

**TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS
AMENDMENT No. 3, 2024**

Residential Floodway Fringe Zone

**Add Row Dwelling as a Discretionary Use
Add new conditions for development in flood risk areas**

Add Provincial Flood Risk Policy as an appendix

**Add new conditions for development in the Environmental Protection
and Floodway zones**

Update department titles

Prepared for the Town of Deer Lake

by

Baird Planning Associates


John Baird, MCIP




**URBAN AND RURAL PLANNING ACT 2000
RESOLUTION TO APPROVE
TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 4**

Under the authority of section 16, section 17, and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Deer Lake

- a) Adopted the Deer Lake Development Regulations Amendment No. 3, 2024 on the 9th day of December 2024.
- b) Gave notice of the adoption of Deer Lake Municipal Plan Amendment No. 3, 2024 by advertisement posted on the 16th day of January 2025 on Council's Facebook page and notice boards at the Town Hall and Hodder Memorial Recreation Complex.
- c) Set the 12th day of February 2025 at 7:00 p.m. at the Town Hall, Deer Lake for the holding of a public hearing to consider objections and other representations.

Under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Deer Lake approves the Deer Lake Development Regulations as amended.

SIGNED AND SEALED this 24 day of Feb 2025.

Mayor: 
Mike Goosney

Clerk: 
Lori Humphrey

(Council Seal)

Development Regulations / Amendment REGISTERED Number <u>1380-0017-2025</u> Date <u>March 20, 2025</u> Signature <u></u>
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URBAN AND RURAL PLANNING ACT 2000
RESOLUTION TO ADOPT
TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2024

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Deer Lake adopts the Deer Lake Development Regulations Amendment No. 3, 2024.


Adopted by the Town Council of Deer Lake on the 9th day of December 2024.

Signed and sealed this 24 day of Feb 2025

Mayor:


Mike Goosney

Clerk:


Lori Humphrey

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached DEVELOPMENT REGULATIONS Amendment No. 3, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:


John Baird

(MCIP Seal)



TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2024

BACKGROUND

Please refer also to Municipal Plan Amendment No. 3. The purpose of this amendment is to give Council discretionary authority to allow development of row dwellings in the Residential Floodway Fringe (RFF) zone. All existing conditions in the RFF Use Zone Table that apply to residential construction for flood risk mitigation will apply equally to row dwellings.

The Section 15 review by the Department of Municipal and Provincial Affairs recommended several changes to the amendment, which have been incorporated. These include:

- To add a condition that Council will require applicants to obtain a permit under Section 48 of the Water Resources Act prior to issuing a development permit in a flood risk area in the Residential Flood Risk zone, Environmental Protection zone, and Floodway zone.
- To add a condition that Council will refuse to issue a permit for any development that is not in accordance with the Provincial Flood Risk Policy.
- To add the Provincial Flood Risk Policy as an appendix to the Development Regulations
- To update incorrect departmental titles.

PUBLIC CONSULTATION

Public notice of the proposed amendment was posted on July 17, 2024, as follows:

- Town of Deer Lake website (screenshot attached)
- Town of Deer Lake Facebook page (screenshot attached)
- Bulletin boards at Town Hall and Deer Lake Post Office

The notice provided a period up to July 26, 2024 for the submission of written objections or other comments. No submissions were received.

DEVELOPMENT REGULATIONS AMENDMENT No. 3, 2024

1. Section 9.7 - Residential Floodway Fringe (RFF) Zone – Discretionary Use Classes

ADD:

“row dwelling” to the list of Discretionary Uses in the Residential Floodway Fringe Use Zone Table.

2. Section 9.7 – Condition 4

2A. Change Condition 4(n)

DELETE:

“4(n) Council will refuse an application that is not in accordance with all recommendations and requirements of the Department of Municipal Affairs and Environment. Refer to Appendix D – “Provincial Policy for Floodplain Management.”

and

REPLACE WITH:

“4(n) Council will refuse an application that is not in accordance with all recommendations and requirements of the Department of Environment and Climate Change. Refer to Appendix D – Provincial Policy for Floodplain Management. Prior to issuing a development permit, Council must obtain from the applicant a copy of a permit issued by the Department under Section 48 of the Water Resources Act 2002.”

2B. Add Condition 4(o)

ADD the following new condition:

“(o) In addition to Condition 4(n), Council will refuse an application that is not in accordance with the Department of Municipal and Provincial Affairs Flood Risk Policy. Refer to Appendix E – Provincial Land Use Policy – Flood Risk Areas.”

3. Provincial Flood Risk Policy

ADD to the Appendices:

*“Appendix E - Provincial Land Use Policy – Flood Risk Areas
(<https://www.gov.nl.ca/mpa/files/for-flood-policy-landusepolicyflood.pdf>)”*

4. Environmental Protection Zone

ADD the following condition to the Environmental Protection zone:

“8. Prior to issuing a development permit in any flood risk area, Council must obtain from the applicant a copy of a permit issued by the Department of Environment and Climate Change under Section 48 of the Water Resources Act 2002.”

5. Floodway Zone – Condition 2

DELETE:

"2. Referral to Department of Municipal Affairs and Environment

All proposals for development within the Protected Watershed zone will be referred to the Water Resources Division of the Department of Municipal Affairs and Environment. No development will proceed until comments and recommendations have been received from the Division."

and

REPLACE WITH:

"2. Referral to Department of Environment and Climate Change

All proposals for development within the Protected Watershed zone will be referred to the Water Resources Division of the Department of Environment and Climate Change. Prior to issuing a development permit in any flood risk area, Council must obtain from the applicant a copy of a permit issued by the Department under Section 48 of the Water Resources Act 2002."

6. Update Department and Division Titles

6A. From Municipal Affairs and Environment to Environment and Climate Change

In the following Regulations of the Development Regulations:

- 3.20 Compliance with Legislation
- 4.4 Solid Waste Site Buffer
- 4.6(2) Other Watercourses and Wetlands
- 4.6(3) Development with a Body of Water
- 4.23 Habitat Conservation
- 4.24 Development Controls in Floodplains
- 5.13 Mineral Working
- 6.12 Subdivision Requirements
- 9.2 Protected Watershed Zone – Condition 2
- 9.3 Floodway Zone – Condition 2
- 9.7 Residential Floodway Fringe Zone – Condition 4(l) and Condition 4(n)

DELETE: *"Department of Municipal Affairs and Environment"*

and

REPLACE WITH: *"Department of Environment and Climate Change"*

6B. From Water Resources Division to Water Resources Management Division

In the following Regulations of the Development Regulations:

4.6(3) Development Within a Body of Water

9.2 Protected Watershed Zone – Condition 2

9.3 Floodway Zone – Condition 2

DELETE: “Water Resources Division”

and

REPLACE WITH: “Water Resources Management Division”