Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015[Our File #: MIGA/66/2015]

On October 13, 2015, the Department of Municipal and Intergovernmental Affairs received your request for access to the following records:

"Any and all relevant documents, materials, correspondence, letters, media communications, or other related communications pertaining to the Wheeler's Road Subdivision in Corner Brook. This would include but not be limited to: - The rezoning of the Wheeler's Road Subdivision and surrounding area from residential to mosaic. -All documentation, and information leading up to the project and including all the documentation that sets the parameters and boundaries of the entire Wheeler's Road Development Project as was let to the developer, any changes that may have occurred since that time. - Any postings in the Western Star, the dates and status of all public hearings and/or consultations, letters of concern, council meeting minutes, etc. related to the development project as a whole that started in July 2014, (but not including the January 15, 2015 public hearing referring to a small triangular parcel of land as I have that). - A copy of the Newfoundland and Labrador Housing map/plan that was in effect in 1988 that shows the residential plan for Wheeler's Road and surrounding area. - A copy of the current map/plan that shows the residential plan and boundaries for the Wheeler's Road subdivision and surrounding neighborhood."

I am pleased to inform you that a decision has been made by the department’s Deputy Minister to provide access to the requested information that is in the custody and control of the department. Please note that the following pages were nonresponsive to your request and therefore have been removed in their entirety: pages 3, 4, and 10.

In accordance with your request for a copy of the records, the appropriate copies that are in the custody and control of the department are enclosed. This includes information as it relates to “the rezoning of the Wheeler’s Road Subdivision and surrounding area from residential to mosaic” and “any postings in the Western Star.”

Please be advised that the department does not have any records responsive to the remaining
portions of your request. You may wish to contact the City of Corner Brook and Newfoundland and Labrador Housing respectively for records/information related to “council meeting minutes” and “a copy of the Newfoundland and Labrador Housing map/plan that was in effect in 1988.” The contact information for each of these entities is as follows:

Ms. Marina Redmond  
City of Corner Brook  
(709) 637-1534  
mredmond@cornerbrook.com

Ms. Jenny Bowring  
Newfoundland and Labrador Housing Corporation  
(709) 724-3055  
jmbowring@nlhc.nl.ca

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act, 1992 (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at (709) 729-6528 or by e-mail at scottwinters@gov.nl.ca.

Sincerely,

Scott Winters  
Manager of Accountability / ATIPP Coordinator
Commissioner found that complaints were primarily about other development that is already underway in the area and impacts that the construction is having on the neighbors. Commissioner felt that was outside the scope of his authority as it was not related to the proposed amendments. The Commissioner also found that the concept of the proposed development dated back to at least 1991 in the City’s previous planning documents and that was prior to the complainants living in the area.

The Commissioner also felt that it is up to the City to control noise and dust associated with construction activities as the City already has policies and regulations to control those nuisances. The Commissioner stated that enforcement of conditions on the existing development permit and the City’s Development Regulations is not within his mandate.

The Commissioners felt that the nearby stream would not be affected by the proposed change in the plan and resulting development.

The Commissioner noted that damage along with any wear and tear on Wheeler’s road as a result of development arising from the amendment was not a matter he could consider.

Basically the Commissioner discussed all of the concerns raised and determined that the concerns were either unwarranted or outside the scope of the task at hand, which was the proposed amendment to the Municipal Plan and Development Regulations.

Corrie

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

In #2 did the Commissioner make any comments re the objections?

Peter Howe
Assistant Deputy Minister – Lands Branch
Department of Municipal and Intergovernmental Affairs
Confederation Complex, West Block
2. **Corner Brook Municipal Plan Amendment 5 and Development Regulations Amendment 5, 2014**

- Rezoning from Innovation District to Mosaic Residential to accommodate residential development off Wheeler’s Road (The Burden Subdivision).
- No provincial interests were identified with the proposed amendments.
- The Commissioner received submissions that expressed concerns with the proposed amendments. The issues raised included:
  - Objections to process followed in the granting of the permit to the developer.
  - Increased traffic, noise, and dust from construction.
  - Damage to infrastructure from increased truck traffic.
  - Increase in the density of the population in the area.
  - Loss of greenery and environmental damage.
  - Negative effect on property and rental values.
  - Concerns about adherence to development permit conditions.
- The Commissioner recommended the amendments be approved by Council as adopted.
- Council approved the rezoning as adopted on December 15, 2014.
- The Department received the documents on April 6, 2015.
- The amendments do not contravene any laws or policies of the Government and it is recommended that the plan be registered.
Corrie Davis, MCIP
Manager
Land Use Planning
Municipal and Intergovernmental Affairs
P.O. Box 8700
St. John's, NL  A1B 4J6
Tel 709.729.5409 Fax 709.729.0477
From: Janes, Colleen G.
Sent: Tuesday, November 03, 2015 3:46 PM
To: Winters, Scott
Subject: FW: Corner Brook meeting friday and Planning Docs recommended for registration, Week of April 20

Proceed to register

From: Hutchings, Keith
Sent: Wednesday, May 06, 2015 10:15 AM
To: Howe, Peter; Davis, Corrie
Cc: Guest, Kevin J
Subject: Re: Corner Brook meeting friday and Planning Docs recommended for registration, Week of April 20

Yes ok move forward

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Janes, Colleen G.
Sent: Tuesday, May 5, 2015 5:04 PM
To: Hutchings, Keith
Cc: Guest, Kevin J
Subject: FW: Corner Brook meeting friday and Planning Docs recommended for registration, Week of April 20

Minister,

You will likely be asked about the ones below on Friday in your meeting with the City.

If you are okay with proceeding to register those noted below, which includes Corner Brook (4 in total just for them), you would be able to advise the Mayor on Friday that those are looked after.

Let me know if I can ask Corrie to proceed to register all of the amendments below.

Colleen

From: Howe, Peter
Sent: Tuesday, April 28, 2015 7:13 AM
To: Janes, Colleen G.
Subject: FW: Planning Docs recommended for registration, Week of April 20

The following amendments require the Minister's consideration and approval. I have highlighted 2 in which objections were received.
Corner Brook Municipal Plan Amendment 5 and Development Regulations Amendment 5, 2014.

The Commissioner found that complaints were primarily about other development that is already underway in the area and impacts that the construction is having on the neighbours. Commissioner felt that was outside the scope of his authority as it was not related to the proposed amendments. The Commissioner also found that the concept of the proposed development dated back to at least 1991 in the City’s previous planning documents and that was prior to the complainants living in the area. The Commissioner also felt that it is up to the City to control noise and dust associated with construction activities as the City already has policies and regulations to control those nuisances. The Commissioner stated that enforcement of conditions on the existing development permit and the City’s Development Regulations is not within his mandate.

The Commissioners felt that the nearby stream would not be affected by the proposed change in the plan and resulting development.

The Commissioner noted that damage along with any wear and tear on Wheeler’s road as a result of development arising from the amendment was not a matter he could consider.

Basically, the Commissioner discussed the concerns raised and determined that the concerns were either unwarranted or outside the scope of the task at hand, which was the proposed amendment to the Municipal Plan and Development Regulations.

Peter Howe  
Assistant Deputy Minister – Lands Branch  
Department of Municipal and Intergovernmental Affairs  
Confederation Complex, West Block  
P.O. Box 8700  
St. John’s, NL, A1B 4J6  
t: 709-729-3236  
e: phowe@gov.nl.ca

From: Davis, Corrie  
Sent: April 24, 2015 2:35 PM  
To: Howe, Peter  
Subject: Planning Docs recommended for registration, Week of April 20

Hi Peter,
Additionally, the following Files were submitted for approval in the past number of weeks and approval has not yet been granted

Non Responsive

2. Corner Brook Municipal Plan Amendment 5 and Development Regulations Amendment 5, 2014
- Rezoning from Innovation District to Mosaic Residential to accommodate residential development off Wheeler's Road (The Burden Subdivision).
- No provincial interests were identified with the proposed amendments.
- The Commissioner received submissions that expressed concerns with the proposed amendments. The issues raised included:
  - Objections to process followed in the granting of the permit to the developer.
  - Increased traffic, noise, and dust from construction.
  - Damage to infrastructure from increased truck traffic.
  - Increase in the density of the population in the area.
  - Loss of greenery and environmental damage.
  - Negative effect on property and rental values.
  - Concerns about adherence to development permit conditions.
- The Commissioner recommended the amendments be approved by Council as adopted.
- Council approved the rezoning as adopted on December 15, 2014.
- The Department received the documents on April 6, 2015.
- The amendments do not contravene any laws or policies of the Government and it is recommended that the plan be registered.
HIGHWAY TRAFFIC ACT

TOWN OF MASSEY DRIVE TRAFFIC REGULATIONS

NOTICE

The TOWN OF MASSEY DRIVE is amending its Traffic Regulations under the provisions of Section 189 of the Highway Traffic Act and section 414 of the Municipalities Act 1999, as follows:

SCHEDULE C

TOWN OF MASSEY DRIVE

STREETS WHERE COMMERCIAL VEHICLES ARE PROHIBITED

MASSEY DRIVE, from the municipal boundary at the western end on MASSEY DRIVE to the entrance to the Tippings Pond Walking Trail.

Adopted by the Town Council of the TOWN OF MASSEY DRIVE on April 23, 2014.

TOWN OF MASSEY DRIVE

Rodger Hunt, Town Clerk/Manager

May 15

URBAN AND RURAL PLANNING ACT, 2000

NOTICE OF REGISTRATION


TAKE NOTICE that the ST. JOHN’S Municipal Plan Amendment Number 112, 2013 and the ST. JOHN’S Development Regulations Amendment Number 562, 2013 adopted on the 13th day of May, 2013 and approved on the 29th day of July, 2013, have been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the purpose of Municipal Plan Amendment Number 112, 2013 is to amend Part III, Section 3.3.1. [LAND USE DISTRICT POLICIES INSTITUTIONAL DISTRICT — Building Height] by deleting the existing and replacing it with the following:

"Building heights in this District are limited to three storeys. Subject to a Land Use Approval Report, zones may be permitted allowing building heights up to 10 storeys or a maximum Floor Area Ratio of 2.0; however, for property located at 50 Tiffany Lane ("Tiffany Village"), building height may be increased to 16 storeys."

In general terms, the purpose of Development Regulations Amendment Number 562, 2013 is to amend Section 10.32.3(e) [INSTITUTIONAL ZONE — Zone Requirements — Building Height (maximum)] by deleting the existing and replacing it with the following:

"3 storeys (Subject to a Land Use Approval Report, be increased to 10 storeys; and for property located at Tiffany Lane ("Tiffany Village"), may be increased to 16 storeys)."

These amendments come into effect on the date that this notice is printed in The Newfoundland and Labrador Gazette. Anyone who wishes to inspect a copy of these amendments may do so at the Department of Planning, Floor 2, John’s City Hall during regular business hours.

CITY OF ST. JO. Ken O’Brien, MCIP — Chief Municipal Planner

May 15

NOTICE OF REGISTRATION

CITY OF CORNER BROOK MUNICIPAL PLAN AMENDMENTS MP14-05 and MP14-07 AN DEVELOPMENT REGULATIONS AMENDMENTS DR14-05 & DR14-07

TAKE NOTICE that the CITY OF CORNER B Municipal Plan Amendments MP14-05 and MP14-07 are to be registered. The amendments were adopted on the 15th day of December 2014 and approved on the 16th day of March, 2015, have been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the purpose of Municipal Plan Amendment MP14-05 is to change the land use designation of an area of land off Wheeler’s Road, part of Wheeler’s Road Subdivision, from Residential to Residential.

In general terms, the purpose of Development Regulations Amendment DR14-05 is to change the land use designation of an area of land off Wheeler’s Road, part of the Wheeler’s Road Subdivision, from Innovation District to Residential.

In general terms, the purpose of Development Regulations Amendment DR14-05 is to change the land use designation of an area of land off O’Connell Drive from RC Medium Density to Light Industrial in order to accommodate development of an office building.

In general terms, the purpose of Development Regulations Amendment DR14-07 is to change the land use designation of an area of land off O’Connell Drive from RC Medium Density to Light Industrial in order to accommodate development of an office building.

The CORNER BROOK Municipal Plan Amendments MP14-05 and MP14-07 and Development Regulations Amendments DR14-05 and DR14-07 come into effect on the day that this notice is published in The New
CITY OF CORNER BROOK
RESOLUTION TO APPROVE

DEVELOPMENT REGULATIONS AMENDMENT DR14-05

FEBRUARY, 2015
Urban and Rural Planning Act
Resolution to Approve
City of Corner Brook
Development Regulations Amendment DR14-05

Under the authority of Section 16, Section 17 and Section 18 of the Urban and Rural Planning Act 2000, the City Council of Corner Brook

a) adopted the Development Regulations Amendment DR14-05 on the ___ day of ______________, 2014.

b) gave notice of the adoption of the Development Regulations Amendment DR14-05 by advertisement inserted on the ___ day of ______________, 2014 and the ___ day of ______________, 2015 in the Western Star newspaper and on the City’s website.

c) set the ___ day of ______________, 2015 at 7:00 p.m. at City Hall, Corner Brook 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 City Council of Corner Brook approved the Development Regulations Amendment DR14-05 on the ___ day of ______________, 2015, as adopted.

SIGNED AND SEALED this ___ day of ______________, 2015.

Mayor: ____________________________ (Council Seal)

Clerk: ____________________________

I hereby certify that this Development Regulations Amendment DR14-05 has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

______________________________
Coileen Humphries, M.C.I.P. (seal)
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT

CITY OF CORNER BROOK
DEVELOPMENT REGULATIONS AMENDMENT DR14-05

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the City of Corner Brook adopts the Corner Brook Development Regulations Amendment DR14-05.

Adopted by the City Council of Corner Brook on the 15th day of December, 2014.

Signed and sealed this 31st day of March, 2015.

Mayor: [Signature]

City Clerk: [Signature] (Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment DR14-05 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

MCIP: [Signature] (MCIP Seal)
CITY OF CORNER BROOK

DEVELOPMENT REGULATIONS AMENDMENT DR14-05

BACKGROUND:

The amendment is proposed in order to change the land use zoning of an area of land off Wheeler’s Road (in the vicinity of Mattie Mitchel Avenue and Beaumont Hamel Street which are currently under construction as part of the Wheeler’s Road Subdivision), from Innovation District to Mosaic Residential. The amendment is proposed in order to accommodate continued residential development, contiguous with the adjacent Mosaic Residential land use and zoning designation and subdivision development.

PUBLIC CONSULTATION:

During the preparation of this amendment, Council advertised the proposed amendment in the Western Star newspaper on September 20 and September 27, 2014 which advised of Council’s intention to seek the said amendment to its Development Regulations. In addition to this, the proposed amendment was posted on the City’s website and was available for viewing at City Hall until October 10, 2014. In response to the public notification, two responses were received. Both residents oppose the proposed rezoning.

AMENDMENT:

The 2012 Development Regulations Map C-2 is hereby amended by changing the land use zoning of the affected area off Wheeler’s Road from Innovation District to Mosaic Residential, as per the attached copy of the map.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
CITY OF CORNER BROOK
RESOLUTION TO APPROVE

MUNICIPAL PLAN AMENDMENT MP14-05

FEBRUARY, 2015
Under the authority of Section 16, Section 17 and Section 18 of the Urban and Rural Planning Act 2000, the City Council of Corner Brook.

a) adopted the Municipal Plan Amendment MP14-05 on the 15th day of December, 2014.

b) gave notice of the adoption of the Municipal Plan Amendment MP14-05 by advertisement inserted on the 20th day of December, 2014 and the 3rd day of January, 2015 in the Western Star newspaper and on the City’s website.

c) set the 15th day of January, 2015 at 7:00 p.m. at City Hall, Corner Brook 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 City Council of Corner Brook approved the Municipal Plan Amendment MP14-05 on the 16th day of March, 2015, as adopted.

SIGNED AND SEALED this 31st day of March, 2015.

Mayor:

(Council Seal)

Clerk:

I hereby certify that this Municipal Plan Amendment MP14-05 has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

Colleen Humphries, M.C.I.P.
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT

CITY OF CORNER BROOK
INTEGRATED MUNICIPAL SUSTAINABILITY PLAN 2012
AMENDMENT MP14-05

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the City of Corner Brook adopts the Corner Brook Integrated Municipal Sustainability Plan Amendment MP14-05.

Adopted by the City Council of Corner Brook on the 15th day of December 2014.

Signed and sealed this 31st day of March, 2015.

Mayor:  ____________________  (Council Seal)

City Clerk: ____________________  (MCIP Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Integrated Municipal Sustainability Plan Amendment MP14-05 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

MCIP:  ____________________  (MCIP Seal)
CITY OF CORNER BROOK

INTEGRATED MUNICIPAL SUSTAINABILITY PLAN AMENDMENT MP14-05

BACKGROUND:

The amendment is proposed in order to change the land use designation of an area of land off Wheeler’s Road (in the vicinity of Mattie Mitchel Avenue and Beaumont Hamel Street which are currently under construction as part of the Wheeler’s Road Subdivision), from Innovation District to Mosaic Residential. The amendment is proposed in order to accommodate continued residential development, contiguous with the adjacent Mosaic Residential land use designation and subdivision development.

PUBLIC CONSULTATION:

During the preparation of this amendment, Council advertised the proposed amendment in the Western Star newspaper on September 20 and September 27, 2014 which advised of Council’s intention to seek the said amendment to its Municipal Plan. In addition to this, the proposed amendment was posted on the City’s website and was available for viewing at City Hall until October 10, 2014. In response to the public notification, two responses were received. Both residents oppose the proposed rezoning.

AMENDMENT:

The Integrated Municipal Sustainability Plan 2012 Land Use Map A and Map B are hereby amended by changing the land use designation of the subject area off Wheeler’s Road from Innovation District land use designation to Residential land use designation, as per the attached copies of the maps.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
April 2, 2015

Mr. Corrie Davis  
Provincial Planning Office  
Department of Municipal and Intergovernmental Affairs  
P.O. Box 8700  
St. John’s, NL  
A1B 4J6

Re: Registration of the Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05

Dear Mr. Davis:

Please find attached Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05, Commissioner’s Report and the Affidavit regarding the public notice and public hearing.

Corner Brook City Council approved the amendments on March 16, 2015 and we now apply under Section 24 of the Urban and Rural Planning Act to have the Municipal Plan and Development Regulations amendments officially registered with the Department of Municipal and Intergovernmental Affairs.

I trust this is satisfactory for your requirements; however, should you have any questions, please contact me at your convenience at 637-1553.

Yours truly,

Colleen Humphries, MCIP  
SUPERVISOR OF PLANNING SERVICES

cc: Mr. Paul Barnable, DIRECTOR OF COMMUNITY, DEVELOPMENT AND PLANNING  
Mr. Justin Preece, PLANNING TECHNICIAN III
AFFIDAVIT

NEWFOUNDLAND
CANADA
TO WIT

I, [Signature], hereby make Oath and say that:

1. In accordance with Sections 24 and 35(5), of the Urban and Rural Planning Act, the City Council of Corner Brook gave notice of the adoption of the Corner Brook Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05, by advertisement inserted on the 20th day of December, 2014, and the 3rd day of January, 2015, in the Western Star newspaper.

2. The City Council of Corner Brook set the 15th day of January, 2015 at 7:00 pm, at City Hall, Corner Brook for the holding of a Public Hearing to consider objections and representations to the Corner Brook Municipal Plan Amendment MP14-05 Development Regulations Amendment DR14-05.

3. Objections or representations with respect to the Corner Brook Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05 were received at the Corner Brook City Hall office within the time period stipulated in the notice of Public Hearing.

4. The scheduled Public Hearing was convened on January 15th, 2015.

5. The City Council of Corner Brook approved the Corner Brook Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05 on the 16th day of March, 2015, as adopted.
6. The attached Corner Brook Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05 are correct copies of the Corner Brook Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05.

SWORN to at ______ Corner Brook, NL ______

this 31st day of ______ MARCH ________, A.D. 2015

before me

Notary Public, Justice of the Peace,
Commissioner of Oaths

JONATHAN C. PYNN

City Clerk
If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Amendments

An amendment to either the Integrated Municipal Sustainability Plan (IMSP) or the Development Regulations involves a change to either specific text or a specific map. A text amendment may involve changing one word or many sections of the IMSP and/or Development Regulations, with no change to the land use mapping. An example of a text amendment could involve the addition or removal of a condition for a specific use, i.e. adding a condition that addresses reduced setbacks on corner lots. An amendment to the land use zoning maps could involve a change to the boundaries and designation of one, several, or all zones. If a zoning amendment is successful, the land is then capable of supporting all uses, permitted and discretionary, of the new zoning designation.

Amendments (Proposed)

The public is advised that the City of Corner Brook is considering amendments to its Municipal Plan and Development Regulations, as per the following:

Amendment DR14-06 / MP14-06

To change the land use designation and land use zoning of land comprising the land parcel at 6 Dyke's Road, from Residential (land use designation) and Residential Medium Density (zoning) to Low Industrial in order to accommodate development of office building.

Amendment DR14-07 / MP14-07

To change the land use designation and land use zoning of land on Centre Street, from Residential (land use designation) and Residential Medium Density (zoning) to Light Industrial in order to accommodate development of a manufacturing plant.

Amendment DR14-08 / MP14-08

To change the land use designation and land use zoning of land on O'Connell Drive, east of Old Town Road, from Residential (land use designation) and Residential Medium Density (zoning) to Northern Commercial in order to accommodate development of a small business park.

Anyone wishing to inspect a copy of the proposed amendments and/or provide comments with respect to the proposed amendments may do so by contacting the City’s Planning Office at 631-5533, by visiting City Hall during normal business hours or before October 6, 2014, or by clicking on the links below.

Amendment DR14-05 / MP14-05

Amendment DR14-06 / MP14-06

Amendment DR14-07 / MP14-07

Amendment DR14-08 / MP14-08
November 14, 2014

Mr. Colleen Humphries, MCIP
Supervisor of Planning
City of Corner Brook
P.O. Box 1080
Corner Brook, NL  A2H 6E1

Dear Ms. Humphries:

Re:         Corner Brook
            MPA 14-05 and DRA14-05

In keeping with the requirements of section 15 of the Urban and Rural Planning Act, 2000, staff with Land Use Planning have reviewed the above-noted documents for conformity with provincial interests and law. In our opinion, they do not conflict with any stated provincial policies and I release them from the provincial review. Council may now consider the amendments for adoption and, if it does so, schedule the public hearing.

Please note that the documents and the accompanying map(s) must be certified by a full member or fellow the Canadian Institute of Planners, and must be dated and signed on behalf of the Council.

Yours truly,

[Signature]

Corrie Davis, MCIP
Manager, Land Use Planning

/ch

P.O. Box 8700, St. John's, NL, Canada  A1B 4J6  t (709) 729-3090  f (709) 729-0477
The City of Corner Brook

November 5, 2014

Mr. Corrie Davis
Provincial Planning Office
Department of Municipal Affairs
P.O. Box 8700
St. John’s, NL
A1B 4J6

Re: Review of proposed Municipal Plan Amendments MP14-05, MP14-06 and MP14-07 and Development Regulations Amendments DR14-05, DR14-06 and DR14-07

Dear Mr. Davis:

Please find attached draft copies of the following proposed Municipal Plan and Development Regulations Amendments:

1. Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05, from Innovation District to Mosaic Residential, off Wheeler’s Road

2. Municipal Plan Amendment MP14-06 and Development Regulations Amendment DR14-06, from Residential/Residential Medium Density to Residential Commercial Mix, off Dyke’s Road

3. Municipal Plan Amendment MP14-07 and Development Regulations Amendment DR14-07, Residential/Residential Medium Density to Light Industrial, O’Connell Drive

Supporting information relative to the public consultation process that was carried out is attached for each set of amendments. Now under Section 15 of the Urban and Rural Planning Act, we request your review of the proposed amendments and release letter to move forward to the next stage of adoption of the amendments by City Council.
2.

I trust this is satisfactory for your review at this time; however, please contact me at your convenience at 637-1553 should you have any questions or require additional information.

Yours truly,

[Signature]

Colleen Humphries, MCIP
SUPERVISOR OF PLANNING

cc: Mr. Paul Barnable, DIRECTOR OF COMMUNITY SERVICES
Mr. Justin Preece, PLANNING TECHNICIAN III
Report on the Public Consultation Process for the Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05

Municipal Plan Amendment MP14-05 and Development Regulations Amendment DR14-05 are required in order to change the land use designation and land use zoning of an area of land off Wheeler’s Road (in the vicinity of Mattie Mitchel Avenue and Beaumont Hamel Street which are currently under construction as part of the Wheeler’s Road Subdivision), from Innovation District to Mosaic Residential. The amendments are proposed in order to accommodate continued residential development, contiguous with the adjacent mosaic residential land use and zoning designation and subdivision development. The area proposed for change forms part of a larger residential subdivision and will be developed as a cul-de-sac when completed.

PUBLIC CONSULTATION:

A public notice advising of Council’s intention to seek the said amendments to its Municipal Plan and Development Regulations was posted in the Western Star newspaper on September 20 and September 27, 2014, was available for viewing at City Hall until October 10, 2014, and was posted on the City’s website.

In response to the public advertisement of the proposed amendments, two letters of objection were received within the specified time period. The letters are attached for Council’s review and consideration but comments contained in the letters have been extracted, summarized, and are listed below, in no particular order of importance or frequency cited:

- The change would allow for a 40-unit apartment building, a 40-unit condominium building and 75 residential lots of various designation, which would result in over population of the area
- Feel that 180 units will result in too much traffic in the Wheeler’s Road area and will change the neighbourhood from one that is now quiet to one that is a loud commercial neighbourhood and will detract from the peaceful enjoyment of homes in the area
- Object to the high level of heavy duty trucks using Wheeler’s Road instead of Corporal Pinksen Memorial Drive during construction of the subdivision
- Noise level associated with construction is unbearable and calls to the City of Corner Brook have not resulted in satisfactory changes to address this
- Dust and dirt created from the construction is unhealthy and causing damage to vehicles
- Stated that calls to the developer have not been successfully addressed
- Did not purchase a house in a development area but rather based on a zoning/planning model that only included 18 unit residential subdivision (assume this reference is to Bugden Place, now fully developed)
- Expect the zoning to remain as low density and not Mosaic (as proposed)
• State that the land was never supposed to be Innovation District or Mosaic when purchased in 1988 and was assured that the land would be rezoned to low density, as there were enough apartments and row houses already in the area
• Are interrupted from listening to television and using outdoor area(s) in the summer (as a result of noise and construction dust) for the next five years
• Rezoning will bring a large number of people to the area and increase traffic on Wheeler's Road
• Why are trucks using Wheeler's Road and not Corporal Pinksen Memorial Drive for transportation of construction material?
• Dust from the development is at an unacceptable level and streets are not properly cleaned; vehicles can't be kept clean and windows must be kept closed
• Understand development n is necessary but feels the City has duty of care to ensure that residents in the area can enjoy their properties, even while construction is occurring

From the responses, it is interpreted that many of the comments relate to a perception that the proposed amendments include the entire subdivision area. For clarification, it is noted in this report that the majority of land in the subdivision, including the two apartment building lots, is currently located in the Mosaic Zone (as of June 28, 2013 when the City's Integrated Municipal Sustainability Plan/Municipal Plan came into legal effect and which was subject to a rigorous public consultation and notification process). The area now proposed for rezoning from Innovation District to Mosaic Residential represents only a portion of the total area planned for development and will consist of ten residential lots, located on a cul-de-sac, one street removed from Wheeler's Road.

Council's consideration is required at this time in order to determine whether to proceed to the next phase of submission of the proposed amendments to the Department of Municipal and Intergovernmental Affairs for provincial review and a release letter to continue the process and adopt the proposed amendments to change the land use designation and zoning of land from Innovation District to Mosaic Residential.
Good day Mr. and Ms. [REDACTED]  

I have forwarded your comments on this issue to Council and to the City’s Planning Department who are tasked with planning and zoning for the City of Corner Brook. If you should have any further questions on the zoning amendment process, please contact Mrs. Colleen Humphries Supervisor of Planning, who is copied on this email.

Regards,

Jonathan Pynn  
Supervisor of Land Management  
City of Corner Brook  
PO Box 1080  
Corner Brook, NL  
A2H 6E1  
Ph: 1-709-637-1544  
Fax: 1-709-637-1514

-----Original Message-----
From: [REDACTED]  
Sent: October-06-14 1:13 AM  
To: Pynn, Jonathan  
Subject: Wheeler's Road development

To Jonathan Pynn and City Council (Please Forward)

It was posted in the Western Star on September 20, 2014, that the City of Corner Brook is considering amendments to its Municipal Plan and Development Regulations, to change the land use designation and land use zoning of land North-west of Mattie Mitchel Avenue and Beaumont Hamel Street (the Wheeler’s Road Subdivision), between Corporal Pinksen Memorial Drive and Wheeler’s Road, from Innovation District to Mosaic Residential.

As residents of [REDACTED] Wheeler’s Road, we would like to contest this new designation as it allows for an apartment building with 40 units, a condominium building with 40 units and 75 residential lots of various designation. We feel that this concentration of housing units in this small area will lead to an over-population of this area. We feel that 180 units will mean too much traffic in the Wheeler's Road area and change the designation of our neighbourhood from a quiet residential neighbourhood to a loud commercial neighbourhood and detract from the peaceful enjoyment we have in our home and neighbourhood.

As of July, we have already been living in a construction zone:

- the high level of traffic created in the area is unreasonable for a residential neighbourhood with the many heavy-duty trucks using Wheeler’s Road instead of Corporal Pinksen Memorial Drive. There is a constant stream of trucks entering the site from Wheeler’s Road even though this is not permitted under the city bylaws, but it is done anyway.
- the noise level related to all the heavy trucks and tractors/ excavators on this site is unbearable and our calls to the City of Corner Brook have not resulted in any satisfactory changes. We have been told that the trucks cannot use Corporal Pinksen Memorial Drive because of the conditions of the new road. However, if they can go out Corporal Pinksen Memorial Dr. then why is it that they cannot enter from Corporal Pinksen Memorial Dr. as well. Obviously, it is possible, but not enforced properly for the well-being of the residents in the near by homes.

- the dust and dirt that this traffic has created in the Wheeler's Road area is unhealthy to inhale as we go from our house to our vehicles, not to mention the damage this is causing to our vehicles. We have to clean our cars each day to keep the grit off them. Again, calls to the complaints department at the City of Corner Brook were not satisfactory as we were directed to Trina Burden and [redacted]. She stated that she would not to be paying for car-washes. The solution is not paying for car washes, but getting the trucks off Wheeler's Road.

This is a Syear project and to date little consideration has been shown to us, as residents of Wheeler's Road. Frankly, we did not buy into, nor choose to live in a construction zone, we purchased land in a zoning/ planned model that was designated as an 18 unit residential cul-de-sac behind us, not 180 units. Therefore, we expect the zoning to remain as residential low density and not Mosaic to include multiple-unit buildings. The land was never supposed to be an Innovation district nor mosaic when we purchased our land in [redacted]. We were assured the land would be re-zoned to low density residential as there were enough apartments and row housing in the area, on Carter Avenue, Pratt Street, and Wheeler's Road. So why was that designation not respected or presented to the residents in an open forum?

Please reconsider the re-zoning of this land to mosaic and keep the original designated plan of residential lots so that we do not have to suffer through this long development project for the next five years...we like to listen to the news at six o'clock in the evening...not trucks going by...we like to eat outdoors and relax on our deck... We did not appreciate having to go inside and close all windows and doors as we did this summer.

The bottom line is, this is our life...[redacted], so why should we have to live in a construction zone for the next five years or more? Would you want a construction zone in your back yard...? I am certain the answer is no. Development does not need to be done at this scale at this time in Corner Brook.

We look forward to your reply to this letter.

Sincerely,

[redacted]

Wheeler's Road
Corner Brook
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
City of Corner Brook

Municipal Plan and
Development Regulations Amendments

Proposal to change the land use zoning of a parcel of land off Mattie Mitchel Avenue and Beaumont Hamel Street, from Innovation District to Mosaic Residential in order to accommodate continued residential subdivision development, contiguous with the adjacent mosaic residential land use and zoning designation and subdivision development.

September, 2014
PUBLIC NOTICE – CITY CREST

The Public is advised that the City of Corner Brook is considering amendments to its Municipal Plan and Development Regulations, as per the following:

To change the land use designation and land use zoning of land at the following locations:

1. Land north-west of Mattie Mitchel Avenue and Beaumont Hamel Street (the Wheeler’s Road Subdivision), between Corporal Pinksen Memorial Drive and Wheeler’s Road, from Innovation District to Mosaic Residential. The amendments are proposed in order to accommodate continued residential development, contiguous with the adjacent mosaic residential land use and zoning designation and subdivision development.

2. The comprising the rear portion of the lot at 6 Dyke’s Road, from Residential (land use designation) and Residential Medium Density (zoning) to Residential Commercial Mix. The amendments are necessary to consolidate the lot under a single land use designation/zone and to accommodate an expansion to the existing building and construction of accessory buildings.

3. Land on O’Connell Drive, east of Walbourne’s Road, from Residential (land use designation) and Residential Medium Density (zoning) to Light Industrial in order to accommodate development of an office building.

Anyone wishing to inspect a copy of the proposed amendments and/or provide comments with respect to the proposed amendments may do so by contacting the City’s Planning Office at 637-1553, by visiting City Hall during normal business hours, or by visiting the City’s website at www.cornerbrook.com, on or before October 6, 2014.

__________________________
Marina Redmond
City Clerk

Saturday, September 20, 2014 and Saturday, September 27, 2014
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
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