

TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

MUNICIPAL PLAN 2005-2015



MUNICIPAL PLAN AMENDMENT No. 17, 2015

**Add Flood Risk Mapping to the Future Land Use Map
Amend Plan Policy 4.3.14, Designated Flood Plain
Add New Plan Policy 4.3.21, Wetlands
Amend Plan Policy 4.4.5, Open Space/Conservation**

April 2015

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
MUNICIPAL PLAN AMENDMENT No. 17, 2015**

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 Municipal Plan Amendment No. 17, 2015 on the ___th day of ___, 2015.

- b) Gave notice of the adoption of the Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 17, 2015, by advertisement inserted on the ___th day and the ___th day of ___, 2015 in the Telegram newspaper.

- c) Set the ___th day of _____ at 7:30 p.m. at the Town Hall, 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 Municipal Plan Amendment No. 17, 2015, as adopted (or as amended).

SIGNED AND SEALED this _____ day of _____, 2015

Mayor: _____ (Council Seal)

Clerk: _____

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
MUNICIPAL PLAN AMENDMENT No. 17, 2015**

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 Municipal Plan Amendment No. 17, 2015.

Adopted by the Town Council of Logy Bay-Middle Cove-Outer Cove on the __th day of __, 2015.

Signed and sealed this ____ day of _____, 2015.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 17, 2015, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

MUNICIPAL PLAN AMENDMENT No. 17, 2015

BACKGROUND

The Town of Logy Bay-Middle Cove-Outer Cove proposes to amend the Municipal Plan. With the commercial and residential expansion of Stavanger Drive areas in St. John's, which is located close to the Town's boundary, much of the water run-off associated with these developments flows into rivers in the Town of Logy Bay-Middle Cove-Outer Cove. In consultation with the Water Resources Management Division, Department of Environment and Conservation, the Town Council has retained an engineering consultant to conduct a flood risk analysis to accurately map the 1:20 year and 1:100 year flood risk areas on Kennedy's Brook, Outer Cove Brook, Coaker's River and Druken's River. Wetland areas were also identified and in consultation with the Water Resources Management Division, a number of these wetland areas are identified on the Future Land Use Map.

With the extension of the Sandlewood residential development, the engineering consultant for the developer completed a flood risk analysis on a portion of Soldier's Brook. In addition, flood risk areas identified in this separate study will be added to the Future Land Use map.

When the Town's Municipal Plan was reviewed in 2005, accurate information on floodplains was not available. Plan Policy 4.3.14, only designated a portion of Outer Cove Brook with 1:20 floodway information. The purpose of this Amendment is to amend Plan Policy 4.3.14 to include 1:20 year and 1:100 year flood risk areas on Kennedy's Brook, Outer Cove Brook, Coaker's River, Druken's River and Soldiers Brook.

As part of the flood risk analysis study, and in consultation with the Water Resources Management Division, significant wetland areas were also identified and added to the Municipal Plan Future Land Use map. A new policy has been added to the Municipal Plan indicating that any proposed development which may have an impact on these wetland areas shall require a referral to the Water Resources Management Division. Conservation policy 4.4.5 has also been amended to add floodplain areas along Kennedy's Brook, Outer Cove Brook, Coaker's River Druken's River and Soldiers Brook.

The Amendment will also transfer the 1:20 year and 1:00 year flood risk areas onto the Future Land Use Map. Secondly, all previous Municipal Plan amendments consisting of Future Land Use Map changes have also been included. The amendment will bring into effect the new Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Future Land Use Map.

St. John's Urban Region Regional Plan

The St. John's Urban Region Regional Plan Map does not designate rivers, brooks or streams and these uses are common in any Regional Plan designation. It is determined that an amendment to the St. John's Urban Region Regional Plan is not required to conform with the proposed Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 17, 2015, and to bring the 1:20 year and 1:00 year flood risk areas into conformance.

AMENDMENT No. 17, 2015

The Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan is amended by:

- A) Amending** Municipal Plan Policy 4.3.14 by deleting text, ~~with~~ ~~strikeout~~, and **adding** 1:20 year and 1:100 year flood risk areas on Kennedy's Brook, Outer Cove Brook, Coaker's River and Druken's River as well as a portion of Soldiers Brook as shown below:

4.3.14 Designated Flood Plain

The flood risk area for **Kennedy's Brook, Outer Cove Brook, Coaker's River and Druken's River** has been mapped as 1:20 year and 1:100 year floodway and is identified on the Future Land Use Map. ~~There currently is no 1:100 year floodway fringe area identified at this time, but may be in the future.~~ The Flood Risk Mapping, conducted in consultation with the Department of Environment and Conservation, identifies the boundaries of the flood risk areas. **Flood Risk Mapping on a portion of Soldiers Brook, conducted through a separate study and mapped as 1:20 year and 1:100 year floodway, has also been identified.** These designations are established to identify flood risk areas to reduce the risk of future damages as result of flooding. It is the prime responsibility of the property owner to avoid development in areas of flood risk and, in instances where development already exists or is permitted, to undertake appropriate flood proofing.

B) Adding the following Plan Policy to Section 4.3.21 as shown below:

4.3.21 Wetlands

Rivers, streams, ponds, and sensitive wetlands areas have been identified and shown on the Future Land Use map. Council shall encourage the preservation and protection of sensitive wetlands that are valuable for controlling flooding; habitats for waterfowl or have important aesthetics value to the surrounding areas. Any development proposal within sensitive wetlands areas shall be referred to the Department of Environment and Conservation, Water Resources Management Division, for comment prior to Council approving any development.

C) Amending Municipal Plan Policy 4.4.5, Open Space/Conservation by adding the following Policy 11 as shown below:

Policies:

11. Floodplains

The Conservation designation is applied to land that are considered to be environmentally or ecologically sensitive, significant, and/or vulnerable. They also include lands that are prone to flooding. The Conservation designation is applied along Kennedy's Brook, Outer Cove Brook, Coaker's River, Druken's River and Soldiers Brook.

D) Replacing the existing **Town of Logy Bay-Middle Cove-Outer Cove Future Land Use Map** with the attached **Town of Logy Bay-Middle Cove-Outer Cove, Future Land Use Map**.