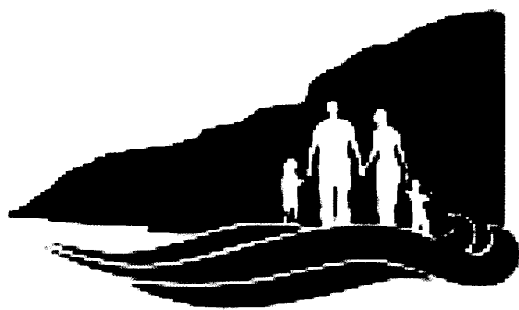


**TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE**

**MUNICIPAL PLAN 2005-2015**



**Logy Bay  
Middle Cove  
Outer Cove**

**DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2011**

**Amendment to General Development Regulations 78(1)(d)**

**“LAND FOR PUBLIC OPEN SPACE”**

**APRIL 2011**

**PLAN-TECH**



**ENVIRONMENT**

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE  
DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2011**

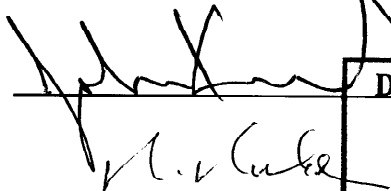
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove.

- a) Adopted the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 10, 2011 on the 30<sup>th</sup> day of May, 2011.
  
- b) Gave notice of the adoption of the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 10, 2011 by advertisement inserted on the 18<sup>th</sup> day and the 25<sup>th</sup> day of JUNE, 2011 in the Telegram newspaper.
  
- c) Set the 6<sup>th</sup> day of July 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.

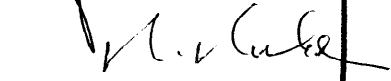
Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove approved the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 10, 2011 as adopted (or as amended).

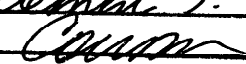
SIGNED AND SEALED this 26<sup>th</sup> day of July, 2011

Mayor:



Clerk:



(Council Seal) Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>2945-2011-020.</u>
Date	<u>December 5. 2011</u>
Signature	<u></u>


**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE  
DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2011**

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. 10, 2011.

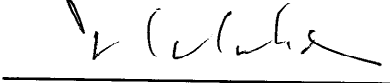
Adopted by the Town Council of Logy Bay-Middle Cove-Outer Cove on the 30<sup>th</sup> day of May, 2011.

Signed and sealed this 28<sup>th</sup> day of July, 2011.

**Mayor:**

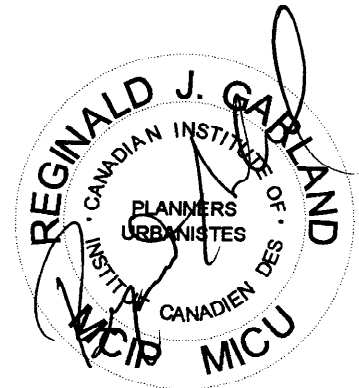
  
\_\_\_\_\_  
(Council Seal)

**Clerk:**

  
\_\_\_\_\_

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 10, 2011 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



# **TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2011**

## **BACKGROUND**

The Town of Logy Bay-Middle Cove-Outer Cove proposes to implement Development Regulations Amendment No. 10, 2011. The present General Development Regulations No. 78 provides for land for public open space requirements within a residential subdivision. This regulation requires that developers dedicate a minimum of 10% of land for open space requirements. Alternatively, Council may require a developer to pay a sum of money equal to 10 percent of the assessed value of the area of land prior to any development beginning.

Council finds itself challenged to provide services with the rising costs of green space infrastructure. Council is proposing to amend this Land for Public Open Space regulation 78(1)(d) to allow Council, where there is insufficient or unsuitable land suitable for open space requirements, to require the developer to pay a fee of 5% of the assessed value per developed lot prior to the issuance of any building permit for any approved lot in the residential subdivision and/or the conveyance of any public works such as roads. The assessed value shall be determined by the Municipal Assessment Agency.

## **PUBLIC CONSULTATION**

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Logy Bay-Middle Cove-Outer Cove published a notice in *The Telegram* newspaper on April 9, 2011 advertising the proposed amendment seeking comments or representations from the public. The Town Council placed the proposed amendment on display at the Town Council Office from April 11, to April 18, 2011, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. No objections or representations were received within the time stipulated in the notice.

## **AMENDMENT No. 10, 2011**

The Town of Logy Bay-Middle Cove-Outer Cove Development Regulations are amended by deleting, with strikeout, General Development Regulations No. 78, “**Land for Public Open Space**” (1)(d), as shown below:

### **78. Land for Public Open Space**

- (1) (d) ~~the Council may accept from the developer in lieu of such area or areas of land the payment of a sum of money equal to the value of the land which would otherwise be required to be dedicated;~~

and *replacing* with:

- (d) Council may accept from the developer in lieu of such areas, a fee of 5% of the assessed value per developed lot prior to the issuance of any building permit for any approved lot in the residential subdivision and/or the conveyance of any public works such as roads. The assessed value shall be determined by the Municipal Assessment Agency.**

**TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE**

**MUNICIPAL PLAN 2005-2015**



**MUNICIPAL PLAN AMENDMENT No. 9, 2011**

**Amendment to Policy 4.4.1.16**

**OPEN SPACE REQUIREMENTS**

**APRIL 2011**

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE  
MUNICIPAL PLAN AMENDMENT No. 9, 2011**

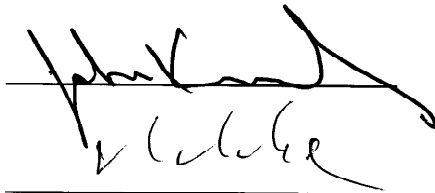
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove.

- a) Adopted the Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 9, 2011 on the 30<sup>th</sup> day of MAY, 2011.
- b) Gave notice of the adoption of the Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 9, 2011 by advertisement inserted on the 18<sup>th</sup> day and the 25<sup>th</sup> day of JUNE, 2011 in the Telegram newspaper.
- c) Set the 6<sup>th</sup> day of JULY 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 Municipal Plan Amendment No. 9, 2011 as adopted (or as amended).


SIGNED AND SEALED this 23<sup>rd</sup> day of NOVEMBER, 2011

Mayor:

  
\_\_\_\_\_

(Council Seal)

Clerk:

  
\_\_\_\_\_

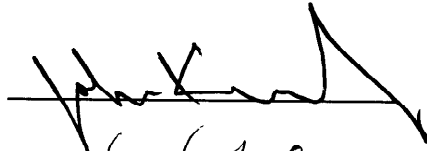
**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE  
MUNICIPAL PLAN AMENDMENT No. 9, 2011**

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. 9, 2011.

Adopted by the Town Council of Logy Bay-Middle Cove-Outer Cove on the 30<sup>th</sup> day of MAY 2011.

Signed and sealed this 23<sup>rd</sup> day of NOVEMBER, 2011.

Mayor:



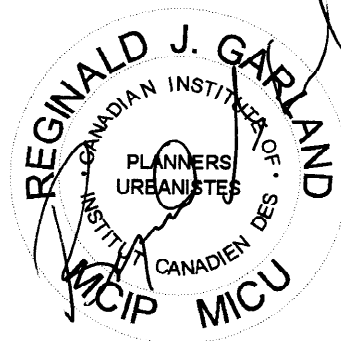
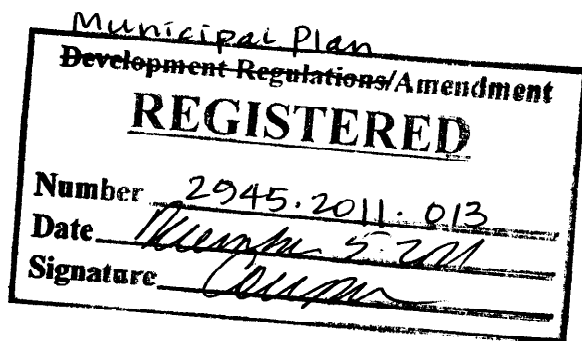
(Council Seal)

Clerk:



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 9, 2011 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. 9, 2011**

### **BACKGROUND**

The Town Logy Bay-Middle Cove-Outer Cove wishes to amend the Municipal Plan. The Present Municipal Plan Policy 4.4.1.16 provides for open space requirements within a residential subdivision. This policy requires that developers dedicate a minimum of 10% of land for open space requirements. Alternatively, Council may require a developer to pay a sum of money equal to 10% of the assessed value of the area of land prior to any development beginning.

Council finds itself challenged to provide services with the rising costs of green space infrastructure. Council is proposing that the developer be required to pay a fee of 5% of the assessed value per developed lot prior to the issuance of any building permit for any approved lot in the residential subdivision and/or the conveyance of any public works such as roads. The assessed value shall be determined by the Municipal Assessment Agency.

### **PUBLIC CONSULTATION**

During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Municipal Plan Amendment. The Town Council of Logy Bay-Middle Cove-Outer Cove published a notice in *The Telegram* newspaper on April 9, 2011 advertising the proposed amendment seeking comments or representations from the public. The Town Council placed the proposed amendment on display at the Town Council Office from April 11, to April 18, 2011, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. No objections or representations were received within the time stipulated in the notice.

## AMENDMENT No. 9, 2011

The Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan is amended by deleting, with strikeout, Municipal Plan Policy 4.4.1.16, as shown below:

### 16. Open Space Requirements

~~The provision for open space within a residential subdivision development shall be the responsibility of the developers if required, shall dedicate a maximum of 10 percent of suitable land in new residential areas for recreational open space or alternatively, Council may required the developer to pay a sum of money equal to 10 percent of the assessed value of the area of land before any development of the subdivision begins.~~

and **replacing** with the following:

### 16. Open Space Requirements

***The provision for open space within a residential subdivision development shall be the responsibility of the developers. Council shall require either the dedication of 10 percent of suitable land in new residential areas for open space or the developer to pay a fee of 5% of the assessed value per developed lot prior to the issuance of any building permit for any approved lot in the residential subdivision and/or the conveyance of any public works such as roads. Alternatively, Council may accept a combination of both land and cash value equivalent to the aforementioned requirements. The assessed value shall be determined by the Municipal Assessment Agency.***