

# DECISION/DIRECTION NOTE

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**Title:** 139 Petty Harbour Road - DEV2000125

**Date Prepared:** September 28, 2019

**Report To:** Committee of the Whole

**Councillor and Role:** Ian Froude, Environment & Sustainability Experts Panel

**Ward:** Ward 4

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## **Decision/Direction Required:**

To approve the permit for the proposed development on 139 Petty Harbour Road.

## **Discussion – Background and Current Status:**

139 Petty Harbour Road was referred to the Panel for review of a Development application, which included a driveway access through the flood plain buffer. A portion of Petty Harbour Road, where this property has frontage, is located in the flood plain buffer. 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 will be within the fifteen (15) metre floodplain buffer. No part of the development shall encroach into the floodplain.

At the September 25<sup>th</sup>, 2020 Environmental and Sustainability Expert Panel (ESEP) meeting, the Panel reviewed and discussed the Building/Development Application for 139 Petty Harbour Rd. ESEP members reviewed site plan documents referencing the proposed location of the residence. The ESEP discussed the pre-existing access risk in the area due to Petty Harbour Road being in that area being within the 15m buffer zone of the 100-year floodplain. However, the impact to this development proposal is perceived to be limited. The panel agreed that while the access is through the buffer zone, the development as proposed would not be at significant risk directly from riverine flooding. However, consideration should be discussed with the applicant to mitigate run-off from the driveway. In the discussion it was also noted that there is not a lot of vacant land in that area for concern of further development.

The Panel agreed that while the access is through the buffer zone, the development as proposed would not be at significant risk directly from riverine flooding.

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# ST. JOHN'S

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Alignment with Strategic Directions/Adopted Plans: A Sustainable City
4. Legal or Policy Implications: St. John's Development Regulations.
5. Privacy Implications: No 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 development on 139 Petty Harbour Road.

**Prepared by: Edmundo Fausto, Sustainability Coordinator**

**Approved by:**

