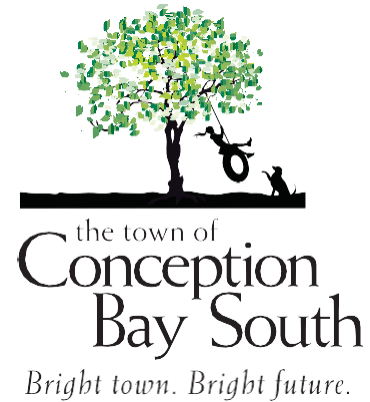


August 19, 2020

Omni Marine Services Inc.  
1315 Topsail Road  
St. John's, NL  
A1B 3N4



Dear Sir or Madam:

Your application **#COM-20-064** dated July 13, 2020 to construct a wharf and infill a waterbody located on **Terminal Road, Long Pond** has been approved under section 4.10 of the Conception Bay South Development Regulations. A permit will be issued only upon compliance with the following conditions and no construction and/or excavation will be permitted prior to the issuance of a building or construction permit.

#### **Wharf & Infill Requirements**

1. Receipt of approval and compliance with all requirements outlined by the Provincial Department of Municipal Affairs and Environment, Water Resources Management Division.
2. Receipt of approval from the Department of Fisheries and Oceans Canada.
3. Receipt of approval from the Federal Department of Transport Canada – Navigable Water Protection Division.
4. Receipt of approval from the Long Pond Harbour Authority.
5. If approval is determined to not be required by an authority, the applicant may be required to provide the Town with written acknowledgement from the authority or written confirmation and reasoning as to why an approval is not required.
6. That the following be submitted to this office, prior to issuing of a building permit:
  - 6.1. A legal survey, including a property description confirming the property size, as indicated on your application
  - 6.2. A detailed site plan, prepared by a professional engineer licensed to practice in the Province of Newfoundland and Labrador. The Site Plan must incorporate all requirements outlined in condition (7) above and the following:
    1. Future building location, parking, access/egress provisions and any outdoor storage area and fences.
    2. Existing grade of site, including grade of street centerline and curb at 5m intervals along the site frontage, as well as all final grading details.
    3. Site servicing details for all water, sewer and storm service installations.

4. A detailed landscaping plan, incorporating all provisions/requirements of section 5.12.4 of the Town's Development Regulations.
  - 6.3. Building permit fees and deposits for this development will be assessed as per the Town's Schedule of Rates and Fees. This assessment must be paid in full prior to the issuance of a building permit. These fees/deposits will include, but are not limited to:
    1. Permit fee of \$7 per \$1000 of construction value (May be waived if permit is issued in 2020).
    2. A refundable construction deposit calculated at 1% of the estimated construction costs (a minimum of \$5,000 will apply). The construction deposit will be refunded upon issuance of an Occupancy Permit and confirmation that there are no outstanding deficiencies related to the development.
    3. A refundable landscaping deposit of \$1000.
7. This proposal is located within an area identified as High Hazard Vulnerability on Map 2 Environmental Overlay Map of the Municipal Plan. As per Section 5.10 of the Development Regulations, you are required to have a Land Use Impact Assessment Report (LUIAR) prepared by a suitable qualified person(s) to evaluate the level of hazard risk. The Town will draft a Terms of Reference for this report in order to initiate this process. The Town is required to advertise the draft Terms of Reference to the public and it must be considered by Council prior to a decision on its use for the LUIAR. If approved, the Terms of Reference will be released to the applicant in order to engage a consultant to prepare the LUIAR under the guidance of the Terms of Reference. Once provided to the Town, the LUIAR will be reviewed by staff and/or Council for acceptance/approval. If determined to be required by Council, a public advertising period may also be required prior to the approval/acceptance of the report. All costs associated with the LUIAR process are the responsibility of the applicant, and this process must be completed prior to the issuance of a permit.
8. A Business Permit for the wharf operation and cold storage plant is required prior to the operation of a business from the building. A permit fee of \$30 is required to be paid prior to the issuance of that permit. Business Tax will be assessed and payable from the date that the Business Permit is issued.

#### **General Conditions**

9. If municipal water service is to be brought onto this site, a water meter is required to be supplied and installed at the expense of the developer in any future building on this property in accordance with the Conception Bay South Water Meter Regulations.
10. All certificates, approvals, documentation and any other requirements requested or identified by the Town during plan review or throughout the development process must be submitted to the Town prior to booking an occupancy permit.
11. This proposal and associated plans and drawings will be reviewed by the Town's Engineering Department. The applicant will be required to comply with all requests and make any modifications to the plans/drawings which are requested by the

Town. Permits will not be issued until all necessary departments of the Town are satisfied with the proposal. Any cost and work involved in changes, modifications or alterations to the plans will be the full responsibility of the applicant.

12. Any water/sewer work will require that a water and sewer permit is obtained from the Town's Engineering Department. All design work and plans must be submitted and approved by the Town to commencement of any work. These plans must be completed and stamped by a professional engineer.
13. The construction site be maintained free of all refuse and debris resulting from the construction of this building. This material should be removed and disposed of at an approved waste disposal site.
14. That the parking area be constructed and finished with a hard surface and meet all standards outlined in Section 9 of the Town's Development Regulations.
15. The number of parking stalls provided on the entire property must meet the cumulative requirements as prescribed by Section 9 of the Town's Development Regulations.
16. Permits will be required for any signs that are placed/erected on this property. For more information please contact the Town's Planning and Development Department at 709-834-6500, extension 401.
17. The property is subject to property tax, which should be paid before a permit is issued. As well, the building will have to be assessed when completed and taxes paid from the date of completion to the end of the year. If an occupancy permit is not obtained, the tax assessment and billing will be effective from the date on which the building permit was issued.
18. That should ditching be required now or in the future, as a result of the development of this property in whole or in part, it is the responsibility of the builder/developer/owner. Furthermore, should any easements be required to the benefit of the Town, such easements are to be supplied to the Town at no cost to the Town.
19. Applicants for building and renovation permits shall be responsible for the costs associated with all modifications, installations, etc. with respect to all Town services as a result of any work carried out by the applicant as a result of the permit. This shall include but is not limited to culverts, fire hydrants, road shoulders, sidewalk removal/replacement, etc.
20. This development approval is valid for two years from date of issue. If a building permit is not obtained by that date, this approval is subject to renewal on or before the date of expiration. Should this approval expire, your application is subject to further review by Council.
21. Development of the cold storage plant or any other structures on this property will require that an additional application is submitted to the Town for consideration.

22. You are hereby notified that the Approval in Principle issued on July 27, 2020 is formally revoked under the authority of Section 4.12 of the Town's Development Regulations. This approval was provided in error including the development of a cold storage plant.

Please note that you have the right to appeal the foregoing conditions. The appeal and a fee of \$200 plus HST (\$230.00 total) must be submitted to the **Secretary of the Appeal Board at the Department of Municipal and Provincial Affairs and Environment, 4<sup>th</sup> floor, Confederation Building (West Block), P.O. Box 8700, St. John's, NF, A1B 4J6** within 14 days of the day that you receive this decision. If the appeal and fee is not submitted within this time limit, your right to appeal is considered to be forfeited. You should note that any interested person also has the right to appeal the decision regarding your application within the 14 day appeal period.

Please indicate your agreement with the foregoing conditions by signing and returning a full copy of this letter to this office within 30 days. Failure to return this letter within the specified time will result in cancellation of the application.

Please note that this approval constitutes Approval in Principle only, not approval to commence construction.

The required permits will be issued upon compliance with the foregoing conditions, receipt of a signed copy of this letter, signed copy of the Inspection Schedule and payment of the applicable permit fees.

Should you require additional information, please contact the Town's Planning and Development Department at 834-6500 ext. 401.

Yours truly,



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Daniel Barrett  
Development Control Coordinator

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Signature

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Date

cc Jennifer Lake, Economic Development