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Date	Sept 11, 2023
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REPORT FOR INFORMATION

SUBMITTED BY:	Mackenzie Childs, Planner II
DATE:	September 11, 2023
SUBJECT:	Application withdrawn - Municipal Planning Strategy (MPS) amendments to amend flood mitigation requirements for LaHave River Development Agreement Area

ORIGIN

This report originates with an application received by Jarsky Architecture Ltd. on behalf of BlackBay Real Estate Group on May 18th, 2022, to initiate an amendment to the Municipal Planning Strategy (MPS). An initiation report was received by Council on June 13, 2022 (Document #22-099).

RECOMMENDATION

A motion is not required by Council. Staff will ensure the file is closed.

BACKGROUND

An application was received on May 18th, 2022 by Jarsky Architecture Ltd. on behalf of BlackBay Real Estate Group ("the applicant") to explore options to amend the Municipal Planning Strategy (MPS) to ensure policy regarding flood mitigation is not overly restrictive. This amendment arose from the applicant's current development agreement application for 388 King Street.

The applicant's consulting civil engineers for the 388 King Street application completed a flood report analyzing flood situations and potential mitigative solutions for the proposed development, but Town staff determined it did not follow the Town's policy as it is currently worded. The consulting engineers believe the Town's policy is too restrictive and not reasonable.

Since the application for these MPS amendments, the applicants found a solution for 388 King Street that met the Town's policy regarding protection from flooding and regarding an active riverfront and an active streetscape. The development agreement for this property was approved by Council on December 12, 2022. Therefore, the application to amend the MPS is no longer required by that applicant.

DISCUSSION

Although the applicant for 388 King Street was able to find an appropriate solution for flood mitigation, this will not always be the case with the current policy. Staff are actively working on

engaging consultants to: 1) verify existing data from the Town’s Integrated River and Coastal Hydrodynamic Flood Risk Mapping of the LaHave River Estuary and Town of Bridgewater” (2013 Flood Study), 2) recommend which flood risk scenario to use from the 2013 Flood Study, and 3) provide policy amendment recommendations to protect properties from flooding while still encouraging development in the downtown core on the river.

The project described above does not relate to the former application in question. The final step of the project will bring the discussion back to Council with the policy amendment recommendations. Through this work, staff will once again be exploring options to amend the Municipal Planning Strategy (MPS) to ensure policy regarding flood mitigation is not overly restrictive.

IMPLICATIONS

Financial/Budget

N/A

Legal

N/A

Strategic Priorities / Work Program

N/A

OPTIONS

N/A

COMMUNICATIONS

N/A