



SUBJECT PROPERTY

WINDEMERE RD

FOURTH POND RD

R1

32

R1

36

40

44

46

R1

48

52

54

56

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AG

AG

DISCLAIMER: This map is based on current information at the date of production.

CITY OF ST. JOHN'S

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URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

CITY OF ST. JOHN'S Development Regulations, 1994

Amendment Number 720, 2021

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the City of St. John's Development Regulations Amendment Number 720, 2021.

Adopted by the City Council of St. John's on the 3rd day of May, 2021.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____

Town Seal

Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 720, 2021 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____

MCIP/FCIP Stamp

CITY OF ST. JOHN'S

Development Regulations Number 720, 2021

BACKGROUND

The City of St. John's wishes to allow a driveways, wharves and stages within the 100 year high water mark of designated bodies of water. See attached Council Decision Note dated April 28, 2021 for Background Information on this amendment.

PUBLIC CONSULTATION

The proposed amendment was advertised on three occasions in The Telegram newspaper on April 10, April 17 and April 24, 2021. A notice of the amendment was also mailed to property owners within 150 metres of 42-44 Fourth Pond Road and posted on the City's website and social media.

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 720, 2021

The City of St. John's Development Regulations is amended by:

1) Repealing Section 11.2.4 Development within Lands Adjoining Bodies of Water and Flood Hazard Areas and substituting the following:

11.2.4 Development within Lands Adjoining Bodies of Water and Flood Hazard Areas

- (1) Except as provided in subsections (2), (2.1) and (2.2) herein, the following lands shall not be developed:
- a. all lands adjoining ponds, wetlands, rivers, or major tributaries of rivers designated under Sections 11.2.1, 11.2.2 and 11.2.3, to a distance of not less than 15 metres beyond the 100 year high water mark of these bodies of water;
 - b. any lands within Flood Hazard Areas or any Flood Risk Areas as identified by the Department of Environment and Lands, and/or identified on Map J-2 of these Regulations.
- (2) In the discretion of Council, the following Development may be permitted within the 15 metre buffer of the 100 year high water mark of designated bodies of water for the following purposes:
- public works and infrastructure;
 - Public Utility;
 - services associated with a private Development;
 - protection of areas of physical instability;
 - flood control purposes;
 - protection of ecologically valuable areas;
 - trails;

- landscaping;
- construction of residential patios, residential fencing, and residential accessory buildings;
- construction of stormwater detention facilities;
- wharves and stages; and
- driveways.

(2.1) Council may permit a food bank building in the flood plain of the Waterford River behind the Corpus Christi Church on Waterford Bridge Road.

(2.2) In the discretion of Council, the following Development may be permitted within the 100 year high water mark of designated bodies of water for the following purposes:

- public works and infrastructure;
- Public Utility;
- protection of areas of geological instability;
- flood control purposes;
- trails;
- landscaping;
- construction of storm water detention infrastructure;
- wharves and stages; and
- driveways.

(3) Prior to approval being given for a Development enumerated in subsection (2) herein the advice of the Environmental Advisory Committee shall be obtained, except in the case of the construction of residential patios, residential fencing, residential accessory buildings and residential driveways.

(4) Council may require a Conservation Plan to be prepared for any proposed Development within the 100 year high water mark of designated bodies of water or the 15 metre buffer of the 100 year high water mark of designated bodies of water.

(5) Notwithstanding the foregoing, Council may permit the paving of gravel parking lots existing as of December 31, 2011 that are located within flood plains of watercourses.

(6) Notwithstanding the foregoing, Council may permit above-ground stormwater detention facilities to be located within any floodplain and/or buffer of a watercourse or wetland. Excavation will not be permitted within a floodplain, wetland, or buffer to facilitate stormwater detention and there shall be minimal disruption to the area that will detain the stormwater.

(7) Council may permit an expansion to the Feildian Grounds change rooms at Portugal Cove Road, located in the flood plain of the Rennie's River, provided the expansion is constructed above the 100-year flood elevation.