

**TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS
AMENDMENT No. 2, 2022**

**Upper Humber River Subdivision Development
Rezone from Environmental Protection and Commercial General
to Residential Medium Density**

Prepared for the Town of Deer Lake

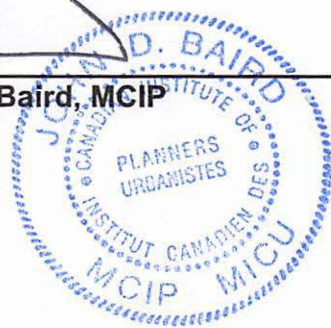
by

Baird Planning Associates

April 2023



John Baird, MCIP



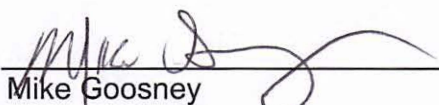
URBAN AND RURAL PLANNING ACT 2000
RESOLUTION TO APPROVE
TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2022


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. 2, 2022 on the 15th day of May 2023.
- b) Gave notice of the adoption of Deer Lake Development Regulations Amendment No. 2, 2023 by advertisement posted on the 19th and 20th days of June 2023 as follows:
 - (i) Town of Deer Lake webpage – June 19th, 2023
 - (ii) Notice boards at Foodland, Coleman's and Lawton's – June 20, 2023
- c) Set the 5th day of July 2023 at 7:00 p.m. at the Town Hall, Deer Lake for the holding of a public hearing to consider objections and submissions.

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 10th day of August 2023

Mayor: 
Mike Goosney

Clerk: 
Lori Humphrey

(Council Seal)

Development Regulations / Amendment

REGISTERED

Number 1380-2023-002

Date 0 JAN 2024

Signature 

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL SERVICES
COMMUNITY CARE LICENSING DIVISION
1500 CALIFORNIA STREET, SACRAMENTO, CA 95833
TEL: (916) 227-2300 FAX: (916) 227-2301

Enclosed for the recipient is a copy of the license application for the proposed facility. The application is to be completed and returned to the Community Care Licensing Division, 1500 California Street, Sacramento, CA 95833.

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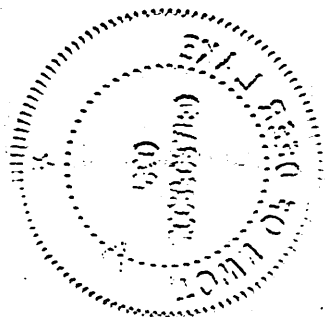
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COMMUNITY CARE LICENSING DIVISION



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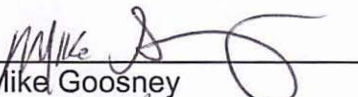
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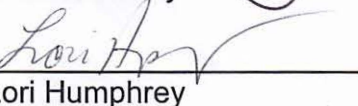
**URBAN AND RURAL PLANNING ACT 2000
RESOLUTION TO ADOPT
TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2022**

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. 2, 2022.

Adopted by the Town Council of Deer Lake on the 15th day of May 2023.

Signed and sealed this 10th day of August 2023


Mayor: 
Mike Goosney

Clerk: 
Lori Humphrey

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached DEVELOPMENT REGULATIONS Amendment No. 2, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: 
John Baird

(MCIP Seal)

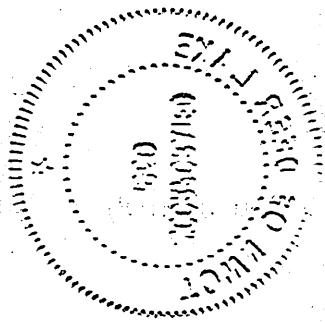


REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF HEALTH
BUREAU OF PHARMACY
BUREAU OF FOOD AND DRUGS

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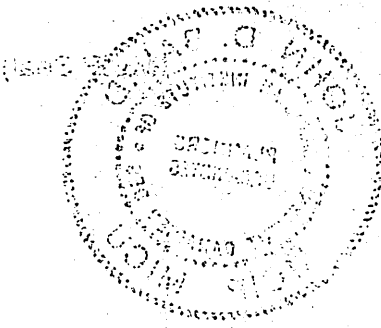
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TOWN OF DEER LAKE
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2022

BACKGROUND

Please refer also to Municipal Plan Amendment No. 2. The purpose of this amendment is to allow the development of a residential subdivision connecting to the north end of Humberview Drive on the east of Humber River.

Approval of the proposed development will require an amendment to the Development Regulations involving the following changes.

- Rezoning of 4.3 hectares from Environment Protection (EP) to Residential.
- Rezoning of 3.2 hectares from Commercial General (CG) to Residential Medium Density (RMD).

The proposed area to be amended from Environmental Protection to Residential Medium Density is buffered from the Humber River shoreline based on the following restrictive parameters:

- At no point will it encroach closer than 30 metres from the Humber River shoreline.
- At no point will it encroach into the Upper Humber River Habitat Management Unit, which is subject to a stewardship agreement between the Town and Provincial Wildlife Division.
- At no point will it encroach closer than 5 metres from the existing nature trail running parallel to Humber River.
- At no point will it encroach into the 1:20-year and 1:100-year flood risk areas as delineated in the recent Humber River Flood Study.

The shoreline buffer resource map delineating each of these restrictive parameters in relation to the proposed amendment area is provided below.

Regulation 4.23 of the Deer Lake Development Regulations addresses development in and in the vicinity of Deer Lake's three habitat management units.

"4.23 Habitat Conservation

(1) Stewardship Agreement

In accordance with the Deer Lake Stewardship Agreement with the Province, Council will conserve and protect sensitive wetland and waterfowl habitat within the Deer Lake Planning Area.

An application for development within wetland areas and along freshwater shorelines shall be reviewed by Council to ensure that the proposed development will not impact negatively on sensitive wetlands or other habitat used by waterfowl. Where it deems that a proposed development may have impacts, Council may refuse the application or may establish mitigating conditions to minimize potential habitat degradation.

(2) Habitat Management Units

The Deer Lake Planning Area includes three areas that are designated Habitat Management Units under the Stewardship Agreement. All three Management Units are contained within the Environmental Protection zone. These include the:

- *Junction Brook Bog Habitat Management Unit*
- *The Island Habitat Management Unit*
- *Upper Humber River Habitat Management Unit*

Only conservation and open space uses will be permitted within these management units. Any proposed land use or activity within a Habitat Management Unit will be referred to the Wildlife Division, Department of Municipal Affairs and Environment for review and comments before Council will issue a permit.”

As per comments received from Jonathan Sharpe, Municipal Habitat Stewardship Coordinator with the Wildlife Division and other respondents to the public notice (see Public Consultation section below), this amendment will include the following conditions.

- No development will be permitted within the Environmental Protection buffer area other than the existing municipal nature trail and minor associated facilities such as park benches
- No private trails will be permitted in the Environmental Protection buffer area to connect residential properties to the municipal nature trail or the Humber River shoreline
- Neither the developer, residential property owners, or other persons will be permitted to clear trees or other vegetation in any part of the Environmental Protection buffer area
- ATVs, dirt bikes, snowmobiles, and other motorized vehicles will not be permitted in the Environmental Protection buffer area
- No boats, docks or other boat landing facilities will be permitted anywhere in this section of Humber River
- The Town will make new residents aware of the intent of the shoreline buffer and will include restrictions against cutting trees, building trails, boating facilities, motorized recreational vehicles use, etc. as a condition of all development permits issued for properties that abut the Environmental Protection buffer zone.

The Town will consider providing limited access points from the subdivision to the trail as an alternative to property owners building their own trails.

PUBLIC CONSULTATION

Council provided public notice of the proposed amendment via its website (www.deerlake.ca), its Facebook page, and physical postings at the Town Office, Foodland, Colemans, Bella Rae Variety, Home Hardware and Simmons Tire. Council directly notified the Wildlife Division with whom it has a Municipal Stewardship Agreement for the protection of the Upper Humber River Management Unit, a stewardship area located near the proposed

development.

Three responses were received.

1. D. Jean Young (email-April 19, 2022). Objects to the amendment for the following reasons:
 - Updated flood mapping is not available
 - 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

2. Mark Keough (verbal comments submitted to Director of Operations). Objects to the amendment for the following reasons:
 - A larger buffer is required for this area
 - Residents will encroach on the EP zone with their ATV's and dirt bikes
 - Boaters will look to gain access to the waters of the Humber River.

3. Jonathan Sharpe, Program Coordinator - Municipal Habitat Stewardship, Wildlife Division, Department of Fisheries, Forestry and Agriculture (letter-April 22, 2022). The letter states that its intention is to provide input prior to the formal approval/permitting process. The following summarizes the main points of the letter.
 - Refers to the stewardship agreement between the Town and the Department for the conservation of the Upper Humber River Management Unit located close to the proposed subdivision
 - The Management Unit takes in a lush riparian landward buffer, a small island and adjoining freshwater wetland
 - Area has abundant emergent and submerged vegetation (e.g., Cattails, Reed Canary Grass, Rushes, low shrubs), a variety of waterfowl species, shelter for beavers, and various songbird species
 - An interpretive nature trail follows the riverbank, some of which may require re-routing away from the proposed subdivision area
 - Residential development is not consistent with conservation of the adjacent 30-metre riparian buffer. No development should be approved within the buffer itself.
 - The development may create a desire for viewing and trail access to the river by residents of the proposed subdivision
 - New 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

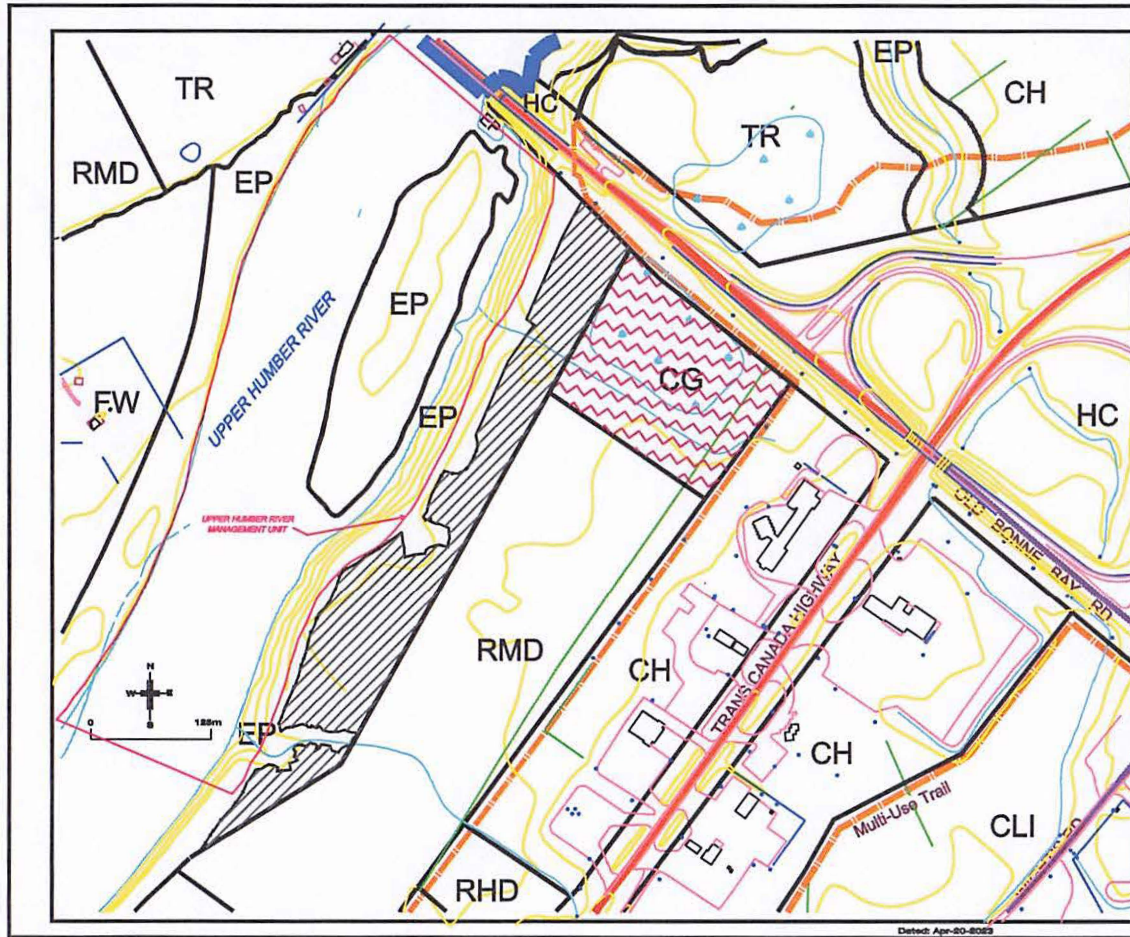
DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2022

The Deer Lake Land Use Zoning Map is amended as shown on the following page. It rezones:


1. 4.3 hectares from Environmental Protection to Residential Medium Density
2. 3.2 hectares from Commercial General to Residential Medium Density


This amendment includes the following restrictive conditions that the Town will require of the land developer and future landowners and residents of the subdivision:

- No development will be permitted within the Environmental Protection buffer area other than the existing municipal nature trail and minor associated facilities such as park benches
- No private trails will be permitted in the Environmental Protection buffer area to connect residential properties to the municipal nature trail or the Humber River shoreline
- Neither the developer, residential property owners, or other persons will be permitted to clear trees or other vegetation in any part of the Environmental Protection buffer area
- Use of ATVs, dirt bikes, snowmobiles, and other motorized vehicles will not be permitted in the Environmental Protection buffer area
- No boats, docks or other boat landing facilities will be permitted anywhere in this section of Humber River
- The Town will include restrictions against cutting trees, building trails, boating facilities, motorized recreational vehicle use, etc. as a condition specified in all development permits issued for properties that abut the Environmental Protection buffer zone.



Town of Deer Lake
 Development Regulations 2019-2029
 Land Use Zoning Map 2
 Amendment No. 2, 2022

 From: Environment Protection (EP)
 To: Residential Medium Density (RMD)

 From: Commercial General (CG)
 To: Residential Medium Density (RMD)

Dated in the Town of Deer Lake, Newfoundland and Labrador
 This 10th day of August, 2023

Mike Goosney
 Mike Goosney, Mayor

Lori Humphrey
 Lori Humphrey, Town Clerk

I certify that this Development Regulations amendment for the Town of Deer Lake has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:

John Baird
 John Baird, MCIP



Development Regulations/Amendment
REGISTERED

Number 1380-2023-002
 Date 0 JAN 2024
 Signature K Polanchard

