



DISCRETIONARY USE POLICY

POL-02

Purpose / Objective

The purpose of this policy is to identify the process for dealing with Discretionary Use applications.

Definitions

“Discretionary Use” is subject to the Town of Bonavista Development Regulations, where the uses that fall within the Discretionary Use Classes set out in the Town of Bonavista Development Regulations may be permitted in that Use Zone if the Authority is satisfied that the development would not be contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any further scheme or plan or regulation pursuant thereto, and to the public interest, and if the Authority has given notice of non-conforming use. Notice shall be given, at the expense of the applicant, for a permit or for approval in principle, to the public by advertisement. Each application must be reviewed on its own merit to verify that it does not have a detrimental impact on the surrounding area.

Policy Statement

The process (outlined in the following section) for dealing with Discretionary Use applications is to be followed by Town Staff and Council to ensure increased efficacy and compliance with Development Regulations when dealing with such applications.

Guidelines and Procedures for Application Processing

1. Application is submitted to Town Management.
 - 1.1. If Management is satisfied that the proposed use is compliant with the Town of Bonavista’s Development Regulations, a discretionary use notice will be posted and will initiate the 14-day public notice period.
2. Notice of Discretionary Uses Posted.
 - 2.1. At the close of the notice period, if no objections are received, Management will issue the Development Approval without having to return the application to Council.
 - 2.2. If objections are received to the Notice of Dictionary Use, Management will review and determine if any written representations require Council consideration. The application, including any objection/comments, will then be forwarded to Council for approval or refusal at a regular Council meeting. Council has provided Management the authority to determine which written representations do not meet the Town Development Regulations and therefore require Council consideration.

3. Applicant Notification

- 3.1. Applicants will be notified of the approval or refusal and where applicable, Council may approve with conditions or reasons of refusal.

Amendment of policy

4. Any motion to amend this policy must be presented to the Council in accordance with section 413 of The Municipalities Act and must be passed by a two-thirds majority of members present.

Effective Date

5. These rules and regulations shall become effective upon the date of enactment.

Amendments

Motion No.	Date:	Description:
23-31	March 13, 2023	New Policy Format Adopted
24-52	June 10, 2024	Amended Policy