Regulations has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.



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



TOWN OF PLACENTIA DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2024

BACKGROUND

The Town Council of Placentia wishes to amend its Development Regulations. The proposed amendment seeks to change the text in the 2014-2024 Development Regulations and make a change to the Land Use Zoning Map.

The Town of Placentia wishes to accommodate a tourism accommodation establishment proposal at 1491-1501 Main Road, Dunville. This is a tourism economic development proposal that will contribute to economic diversity, provide local employment and support the need for more commercial residential offerings in the Town of Placentia,

In general terms, this amendment will re-zone 'Residential' to 'Mixed Development; and 'Rural' to 'Mixed Development' for a parcel of land situated between Main Road and the Waters of Northeast arm. Two existing homes on separate properties are excluded from this amendment and retain their independent access. A new definition will be added to Development Regulations Schedule A-Definitions: Tourist Accommodation; and in Schedule C-the Use Zone Table for Mixed Development will list Tourist Accommodation as a permitted use in this zone.

Council is also considering an amendment to the 2014-2024 Municipal Plan text and Future Land Use map to accommodate tourist accommodation in the Mixed Development designation.

PUBLIC CONSULTATION

During the preparation of this proposed amendment, Council undertook the following initiatives so that individuals could provide input. As there is no newspaper in the community, the Town posted the notice on the Town website on July 10, 2024. and put posters up throughout the community in the following locations: Great Canadian Dollar Store, Canada Post Placentia, Dunville Lions Club, North Atlantic Gas Bar Dunville, Royal Bank Placentia, Mary Brown's Placentia, Tim Horton's Placentia, Sobey's Placentia, Dollarama and Hotel Placentia. As well the Town hand-delivered the notices to eight neighbouring property owners. Proof of notification is provide at the end of the amendment document.

There were four representations made to the Town; the issues raised in the emails and telephone enquiries are listed below and an analysis provided with regard to how the Town would address these concerns.

Analysis of issues from public consultation process (1491-1501 Main Road)

11. Concern: Site disturbance and landscaping and dust from road

Analysis: Landscaping requirements will be addressed in the development application. As a tourism establishment operation, landscaping is an important to the overall aesthetic appeal of the site. A requirement for dust retardant measures may be required by Council on an as needed basis as a condition of the permit for interior roads on the site to address the concern raised by neighbouring landowners. Although this issues has not historically been a problem n the town, measures can identified in the conditions of the permit to address the potential issue.

12. Concern: Increased traffic

Analysis: The property is located on Route 100/Main Road which is provincial highway designed to accommodate higher levels of traffic than a local municipal road; it has sufficient capacity for any additional traffic by patrons of the tourism establishment operation. Note that the highway provides access to the town and the Argentinia industrial lands and port where many other future development would potentially generate much more traffic on the road than the proposed operation in this location.

13. Concern: Future zoning changes to area

Analysis: The property is located on Route 100/Main Road which is a highly travelled road by residents, businesses, and tourists and as such it offers opportunities for a variety of uses that would be beneficial to the economic sustainability of the community. The current zoning shows extensive Mixed Development zoning in the

Dunville area to enable residents to use their properties for a variety of uses, both residential and commercial.

All requests for rezoning may be considered on the merit of the application by Council taking into consideration the compatibility of the proposed development with relation to neighbouring properties. The process for amendments to land use zoning is set out in the Urban and Rural Planning Act, 2000 and this process ensures that public consultation is undertaken to allow Council to make a fully informed decision with regard to the proposed rezoning and new undertaking. Amendments can be undertaken anywhere in the Town of Placentia Municipal Planning Area and like other towns across the province, these amendments can be undertaken at any time in the lifespan of the Municipal Plan in response to changes experienced by towns over time.

14. Concern: Nuisance: from evening activities at tourism establishment (smoke, noise, swearing)

Analysis: The Town of Placentia has Noise Regulations that can be enforced as needed. The proposed development is designed for higher-end paying clientele interested in boating and an escape to nature, as compared to low-end, price-competitive accommodations that would attract the loud party-goers. The activity areas for outdoor gatherings, fire pit and picnic area, are located away from the adjacent properties on the far side of the accommodations. This provides a separation distance and natural vegetation screening which will act as a buffer to minimize any disturbance.

15. Concern: Property values and view

Analysis: A concern was expressed that the development would obstruct the scenic view from adjacent properties and thereby reduce the property value. Given the slope of the land this is highly unlikely to occur as the land drops 5 metres in elevation from the house across from the property. The trees currently on the property act as a screen to the view and the tourism units will be one level and not exceed the height of the trees or the existing structure on the site. (In fact, one comment was a request for the applicant to trim some trees so that the resident could have a better view!)

The Mixed Development zone provides a wider range of potential uses for the property for both residential and commercial uses and therefore makes it more valuable, therefore potentially increasing the market value of adjacent properties. As a higher-end tourism establishment development, this proposal is unlikely to reduce the value of adjacent properties.

16. Concern: Impact on residential neighbourhood

The concern was that the proposed new four units will result in total of 7 short term residential rental units in the immediate area plus a rental unit.

Analysis: Development along this stretch of Route 100/Main Road consists essentially of strip development facing the provincial highway. The residences are not part of a neighbourhood cluster of residential homes such as Dunville (where properties facing the provincial highway are zoned Mixed Development and residential neighbourhood is behind the strip) or Ferndale and therefore does not compromise the residential character of a neighbourhood. The proposed development will be required to comply with the updated provincial Tourism Establishment Regulations as well.

17. Concern: Garbage collection at roadside and rodents

Analysis: As part of the conditions of the development permit, the Town of Placentia will ensure that the developer is aware of the town requirements regarding proper storage and collection of garbage. Existing properties on Route 100/Main Road have garbage bins along the road that are in view of the travelling public; this facilitates enforcement of proper measure with regard containment of garbage to discourage nuisance by smell or rodents as the can be easily monitored. This is an issue that can be managed under existing regulations, bylaws and enforcement by the Town.

18. Concern: Conversion of Tourism establishment use to non-market housing

Analysis: The type of tourist establishment accommodations proposed for this development are not suitable for non-market housing. Nonetheless, if the Town received a proposal for such a change of use, then public consultation would be a requirement as part of the application review process for a change of use.

19. Concern: Follow through on enforcement of the town's restrictions is important.

Analysis: The Town of Placentia has an Enforcement officer on staff who responds to public complaints related to contravention of Town regulations. The Town of Placentia is committed to enforcing Town regulations and policies for the benefit of all residents and businesses in the community.

20. Concern: One resident wanted to be sure that the purchase and sale was complete with the proper survey, deeds and titles in place.

Analysis: The legalities of land conveyance is a private legal matter; however, only the legal owner of the property or his/her authorized representative may make application to the Town regarding the property. The Town is satisfied with the paperwork provided as proof of ownership as a requirement of this application for an amendment to the Municipal Plan and Development Regulations.

DEVELOPMENT REGULATONS AMENDMENT No. 2, 2024.

TEXT CHANGES TO DEVELOPMENT REGULATIONS, 2014-2024:

ADD NEW DEFINITION TO SCHEDULE A:

Tourist Accommodation means the definition as set out in the *Tourist Accommodations Act, 2020* as follows:

- (i) a building, part of a building or group of buildings containing one or more units and includes cabins, cottages and other permanent structures,
- (ii) land maintained as grounds for tents, trailers, recreational vehicles or other temporary or seasonal structures,
- (iii) a boat, or
- (iv) any other real or personal property prescribed in the regulations;

FROM:

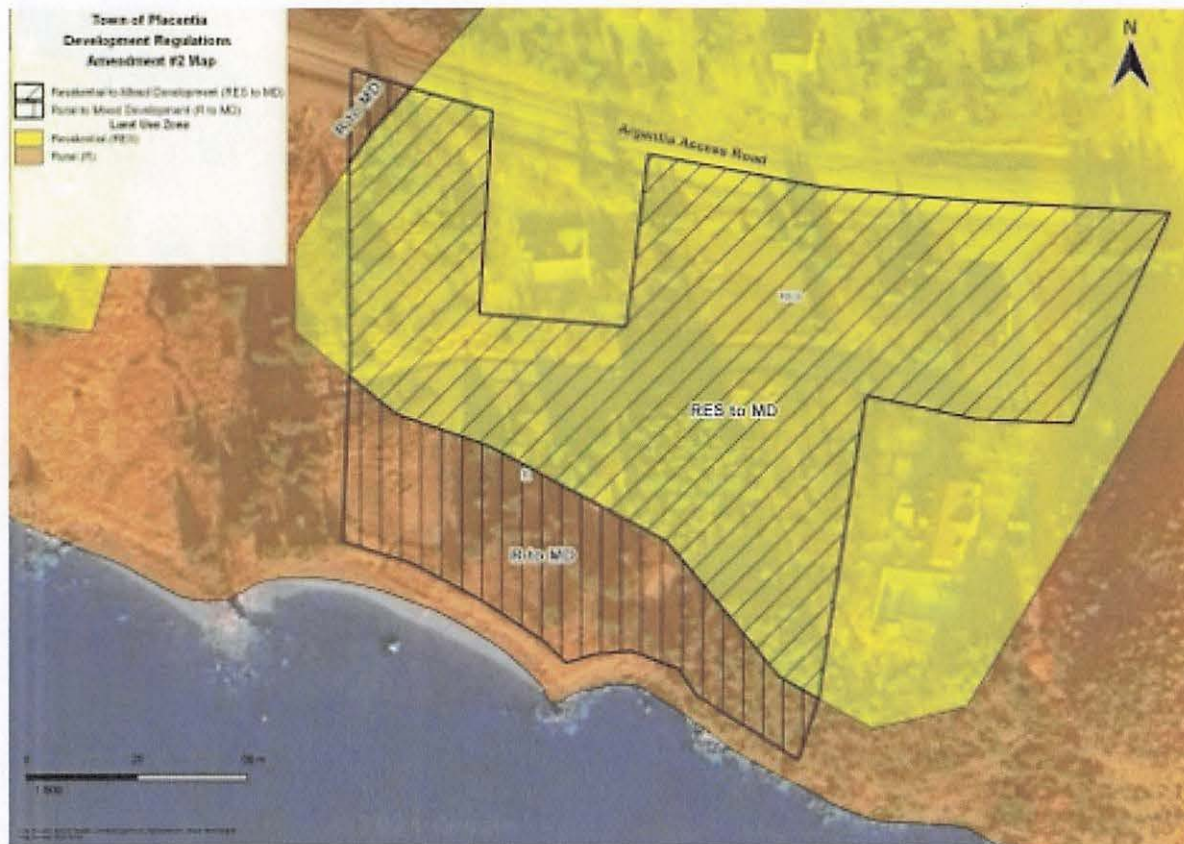
ZONE TITLE	MIXED DEVELOPMENT (MD)	(Placentia)
PERMITTED USE CLASSES - (see Regulation 108)		
Conservation, Bed and Breakfast, Boarding House, Double Dwelling, Public Utility, Recreational Open Space, Single Dwelling, and Antenna.		
DISCRETIONARY USE CLASSES - (see Regulations 5, 45 and 109)		
Apartment Building, All Use Classes in the Business and Personal Services Use Group, Catering, Cemetery, Child Care, Commercial Residential, Cultural and Civic, Educational, Light Industry, All Use Classes in the Mercantile Group Except Shopping Centre, Place of Worship, Row Dwelling, General Service (Home Business), Light Industry (Home Business), Marina, Personal Service (Home Business), Medical and Professional (Home Business), Office (Home Business), Service Station, and Antenna.		

TO:

ZONE TITLE	MIXED DEVELOPMENT (MD)	(Placentia)
PERMITTED USE CLASSES - (see Regulation 108)		
Conservation, Bed and Breakfast, Boarding House, Double Dwelling, Public Utility, Recreational Open Space, Single Dwelling, Tourist Accommodation, and Antenna.		
DISCRETIONARY USE CLASSES - (see Regulations 5, 45 and 109)		
Apartment Building, All Use Classes in the Business and Personal Services Use Group, Catering, Cemetery, Child Care, Commercial Residential, Cultural and Civic, Educational, Light Industry, All Use Classes in the Mercantile Group Except Shopping Centre, Place of Worship, Row Dwelling, General Service (Home Business), Light Industry (Home Business), Marina, Personal Service (Home Business), Medical and Professional (Home Business), Office (Home Business), Service Station, and Antenna.		

MAP CHANGES TO DEVELOPMENT REGULATIONS, 2014-2024:

The Land Use Zoning Map proposed for amendment is as shown on the attached Development Regulations Amendment No. 2, 2024 map.



Development Regulations/Amendment
REGISTERED

Number 3800-0007-2025

Date 30 JAN 2025

Signature [Signature]

Town of Placentia

Development Regulations Amendment No. 2, 2024

From: Residential to Mixed Development"

From: Rural to Mixed Development

Dated at Town of Placentia
This 22 day of JAN., 2025

[Signature]
Mayor

[Signature]
Chief Administrative Officer

I CERTIFY THAT THIS DEVELOPMENT
REGULATIONS AMENDMENT HAS BEEN PREPARED
IN ACCORDANCE WITH THE REQUIREMENTS OF
THE URBAN AND RURAL PLANNING ACT, 2000.

