

Upper Humber River Subdivision Development Environmental Assessment Registration

**Submitted to: Department of Environment and Climate Change
By the Town of Deer Lake
November 2024**

Table of Contents

1.0 INTRODUCTION	1
1.1 Name of Undertaking.....	1
1.2 Nature of the Undertaking.....	1
1.3 Purpose of the Environmental Registration.....	1
2.0 PROPONENT	2
3.0 THE UNDERTAKING	3
3.1 Name of Undertaking.....	3
3.2 Rationale/Need for the Project.....	3
3.3 Description of the Undertaking.....	3
3.3.1 Geographical Location	3
3.3.2 Project Description.....	5
3.3.3 Physical Features	5
3.3.4 Construction.....	6
3.3.5 Operation and Maintenance.....	7
4.0 CONSULTATIONS UNDERTAKEN	8
4.1 Public Consultation	8
4.2 Wildlife Division	8
4.3 Water Resources Management Division	8
5.0 ENVIRONMENTAL AND LAND USE EFFECTS	9
5.1 Humber River Buffer Area.....	9
5.2 Flood Risk Areas	9
5.3 Potential Pollutants	9
6.0 PROJECT RELATED DOCUMENTS	10
7.0 APPROVAL OF THE UNDERTAKING	11
8.0 PROJECT SCHEDULE	12
9.0 FUNDING	13
APPENDIX 1	14

EXHIBITS

Exhibit 3.1 – Project Location
Exhibit 3.2 - Project Concept
Exhibit 3.3 – Flood Risk Areas

1.0 INTRODUCTION

1.1 Name of Undertaking

This Undertaking is referred to as the Upper Humber River Subdivision Development Project (also referred to herein as the “Project”).

1.2 Nature of the Undertaking

The Town of Deer Lake, in partnership with a private developer, is proposing to develop a 98-lot subdivision and commercial space connecting to an existing residential area at the northern end of Humberview Drive. Lying east of Humber River, the subdivision will be separated from the river’s shoreline by an undisturbed environmental buffer 30 to 55 metres wide. In addition to residential lots, the project will include a small community park and playground.

1.3 Purpose of the Environmental Registration

The proposed project is subject to Part 10 of the Environmental Protection Act and associated Environmental Assessment Regulations. Intended to initiate the provincial environmental assessment process, this document:

- Identifies the project proponent
- Describes the proposed project, including purpose and rationale, as well as key components and construction and operational activities
- Describes recent project related consultation activities undertaken by the Town and the main findings to date
- Provides an overview of the project’s existing environmental setting, potential environmental considerations, and planned approaches for addressing environmental concerns.

This EA Registration has been prepared by the Town of Deer lake with assistance from Baird Planning Associates.

UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

2.0 PROPONENT

Name of Corporate Body:	Town of Deer Lake
Address:	34 Reid's Lane, Deer Lake, NL A8A 2A2
Principal Contact Person for Purposes	
Purposes of Environmental Assessment	Jason Young
	Town Manager
	Town of Deer Lake
	34 Reid's Lane, Deer Lake, NL A8A 2A2
	Telephone: (709) 635-2451
	Email: jyoung@deerlake.ca

3.0 THE UNDERTAKING

3.1 Name of Undertaking

Upper Humber River Residential Subdivision Development Project

3.2 Rationale/Need for the Project

The purpose of this project is to contribute to Deer Lake's housing needs and demand in an efficient and attractive area of the town. The proposed project site is located near existing streets, municipal infrastructure, and commercial and community services. The project will be conducive to the following development objectives and land use policies outlined in the Deer Lake Municipal Plan:

Goals and Objectives

- Encourage and facilitate new development through infilling along existing serviced streets, and ***new streets built in close proximity to existing streets and infrastructure.***
- Encourage lot layout designs that are ***efficient in the use of municipal infrastructure and sensitive to the existing physical form and character of the community.***
- Promote and facilitate ***adequate housing for all residents...***
- Ensure development proceeds in a way that ***maintains a pleasant residential environment***
- Manage residential development in a manner that ***preserves and protects sensitive environments and public open space***

Policies

- Council will encourage the ***consolidation of development in areas that are economical to connect to existing roads and service with water and sewer***
- When approving a proposed development, ***Council will require that environmentally sensitive lands are protected***
- Subdivisions and other developments will be ***coordinated with surrounding existing and proposed developments, the street network, and municipal infrastructure***
- Council will ensure that a new development will make ***efficient use of existing streets and infrastructure and will not create unreasonable servicing demands or costs***
- Council decisions affecting wetlands and known waterfowl habitat will be ***guided by the Deer Lake Habitat Conservation Plan, which is the basis of a Stewardship Agreement entered into between the Town and the Province.***

3.3 Description of the Undertaking

3.3.1 Geographical Location

The project site is located at Latitude 49.1873 and Longitude -97.4330. On the east side of Humber River, it lies in the northern portion of Deer Lake's built-up area, west of the Trans Canada Highway, immediately south of the Viking Trail Highway (Route 430), and

UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

immediately north of the current terminus of the Humberview Drive residential area. As shown in Exhibit 3.1, the site is generally bounded as follows:

- To the east, it abuts the highway commercial area fronting onto the Trans Canada Highway. The eastern boundary of the site lies approximately 130 metres from the Trans Canada Highway road reservation.
- To the west, the site abuts or lies close to the boundary of the Upper Humber River Management Unit, a wildlife conservation area that is subject to a habitat stewardship agreement between the Town and the Province. The distance between the site boundaries and the Humber River shoreline ranges from 30 to 50 metres.
- To the north, the site abuts the road reservation for Provincial Highway 430, also known as the Viking Trail Highway.
- To the south, the site abuts the Humberview Drive residential area, as well as the Pentecostal Church property.

Exhibit 3.1 - Project Location



UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

3.3.2 Project Description

The project site is approximately 16.0 hectares in area with rough dimensions of 770 metres north to south and from 180 to 220 metres east to west. The proposed design of the subdivision is shown in Exhibit 3.2. The project will include up to 98 residential lots on two streets which includes a commercial space as depicted on exhibit 3.2. Access to the subdivision will be via a direct connection to Humberview Drive in the south and a 180-metre street connecting to the Trans Canada Highway and Bennett Avenue to the east.

The subdivision will include an open space area to be developed as a community park and playground. It will also include a green space covering a designated flood area, where no residential development will take place.

A section of the development will include Crown Lands (applications No. 155409 and 154399) that has been applied for by the Town of Deer Lake for the intended use within the residential/commercial development by the private developer for the Upper Humber River Subdivision Development..

3.3.3 Physical Features

Most of the project site is already cleared of trees and vegetation. The southern portion of the site is denuded of the soil overburden due to previous aggregate operations. The site slopes gently from east to west with an approximate grade of 4 percent.

A forested riparian area ranging from 50 to 100 metres wide abuts Humber River along the entire length of the development site. Most of this strip will remain forested as a protected buffer between the project and the river. The buffer will range from 30 metres deep at its narrowest point to over 50 metres at its widest point. This buffer slopes toward the river at an estimated grade of 12-15 percent.

As shown in Exhibit 3.3, two identified flood risk areas lie within the project boundaries. Both are associated with small watercourses that empty into Humber River. The more western flood area includes the 1:20 year flood zone extending approximately 65 metres inland from the Humber River shoreline and the 1:100 year flood zone extending an additional 45 metres. The more eastern flood area includes only the 1:100 year flood zone extending approximately 65 metres inland.

The Upper Humber River Management Unit, a 21-hectare area of protected habitat, lies adjacent to the west side of the project site. This area that is subject to a stewardship agreement between the Town of Deere Lake and the Province. The features of this site as described in the Deer Lake Habitat Conservation Plan include:

- 30-metre riparian area on the east side of Humber River
- a small island near the eastern bank of the river
- a narrow channel of shallow water between the island and the river's eastern bank, which provides sheltered habitat for beavers
- abundant emergent and submergent vegetation that provides refuge for waterfowl nesting, brood raising and feeding

UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

- adjacent uplands frequented by songbirds including Black-capped Chickadees, Blue Jays, and Hairy Woodpeckers

Humber River is a one of the province's largest Atlantic salmon rivers.

UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

Exhibit 3.2 – Subdivision Concept Plan

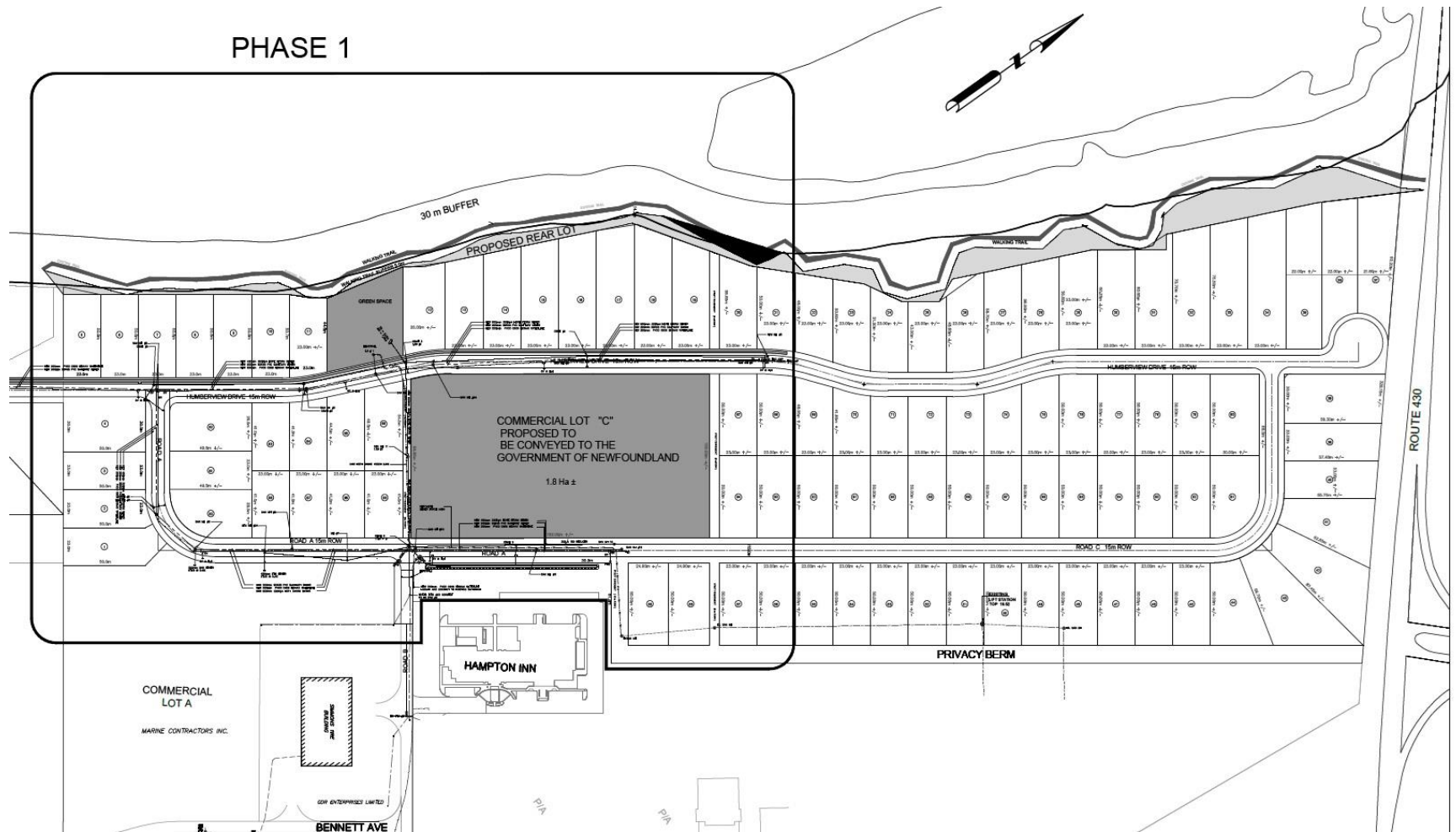
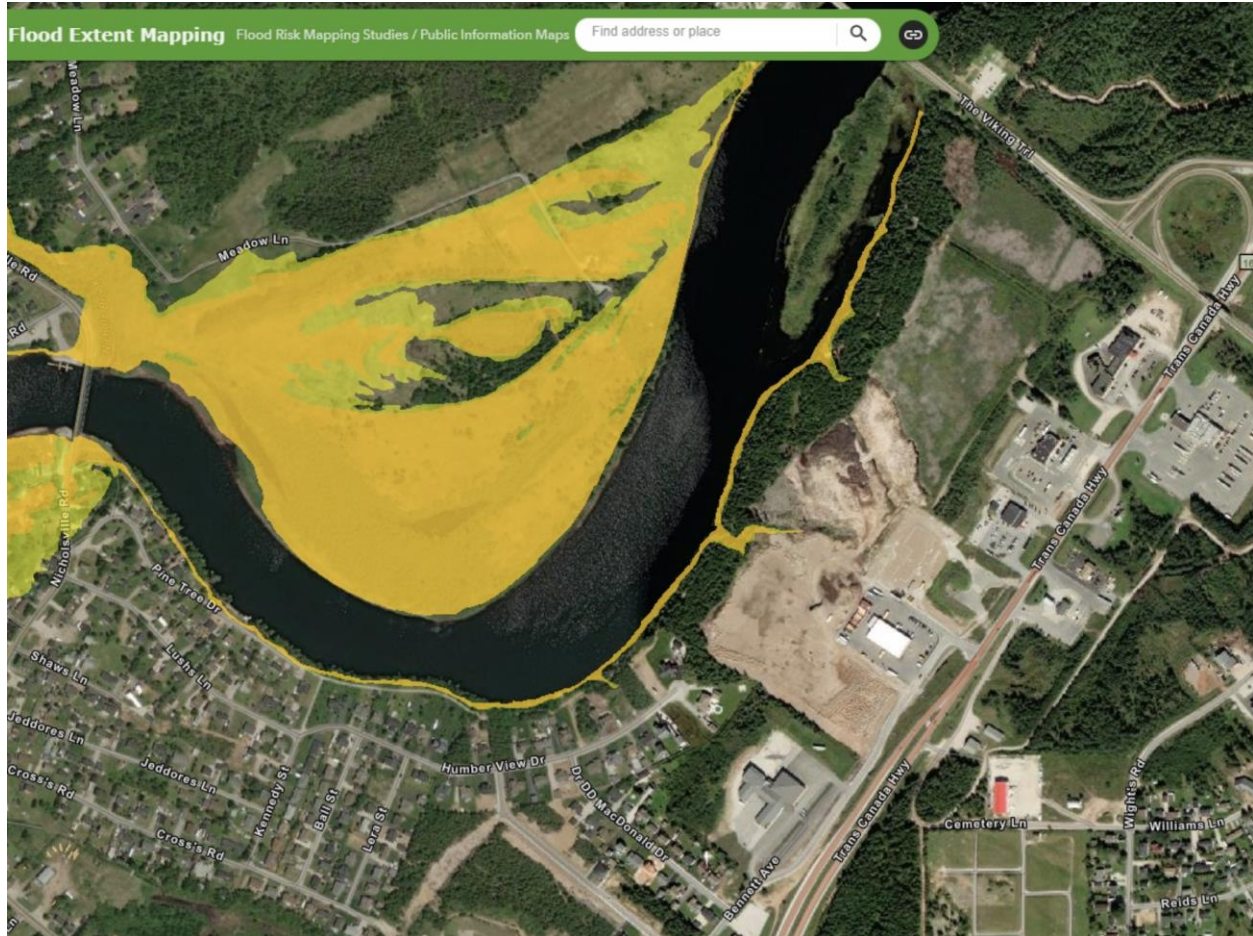


Exhibit 3.3 – Flood Risk Areas



Source: Water Resources Management Division

3.3.4 Construction

The project design plan is shown in Exhibit 3.2. The physical infrastructure for the project will be constructed in accordance with “*Subdivision Design Procedures and Municipal Engineering Standards for the Town of Deer Lake*” as well as the “*Guidelines for the design and operation of water and sewerage systems*” published by the Department of Environment and Climate Change.

Construction components will include:

- Two residential streets approximately 1,800 metres long with a 15-metre street reservation as required for Local Streets by Regulation 6.13 of the Deer Lake Development Regulations.
- The access street connecting to the Trans Canada Highway approximately 180 metres long with a 20-metre street reservation as required for Collector Streets by Regulation 6.13 of the Development Regulations.
- Street construction will meet the standards set out by Council as per Regulation 6.12 of the Development Regulations.

UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

- All other infrastructure, including water distribution system, sanitary and storm sewer, manholes, and catch basins, will meet the standards set out by Council as per Regulation 6.12 of the Development Regulations.
- New services and streets will be connected to existing services and streets in accordance with Council requirements.
- Secondary infrastructure will include curb and gutter, sidewalks, curb ramps, a walkway and trail connection to the Viking Trail Highway, a neighbourhood park including playground, postal box site, necessary crosswalks, hydro transmission lines, street lighting, and school bus stop site.

Construction Schedule

Construction will begin shortly after all approvals have been provided. Site clearing has already taken place. There will be two stages of construction. The first stage will take four months. It will include the water and sewer distribution systems, storm sewer, street sub-base and base, curb and gutter, and intersection alignments. The second stage, which will include the laying of asphalt, will take place after all first stage components have been completed to the satisfaction of Council.

Employment

The project will employ a crew of three labourers and three heavy equipment operators to complete excavation and installation of water and wastewater infrastructure for the project. These positions will be hire by the private property owner/developer.

3.3.5 Operation and Maintenance

After construction is completed, in accordance with the provisions of Part 6 of the Deer Lake Development Regulations, all lands and services in the area designated for public use such as streets, water and sewer distribution systems, street lighting, open space, etc. will be transferred to the Town. At that time, Council will assume responsibility for infrastructure maintenance and public works associated with the project.

4.0 CONSULTATIONS UNDERTAKEN

4.1 Public Consultation

Municipal Council approval of the project will first require amendments to the Deer Lake Municipal Plan and Development Regulations to change two land use zones covering different portions of the project site. Council provided public notice of the proposed amendments on April 12, 2022, with a deadline of April 25 for comments. Comments were received from two residents. The input can be summarized as follows:

- The subdivision will encroach on hiking trails
- Great care must be taken before changing conservation areas
- May cost taxpayers more money because of flooding
- May reduce income from tourists who like to walk the trails
- A larger buffer is required for this area
- Residents will encroach on the conservation area zone with their ATV's and dirt bikes
- Boaters will want access to the waters of Humber River.

4.2 Wildlife Division

Jonathan Sharpe, Program Coordinator of Municipal Habitat Stewardship with the Wildlife Division was consulted by the Town. He submitted a letter to Council dated April 22. The following summarizes the main points of the letter.

- Refers to the stewardship agreement for the conservation of the Upper Humber River Management Unit located close to the proposed subdivision
- An interpretive nature trail follows the riverbank, some of which may require re-routing away from the proposed subdivision
- Residential development is not consistent with conservation of the adjacent 30-metre riparian buffer. No development should be approved within the buffer itself.
- Residents of the subdivision may wish to have viewing and trail access to the river
- Residents should be made aware of the intent of the buffer and that cutting trees and building trails will not be permitted. Town should consider including such restrictions in building lot agreements
- The Town may consider providing limited access points to the trail as opposed to property owners building their own trails

4.3 Water Resources Management Division

The Town consulted with Richard Harvey of the Water Resources Management Division regarding the two flood risk sites in the project area. Mr. Harvey provided information on flood risk area boundaries and some initial comments on the proposed concept plan.

5.0 ENVIRONMENTAL AND LAND USE EFFECTS

5.1 Humber River Buffer Area

The Humber River riparian area includes the Upper Humber Management Unit, which protects habitat inland 30 metres from the river shoreline. This inland boundary delineates the minimum buffer line between the project site and the river, however most of the buffer area is wider than this and extends up to 50 or more metres from the shore. The buffer area includes a nature walking trail parallel to the river.

All construction activities including removal of trees and vegetation, site clearing and grubbing, and infilling of aggregate material will be kept well back from of the buffer area and walking trail. The subdivision boundary will be separated by a minimum of 3 metres from the edge of the walking trail. The buffer area will remain in the Conservation designation in the Deer Municipal Plan and Environmental Protection zone in the Deer Lake Development Regulations.

As a condition of approving the project, the Town will implement the Wildlife Division's recommendations for preventing encroachment into the buffer area by landowners. Homeowners will not be permitted to cut trees or build trails between individual properties and the river. The Town will require owners of lots adjoining the buffer to enter into building lot agreements that prevent any type of encroachment into the buffer. The Town may consider providing common access points to the walking trail from the subdivision.

5.2 Flood Risk Areas

As shown in Exhibit 3.3, the project boundaries include two flood risk areas. The western area includes both 1:20 year and 1:100 year flood zones. The eastern area includes the 1:100 year flood zone only. As shown in Exhibit 3.2, all of the 1:20 year flood zone and most of the 1:100 year flood zone will be contained in a proposed green space where no residential development will take place. This green space area will be zoned Floodway under the Deer Lake Development Regulations. All remaining 1:100 year flood risk area will be zoned for residential development; however, such development will be required conform to the conditions outlined for "floodway fringe" areas in the Provincial Land Use Policy for Flood Risk Areas and the Provincial Policy for Floodplain Management.

5.3 Potential Pollutants

Potential pollutants during construction will be limited to possible fluid spills from construction equipment such as fuel, hydraulic oil, etc. Full precautions will be taken to prevent fluid spills.

Construction procedures will follow strict guidelines for government contracts.

Post-construction pollutants will be those typical in urban areas such as road salt, pet manure, lawn fertilizers, and storm drainage. The vegetated buffer area between the development and the river will minimize the potential of such pollutants from entering Humber River.

6.0 PROJECT RELATED DOCUMENTS

Project related documents include:

- Drawing 16-012 PROPOSED LAYOUT 2024-03-27 (enclosed)
- Map – Project site flood risk areas, Flood Extent Mapping, Water Resources Management Division (<https://www.gov.nl.ca/ecc/waterres/flooding/frm/>)
- Letter from Jonathan Sharpe, NL EHJV Program Coordinator - Municipal Habitat Stewardship, Wildlife Division, Department of Fisheries, Forestry, and Agriculture, April 22, 2002 (enclosed)
- Newfoundland and Labrador Provincial Land Use Policy for Flood Risk Areas (<https://www.gov.nl.ca/mpa/files/for-flood-policy-landusepolicyflood.pdf>)
- Provincial Policy for Floodplain Management (<https://www.gov.nl.ca/ecc/waterres/regulations/policies/flood-plain/>)

7.0 APPROVAL OF THE UNDERTAKING

For the project to proceed the following approvals are required.

APPROVAL REQUIRED	AUTHORITY
Environmental approval	Minister of Environmental and Climate Change
Municipal Plan amendment	Town of Deer Lake
Development Regulations amendment	Town of Deer Lake
Subdivision permit	Town of Deer Lake
Protected road zoning and development control	Digital Government and Service NL

8.0 PROJECT SCHEDULE

The project start-up will take place shortly after all approvals have been obtained. It is anticipated the project will begin in April 2025 with completion of phase 1 in June 2025.

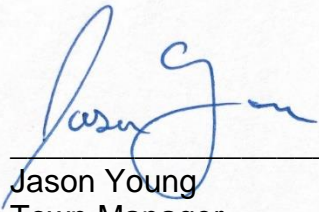
UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

9.0 FUNDING

The project will be privately funded by construction partners of the Town of Deer Lake.

Closure

2024/04/01
Date



Jason Young
Town Manager
Town of Deer Lake

UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

APPENDIX 1

Private Property – Upper Humber River Subdivision Development



UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

Crown Lands Application Map - Application No. 155409



UPPER HUMBER RIVER SUBDIVISION DEVELOPMENT

Crown Lands Application Map - Application No. 154399

