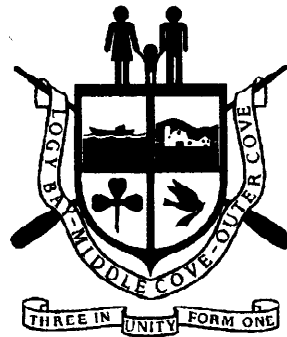


TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2006



APRIL 2006

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2006**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove adopts the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 1, 2006.

Adopted by the Town Council of Logy Bay-Middle Cove-Outer Cove on the 18 day of April, 2006.

Signed and sealed this 24 day of May, 2006.

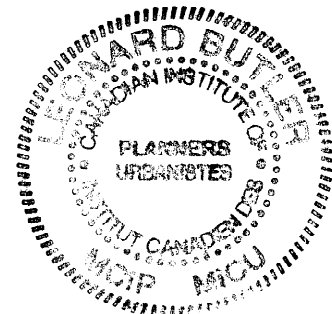
Mayor: Robert P. Roale (Council Seal)

Clerk: ✓ L. J. Leake

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No.1, 2006 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: Leonard Butth (MCIP Seal)



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2006**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove.

- a) Adopted the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 1, 2006 on the 18 day of April, 2006.
- b) Gave notice of the adoption of the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 1, 2006 by advertisement inserted on the 29 day and the 6 day of May, 2006 in the Telegram newspaper.
April
- c) Set the 18 day of May at 7:30 p.m. at the Justina Community Centre, Logy Bay-Middle Cove-Outer Cove for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove approved the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 1, 2006 as adopted (or as amended).

SIGNED AND SEALED this 24 day of May, 2006

Mayor: Robert P. Roche (Council Seal)

Clerk: M. V. L. L. L.

Development Regulations/Amendment	
REGISTERED	
Number	<u>2945-2006-007</u>
Date	<u>5 June 2006</u>
Signature	<u>[Signature]</u>

TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2006

BACKGROUND

The Towns of Logy Bay-Middle Cove-Outer Cove wishes to implement Municipal Plan Amendment No. 1, 2006. The Development Regulations need to be amended to accommodate the development of residential lots on either 1-acre or 2-acre along a portion of Doran's Lane. The development is for areas of land with steep slopes or areas that offer exceptional scenic views. The existing land use zone of Residential Low Density shall be extended out wider along the eastern side of Doran's Lane to allow the development of 2-acre lot if desired by the land owner/developer.

Further to the rezoning of lands the existing Land Use Zoning Table, Residential Low Density shall be amended to allow for the development of 2-acre residential lot. Also new development conditions shall be added to address environmental concerns for development on steeper sloped lands, limit tree removal, require site plans to take into account the visual effects of the development on scenic vistas, as well as require site plans to include engineering measures to control erosion of soils and storm water runoff.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input on the proposed Development Regulations Amendment. The Town of Logy Bay-Middle Cove-Outer Cove published a notice in the Evening Telegram newspaper advertising the display of the proposed Development Regulations Amendment No. 1, 2006. The public display was from March 13 to March 17, during normal business hours. The Town placed the Development Regulations amendment on display at the Town Council Office for local residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. The Town received no written submissions on the proposed amendment.

DEVELOPMENT REGULATIONS AMENDMENT No. 1, 2006

The Town of Logy Bay-Middle Cove-Outer Cove Development Regulations are amended as follows:

- A) By deleting the following condition in Use Zone Table, Residential Low Density, Schedule C.

1. Development Standards

Minimum Lot Area	4050 m ²
Minimum Floor Area	80 m ²
Minimum Frontage at the front lot line	45 m or
Minimum Frontage at the building line (With a minimum of 25.91m at the front lot line)	45 m
Minimum Building Line Setback	15 m or
Maximum Building Line Setback (Or the established building line in the area whichever is greater)	30 m
Minimum Sideyard Width	3 m
Minimum Rearyard Depth	10 m
Maximum Height	8 m

And replacing it with the following;

1. Development Standards

Development Standard	RLD Zone	Doran's Lane ¹
Minimum Lot Area ¹	4050 m ²	8100 m ²
Minimum Floor Area	80 m ²	80 m ²
Minimum Frontage at the front lot line	45 m or	45 m or
Minimum Frontage at the building line (With a minimum of 25.91m at the front lot line)	45 m	45 m
Minimum Building Line Setback	15 m or	15 m or
Maximum Building Line Setback	30 m	134 m
Minimum Sideyard Width	3 m	3 m
Minimum Rearyard Depth	10 m	10 m
Maximum Height	8 m	10 m

1. Along an eastern portion of Doran's Lane, where the land use zone is extended deeper than the normal building lot depth, the land owner/developer can choose to build either on a 1-acre lot or on 2-acre lot. This is to accommodate residential development on lots having steeper slopes or having other limiting development factors and/or offer exceptional scenic views.

- B) By adding the following new conditions to Use Zone Table, Residential Low Density, Schedule C.

22. On Site Services

Development standards for 8100 m² within the Residential Low Density Zone for on site services shall be designed, certified and installed by a registered installer. On site designs shall take into account existing steep slopes, surface and subsurface drainage, soils, vegetation, all other development on the lot, and be designed to meet any site specific requirements of each individual lot. All on site services designs shall comply with standards established by the Department of Government Services in addition to any standards established by the Authority.

23. Private Driveway

The access to a single residential development on lots with steep slopes shall be established as a private driveway. The private driveway on lots with steep slopes shall be designed and built to ensure that storm water drainage is controlled and manage so that any surface water runoff does not cause soil erosion or flooding. Runoff from the property shall not be channelled or discharged onto other adjoining lands unless it is an existing natural runoff course. Environmental friendly control measures shall be applied to reduce soil erosion, and washouts as a result of road construction and usage in particular on steep slopes along Doran's Lane area..

24. Landscaping Plan

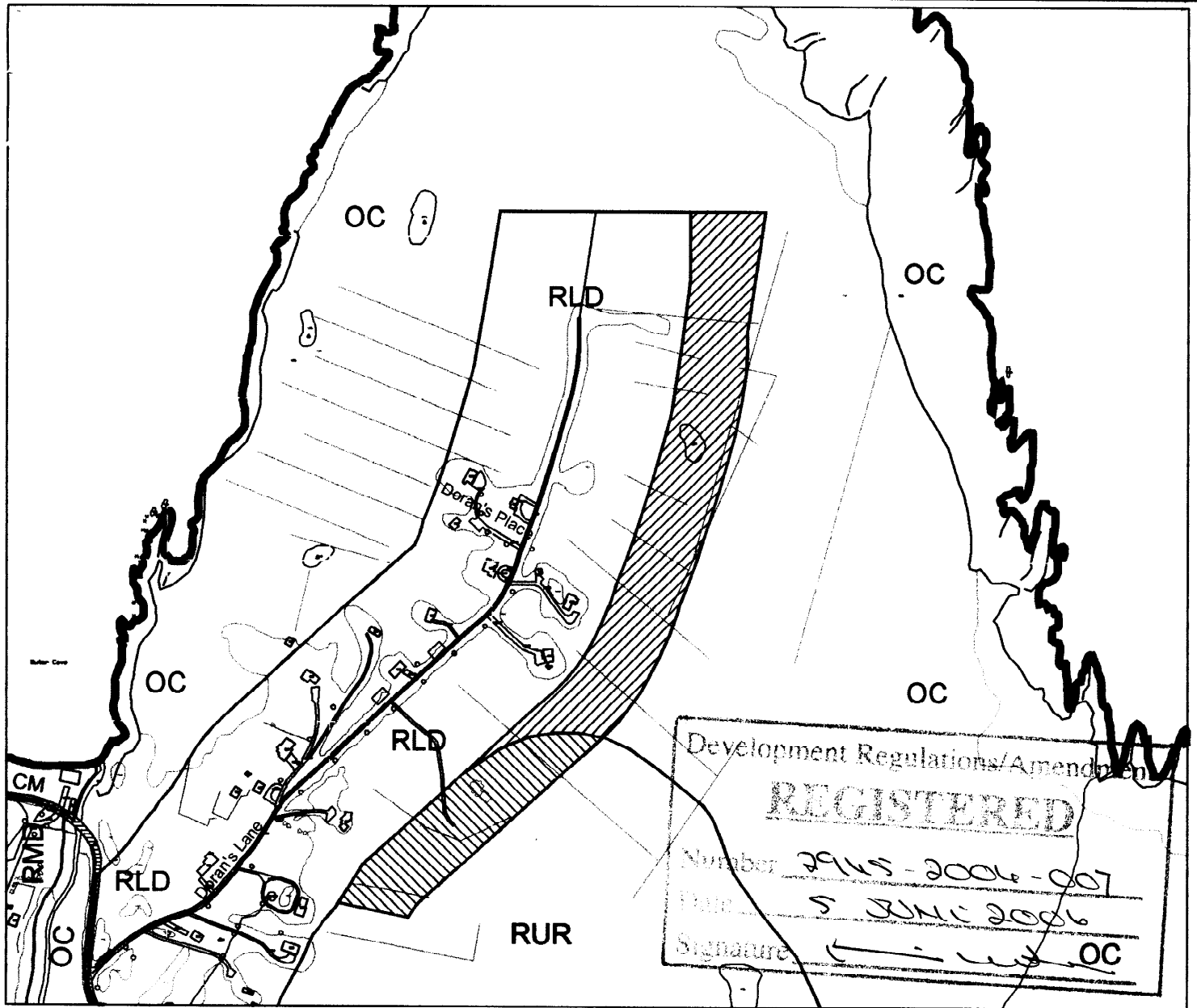
The Authority shall require on 8100 m² lots on steep slopes the development of a Landscaping Plan, which shall be submitted for approval before a development permits is issued. The landscaping of the lot shall be completed within one year of completion of the main residential structure and all on site services. The long-term control of soil erosion and surface water runoff is important to maintaining the scenic attraction of the area. Landscaping Plan shall take into account steep slopes, mature trees and other vegetation and try to preserved and replaced as necessary during and after the development of the lands. Trees and other vegetation may be removed when they become dangerous because of age, disease, or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation or for landscaping purposes and building occupancy; or if they will unduly obstruct construction.

25. Soil Removal and Deposit, and Site Grading

The removal or deposit of soil, or the excavation and removal of excavated material or grading of the site requires a development permit under these Regulations. Before a development permit is issued a finished Site Grading Plan shall be submitted and approved by the Authority for development on lots with steep slopes such as Doran's Lane area. The following conditions shall be met before a development permit will be issued;

- a) land intended for the activity or grading shall have a slope of less than 40%;
- b) finished slopes or grades are stable and without hazards;
- c) when the earth works are completed, the area affected is covered with topsoil and other necessary material for vigorous plant growth and planted with appropriate vegetation; and
- d) drainage is provided to the satisfaction of the Authority, and designed so as not to impair existing surface drainage nor to create soil erosion either on site or on adjacent lands or to cause the flooding of any adjacent lands.

- C) By changing the highlighted area from "**Rural**" to "**Residential Low Density**" and "**Open Space Conservation**" to "**Residential Low Density**" as shown on the attached portion of the Town of Logy Bay-Middle Cove-Outer Cove Land Use Zoning, Map 1.



**TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
MUNICIPAL PLAN 2005-2015**

LAND USE ZONING MAP 1

**DEVELOPMENT REGULATIONS
AMENDMENT No. 1, 2006**



Area to be changed from: "Rural" to "Residential Low Density"



Area to be changed from: "Open Space/Conservation" to "Residential Low Density"

PLAN-TECH



ENVIRONMENT

Scale: 1:7500

Dated at Logy Bay-Middle Cove-Outer Cove

This 24 Day of MAY 2006

Ralph P. Roche Mayor
[Signature] Clerk

Seal

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 1, 2006 has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP:

