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Expression of Interest

Public Hearing Commissioner Urban and Rural Planning Act

Town of Witless Bay

May 21, 2024

Expression of Interest

1.0 Public Hearing Commissioner

The Town of Witless Bay (the “Town”) is inviting an Expression of Interest (EOI) from individuals interested and qualified in serving as a Commissioner to preside over public hearing(s) and to report on their findings to the Town regarding proposed planning initiatives with respect to the Municipal Plan, Comprehensive Development Schemes and their amendments. The Municipal Plan, Schemes and their amendments may also include amendments to the Development Regulations including rezonings.

2.0 Background

Pursuant to the *Urban and Rural Planning Act, 2000* (the “Act”), the Town has currently in effect the Town of Witless Bay Municipal Plan and Development Regulations 2013-2023. The Town is in the process of commencing a Review of the Municipal Plan and it is anticipated that Municipal Plan Amendments, Development Regulations Amendment and/or Comprehensive Development Schemes may be prepared from time that will amend the current Municipal Plan.

The Act requires that a Commissioner be appointed in order to hold a public hearing as a part of the process to consider the proposed Municipal Plan Review and proposed Municipal Plan and associated Development Regulations Amendments and Comprehensive Development Schemes.

The Town is seeking qualified individuals to create a list of Public Hearing Commissioners who can be called upon individually to conduct a public hearing pursuant to the Act. The appointment to the list of Commissioners will be for a period of 5 years.

3.0 Legislated Requirements and Responsibilities of a Commissioner

The Act outlines the roles and powers of a Commissioner. The Town appoints an individual (section 19(1)) who has the powers of a Commissioner under authority of the *Public Inquiries Act*.

A Commissioner cannot be a member or employee of the provincial government, a municipal council or regional authority within the province. A Commissioner is remunerated at an agreed rate and expenses are paid as incurred.

Unless cancelled in accordance with subsection 21(1) of the Act, a Commissioner shall proceed with a hearing and receive objections or

representations orally or in writing from any person or association of persons (subsection 21(2) of the Act).

A report outlining the Commissioner's findings, along with evidence taken at the hearing, shall be submitted to the Town within 30 days of the conclusion of the hearing(s) unless an extension is agreed to by the Town. The Commissioner shall set out in detail their recommendations respecting objections and representations considered by them at the public hearing. The Commissioner is also required to provide statement(s) showing objections and representations that came to the attention of the Commissioner, but were not considered together with the reasons why they were not considered.

The Commissioner's report is to include a clear recommendation on how the Town should proceed with the proposed plan, scheme or amendment; the Commissioner may recommend that the plan, scheme or amendment proceed as proposed, not proceed, or proceed in an altered format from what was originally proposed (subsection 22(2) of the Act). The Commissioner's recommendation is not binding on the Town.

4.0 Role of the Town of Witless Bay

The Town will provide technical and administrative support to the Commissioner. Town staff will also make arrangements for publishing requisite notices of public hearings and make arrangements for appropriate meeting space in order for the Commissioner to conduct the hearing(s).

5.0 The Commissioner

The Commissioner should be:

- Independent from Council.
- Experienced in working with the Urban and Rural Planning Act and regulations thereunder;
- Familiar with the Town of Witless Bay Municipal Plan, the Witless Bay Development Regulations 2013-2023 and land development in general.
- Capable of chairing a public hearing, gathering the required information, asking suitable questions, taking accurate notes and maintaining order and decorum.

- Skilled in thinking through the issues, applying the policies of the Municipal Plan, writing a report summarizing the public hearing and making appropriate recommendations to Council.
- Committed to confidentiality until the report has been reviewed by Council and released publicly.

6.0 The Expression of Interest

The Expression of Interest shall indicate the following:

- 6.1 Declaration of Independence from the Council;
- 6.2 Experience or knowledge in one or more of the following disciplines:
 - a. Land use planning;
 - b. Law;
 - c. Public policy;
 - d. Education; or
 - e. Other relevant discipline.
- 6.3 Experience in working with the *Urban and Rural Planning Act, 2000* and regulations thereunder;
- 6.4 Previous experience in chairing public hearings, or public meetings;
- 6.5 Indication that you are not a(n):
 - a. Member or employee of a municipal council established under the *Municipalities Act, 1999*;
 - b. Member or an employee of a regional authority established under the *Urban and Rural Planning Act, 2000*; or
 - c. Employee of the provincial public service.
- 6.6 Anticipated Rate of Pay: The proposal shall also indicate the anticipated hourly rate of pay;
- 6.7 Familiarity with the Town and the Town of Witless Bay Municipal Plan, the Witless Bay Development Regulations, and land development in general.

7.0 Evaluation

The Town will choose Commissioners on the basis of the information provided in Section 6.0.

8.0 Submissions

The Expression of Interest shall be in writing and is to be accompanied by a resume and any other pertinent information and shall be labelled “**Expression of Interest - Public Hearing Commissioner**”.

EOI's will be accepted up to **4:00 pm on Tuesday June 04, 2024**, and. may be submitted either by email, hardcopy by mail, or personal delivery as per below.

By Mail:
Town of Witless Bay
P.O. Box 130, Witless Bay, NL
A0A 4K0

By Email: office@townofwitlessbay.ca