



TOWN OF TORBAY

PUBLIC CONSULTATION Development Regulations Amendment No. 11, 2022 (Wildlife Rehabilitation Centre Amendment)

The general public is invited to view a draft copy of the Town of Torbay Development Regulations Amendment No. 11, 2022.

The proposed Development Regulations Amendment No. 11, 2022 will:

- (a) add a definition to Schedule A defining a Wildlife Rehabilitation Centre,
- (b) Add Wildlife Rehabilitation Centre as an example for Animal Use to the Non-Building Class, Classification of Land and Buildings, Schedule B,
- (c) Add animal as a discretionary use to the Residential Infill Land Use Zone Table, Schedule C,
- (d) Add Animal Use to the title for Home Businesses as identified in the Residential Infill Land Use Zone Table, Schedule C, and
- (e) Add a paragraph (n) to condition 10, Home Businesses as identified in the Residential Infill Land Use Zone Table, Schedule C.

The public may provide any comments or concerns on the proposed amendment to the Town in writing before Council proceeds with adopting the proposed amendment.

The Town of Torbay draft Development Regulations Amendment No. 11, 2022, shall be on display **March 15 to April 1, 2022**, from 10:00 am - 3:00 pm, Town Hall, Torbay, as well as on the Town's website at www.torbay.ca.

The deadline for written comments shall be **3:00 pm, Friday April 1, 2022**.

More information may be obtained by contacting:

Town of Torbay
P.O. Box 1160
1288 Torbay Road
Torbay, NL
A1K 1K4
Tel: 437-6532
Fax: 437-1309
E-mail: jschwarz@torbay.ca

**TOWN OF TORBAY
DEVELOPMENT REGULATIONS 2015 - 2025**



DEVELOPMENT REGULATIONS AMENDMENT No. 11, 2022

Amendment to Schedule “A, B” and “C”

Wildlife Rehabilitation Centre

February 2022

PLAN-TECH



ENVIRONMENT

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF TORBAY
DEVELOPMENT REGULATIONS AMENDMENT No. 11, 2022

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Torbay adopts the Town of Torbay Development Regulations Amendment No. 11, 2022.

Adopted by the Town Council of Torbay on the ___ day of _____, 2022.

Signed and sealed this _____ day of _____, 2022.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Torbay Development Regulations Amendment No. 11, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Development Regulations/Amendment REGISTERED
Number _____
Date _____
Signature _____



TOWN OF TORBAY

DEVELOPMENT REGULATIONS AMENDMENT No. 11, 2022

BACKGROUND

The Town of Torbay proposes to amend its Development Regulations. The Town is in receipt of a proposal to operate a wildlife rehabilitation use with external enclosures at 110 Quigley's Lane. The proposal includes rehabilitating local songbirds, seabirds, waterfowl, corvids, hares, squirrels, but does not include birds of prey, coyotes or any species that would pose a hazard to human or pet safety. The Torbay Development Regulations currently do not list, define or classify the proposed use.

The applicant is certified by the International Wildlife Rehabilitation Council (IWRC) and the National Wildlife Rehabilitators Association (NWRA) and has over 30 years experience in both Domestic and Wildlife Rehabilitation. Their mission is to: *“rescue, rehabilitate and release injured or orphaned wildlife”*.

The purpose of this Amendment is to allow for the operation of a The Rock Wildlife Rescue Rehabilitation Centre as a home business in a private dwelling located at civic No. 110, Quigleys Lane. More specifically, this amendment proposes to:

- (a) Add a definition to Schedule A defining a Wildlife Rehabilitation Centre.
- (b) Add Wildlife Rehabilitation Centre as an example for Animal Use to the Non-Building Class, Classification of Land and Buildings, Schedule B.
- (c) Add animal as a discretionary use to the Residential Infill Land Use Zone Table, Schedule C.
- (d) Add Animal Use to the title for Home Businesses as identified in the Residential Infill Land Use Zone Table, Schedule C.
- (e) Add a paragraph (n) to condition 10, Home Businesses as identified in the Residential Infill Land Use Zone Table, Schedule C.

ST. JOHN'S URBAN REGION REGIONAL PLAN

This Amendment consists of a change to the text to the Torbay Development Regulations, particularly Schedule A, B and C. It is determined that an amendment to the St. John's Urban Region Regional Plan is not required to conform with the proposed Torbay Development Regulations Amendment No. 11, 2022.

PUBLIC CONSULTATION

DEVELOPMENT REGULATIONS AMENDMENT No. 11, 2022

The Town of Torbay Development Regulations is amended by:

- A) **Adding** a new definition for **Wildlife Rehabilitation Centre** to Schedule A as described below:

Wildlife Rehabilitation Centre means any land and/or building or structure or part thereof in which facilities are provided for the care of injured, orphaned, or sick wild birds such as Corvids, songbirds, seabirds and waterfowl. In conjunction with which there may be shelter or enclosures provided during the period of rehabilitation.

- B) **Adding** **Wildlife Rehabilitation Centre** as an example to the “animal class” as found in Group G, Non Building Uses, Classification of Land and Buildings, Schedule B.

GROUP	DIVISION	CLASS	EXAMPLES
G. NON-BUILDING USES	1. Uses not directly related to building.	(i) Animal	Animal Pounds Kennels Zoos Dog Grooming <i>Wildlife rehabilitation centre</i>

- C) **Adding** animal as a discretionary use to the Residential Infill (RI) Land Use Zone Table, Schedule C, as shown below:

ZONE TITLE	RESIDENTIAL INFILL (RI)
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling and recreational open space.	
DISCRETIONARY USE CLASSES - (see Regulations 33 and 90) Double dwelling, row dwelling, apartment building, place of worship, educational, convenience store, child care, office, medical and professional, personal service, light industry, traditional agriculture, boarding house residential, <i>animal (see condition 10)</i> and antenna.	

- D) **Amending** Condition 10, Home Businesses by adding Animal Use to the title for Home Businesses as shown below:

10. Home Businesses - Office, Medical and Professional Service, Personal Service, Child Care, **Animal Use** and Light Industry Uses as Home Occupations.

- E) **Adding** paragraph (n) to condition 10, Home Businesses as identified in the Residential Infill Land Use Zone Table, Schedule C, as shown below.

(n) Animal use may be permitted and shall be limited to the operation of a wildlife rehabilitation centre only.

F) Adding the following condition¹⁸ to the end of the list of conditions for Residential Infill (RI) Land Use Zone Table, Schedule C, as shown below:

18. Animal Use Quigley's Lane

Animal use in this zone:

- (a) Shall be limited to the operation of a wildlife rehabilitation centre,
- (b) Shall operate as a home business from civic No. 110 Quigley's Lane in conjunction with an existing residential dwelling.
- (c) Along with other regulatory approvals, specifically the wildlife Rehabilitation Centre shall require approvals to operate from The Canadian Wildlife Service, Environment Canada, and the Provincial Wildlife Division, Department of Fisheries, Forestry and Agriculture.