

# DECISION/DIRECTION NOTE

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**Title:** Request for Driveway Access Through the Floodplain Buffer  
139 Petty Harbour Road  
DEV2000125

**Date Prepared:** October 20, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 5

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**Decision/Direction Required:**

To seek approval for the construction of a driveway through the floodplain buffer to provide access to a new Dwelling at 139 Petty Harbour Road.

**Discussion – Background and Current Status:**

An application was submitted to construct a new Dwelling and driveway access at 139 Petty Harbour Road. The property is situated in the Rural Residential Infill (RRI) Zone where a Single Detached Dwelling is a Permitted Use. A portion of Petty Harbour Road is located in the floodplain buffer, including along the the frontage as this property. Subject to Section 11.2.4(2) of the St. John's Development Regulations, Council may permit Development within the 15 metre buffer of the 100 year high water mark of designated bodies of water for a driveway to access residential development. The proposed driveway access would be located within the fifteen (15) metre floodplain buffer. No part of the development shall encroach into the floodplain.

Subject to Section 11.2.4(3) the application was also been referred to the Environmental Sustainability Experts Panel for their review, and the Panel recommended that Council consider approval of the proposed development.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: *St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.

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4. Legal or Policy Implications: St. John's Development Regulations Section 11.2.4(2) and Section 11.2.4(3).
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council approve the proposed driveway access through the floodplain buffer at 139 Petty Harbour Road in accordance with Section 11.2.4(2) of the St. John's Development Regulations.

**Prepared by:**

Andrea Roberts, P. Tech, Senior Development Officer  
Planning, Engineering & Regulatory Services

**Approved by:**

Jason Sinyard, P. Eng., MBA, Deputy City Manager  
Planning, Engineering & Regulatory Services

**Report Approval Details**

Document Title:	Development Committee - Request for Driveway Access Through Flood Plain Buffer- 139 Petty Harbour Road - DEV2000125.docx
Attachments:	- House Location.pdf - Aerial Map.pdf
Final Approval Date:	Oct 21, 2020

This report and all of its attachments were approved and signed as outlined below:

**Lindsay Lyghtle Brushett - Oct 21, 2020 - 9:59 AM**

**Jason Sinyard - Oct 21, 2020 - 8:29 PM**