

May 27, 2013

Mr. Richard Roche
Town of Logy Bay-Middle Cove-Outer Cove
744 Logy Bay Road
Logy Bay, NL
A1K 3B5



Dear Mr. Roche:

**LOGY BAY – MIDDLE COVE – OUTER COVE
Municipal Plan Amendment No. 14, 2013
Development Regulations Amendment No. 20, 2013**

I am pleased to inform you that the **Town of Logy Bay – Middle Cove – Outer Cove Development Regulations Amendment No. 20, 2013**, as adopted by Council on the 25th day of **February, 2013**, has now been registered.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The Amendment comes into effect on the date that this notice appears in the Gazette. The notice must also appear in a local newspaper. I have enclosed a notice template to assist Council in the preparation of this notice.

Division The Newfoundland and Labrador Gazette is published every Friday. **Notices must be submitted a week in advance.** Council can submit the notice by email (queensprinter@gov.nl.ca), by fax (729-1900) or by mail (Queen's Printer, P.O. Box 8700, St. John's, NL, A1B 4J6).

Council's registered copy of the Amendment is enclosed. As it is a legal document, it should be reserved in a safe place.

Yours truly,

A handwritten signature in blue ink that reads "Corrie Davis".

Corrie Davis, MCIP
Manager, Land Use Planning

Encls.

URBAN AND RURAL PLANNING ACT
NOTICE OF REGISTRATION
CITY OF ---- MUNICIPAL PLAN AMENDMENT NO. X, 20--
AND DEVELOPMENT REGULATIONS AMENDMENT NO. X, 20--

Take notice that the City of ---- Municipal Plan Amendment No. X, 20-- and Development Regulations Amendment No. X, 20--, adopted on the ----- day of -----, 20--, (as amended) and approved on the ----- day of -----, 20--, has been registered by the Minister of Municipal Affairs.

In general terms, the purpose of Municipal Plan Amendment No. X, 20-- is to ...

In general terms, the purpose of Development Regulations Amendment No. X, 20-- is to ...

These amendments come into effect on the day that this notice is published in the Newfoundland and Labrador Gazette. Anyone who wishes to inspect a copy of them may do so at the City Office, ---- during normal working hours.

TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

MUNICIPAL PLAN 2005-2015



DEVELOPMENT REGULATIONS AMENDMENT No. 20, 2013

Add OPEN SPACE/RECREATION LAND USE ZONE TABLE

“RURAL” to “OPEN SPACE/RECREATION”

Marine Lab Road

JANUARY, 2013

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
DEVELOPMENT REGULATIONS AMENDMENT No. 20, 2013**

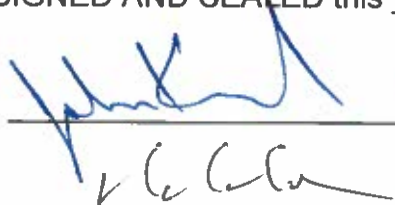
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Logy Bay-Middle Cove-Outer Cove.

- a) Adopted the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 20, 2013, on the 25th day of February, 2013.
- b) Gave notice of the adoption of the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 20, 2013, by advertisement inserted on the 13th day and the 20th day of April, 2013, in the Telegram newspaper.
- c) Set the 2nd day of May 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 Development Regulations Amendment No. 20, 2013 as adopted (or as amended).

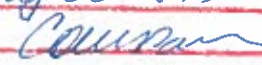
SIGNED AND SEALED this 8 day of May, 2013

Mayor:



Clerk:



(Council Seal) Regulations/Amendment	
REGISTERED	
Number	<u>2945. 2013. 022</u>
Date	<u>May 30 2013</u>
Signature	<u></u>



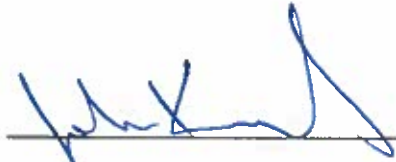
**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
DEVELOPMENT REGULATIONS AMENDMENT NO. 20, 2013**

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. 20, 2013.

Adopted by the Town Council of Logy Bay-Middle Cove-Outer Cove on the 25th day of February, 2013.

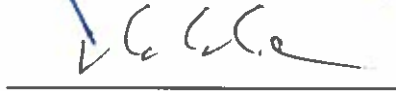
Signed and sealed this 8 day of May, 2013.

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. 20, 2013, 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. 20, 2013

BACKGROUND

The Town of Logy Bay-Middle Cove-Outer Cove proposes to implement Development Regulations Amendment No. 20, 2013. The Logy Bay Ski Hill has been existence for some time and is actively used by downhill skiers for recreational use. The Town also considers the Logy Bay Ski Hill as a valuable recreation facility. To prevent erosion of this facility or encroachment by other land uses, the Town proposes to introduce a new land use zone, Open Space/Recreation, to protect this recreational land use.

The present Development Regulations does not have a dedicated land use zone table to address open space recreational uses. The purpose of this amendment is to add a new Open Space/Recreation land use zone table to zone areas where open space recreational areas require a specific land use zone.

The area for the Logy Bay Ski Hill is presently zoned as Rural on the Land Use Zone Map. The proposed Amendment will also re-zone the Logy Bay Ski Hill area from Rural to Open Space/Recreation.

St. John's Urban Region Regional Plan

The St. John's Urban Region Regional Plan Map has designated this area as Restricted Development. Regional Plan Policies for Restricted Development state that the designation is intended primarily for preservation and conservation of the natural environment. Uses such as outdoor recreation are permitted under this designation. It is determined that an amendment to the St. John's Urban Region Regional Plan is not required.

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 February 16, 2013 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 February 18, to February 22, 2013, 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. 20, 2013

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

- A) **Adding** the following Open Space/Recreation Land Use Zone Table to Schedule C, as shown below:

USE ZONE TABLE

ZONE TITLE	OPEN SPACE/RECREATION	(OS/R)
PERMITTED USE CLASSES - (see Regulation 89)		
Recreational open space; conservation.		
DISCRETIONARY USE CLASSES - (see Regulations 33 and 90)		
Indoor assembly; outdoor assembly; cultural and civic, catering (take-out food service), and antenna.		

CONDITIONS

1. Discretionary Use classes

The discretionary use classes listed in this table may be permitted at the discretion of the Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

2. Take-Out Food Service

A take-out food service use may be considered on a discretionary basis provided it serves recreational activities only.

3. Accessory Building

An accessory building may be permitted in association with a permitted or discretionary use as approved by Council. Accessory buildings shall be located a minimum of 3 metres from the nearest part of the main building and a minimum of 1 metre from a side and rear lot line and a maximum height of an accessory building shall be 4 metres

4. Effects on Surrounding Areas

Any development must be generally acceptable within the context of surrounding development so as not create unacceptable amounts of noise, traffic, fumes, dust or other pollution or otherwise present a nuisance, hazard or eyesore, especially with respect to existing or potential residential development.

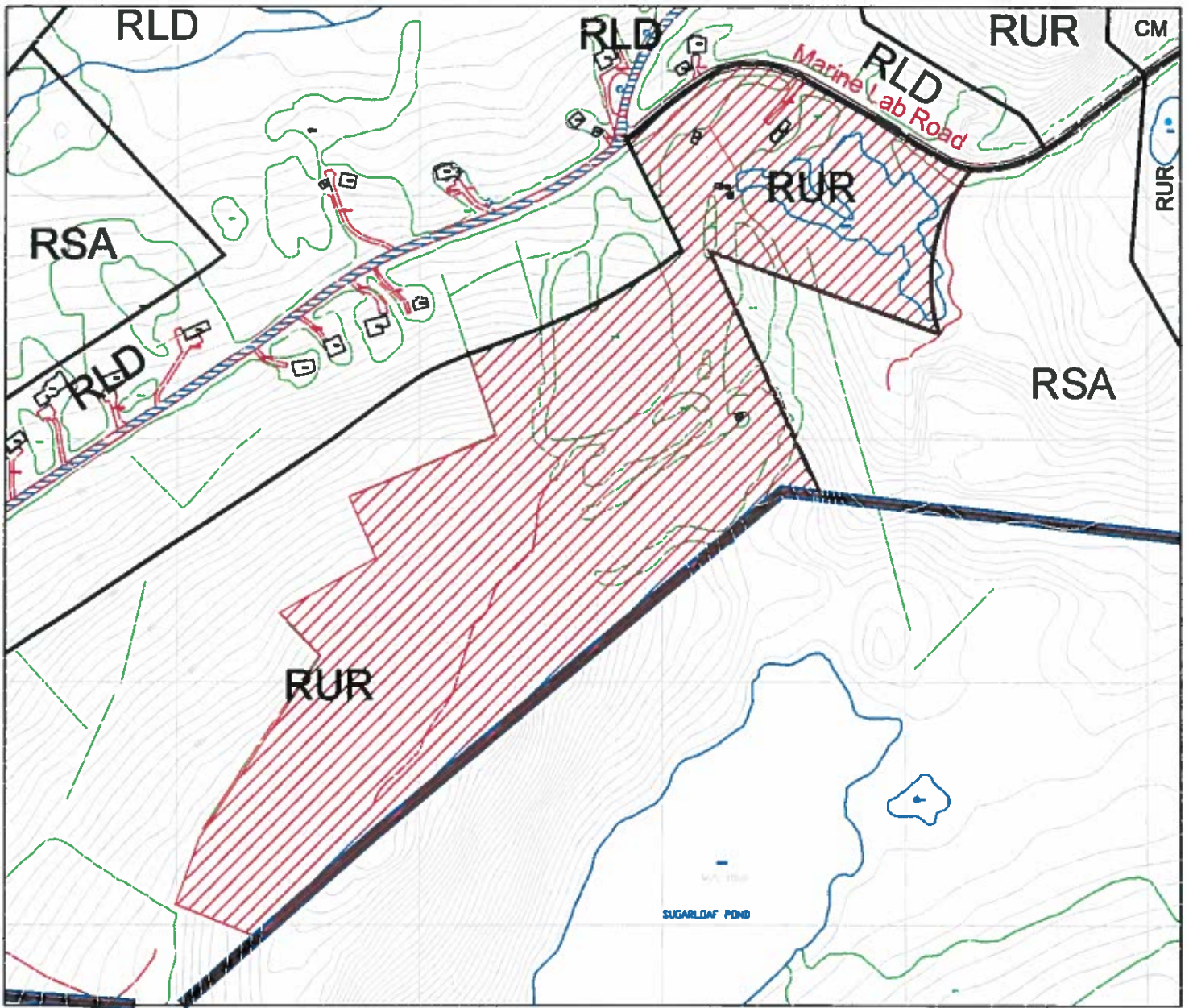
5. Buffer (around waterways and waterbodies)

No development shall be permitted within 15 metres of the high water mark of rivers or streams, or within 15 metres of the shoreline of ponds, with the exception of conservation structures such as those designed to control flooding and erosion as well as bridges, pathways, and public services. Development of marine or water related uses such as wharfs, slipways, boathouse, etc. may be permitted. All development occurring within these limits is subject to the approval of Council and the Department of Environment and Conservation

6. East Cost Trail

The East Coast Trail Association is developing a natural walking/hiking trail within the Town of Logy Bay Middle Cove Outer Cove along the coastline of Atlantic Ocean as part of their much larger coastal trail system. The Council will encourage the maintenance of a buffer along the trail to protect the natural landscape and views from the trail, and to ensure that future development does not negatively impact the trail.

B) *Changing* highlighted area of land from "Rural" to "Open Space/Recreation" as shown on the attached portion of the Town of Logy Bay-Middle Cove-Outer Cove, Land Use Zone Map.



TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

MUNICIPAL PLAN 2005-2015

LAND USE ZONE MAP

DEVELOPMENT REGULATIONS AMENDMENT No. 20, 2013

Dated at Logy Bay-Middle Cove-Outer Cove

This 8 Day of May 2013

[Signature] Mayor

[Signature] Clerk

Seal



Area to be changed from: "Rural" to "Open Space/Recreation"

Development Regulations Amendment
REGISTERED
 Number 2945-2013-022
 Date May 30, 2013
 Signature *[Signature]*
 Scale: 1:5000

PLAN-TECH



ENVIRONMENT

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Development Regulations Amendment No. 20, 2013, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

MUNICIPAL PLAN 2005-2015



MUNICIPAL PLAN AMENDMENT No. 14, 2013

Add New "OPEN SPACE/RECREATION POLICY"

"RURAL" to "OPEN SPACE/ RECREATION"

Marine Lab Road

JANUARY, 2013

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE
MUNICIPAL PLAN AMENDMENT No. 14, 2013**

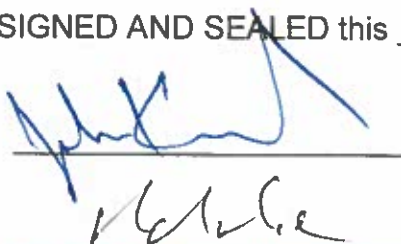
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SIGNED AND SEALED this 8 day of May, 2013

Mayor:



(Council Seal)



Clerk:

Municipal Plan/Amendment REGISTERED	
Number	<u>2945-2013-014</u>
Date	<u>May 30, 2013</u>
Signature	<u>Couman</u>

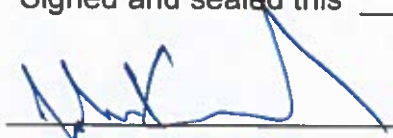
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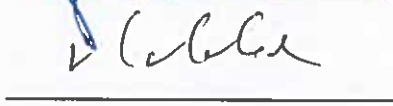
Signed and sealed this 8 day of May, 2013.

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. 14, 2013, 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. 14, 2013

BACKGROUND

The Town Logy Bay-Middle Cove-Outer Cove proposes to amend the Municipal Plan. The Logy Bay Ski Hill has been existence for some time and is actively used by downhill skiers for recreational use. The Town also considers the Logy Bay Ski Hill as a valuable recreation facility. To prevent erosion of this facility or encroachment by other land uses, the Town proposes to introduce a new land use designation, Open Space/Recreation to protect this recreational land use.

The present Municipal Plan does not have a dedicated policy to address open space recreational uses. The purpose of this amendment is to add a new Open Space/Recreation policy to designate areas where open space recreational areas require a specific land use designation.

The area for the Logy Bay Ski Hill is presently designated as Rural on the Future Land Use Map. The proposed Amendment will also re-designate the Logy Bay Ski Hill area from Rural to Open Space/Recreation.

St. John's Urban Region Regional Plan

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AMENDMENT No. 14, 2013

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

- A) **Adding** the following new policy to the end of Section 4.4, Specific Land Use Policies, which shall be titled as "4.4.12 - Open Space/Recreation", as indicated below:

4.4.12 Open Space/Recreation

Land designated as Open Space/Recreation is for active and passive recreational non-building uses such as parks, playgrounds, ski slopes areas, and buildings which are accessory to the open space uses. Council shall endeavour to reserve land at various places in the Town for Open Space/Recreation uses.

Within the built-up areas of the Town, recreational facilities are rather limited. Existing recreational uses include the Logy Bay Ski Slope facility located of Marine Lab Road, as being utilized for a passive recreation area.

Open Space/Recreation Policies:

1. Land Uses

Permitted uses include parks, ski slopes, sports fields, linear trail systems, pathways to serve pedestrians, bicyclists and cross-country skiers are permitted. Recreational facilities permitted shall outdoor facilities (e.g., ski slopes, sports fields, open concert/stage areas, and picnic parks).

2. Effects Surrounding Property

Development and operation of recreational facilities shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation.

3. Recreation Uses

Additional recreation facilities shall be provided in areas where they are needed and when the Town's financial resources permit. Since most of the regional and local recreational facilities are less accessible to the older age groups, the provision of additional facilities will give special consideration to these groups.

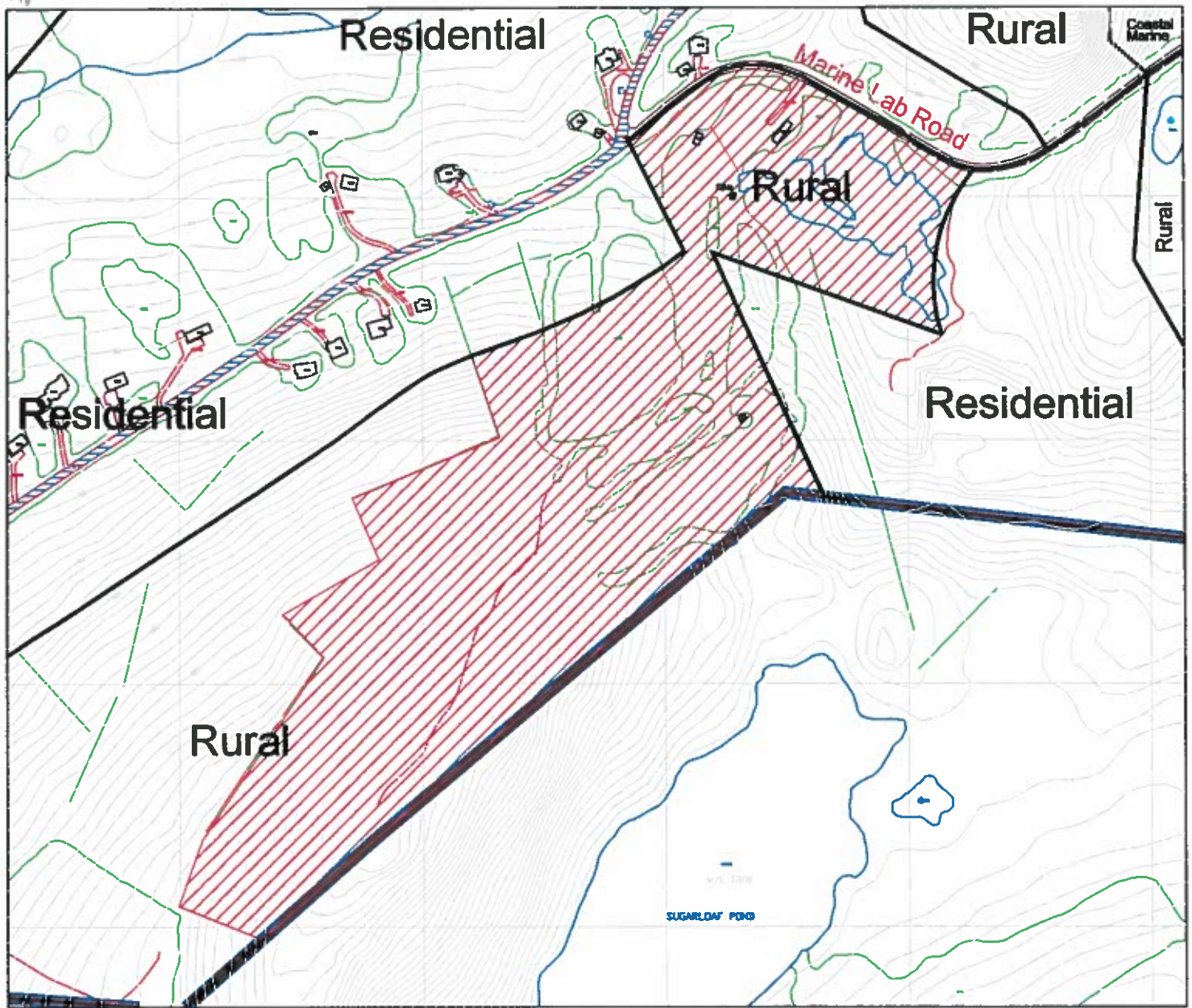
4. Trail Development

The development of passive recreation facilities such as walking or nature trails, and associated interpretation programs may be permitted provided they will not have an adverse impact on the natural environment and residential properties.

5. East Coast Trail

An appropriate buffer along the route of the East Coast Trail will be established in order to facilitate its development. The Town will ensure that natural topography and vegetation will be maintained as much as possible along the Trail. The Council shall take into considerations the preservation of the Trail and surroundings buffers in issuing any development permits and encourage landowners/developers to take it into considerations in their plans for site development.

B) *Changing* the highlighted area from “Rural” to “Open Space/Recreation” as shown on the attached portion of the Town of Logy Bay-Middle Cove-Outer Cove, Future Land Use Map.



TOWN OF LOGY BAY-MIDDLE COVE-OUTER COVE

MUNICIPAL PLAN 2005-2015

FUTURE LAND USE MAP

MUNICIPAL PLAN AMENDMENT No. 14, 2013

Dated at Logy Bay-Middle Cove-Outer Cove

This 8 Day of May 2013

[Signature] Mayor
[Signature] Clerk

Seal



Area to be changed from "Rural" to "Open Space/Recreation"

REGISTERED
 Number 2945-2013-014
 Date May 30 2013
 Signature *[Signature]*
 Scale: 1:5000

PLAN-TECH



ENVIRONMENT

I certify that the attached Town of Logy Bay-Middle Cove-Outer Cove Municipal Plan Amendment No. 14, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act.