

SECTION 1 – TITLE AND APPLICATION

1.1 SHORT TITLE

The Regulations may be cited as the “St. John’s Development Regulations 2017”.

1.2 INTERPRETATION

- (1) Words and phrases used in these Regulations shall have the meaning ascribed to them in Section 2.
- (2) Words and phrases not defined in Section 2 shall have the meaning which is commonly assigned to them in the context in which they are used in these Regulations.
- (3) Unless otherwise stated, the singular form of a Use includes the plural.
- (4) Any references to sections made in these Regulations are considered to be references to these same Regulations unless otherwise indicated.

1.3 These Regulations come into force on the date of publication of a notice to that effect in the Newfoundland and Labrador Gazette.

1.4 The St. John’s Development Regulations, originally gazetted June 3, 1994, and all amendments thereto are repealed upon the coming into force of these Regulations

SECTION 2 – DEFINITIONS

Definitions will be finalized once text is finalized which is in accordance with property drafting principles.

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SECTION 3 – APPEALS

3.1 RIGHT TO APPEAL

Where a decision is made under these Regulations or the Act, the person to whom the decision applies shall be notified in writing, at the time of the making of the decision of:

- (1) the person's right to appeal the decision to the Appeal Board;
- (2) the time by which an appeal is to be made;
- (3) the right of other interested persons to appeal the decision; and
- (4) the manner of making an appeal and the address for filing the appeal.

3.2 ST. JOHN'S LOCAL BOARD OF APPEAL

3.2.1 Appointment of Appeal Board

- (1) Council shall appoint five (5) persons to the Appeal Board.
- (2) Councillors or employees of the City are not eligible to be members of the Appeal Board.
- (3) A member of the Appeal Board holds office for three (3) years and may be appointed for a further three (3) years.
- (4) Notwithstanding subsection (3), a member shall continue to be a member until he or she is reappointed or replaced.
- (5) A person appointed to fill a vacancy on the Appeal Board shall be a member for the rest of the vacating member's term.
- (6) Council, may, by a two-thirds vote, provide remuneration to be paid to members of the Appeal Board and may prescribe the amount.
- (7) The City Clerk, or his or her agent, shall be secretary of the Appeal Board.

3.2.2 APPEALS TO THE APPEAL BOARD

- (1) A person aggrieved by a decision made under these Regulations or the Act may appeal that decision to the Appeal Board where the decision is with respect to:

- (a) an application to undertake a Development;
 - (b) a revocation of an approval or a permit to undertake a Development;
 - (c) the issuance of a Stop Work Order; or
 - (d) a decision permitted under the Act, or another act to be appealed to the Appeal Board.
- (2) An appeal shall be filed not more than 14 days after the applicant has received the decision being appealed.
- (3) An appeal shall be made in writing and shall include:
 - (a) a summary of the decisions appealed from;
 - (b) the grounds for the appeal; and
 - (c) the required fee.
- (4) The secretary of the Appeal Board shall, not less than 14 days before the hearing of an appeal, publish a notice in a local newspaper advising that an appeal has been filed and the date the appeal is to be heard.
- (5) The Appeal Board shall hear an appeal within 30 days of the filing of the appeal and shall issue a written decision within 14 days of the hearing.
- (6) Council and the appellant are entitled, but not required, to appear before the Appeal Board either personally or by authorized representative.
- (7) The Appeal Board shall be presided over by a chairperson appointed from among its members by Council, or, in the absence of the chairperson, such members present shall among themselves appoint.
- (8) A majority of the members of the Appeal Board shall constitute a quorum.
- (9) The Appeal Board shall not make a decision that is contrary to the Act, the Municipal Plan, these Regulations or policy adopted thereunder.
- (10) In determining an appeal, the Appeal Board may confirm, reverse or vary the decision appealed from and may impose those conditions that the Appeal Board considers appropriate in the circumstances and may direct Council to carry out its decision or make the necessary order to have its decision implemented.

- (11) Notwithstanding subsection (10) where Council may, in its discretion, make a decision, the Appeal Board shall not make another decision that overrules the discretionary decision.
- (12) The decision of a majority of the members of the Appeal Board present at the hearing of an appeal shall be the decision of the Appeal Board.

3.2.3 DEVELOPMENT MAY NOT PROCEED

Where an appeal is filed under section 3.2.2 the development concerned shall not proceed pending a decision of the Appeal Board and the subsequent issuance of all required permits.

3.2.4 RETURN OF APPEAL FEE

Where an appeal is successful, the appellant shall be refunded the fee paid at the time of filing.

3.2.5 DECISIONS OF THE APPEAL BOARD

- (1) A decision of the Appeal Board may be appealed to the Trial Division of the Supreme Court of Newfoundland and Labrador on a question of law or jurisdiction.
- (2) An appeal to the Supreme Court of Newfoundland and Labrador shall be filed not later than 10 days after the date of the decision being appealed.

SECTION 4 – GENERAL DEVELOPMENT PROCEDURES

4.1 CONTROL OF DEVELOPMENT

4.1.1 Compliance

All Development shall be carried out and maintained in accordance with the Act, the Municipal Plan, these Regulations and any policy adopted thereunder.

4.1.2 Permit Required

No person shall carry out any Development controlled by these Regulations unless all required approvals, permits, or development agreements have been issued by the City.

4.1.3 Development Above the 190 Metre Contour

Notwithstanding any other provision of these Regulations, no residential Development utilizing private water and/or sewer services shall be permitted above the 130 metre contour elevation, unless approved by Council.

4.2 DECISIONS

4.2.1 Decisions made under or pursuant to the Act, the Municipal Plan, these Regulations and any policy adopted thereunder shall be written, state the rationale for such decision, and where the decision is an approval, state any conditions attached thereto.

4.3 EXERCISE OF DISCRETION

4.3.1 When exercising discretion to approve or not approve a Development, Council shall take into account the Act, the Municipal Plan, these Regulations and any policy adopted thereunder, and such other considerations which are, in its opinion, material.

4.3.2 Where requirements appear inadequate to meet the requirements of the Municipal Plan, these Regulations or any policy adopted thereunder, or these Regulations are silent or where requirements are left to the discretion of Council, Council may establish the necessary requirements.

4.3.3 No permit for Development shall be issued when, in the opinion of Council, it is premature by reason of the site lacking adequate road access, power, drainage, sanitary facilities or domestic water supply unless the applicant installs the access, services or facilities deemed necessary by Council.

- 4.3.4 Council may defer decisions on Development applications and/or amendments to these Regulations where Council has directed that a planning study or other similar study pertaining to the future use and Development of the specific area to which the proposed Development or amendment relates be undertaken.

4.4 APPLICATION

4.4.1 Submission

- (1) An application for Development shall be made by the property owner or a person with the property owner's written consent.
- (2) An application shall include such plans, specifications and drawings as necessary to evaluate the application, together with the applicable fee. At a minimum, an application for Development shall include:

Information	All Applications	Applications that include Buildings	Discretionary and Commercial Uses	Rezoning Application
Location	X	X	X	X
Survey	X	X	X	X
Site Plan	X	X	X	X
Description of Proposed Use	X	X	X	X
Lot Area & Frontage	X	X	X	X
Vehicular Access	X	X	X	X
Water & Sewer	X	X	X	X
Building Placement		X	X	X
Yards		X	X	X
Building Floor Area and Height		X	X	X
Off-Street Parking		X	X	X
Number of employees on site			X	X
Hours of Operation/Duration			X	
Storm Water Management Plan	X	X	X	X
Snow Storage Plan		X		
Other Information as Specified by Council	X	X	X	X

4.4.2 Deferral and Withdrawal

- (1) A request for deferral of an application shall be made in writing by the applicant. Where a request for deferral is received, the application may be deferred for a maximum of 90 days from the date of receipt of the request. Should the applicant not reactivate the application within the aforesaid 90 days, the application shall be deemed to be withdrawn.
- (2) An application may be withdrawn at any time upon the written request of the applicant.
- (3) There shall be no refunding of any fees paid in respect of a deferred or withdrawn application.

4.5 APPROVAL

4.5.1 General

- (1) Applications that comply with the provisions of the Act, the Municipal Plan, these Regulations and any policy adopted thereunder may be approved by authorized staff.
- (2) All other applications, including, but not limited to, those involving a Discretionary Use, a Conservation Plan, a Mitigation Plan, a Non-Conforming Use, a Subdivision of 10 or more Lots, which require an extension of municipal services and/or changes in infrastructure, or a Variance may be approved by Council and a Development Agreement entered into.
- (3) Notwithstanding subsections (1) and (2) where Council, in its discretion, decides that a Development Agreement is required, a Development Agreement shall be entered into.
- (4) A Development Fee shall be paid for each new Dwelling Unit, new structure, new Use and expansion of an existing Dwelling Unit, structure, or Use. The Development Fee shall be paid prior to final approval of the Development and shall be in accordance with the schedule of fees adopted by Council from time to time. This fee shall be in addition to any other fee and be non-refundable.

4.5.2 Development Agreement

- (1) A Development Agreement shall set out the terms of Council's approval and shall be signed by the applicant and the City Clerk, and be registered in the Registry of Deeds for the Province of Newfoundland and Labrador.

- (2) Where a Land Use Report has been required by Council, the Development Agreement shall specify:
 - (a) the details of the Conservation Plan and/or Mitigation Plan, and
 - (b) the implementation scheduling of the Conservation Plan and/or Mitigation Plan.
- (3) Approval given to a Development pursuant to a Development Agreement may be revoked if the applicant, or the operator of any facilities allowed under the Development Agreement, is in the opinion of Council, in violation of any of the terms of the Development Agreement or any other approvals or permits issued subsequent thereto.
- (4) Any violation of the terms of the Development Agreement shall result in the immediate cessation of the Development.

4.5.3 Approval In Principle

- (1) Council, after considering an application and being satisfied that the proposed Development, subject to submission and approval of detailed plans, is in compliance with the Act, the Municipal Plan, these Regulations, and any policy thereunder, may grant approval in principle for such application and attach conditions that shall:
 - (a) be met prior to the issuance of final approval; and
 - (b) ensure the Development is carried out in a manner consistent with the Act, the Municipal Plan, these Regulations and any policy adopted thereunder.
- (2) An approval in principle shall be valid for a period of 2 years from the date of granting by Council, and may be extended by Council at the written request of the applicant, or their authorized representative, for 1 additional year, for a total of 3 years.
- (3) No Development shall be carried out pursuant to an approval in principle.

4.5.4 Final Approval

- (1) Final approval shall be given where:
 - (a) all conditions attached to the approval in principle have been met; and

- (b) all required payments and land dedications have been made
- (2) Final approval shall be valid for a period of 2 years from the date of granting by Council, and may be extended by Council at the written request of the applicant, or their authorized representative, for 1 additional year, for a total of 3 years.

4.5.5 Correction of Errors and Remedial Work

An approval of any plans or drawings or the issuance of any permit shall not prevent Council, or authorized City staff, from requiring the correction of errors, ordering the cessation of the Development associated with the plans, drawings, permit or Development where the plans, drawings, permit or Development are not in compliance with the Act, the Municipal Plan, these Regulations or any policy adopted thereunder.

4.5.6 Revoke Approval

An approval on any subsequent permits issued pursuant to these Regulations may be revoked where the applicant fails to comply with:

- (1) the Act, the Municipal Plan, these Regulations or any policy adopted thereunder;
- (2) any condition attached to the approval or permit; or
- (3) the approval or permit was issued contrary to the Act, the Municipal Plan, these Regulations, or any policy adopted thereunder; or
- (4) the approval or permit was issued on the basis of insufficient and/or incorrect information.

4.6 FINANCIAL GUARANTEES

- (1) Before commencing a Development, a developer may be required to make financial provisions, and/or enter into such agreements as may be required, to guarantee the payment of assessments, ensure site reinstatement and to enforce the carrying out of any other condition attached to an approval, permit or Development Agreement.
- (2) The form of financial provisions or agreement required under subsection (1) shall be determined by Council and may be:
 - (a) a cash deposit, bank draft or certified cheque;
 - (b) an irrevocable letter of credit in a form as may be acceptable to Council; or

- (c) such form of financial guarantee as may be acceptable to Council.

4.7 DEDICATION OF LAND FOR PUBLIC PURPOSES

- (1) Council may require the owner of lands forming part of a Subdivision to convey to the City not more than 10% of the Subdivision or land for a public purpose.
- (2) For a Development that is not a Subdivision, Council may require the owner of the lands forming the Development to convey to the City a portion of the land being developed for a public purpose.
- (3) Lands conveyed under subsections (1) and (2) shall be conveyed for \$1.00.

4.8 PUBLIC CONSULTATION

- (1) Where there is a proposed change in these Regulations or an application which requires public consultation, Council shall give notice of the proposed change or application in a newspaper circulated in the area and shall make such effort as it deems reasonable that notice of the proposed change or application is provided to those property owners who may be directly affected by the proposed change or application.
- (2) The notice referred to in subsection (1) shall:
 - (a) contain a general description of the proposed change or application and advise where and when the application may be viewed;
 - (b) specify the date for receipt of written comment on the proposed change or application by the City Clerk;
 - (c) specify the date, time, and location of a Public Meeting, if one is to be held; and
 - (d) be placed in the newspaper at least 14 calendar days prior to the date Council will consider the proposed amendment or application, or Public Meeting and be sent to the property owners referred to in subsection (1) where possible, at least 14 calendar days prior to the date Council will consider the proposed amendment or application.
- (3) Public consultation shall be carried out for:
 - (a) Discretionary Use applications;

- (b) change in Non-Conforming Use applications;
- (c) applications where a Land Use Report is mandatory or has been required by Council;
- (d) Variances; or
- (e) any other application Council may direct.

4.9 LAND USE REPORT

- (1) Council may require a Land Use Report as part of the Development application review process which Land Use Report, and any supporting studies or plans, shall be prepared at the expense of the applicant.
- (2) The terms of reference for a Land Use Report shall be approved by Council and shall form part of the report itself.
- (3) The Land Use Report shall require identification of significant impacts of the proposed Development, evaluate their importance and, where appropriate, contain a Mitigation Plan and a Conservation Plan.

4.10 BODIES OF WATER

- (1) The minimum Buffer adjacent to the enumerated bodies of water shall be:

Body of Water		
Waterways	Wetlands	Ponds or Lakes
15m from the 100 year high water mark of the following waterways and salmonid bearing tributaries listed below and on Maps J-1 and J-2 : <ul style="list-style-type: none"> • Outer Cove Brook • Stick Pond Brook • Coaker's River • Bellview Stream • Virginia River • Nagle's Hill Brook • Leary's Brook • Rennie's River • Quidi Vidi River • Mundy Pond Brook • Kitty Gaul's Brook • Luke's Brook • Kilbride Brook • Flynn's Brook • Waterford River • Leamy's Brook • Doyle's Brook • Cochrane Pond Brook • Raymond's Brook • Manuel's River • Conway Brook • Nut Brook • Kelligrews River • Lower Gullies River 	15m from the edge of the following wetlands on Map J-1, J-2 <ul style="list-style-type: none"> • Airport Heights Wetland • Clovelly Wetlands • Lundrigan's Marsh • Harbourview Marsh • Synod Lands East Wetland • Synod Lands North Wetland • Island Pond Marsh • Yellow Marsh Wetland • Kent's Pond • Marine Institute Wetland • Mundy Pond Wetland • Wetland #9 (Atlantic Cool Climate Crop Research Centre, Agriculture and Agri-Food Canada) 	15m from the 100 year high water mark of any Pond or Lake.
	50m from the edge of the following wetlands and on Maps J-1, J-2 <ul style="list-style-type: none"> • Synod Lands West Wetland • Long Pond Marsh • George's Pond 	

- (2) Notwithstanding subsection (1), Council may increase the size of the Buffer adjacent to a body of water.
- (3) Development shall not be permitted in the Buffer adjacent of a body of water or in a Floodplain and shall be located a minimum of 1.2 metres from the edge of the Buffer.

(4) Notwithstanding subsection (3), Council may permit the following Development in a Buffer or a floodplain for:

- (a) residential Decks, Fences and Accessory Buildings;
- (b) public works;
- (c) Public Utility;
- (d) servicing of a private Development;
- (e) protection of areas of geological instability;
- (f) flood control purposes;
- (g) trails;
- (h) Landscaping;
- (i) construction of storm water detention infrastructure; or
- (j) paving of gravel Parking Lots.

SECTION 5 – SUBDIVISION DEVELOPMENT

5.1 SUBDIVISION DESIGN

5.1.1 Subdivision Design

No permit shall be issued for the development of a Subdivision unless the design of the Subdivision conforms to the requirements of these Regulations and the City's Subdivision Design Policy.

5.1.2 Application for Subdivision

Applications for a Subdivision shall include the following information:

- (a) the location, legal description, plot plan, and proposed Use(s) of the Subdivision;
- (b) the physical features of the site, including but not limited to, the location of mature vegetation, identification of areas of potential hazard, drainage, watercourses, wetlands, floodplains, and topography;
- (c) the layout of proposed Lots and Streets;
- (d) the relation of the Subdivision to existing development, Streets, transit, and trailways;
- (e) the provision for future access to adjacent undeveloped lands;
- (f) the compatibility between the Subdivision and surrounding Uses, both existing and potential;
- (g) the volume and type of vehicular and pedestrian traffic that will be generated by the Subdivision;
- (h) the proposed servicing, including water and sanitary sewer, storm water management and utilities;
- (i) the landscape plan which shows the location of dedicated open space; and
- (j) such further information as required by the Chief Municipal Planner.

5.1.3 Design by Professional Engineer

The design, plans, and specifications of a Subdivision shall be prepared by a person having the designation of a Professional Engineer.

5.2 SUBDIVISION FEES

5.2.1 Subdivision Application Fee

A Subdivision Application Fee shall be paid at the time of application in accordance with the schedule of fees adopted by Council from time to time. This fee shall be in addition to any other fee and be non-refundable.

5.2.2 Development Fee

A Development Fee shall be paid for each new Lot in a Subdivision. The Development Fee applicable to the entire Subdivision shall be paid prior to the final approval of the Subdivision and shall be in accordance with the schedule of fees adopted by Council from time to time. This fee shall be in addition to any other fee and be non-refundable.

5.3 SECURITIES - **(Under review by Securities Working Group – idea of a catchall form of security which can be indexed)**

5.3.1 Subdivision Security

Prior to the issuance of final approval for the Subdivision, Security in an amount as stipulated by the City's Subdivision Development Policy shall be deposited with the City. Such Security shall be in the form of a bank draft, certified cheque or irrevocable letter of credit and shall be refunded to the applicant or their designate upon completion and acceptance by the City of the Subdivision in relation to which it was paid. No interest shall be paid on refunded Subdivision Security.

5.3.2 Maintenance Security

Upon issuance by the City of a Letter of Acceptance certifying satisfactory completion of the Subdivision work as defined in the City's Subdivision Development Policy, the applicant shall deposit with the City Maintenance Security. Such Maintenance Security shall be in the form of a bank draft, certified cheque or irrevocable letter of credit and shall be in an amount as stipulated by the City's Subdivision Development Policy. Maintenance Security shall be refunded to the applicant or their designate not less than one (1) year after acceptance of the Subdivision by the City provided there are no outstanding deficiencies in the sole opinion of the Manager of Development Engineering otherwise the Maintenance Security assessed by the City shall be forfeit. No interest shall be paid on Maintenance Security.

5.4 CONVEYANCE OF LAND FOR PUBLIC PURPOSE

5.4.1 Public Streets, Rights of Way and Easements

As a prerequisite of acceptance by the City of Phase 1 work as defined in the City's Subdivision Development Policy, the applicant shall convey to the City for the nominal consideration of \$1.00 all lands as determined by the City to be required for public Streets, rights-of-way and easements.

5.4.2 Public Open Space and Recreation

- (1) Prior to the issuance of any Building Permits for the Subdivision, the applicant shall ensure the conveyance to the City for the nominal consideration of \$1.00 an area or areas of land equivalent to 10% of the gross area of the Subdivision for public amenity subject to the said land being acceptable to the City.
- (2) Notwithstanding subsection (1), where the lands required to be conveyed pursuant to subsection (1) cannot be identified or agreed upon, the City may accept from the applicant payment of a sum of money equivalent to 10% of the raw land value of the Subdivision or a combination of money and land equivalent to 10% of the raw land value of the Subdivision.

SECTION 6 – SPECIFIC DEVELOPMENTS

6.1 ACCESSORY BUILDINGS

6.1.1 For the purposes of this Section an Accessory Building shall not include a Deck, Swimming Pool or Carport.

6.1.2 Accessory Building Area

- (1) For a Residential Use, the Accessory Building Footprint shall not exceed 10% of the Lot Area.
- (2) For all other Uses, the Accessory Building Footprint shall not exceed 35% of the rear Yard.

6.1.3 Accessory Building Height

- (1) For a Residential Use, the Accessory Building height shall not exceed the lesser of 5 metres or the height of the other Building on the Lot.
- (2) For all other Uses, the Accessory Building height shall not exceed 5 metres.

6.1.4 Accessory Building Location

- (1) Subject to Section 7.2.3 (Corner Lots and Yards Abutting a Street), Accessory Buildings shall be:
 - (a) located in rear and side Yards and shall be located behind the Building Line;
 - (b) located a minimum of 1.2 metres from any Lot Line; and
 - (c) located a minimum of 2.4 metres from any other Building on the Lot.
- (2) Notwithstanding Subsection (1), where an Accessory Building is located in an area without municipal water services, it shall be located a minimum of 6 metres from any Lot Line

6.2 ADULT DAY CENTRE

- (1) An Adult Day Centre shall:
 - (a) have a minimum of 5 m² of net floor space for each person receiving care;

- (b) be clearly delineated and separated from any other occupancies in the Building; and
 - (c) comply with all applicable Provincial and Municipal legislation.
- (2) Where an Adult Day Centre is located in a Residential Use, the owner/operator of the Adult Day Centre shall maintain their primary residence at the property.

6.3 AGRICULTURAL USE **(Note: Reviewing Definition to determine need for distinguishing between livestock versus planting)**

- (1) No Livestock shall be kept within 600 metres of a Residential Use, excepting a farm residence.
- (2) The use of a greenhouse within 600 metres of a Residential Use, excepting a farm residence shall be discretionary.
- (3) Buffering and/or Screening will be required pursuant to Section 7.6.3.

6.4 COMMERCIAL GARAGE

- (1) A Commercial Garage is subject to the following:

Building Height	6 metres
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- (2) All vehicle repair shall be contained within the structure.

6.5 CONVENIENCE STORE IN APARTMENT BUILDING

A Convenience Store in an Apartment Building shall:

- (a) have a maximum floor area of 50 m²;
- (b) be situate on the entrance floor level; and
- (c) be clearly delineated and separated from any other occupancies in the Apartment Building.

6.6 DAYCARE CENTRES

6.6.1 Daycare Centre in Residential Use

A Daycare Centre in a Residential Use shall:

- (a) not exceed the lesser of 60 m² or 40% of the Floor Area of the Dwelling in which it is situate;
- (b) be clearly delineated and separated from any other occupancies in the Building; and
- (c) comply with all applicable Provincial and Municipal legislation.

6.6.2 Daycare Centre in Non-Residential Use

A Daycare Centre in a non-Residential Use shall:

- (a) be clearly delineated and separated from any other occupancies in the Building;
- (b) comply with all applicable Provincial and Municipal legislation; and
- (c) where located in a Residential Zone, maintain the following minimum standards:

Standard	Residential Zones					
	R1	R2	R3	RD	RM	RQ
Lot Area (minimum)	600 m ²	450 m ²	450 m ²	450 m ²	450 m ²	450 m ²
Lot Frontage (minimum)	18 m	15 m	15 m	15 m	15 m	15 m
Landscaping Front yard (minimum)	50%	50%	50%	N/A	50%	N/A

6.7 DRIVE THROUGH

- (1) Notwithstanding Section 10, a Drive Through shall be a Discretionary Use when located within 150 metres of:
 - (a) a Residential Zone;
 - (b) an Apartment Zone;
 - (c) a Residential Use;
 - (d) a School;
 - (e) a Daycare Centre;
 - (f) an Adult Day Centre; or
 - (g) a Place of Worship
- (2) A separation distance between the closest edge of the nearer of a Drive-Through Facility Stacking Lane or an on-site traffic lane designed to bypass a Stacking Lane shall be provided as follows:

From the boundary of a Residential or Apartment Zone	10 metres
From a Residential Use located in a zone which is not exclusively for residential purposes	3 metres
From a School, Daycare Centre, Adult Daycare Centre or Place of Worship	3 metres

- (3) (a) A noise attenuation barrier/acoustic barrier/noise wall designed and sited by a qualified acoustical consultant shall be installed at the expense of the applicant where a Drive-Through Facility will abut a Residential Zone, an Apartment Zone or any Residential Use.
- (b) Notwithstanding Subsection 3(a), where a noise study shows noise levels will not increase beyond existing levels due to the Drive-Through Facility, a noise attenuation barrier/acoustic barrier/noise wall may not be required at Council's discretion.
- (4) All applications for a Drive-Through Facility shall be referred to the Transportation Engineer who shall establish the minimum number of stacking spaces required in the Stacking Lane

6.8 FLOATPLANE HANGAR LOTS

Development of a Floatplane Hangar Lot is subject to the following:

- (a) a minimum Lot Area of 1400 m²; and
- (b) a Floatplane Hangar and a Floatplane Hangar Lot shall not be used as a Dwelling Unit

6.9 GAS STATION

- (1) A Gas Station is subject to the following:

Lot Area	900 m ²
Lot Frontage	35 metres
Lot Coverage	30%
Building Height	6 metres
Building Line for main Building	12 metres
Building Line for canopies	3 metres
Side Yard	6 metres
Rear Yard	6 metres

- (2) All fuel pumps and fuel tanks shall be not less than 7.5 metres from a Lot Line which abuts a Residential Zone or Apartment Zone.

6.10 HEAT PUMP, MINI-SPLIT HEAT PUMP, AIR CONDITIONER, OR EXHAUST DEVICE

(Note: what about Downtown where often they are roof mounted)

- (1) a heat pump, air conditioner or exhaust device shall be located:
 - (a) in the flanking Street, side Yard, or rear Yard of the Lot; and
 - (b) no closer than 2.4 metres from a side Lot Line.
- (2) A mini-split heat pump shall be located in the side Yard or rear Yard of the Lot.

6.11 HEAVY EQUIPMENT STORAGE AND VEHICLE STORAGE YARD

Heavy Equipment Storage and a Vehicle Storage Yard are subject to the following:

- (a) heavy equipment or vehicles shall not be stored or parked within 20 metres of a Residential Zone or a Zone that permits Residential Use;
- (b) open storage shall be in the rear Yard; and
- (c) open storage shall be screened and landscaped in accordance with Section 7.6.3.

6.12 HOME OCCUPATION

6.12.1 Home Occupation in a Dwelling Unit

A Home Occupation in a Dwelling Unit shall:

- (a) not exceed the lesser of 45 m² or 25% of the Floor Area of the Dwelling Unit;
- (b) have no exterior open storage or display of goods, materials, or equipment;
- (c) have no wholesale sales, provided however that retail sales may be permitted provided they are incidental to the Home Occupation;
- (d) be operated by a resident of the Dwelling Unit and not employ more than 2 non-residents;
- (e) have activities associated with the Home Occupation which are not hazardous and which do not cause a significant increase in traffic, noise, odour, dust,

fumes, lighting or other nuisance or inconvenience to residents of nearby properties;

- (f) have sufficient parking to accommodate the Home Occupation and the Dwelling Unit; and
- (g) have no change in type, nature or intensity without the approval of Council.

6.12.2 Home Occupation in an Accessory Building

A Home Occupation in an Accessory Building is subject to the following:

- (a) the Accessory Building shall comply with Section 6.1;
- (b) the Home Occupation shall not exceed the lesser of 80 m² or the Floor Area of the Accessory Building;
- (c) have no wholesale sales, provided however that retail sales may be permitted provided they are incidental to the Home Occupation;
- (d) be operated by a resident of the dwelling to which the Accessory Building is associated and not employ more than 2 non-residents;
- (e) have activities associated with the Home Occupation which are not hazardous and which do not cause a significant increase in traffic, noise, odour, dust, fumes, lighting or other nuisance or inconvenience to residents of nearby properties;
- (f) have sufficient parking to accommodate the Home Occupation and the Dwelling Unit; and
- (g) have no change in type, nature, or intensity without the approval of Council.

6.13 HOME OFFICE

A Home Office shall:

- (a) be located in a Dwelling Unit;
- (b) not exceed 20 m²;
- (c) be restricted to Office Uses;
- (d) have no exterior open storage or display of goods, materials, or equipment;

- (e) have no wholesale or retail sales;
- (f) be operated by a resident of the Dwelling Unit and not employ any non-residents;
- (g) have sufficient parking to accommodate the Home Office and the Dwelling Unit; and
- (h) have no change in type, nature, or intensity without the approval of Council.

6.14 INDOOR RIDING ARENA

An Indoor Riding Arena is subject to the following:

- (a) exterior lighting shall not be directed towards abutting residential properties;
- (b) off street parking shall be provided for a minimum of 5 vehicles;

6.15 KENNELS

A Kennel is subject to the following:

- (a) no Kennel Building or exterior exercise area shall be permitted within 50 metres of a Residential Use on an abutting property;
- (b) compliance with all applicable Provincial and Municipal legislation;

6.16 LOUNGE

Notwithstanding Section 10, a Lounge shall not be permitted within 50 metres of the Newfoundland War Memorial, and shall be a Discretionary Use when located:

- (a) within 150 metres of:
 - (i) a Residential Zone;
 - (ii) an Apartment Zone;
 - (iii) a School; or
 - (iv) a Place of Worship
- (b) within the Downtown Business Improvement Area, excepting those properties abutting George Street between Queen Street and Beck's Cove (see Map ?, Appendix ?)

6.17 MINERAL WORKING

(1) The minimum Buffer adjacent to a Mineral Working shall be:

From an Residential, Apartment, Rural Residential or Rural Residential Infill Zone	300 metres 1000 metres where blasting occurs
From a Commercial, Mixed or Public Use	50 metres
From any Street	30 metres
From any body of water, water course or Wetland	50 metres

(2) A Mineral Working shall comply with all applicable Provincial and Municipal legislation.

6.18 RESIDENTIAL RETAIL STORE

A Residential Retail Store shall:

- (a) be located in a Building containing a Dwelling Unit;
- (b) not exceed the greater (?) of 50 m² or 50% of the Floor Area of the Building; and
- (c) be clearly delineated and separated from any other occupancies in the Building.

6.19 RESTAURANTS

Notwithstanding Section 10, an outdoor eating area associated with a Restaurant shall be a Discretionary Use when located within 150 metres of:

- (a) a Residential Zone;
- (b) an Apartment Zone;
- (c) a School; or
- (d) a Place of Worship.

6.20 SALVAGE YARD

(1) The minimum Buffer adjacent to a Salvage Yard shall be:

From any Residential, Apartment, Rural Residential, or Rural Residential Infill Zone	150 metres
From any Commercial, Mixed or Public Use	5 metres

6.21 SMALL SCALE WIND TURBINE

- (1) A Small Scale Wind Turbine shall be located a distance equivalent to 1.5 times its height from any Lot Line;
- (2) For the purpose of this Section, the height of a Small Scale Wind Turbine shall be measured from grade to the highest point of the turbine rotor blade when in rotation.

6.22 WAREHOUSE

A Warehouse is subject to the following:

- (a) outside storage shall be located in the rear yard and be enclosed by a wall or screen Fence not less than 1.8 metres high; and
- (b) exterior lighting shall not be directed towards abutting residential properties.

6.23 WATER UTILITY ENCLOSURE

- (1) The Building Line for a Water Utility Enclosure may be the Front Lot Line;
- (2) A Water Utility Enclosure shall be 0.3 metres from any Side or Rear Lot Line;
- (3) Sightlines to be determined by the Transportation Engineer where a Water Utility Enclosure is to be sited on a property situate at an intersection;
- (4) The electrical service for a Water Utility Enclosure shall be provided through the service for the Building to which the Water Utility Enclosure is associated; and
- (5) A Water Utility Enclosure shall comply with all applicable Provincial and Municipal legislation.

6.24 WIRELESS COMMUNICATIONS FACILITY

A Wireless Communications Facility shall comply with all applicable Provincial and Federal Legislation.

SECTION 7 – GENERAL SITE REQUIREMENTS

(Note: Cross-reference with section 6 for Water Utility Enclosure section 4 for Snow Storage and Commercial Maintenance By-Law and Residential Property Standards By-Law)

7.1 LOT REQUIREMENTS

7.1.1 Development on Lot

No Development shall be permitted except on a Lot in accordance with these Regulations.

7.1.2 Minimum Lot Area

No new Lot shall be created for the purpose of Development which does not meet the minimum Lot standards under these Regulations, nor can any Lot be varied or reduced in area so that it or any Building thereon will not meet the minimum Lot and siting standards of these Regulations; provided that any Lot, including a Homestead Lot can be varied in accordance with Section 7.4.

7.1.3 Frontage on a Street

No Development shall be permitted unless the Lot has frontage on a Street.

7.2 BUILDING LINES AND SIGHT LINES

7.2.1 Building Line – Yards

Notwithstanding Section 10 and except as provided in Subsection 7.2.2, Council shall have the power to:

- (a) establish or re-establish the Building Line for any Street, or for any Lot situate thereon, at any point or place that Council deems appropriate; and
- (b) require that any new Building constructed on a Street be built on, or at any specific point behind, the Building Line established or re-established pursuant to this Section.

7.2.2 Building Line – Streets

The following Streets shall have the Building Line stipulated:

Kenmount Road	35 metres from the center line of the Street
Logy Bay Road	25 metres from the center line of the Street for that portion of the Street between Harding Road and the municipal boundary
Portugal Cove Road	25 metres from the center line of the Street for that portion of the Street between MacDonald Drive and the municipal boundary
Topsail Road	30 metres from the center line of the Street for that portion of the Street between Forbes Street West and the municipal boundary
Torbay Road	25 metres from the center line of the Street

7.2.3 Corner Lot and Yard Abutting a Street

- (1) For the purposes of this subsection, a sight triangle shall be formed by two Street Lines and a line connecting two points on the two Street Lines located:
 - (a) 15 metres distance from the point of intersection of the two Street Lines along each Street Line if one or both of the intersecting Streets is an Arterial or a Collector, or
 - (b) 8 metres distance from the point of intersection of the two Street Lines along each Street Line if neither of the intersecting Streets is an Arterial or a Collector.
 - (2) Except for corner Lots in the Downtown (Map ?, Appendix ? – Planning Area 1), and except as provided in Subsection 7.2.3(3), no Building, Fence, Sign, Water Utility Enclosure or other structure shall be erected, nor shall any Development be permitted, within the sight triangle at an intersection.
 - (3) No Fence, Accessory Building or Water Utility Enclosure may be permitted in any Yard abutting a Street, except where in the opinion of the Transportation Engineer, it does not impede sight lines along the Street. In such cases, the height and location of the Fence, Accessory Building or Water Utility Enclosure shall be as determined by the Transportation Engineer.
- (*Cross-reference with Water Utility Enclosure in Section 6)*
- (4) Notwithstanding the foregoing, the Transportation Engineer may increase the sight lines at an intersection where in his/her opinion the sight lines provided for in Subsection 7.2.3(1) are inadequate to ensure vehicular and pedestrian safety.

7.2.4 Lots Having Frontage on more than one Street

Where a Lot, which is not a corner Lot, has frontage on more than one Street, the front Yard shall be determined by the Transportation Engineer.

7.2.5 Obstruction of Yards

Subject to Subsection 7.2.3, no Building shall encroach upon a required Yard except:

- (a) an Accessory Building or Carport;
- (b) structures attached to the Building as follows:
 - (i) chimney breasts, eaves, sills or cornices not more than 0.5 metres into any required side Yard or 1 metre into any front or rear Yard;
 - (ii) except as provided in Subsection 7.2.5(b)(iii), Decks or steps at or above grade not more than 2 metres into any required front Yard and 0.3 metres from any side or rear Lot Line;
 - (iii) Decks or steps at or above grade not more than 2 metres into any required side Yard where the side Yard abuts a Street;
 - (iv) sunken or below grade entrance wells not more than 50% into any required side Yard where the side Yard abuts a Street; and
 - (v) sunken or below grade entrance wells not more than 1.5 metres into any required rear Yard.
- (c) Fences, driveways, awnings, or garden trellises
- (d) wheelchair ramps or other accessibility devices as approved by the Manager of Regulatory Services; and
- (e) Water Utility Enclosures

7.2.6 Fence Height

Subject to Subsections 7.2.3 and 7.6.3, the following shall apply to Fence height:

Residential Zone	1.8 metres, except where the grade of the Lot to be fenced is such that 1.8 metres would provide ineffective screening in which case the height may be increased to a maximum of 2.4 metres at the discretion of the Manager of Regulatory Services
Non-Residential Zone	2.4 metres

7.3 SNOW STORAGE

Where a Lot or Development is in an area identified on Map ?, Appendix ? or where Council may direct, a detailed snow storage plan shall be required as part of the Application for Development

7.4 VARIANCES

Notwithstanding any other provision in these Regulations:

- (a) Where an approval or Building Permit cannot be issued because a proposed Development does not comply with the requirements set out in these Regulations, the Council may, in its discretion, grant a Variance from the applicable requirements to a maximum of 10% where, in Council's opinion compliance with the requirements would prejudice the proper Development of the land, Building or structure in question or would be contrary to the public interest.
- (b) A Variance shall not be allowed if the Variance, when considered together with other Variances made or to be made with respect to the same land, Building, or structure, would have a cumulative effect that is greater than a 10% Variance, even though the individual Variances are separately not more than 10%.
- (c) A Variance shall not be permitted where the proposed Development would increase the non-conformity of an existing Development.
- (d) Written notice of any proposed Variance shall be provided to all persons whose land abuts the Development that is the subject of the Variance.

7.5 NON-CONFORMITY

In addition to the provisions of Section 108 of the Urban and Rural Planning Act, 2000, and Section 14 to 17 of the Development Regulations enacted thereunder, non-conforming Uses and Buildings shall meet the following:

- (1) Where
 - (a) a non-conforming Use ceases to exist for a period of more than 3 years;
 - (b) the Building associated with the non-conforming Use has been removed;
or
 - (c) the non-conforming Use has been replaced with a Use which complies with these Regulations,the non-conforming Use status shall cease.
- (2) Where a Building, structure or Development does not meet the requirements of these Regulations, the Building, structure or Development shall not be expanded if the expansion would increase the degree of non-conformity.
- (3) A non-confirming Building, structure or Development
 - (a) shall not be internally or externally varied, extended or expanded without Council approval;
 - (b) shall not be structurally modified except as required for the safety of the Building, structure or Development;
 - (c) shall not be reconstructed or repaired for use in the same non-confirming manner where 50% or more of the value of the Building, structure or Development, as determined by the Manager of Regulatory Services, has been destroyed;
 - (d) may have the existing Use for that Building, structure or Development varied with the approval of Council to a Use that is more compatible, in Council's opinion, with the Municipal Plan and these Regulations;
 - (e) may have the existing Building extended or expanded with the approval of Council, where the extension or expansion does not extend or expand the existing Building more than 50%;
 - (f) where the non-conformity is with respect to the requirements of these Regulations, a Building or elements of a site shall not be expanded if the expansion would increase the non-conformity;
 - (g) where the Building or structure is primarily zoned and used for residential purposes, it may be repaired or rebuilt where 50% of the value of the Building or structure, as determined by the Manager of Regulatory

Services, has been destroyed provided it must be repaired or rebuilt in accordance with these Regulations, excepting Lot size.

7.6 LANDSCAPING AND SCREENING

(Definitions needed: “soft landscaping” and “hard landscaping”)

7.6.1 Residential Development

- (1) The front, side, and rear Yards of a residential Lot shall be covered with Landscaping.
- (2) With the exception of Lots with a zero metre Building Line, Lots on a Cul-de-Sac, and Apartment Buildings, at least 50% of the front Yard shall be covered with Soft Landscaping and all Landscaping shall be continuous on the Lot.
- (3) At least 40% of the front Yard of a Lot on a Cul-de-Sac shall be covered with Soft Landscaping and all Landscaping shall be continuous on the Lot.
- (4) Apartment Buildings shall be Landscaped in accordance with the Commercial Development Policy.
- (5) The driveway, excepting Apartment Buildings, shall be completed with a hard surface acceptable to the Manager of Regulatory Services, shall not exceed 50% of the front Yard, and each entry to a driveway or any Parking Lot shall not be wider than 6 metres at the front Lot Line.
- (6) There shall be a 1 metre separation between driveways on adjacent Lots which separation shall be covered in Landscaping.
- (7) Excepting Apartment Buildings, hard Landscaping shall comply with the approved site drainage plan for the Lot.

7.6.2 Non-Residential Developments

- (1) All areas designed to be traversed by motor vehicles shall be curbed and completed with a hard surface in accordance with the Commercial Development Policy and the approved Landscape plan for the Development.

7.6.3 Buffering and Screening

- (1) Where an Industrial, Commercial, Institutional, Agricultural, or Public Use abuts an existing or proposed Residential Use, a 10 metre Buffer together with a Screen, not less than 1.8 metres in height, shall be erected by the developer or

owner of the Industrial, Commercial, Institutional, Agricultural, or Public Use on his/her Lot.

- (2) Notwithstanding Subsection 7.6.3(1), where a Commercial Local Use abuts an existing or proposed Residential Use, a 6 metre Buffer together with a Screen , not less than 1.8 metres in height, shall be erected by the developer or owner of the Commercial Local Use on his/her Lot.

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SECTION 8 – PARKING REQUIREMENTS

8.1 This section shall not apply to Planned Mixed Developments.

8.2 General Parking Requirements

Every Development shall have off-street parking in accordance with these Regulations and provincial Designated Mobility Impaired Regulations.

8.3 Parking Standards

Except in the Downtown, and as provided in Section 8.5, the following parking requirements apply:

(Note: Cross check with s. 6)

Type or Nature of Building	Requirements
Adult Day Centre (Commercial)	Where no Drop Off Zone on site – 1 parking space for every 3 employees together with 1 parking space for every 30 m ² of Floor Area – Gross; Where a Drop Off Zone on site – 1 parking space for every 3 employees together with 1 parking space for every 15 m ² of Floor Area – Gross.
Adult Day Centre (Residential)	1 parking space together with 1 parking space for every 30 m ² of Floor Area – Gross of the Adult Day Centre (Residential)
Long Term Care Facility	To be determined by Council
Bank	1 parking space for every 15 m ² of Floor Area – Net
Lodging House	1 parking space for every 2 bedrooms used as a part of the Lodging House
Bed and Breakfast	1 parking space for every 2 bedrooms used as a part of the Bed and Breakfast
Place of Worship	1 parking space for every 9 m ² of Floor Area – Gross
Car Sales Lot	To be determined by Council
Clinic	3 parking spaces for every consultation/treatment room

Type or Nature of Building	Requirements
Commercial Garage	1 parking space for every 30 m ² of Floor Area – Gross
Daycare Centre	Where no Drop Off Zone on site – 1 parking space for every 3 employees together with 1 parking space for every 30 m ² of Floor Area – Gross; Where a Drop Off Zone on site – 1 parking space for every 3 employees together with 1 parking space for every 15 m ² of Floor Area – Gross
Dry Cleaning	1 parking space for every 50 m ² of Floor Area – Net
Funeral Home	1 parking space for every 5 m ² of Floor Area - Gross
Gas Station	2 parking spaces for every 2 gas pumps, 1 parking space for every 30 m ² used for administrative purposes together with 1 parking space for every 15 m ² of Floor Area - Net
Health and Wellness Centre	1 parking space for every 25 m ² of studio area together with 1 parking space for every 30 m ² of Floor Area – Net used for administration
Heritage Use	To be determined by Council
Home Occupation	To be determined by Council
Hotel	1 parking space for every 3 guest rooms or suites together with 1 parking space for every 5 m ² of banquet/conference/meeting space
Light Industrial	1 parking space for every 50 m ² of manufacturing area
Lounge	1 parking space for every 5 m ² of seating area
Office	1 parking space for every 30 m ² of Floor Area – Net
Personal Care Home	1 parking space for every 15 m ² of Floor Area - Gross
Place of Amusement Place of Assembly	1 parking space for every 10 m ² of seating area or 1 parking space for every 3 seats, whichever is greater, excepting movie theatres which shall have 1 parking space for every 3.7 seats

Type or Nature of Building	Requirements
Recreational Use	Number of parking spaces equivalent to 10% of the occupant load <i>(check with Jerry Peach if correct term)</i> of Building and site
Residential Uses	NEEDS TO BE CLARIFIED
Restaurant	1 parking space for every 5 m ² of seating area together with 12 parking spaces where take out service is offered
Retail Use	1 parking space for every 15 m ² of Floor Area – Net
Service Shop	1 parking space for every 15 m ² of Floor Area – net or 3 parking spaces for every work station, whichever is greater
Training School	1 parking space for every 5 m ² of instruction area together with 1 parking space for every 30 m ² of Floor Area – Net used for administrative purposes
Veterinary Clinic	3 parking spaces for every consultation/treatment room
Warehouse	1 parking space for every 100 m ² of storage area

8.4 Parking Relief

Except in the area subject to the Downtown Parking Standard (Map ?, Appendix ?), Council may relieve an applicant of all or part of the parking requirements set out in Section 8.2, where it can be shown that the particular characteristics of the Development will require less parking.

8.5 Churchill Square **(currently under review by the Transportation Engineer)**

A commercial Development in Churchill Square (Map ?, Appendix ?) shall have 1 parking space for every 40 m² of Floor Area – Net. Metered parking spaces can/cannot?? be utilized to meet this parking requirement

8.6 Downtown Parking

8.6.1 Non-Residential Parking in the Downtown

- (1) For non-Residential Developments, except Hotels, in the area subject to the Downtown Parking Standard (Map ?, Appendix ?), the parking requirements shall be:
 - (a) for Lots with a Lot Area greater than 350 m² and less than 2500 m², 1 parking space for every 100 m² of Floor Area – Net;
 - (b) for Lots with an Lot Area from 2500 m² to 4000 m², 1 parking space for every 75 m² of Floor Area – Net; and
 - (c) for Lots with a Lot Area greater than 4000 m², 1 parking space for every 60 m² of Floor Area – Net.
- (2) For Hotels in the area subject to the Downtown Parking Standard, the parking requirement shall be 1 parking space for every guest room or suite together with 1 parking space for every 7 m² of banquet/conference/meeting space.

(Where are standards for Lots in Downtown – ie paving and attendant structure?)

8.6.2 Residential Parking in the Downtown

- (1) For Residential Developments, except Developments on Water Street and Duckworth Street, in the area subject to the Downtown Parking Standard (Map ?, Appendix ?), the parking requirement shall be 1 parking space for every Dwelling Unit.
- (2) For Residential Developments on Water Street and Duckworth Street, in the area subject to the Downtown Parking Standard with 5 Dwelling Units or less, no parking spaces shall be required.
- (3) For Residential Developments on Water Street and Duckworth Street, in the area subject to the Downtown Parking Standard, with 6 or more Dwelling Units, the parking requirement shall be 1 parking space for every Dwelling Unit in excess of 5.

8.6.3 Exemption

For Development on a Lot less than 350 m² in Lot Area in the area subject to the Downtown Parking Standard (Map ?, Appendix ?) no parking spaces shall be required.

8.6.4 Cash in Lieu

Notwithstanding Subsections 8.5.1 and 8.5.2, Council may

(a) Where it determines that the applicable parking requirement is not appropriate due to the particular characteristics of the Development or the Lot, traffic related issues, servicing issues, or archaeological or heritage issues; or

(b) Where requested by the applicant

permit the following:

- (i) provision of a cash in lieu payment in satisfaction of all or part of the parking requirement set out in Subsection 8.5.1 or 8.5.2, whichever is applicable, in an amount as may be established by Council from time to time;
- (ii) provision of alternate parking, not on the Development's Lot, acceptable to Council, in satisfaction of all or part of the parking requirement set out in Subsection 8.5.1 or 8.5.2, whichever is applicable; or
- (iii) a combination of cash in lieu and alternate parking, not on the Development's Lot, acceptable to Council, in satisfaction of all or part of the parking requirement set out in Subsection 8.5.1 or 8.5.2, whichever is applicable.

8.6.5 Damage/Destruction of Development (*? Linkage to Non-Conformity*)

Where a Building (*? which is conforming and/or has conforming use*) located within the area subject to the Downtown Parking Standard is destroyed, damaged or deteriorated so as to render it uninhabitable or unfit for use, it may be repaired, renovated or reconstructed on the same Lot, for the same Use, within 3 years of the date of its destruction, removal or being adjudged uninhabitable or unfit for use by the Manager of Regulatory Services subject to:

- (a) the number of parking spaces approved for the Development prior to destruction, damage or deterioration of the Building being maintained; and
- (b) additional parking spaces, or cash in lieu, or a combination of both as required by Section 8.5 being provided in respect of any increase in Floor Area – Net, number of guest rooms or suites, banquet/conference/meeting space, or number of Dwelling Units as the case may be.

8.7 Parking Lots Outside the Downtown

(* To be cross-referenced with Section 6 & Section 10 – Planned Mixed Development)

- (1) A Parking Lot shall:

- (a) be situate on the same Lot as the Use which it serves or is associated with unless Council determines otherwise or the Parking Lot does not serve or is not associated with any other Use;
 - (b) have a Buffer of 6 metres from any Street Line and a Buffer of 3 metres from any other Lot Line; and where abutting a Residential Use have a fence not less than 1.8 metres in height;
 - (c) have lighting which is not directed onto abutting properties; and
 - (d) covered with a suitable material in accordance with the Commercial Development Policy.
- (2) A Parking Lot may have a structure for the use of attendants provided such structure does not exceed 5 m² and 4.5 metres in height, and is not located on the Buffer.

8.8 Temporary Parking Lot

- (1) Council may relax or waive the requirements provided for in Subsections 8.5 and 8.6 for a temporary Parking Lot.
- (2) Approval for a temporary Parking Lot shall be for 36 months and may, upon written application, be extended for an additional 24 months.
- (3) Upon expiration of the Approval provided for in Subsection 8.7(2), a temporary Parking Lot shall not be used for the parking of vehicles unless an approval for a permanent Parking Lot is issued in relation to same.

8.9 Off-Street Loading and Truck Parking

Every Development for a Commercial or Industrial Use shall have a loading space on the Lot which is 10 metres long and 3.5 metres wide with a vertical clearance of 4.5 metres which loading space has access to a Street. *(? Except in the Downtown)*

8.10 Access/Egress Points

Access/Egress points to or from a Street for a Development shall be approved by the Transportation Engineer.

SECTION 9 – APPENDICES *(This should really be at the end)*

These Appendices form part of these Regulations and are to read as one with the Regulations.

A	Municipal Zoning Map
B	Overlay Maps Map A Archaeological Areas Map B Protected Road Zones Map C Downtown Map D Downtown Parking Standards Map F Downtown Building Control Map G Arterial Roads – Landscaping Map H Churchill Square Retail Area Map J-1 Environmentally Valuable Areas, Waterways and Wetlands Map J-2 Flood Hazard Areas, Watersheds, Waterways and Wetlands Map K Downtown Business Improvement Area Map M St. John's Trails Map N Snow Volume Map Map O Downtown Building Height <i>(*subject to review)</i>
C	Snow Storage Calculation
D	Designated Heritage Buildings
E	Subdivision Development Policy
F	Stormwater Detention Policy
G	Parks & Open Space Master Plan
H	Urban Forest Plan
I	Wetland Management Policy
J	Watershed Management Plan <i>(is this correct name?)</i>

*Query applicability of the following policies:

Policy Number	Policy
06-01-03	Commercial Development (? needs to be revised, ? include in Appendices)
06-01-05	Foundation Drainage – Rural Homes (? Bldg By-Law & permits)
06-01-06	<ul style="list-style-type: none"> • Lot Grading – New Development – Residential (? Bldg Dept, ? Development Agreement)
06-02-01	Development in City's Watersheds (? repeal, repeats Act, contrary to Regs – no development, Watershed Management Plan adopted, can put in zoning)
06-02-02	Recreational Facilities in Watershed (see above)
06-02-03	Property Acquisition in Bay Bulls Big Pond Watershed (? should this be revisited)
06-04-01	Application of Accessibility Act (? repeal, don't need a policy to follow Provincial Regs)
06-05-01	Public Health Approvals and Other Government Agencies (?do we need a policy which deals with required approvals at higher level of government)
06-06-01	Commissioner's Hearings (? isn't this in the Regs & Act)
08-02-04	Driveways in Subdivisions (? shouldn't this be in Development Agreement)
internal document	"Landscape Development Policy"

(* Some are in other by-laws or other legislation. Query: revision/repeal but inclusion on a Development Checklist – which Checklist will not form part of these Regs – just be an internal document)

****Note: All "policies" under review by the Corporate Policy Committee****

SECTION 10 – USE ZONE SCHEDULES

(Query – All zones subject to s.6 and s.7? Where conflict between s.6 or s.7 & s.10, s.6 or s.7 will govern?)

10.1 Identification of Zones

For the purpose of these Regulations, the City of St. John's is divided into Use Zones which are shown on the Zoning Map *(Map ? Appendix ?)* which forms part of these Regulations.

10.2 Use Zone Summary

The abbreviations used in this section have been used to identify individual Zones on the Zoning Map. Provisions for Development in each Zone are set out herein including Uses which may be permitted, discretionary or prohibited together with the required standards and conditions.

Zone	Abbreviation	Zone	Abbreviation
Residential Special	RA	Commercial Office Hotel	COH
Residential Special 1	RA1	Commercial Highway	CH
Residential 1	R1	Commercial Central Mixed	CCM
Residential 2	R2	Commercial Central	CC
Residential 3	R3	Atlantic Place	AP
Residential Reduced Lot	RRL	A.P. Parking Garage	APG
Residential Downtown	RD	Industrial Commercial	IC
Residential Mixed	RM	Industrial General	IG
Residential Battery	RB	Industrial Quidi Vidi	IQ
Residential Quidi Vidi	RQ	Industrial Special	IS
Mini Home Park	MHP	Airport	A
Apartment Special	AA	C.A. Pippy Park	CAPP
Apartment 1	A1	Institutional	INST
Apartment 2	A2	Institutional Downtown	INST-DT
Apartment 3	A3	Open Space	O
Apartment Downtown	AD	Rural	R
Commercial Local	CL	Rural Residential	RR
Commercial Neighbourhood	CN	Rural Residential Infill	RRI
Commercial Office	CO	Rural Village	RV
Agriculture	AG	Cemetery	CEM
Forestry	F	Comprehensive Development Area	CDA
Mineral Working	MW	Planned Mixed Development	PMD
Watershed	W	Open Space Reserve	OR

Commercial Kenmount	CK	Commercial Mixed	CM
Commercial Regional	CR	Planned Mixed Development (Galway Planning Community)	PMD-1

* Table is subject to revision

10.3 Interpretation of Zone Boundaries

Where the boundary of a Zone

- (a) is shown on the Zoning Map as following a Street, lane, right of way, utility easement or watercourse, the center line of the Street, lane, right of way, utility easement or watercourse shall be deemed to be the boundary;
- (b) is shown on the Zoning Map as substantially following Lot Lines of an approved Subdivision or other acceptable base map, the Lot Lines shall be deemed to be the boundary;
- (c) is shown on the Zoning Map as running substantially parallel to a Street Line and the distance from the Street Line is not indicated, the boundary shall be deemed to be parallel to the Street Line; or
- (d) is shown on the Zoning Map as abutting the shoreline of a river or sea, such Zone shall be deemed to extend into the river or sea so as to include any land reclaimed by changing water levels or infilling of the river or sea.

10.4 Permitted Uses

Subject to compliance with these Regulations, the Uses that are identified as Permitted Uses shall be permitted.

10.5 Discretionary Uses

Subject to compliance with these Regulations, the Uses that are Discretionary Uses may be permitted if Council is satisfied that the Development would not be contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any scheme, plan, or regulation referenced herein and to the public interest; provided public notice of the application has been given in accordance with Section 5 and Council has considered any representations which may have been received in respect of the application. Further, in exercising its discretion to approve a Discretionary Use, Council may, in the absence of specific Zone standards for the particular Discretionary Use establish such Zone Standards as may be appropriate.

10.6 Prohibited Uses

Uses that are neither a Permitted Use or a Discretionary Use in a Use Zone or are specifically identified as a Prohibited Use shall not be permitted in that Use Zone.

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Zones

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AGRICULTURE (AG)

(1) Permitted Uses

- (a) Agricultural Use *(to be defined, ? distinguish between all types)*
- (b) Forestry Use
- (c) Accessory Building
- (d) Home Office
- (e) Public Utility
- (f) Public Use
- (g) Veterinary Clinic
- (h) Single Detached Dwelling, provided the Agricultural Use or Forestry Use on the Lot has been in continuous operation for a minimum of 3 years

(2) Discretionary Uses

- (a) Subsidiary Dwelling Unit
- (b) Bed and Breakfast
- (c) Farm Restaurant
- (d) Farm Market
- (e) Agricultural Tourism Operations
- (f) Heavy Equipment Storage
- (g) Home Occupation
- (h) Indoor Riding Arena
- (i) Kennel
- (j) Personal Care Home
- (k) Small Scale Wind Turbine
- (l) Single Detached Dwelling not associated with Forestry or Agricultural Use and only where Lot is serviced

(3) Zone Standards, excepting Single Detached Dwelling on a serviced Lot not associated with Forestry or Agricultural Use, Personal Care Home, Public Use and Public Utility shall be in the discretion of Council

(4) Zone Standards, Single Detached Dwelling on serviced Lot not associated with Forestry or Agricultural Use:

- | | | |
|-----|-----------------|--------------------|
| (a) | Lot Area | 450 m ² |
| (b) | Lot Frontage | 15 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height | 10.2 metres |

(e) Side Yards Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres

(g) Rear Yard 6 metres

(5) Zone Standards for Personal Care Home:

(a) Lot Area 4000 m²

(b) Lot Frontage 45 metres

(c) Building Line 15 metres

(d) Building Height 10.2 metres

(e) Side Yards Two of 6 metres

(g) Rear Yard 10 metres

(6) Zone Standards for Public Use and Public Utility shall be in the discretion of Council.

AIRPORT – (A)

- (1) Uses and Zone Standards are determined by Her Majesty in Right of Canada or designate

DRAFT

APARTMENT 1 - (A1)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Attached Dwelling
- (c) Apartment Building
- (d) Daycare Centre
- (e) Home Office
- (f) Park

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Home Occupation
- (c) Office
- (d) Public Utility
- (e) Parking Lot
- (f) Service Shop
- (g) Convenience Store
- (h) Personal Care Home

(3) Zone Standards except Park, Parking Lot, Public Utility and Single Attached Dwelling:

- | | | |
|-----|-----------------|--|
| (a) | Lot Area | 750 m ² |
| (b) | Lot Frontage | 20 metres |
| (c) | Building Line | 7 metres |
| (d) | Building Height | 12 metres |
| (e) | Side Yards | Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(4) Zone Standards for Single Attached Dwelling:

(a)	Lot Area	180 m ²
(b)	Lot Frontage	6 metres
(c)	Building Line	1.5 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	1.2 metres on unattached side, except where unattached side is on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(5) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

APARTMENT 2 - (A2)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Attached Dwelling
- (c) Apartment Building
- (d) Daycare Centre
- (e) Home Office
- (f) Park

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Home Occupation
- (c) Office
- (d) Public Utility
- (e) Parking Lot
- (f) Service Shop
- (g) Convenience Store
- (h) Personal Care Home

(3) Zone Standards except Park, Parking Lot, and Public Utility and Single Attached Dwelling:

- | | | |
|-----|---|--|
| (a) | Lot Area | 650 m ² |
| (b) | Lot Frontage | 20 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height, except Margaret's Place (PID #?) | 24 metres |
| (e) | Building Height Margaret's Place (PID #?) | 16 metres |
| (f) | Side Yards | Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (g) | Rear Yard | 6 metres |

(4) Zone Standards for Single Attached Dwelling:

(a)	Lot Area	140 m ²
(b)	Lot Frontage	5.5 metres
(c)	Building Line	1.5 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	1.2 metres on unattached side, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(g)	Rear Yard	6 metres

(5) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

APARTMENT 3 - (A3)

(1) Permitted Uses

- (a) Accessory Building
- (b) Apartment Building
- (c) Daycare Centre
- (d) Home Office
- (e) Park

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Home Occupation
- (c) Office
- (d) Public Utility
- (e) Parking Lot
- (f) Service Shop
- (g) Convenience Store
- (h) Personal Care Home

(3) Zone Standards except Park, Parking Lot, and Public Utility:

- | | | |
|-----|--|--|
| (a) | Lot Area | 900 m ² |
| (b) | Lot Frontage | 20 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height, except
346-360 Empire Avenue (PID #?)
40-58 Shortall Street (PID #?)
145 Stavanger Drive (PID #?)
485 Topsail Road (PID #?) | 40 metres |
| (e) | Building Height
346-360 Empire Avenue (PID #?)
40-58 Shortall Street (PID #?)
145 Stavanger Drive (PID #?)
485 Topsail Road (PID #?) | 20 metres
24 metres
24 metres
24 metres on north side of
Lot and 16 metres on the
south side of Lot |

- (f) Side Yards Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
- (g) Rear Yard 6 metres, together with 1 additional metre for every 4 metres in excess of 24 metres of Building Height
- (4) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

APARTMENT - SPECIAL (AA)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Attached Dwelling
- (c) Apartment Building
- (d) Daycare Centre
- (e) Home Office
- (f) Park

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Home Occupation
- (c) Office
- (d) Public Utility
- (e) Parking Lot
- (f) Service Shop
- (g) Convenience Store
- (h) Personal Care Home

(3) Zone Standards except Park, Parking Lot, Public Utility and Single Attached Dwelling:

- | | | |
|-----|-----------------|--|
| (a) | Lot Area | 900 m ² |
| (b) | Lot Frontage | 20 metres |
| (c) | Building Line | 7 metres |
| (d) | Building Height | 12 metres |
| (e) | Side Yards | Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(4) Zone Standards for Single Attached Dwelling:

(a)	Lot Area	180 m ²
(b)	Lot Frontage	6 metres
(c)	Building Line	1.5 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	1.2 metres on unattached side, except where unattached side is on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(5) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

APARTMENT DOWNTOWN - (AD)

(1) Permitted Uses

- (a) Accessory Building
- (b) Apartment Building, maximum 24 Dwelling Units
- (c) Daycare Centre
- (d) Home Office
- (e) Park

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Home Occupation
- (c) Office
- (d) Public Utility
- (e) Parking Lot
- (f) Service Shop
- (g) Convenience Store
- (h) Personal Care Home

(3) Zone Standards except Park, Parking Lot, and Public Utility

- | | | |
|-----|-----------------|---|
| (a) | Lot Frontage | 20 metres |
| (b) | Building Line | Council discretion |
| (c) | Building Height | 40 metres |
| (d) | Side Yards | Council discretion except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (e) | Rear Yard | Council discretion |

(4) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

ATLANTIC PLACE – (AP)

(1) Permitted Uses

- (a) Adult Day Centre
- (b) Bank
- (c) Clinic
- (d) Training School
- (e) Communications Use
- (f) Daycare Centre
- (g) Restaurant
- (h) Health and Fitness Facility
- (i) Hotel
- (j) Laundromat
- (k) Library
- (l) Lounge
- (m) Office
- (n) Parking Garage
- (o) Public Use
- (p) Public Utility
- (q) Retail Use
- (r) Service Shop
- (s) Taxi Stand

(2) Zone Standards

- (a) Building Height 65 metres as measured from Water Street
- (b) All other Zone Standards shall be in the discretion of Council

(3) Notwithstanding section 8.5, no parking shall be required.

AP PARKING GARAGE – (APG)

(1) Permitted Uses

- (a) Parking Garage**

(2) Discretionary Uses

- (a) Hotel, 9th storey or higher**
- (b) Dwelling Units, 9th storey or higher**

(3) Zone Standards:

- (a) Building Height** 55 metres
- (b) Parking Spaces, Permitted Uses** 670 minimum
- (c) Parking Spaces, Discretionary Uses** Section 8.5
- (d) All other Zone Standards shall be in the discretion of Council**

C.A. PIPPY PARK – (CAPP)

- (1) Uses and Zone Standards are determined by the C.A. Pippy Park Commission established pursuant to the Pippy Park Commission Act, RSNL 1990, c.P-15, as amended.

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CEMETERY – (CEM)

(1) Permitted Uses

- (a) Cemetery
- (b) Accessory Building

(2) Discretionary Uses

- (a) Public Utility

(2) Zone Standards shall be in the discretion of Council.

COMMERCIAL CENTRAL – (CC)

(1) Permitted Uses

- (a) Accessory Building
- (b) Bakery
- (c) Bank
- (d) Bed and Breakfast
- (e) Lodging House
- (f) Dwelling Unit – 2nd storey or higher
- (g) Clinic
- (h) Training School
- (i) Communications Use
- (j) Convenience Store
- (k) Restaurant
- (l) Health and Fitness Facility
- (m) Hotel
- (n) Laundromat
- (o) Lounge
- (q) Office
- (r) Park
- (s) Parking Garage
- (t) Public Use
- (u) Public Utility
- (v) Retail Use
- (w) Service Shop
- (x) Service Station
- (y) Gas Bar
- (z) Taxi Stand
- (aa) Transportation Terminal

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Daycare Centre
- (c) Commercial Garage
- (d) Parking Lot
- (e) Place of Amusement
- (f) Place of Assembly
- (g) Adult Entertainment

(3) Zone Standards except Park, Public Use, Public Utility, and Parking Lot:

- | | | |
|-----|--|---|
| (a) | Building Height | Council discretion, except in areas subject to the Battery Footprint and Height Control Overlay (Appendix ?) and Protected View Plane (Map ? Appendix ?) ** Needs work |
| (b) | Building Line | 0 metres |
| (c) | Building Façade Setback on Street | 0 metres for first 20 metres in Building Height, 4 metres for 21-40 metres in Building Height, 8 metres for 41-60 metres and 12 metres for 60 metres and greater in Building Height |
| (d) | All other Zone Standards shall be in the discretion of Council | |

(4) Zone Standards for Park, Public Use, Public Utility and Parking Lot shall be in the discretion of Council.

COMMERCIAL CENTRAL MIXED – (CCM)

(1) Permitted Uses, except 40 Henry Street (PID #?)

- (a) Adult Day Centre
- (b) Accessory Building
- (c) Bakery
- (d) Bank
- (e) Bed and Breakfast
- (f) Lodging House
- (g) Dwelling Unit – 2nd storey or higher
- (h) Place of Worship
- (i) Clinic
- (j) Training School
- (k) Communications Use
- (l) Convenience Store
- (m) Daycare Centre
- (n) Restaurant
- (o) Service Shop
- (p) Health and Fitness Facility
- (q) Hotel
- (r) Laundromat
- (s) Library
- (t) Lounge
- (u) Office
- (v) Park
- (w) Parking Garage
- (x) Public Use
- (y) Public Utility
- (z) Retail Use
- (aa) Service Station
- (bb) Gas Bar
- (cc) Taxi Stand
- (dd) Transportation Terminal

(2) Discretionary Uses, except 40 Henry Street (PID #?)

- (a) Dwelling Unit – 1st storey
- (b) Car Washing Establishment
- (c) Commercial Garage
- (d) Parking Lot
- (e) Place of Amusement
- (f) Place of Assembly
- (g) Recycling Depot

- (h) Adult Entertainment
- (3) Permitted Uses – 40 Henry Street (PID #?)
 - (a) Apartment Building
- (4) Zone Standards, except 40 Henry Street (PID #?), 32, 34, and 36 Temperance Street (PID #s?), Place of Worship, Park, Public Use, Public Utility and Parking Lot
 - (a) Building Height 60 metres, except in areas subject to the Battery Footprint and Height Control Overlay (Appendix ?) and the Protected View Plane (Map ? Appendix ?) ** Needs work
 - (b) Building Line 0 metres
 - (c) Building Façade Setback on Street 0 metres for first 20 metres in Building Height, 4 metres for 21-40 metres in Building Height, 8 metres for 41 metres and greater in Building Height
 - (d) All other Zone Standards are in the discretion of Council
- (5) Zone Standards for 40 Henry Street (PID #?), 32, 34 and 36 Temperance Street (PID #s?) Place of Worship, Park, Public Use, Public Utility and Parking Lot shall be in the discretion of Council.

COMMERCIAL HIGHWAY – (CH)

- (1) Permitted Uses, except property between Airport Road and Portugal Cove Road
(** Needs to be better identified)

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Bakery
- (d) Bank
- (e) Car Sales Lot
- (f) Car Washing Establishment
- (g) Place of Worship
- (h) Clinic
- (i) Commercial Garage
- (j) Convenience Store
- (k) Training School
- (l) Communications Use
- (m) Dry Cleaning Establishment
- (n) Hotel
- (o) Laundromat
- (p) Lounge
- (q) Office
- (r) Park
- (s) Public Use
- (t) Public Utility
- (u) Recreational Use
- (v) Recycling Depot
- (w) Retail Use
- (x) Service Shop
- (y) Service Station
- (z) Gas Bar
- (aa) Taxi Stand
- (bb) Transportation Terminal
- (cc) Funeral Home
- (dd) Veterinary Clinic
- (ee) Warehouse
- (ff) Drive Through

- (2) Discretionary Uses

- (a) Daycare Centre
- (b) Parking Garage
- (c) Parking Lot
- (d) Place of Assembly

- (e) Place of Amusement
- (f) Small Scale Wind Turbine
- (g) Adult Entertainment

(3) Permitted Uses for property between Airport Road and Portugal Cove Road

- (a) Lounge, Restaurant and Recycling Depot are not permitted

(4) Zone Standards except Place of Worship, Park, Public Use, Public Utility, and Parking Lot:

- | | | |
|-----|-----------------|--|
| (a) | Lot Area | 1200 m ² |
| (b) | Lot Frontage | 35 metres |
| (c) | Building Height | 30 metres |
| (d) | Building Line | 6 metres |
| (e) | Side Yards | 2, each equal to 1 metre for every 5 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(5) Zone Standards for Place of Worship, Park, Public Use, Public Utility, and Parking Lot shall be in the discretion of Council.

COMMERCIAL KENMOUNT – (CK)

(1) Permitted Uses

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Bakery
- (d) Bank
- (e) Car Sales Lot
- (f) Car Washing Establishment
- (g) Place of Worship
- (h) Clinic
- (i) Place of Assembly
- (j) Commercial Garage
- (k) Convenience Store
- (l) Training School
- (m) Communications Use
- (n) Dry Cleaning Establishment
- (o) Hotel
- (p) Laundromat
- (q) Library
- (r) Lounge
- (s) Office
- (t) Restaurant
- (u) Park
- (v) Public Use
- (w) Public Utility
- (x) Recreational Use
- (y) Recycling Depot
- (z) Retail Use
- (aa) Warehouse
- (bb) Service Shop
- (cc) Service Station
- (dd) Gas Bar
- (ee) Taxi Stand
- (ff) Transportation Terminal
- (gg) Funeral Home
- (hh) Veterinary Clinic
- (ii) Drive Through

(2) Discretionary Uses

- (a) Daycare Centre
- (b) Parking Garage

- (c) Parking Lot
- (d) Place of Amusement
- (e) Small Scale Wind Turbine
- (f) Adult Entertainment

(3) Zone Standards except Place of Worship, Park, Public Use, Public Utility, and Parking Lot:

- | | | |
|-----|-----------------|--|
| (a) | Lot Area | 1800 m ² |
| (b) | Lot Frontage | 45 metres |
| (c) | Building Height | 20 metres |
| (d) | Building Line | 6 metres |
| (e) | Side Yards | 2, each equal to 1 metre for every 5 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(4) Zone Standards for Place of Worship, Park, Public Use, Public Utility, and Parking Lot shall be in the discretion of Council.

COMMERCIAL LOCAL – (CL)

(1) Permitted Uses, except 24 Torbay Road (PID #?)

- (a) Accessory Building
- (b) Adult Day Centre
- (c) Clinic
- (d) Convenience Store
- (e) Daycare Centre
- (f) Health and Fitness Facility
- (g) Laundromat
- (h) Library
- (i) Office
- (j) Public Utility
- (k) Retail Use
- (l) Service Shop
- (m) Dwelling Unit – 2nd storey or higher

(2) Permitted Uses – 24 Torbay Road (PID #?)

- (a) Office

(3) Zone Standards except Public Utility:

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 900 m ² |
| (b) | Lot Frontage | 30 metres |
| (c) | Building Height | 10 metres |
| (d) | Building Line | 7 metres |
| (e) | Side Yards | 2, each equal to 1 metre for every 5 metres of Building Height except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(4) Zone Standards for Public Utility shall be in the discretion of Council.

COMMERCIAL MIXED – (CM)

(1) Permitted Uses, except 615 Empire Avenue (PID #?)

- (a) Accessory Building
- (b) Adult Day Centre
- (c) Bed and Breakfast
- (d) Bakery
- (e) Bank
- (f) Lodging House
- (g) Place of Worship
- (h) Training School
- (i) Clinic
- (j) Convenience Store
- (k) Daycare Centre
- (l) Dry Cleaning Establishment
- (m) Dwelling Unit – 2nd storey or higher
- (n) Accessory Dwelling Unit
- (o) Restaurant
- (p) Hotel
- (q) Laundromat
- (i) Library
- (s) Light Industrial Use
- (t) Lounge
- (u) Office
- (v) Park
- (w) Public Use
- (x) Public Utility
- (y) Retail Use
- (z) Service Shop
- (aa) Service Station
- (bb) Gas Bar
- (cc) Taxi Stand
- (dd) Drive Through

(2) Discretionary Uses, except Churchill Square (Map ?) and 615 Empire Avenue (PID #?)

- (a) Car Washing Establishment
- (b) Agricultural Use
- (c) Parking Lot
- (d) Parking Garage
- (e) Place of Amusement
- (f) Place of Assembly
- (g) Recycling Depot

- (h) Adult Entertainment
 - (i) Lounge
 - (j) Dwelling Unit – 1st storey
- (3) Permitted Use – 615 Empire Avenue (PID #?)
 - (a) Light Industrial Use
- (4) Discretionary Use – Churchill Square (Map ?)
 - (a) Place of Amusement is not permitted
- (5) Zone Standards except Place of Worship, Park, Public Use, Public Utility, and Parking Lot:
 - (a) Building Height, except 615 Empire Avenue (PID #?) 20 metres
 - (b) Building Height – 615 Empire Avenue (PID #?) 8 metres
 - (c) All other zone Standards shall be in the discretion of Council
- (6) Zone Standards for Place of Worship, Park, Public Use, Public Utility, and Parking Lot shall be in the discretion of Council.

COMMERCIAL NEIGHBOURHOOD – (CN)

(1) Permitted Uses

- (a) Accessory Building
- (b) Adult Day Centre
- (c) Bakery
- (d) Bank
- (e) Clinic
- (f) Training School
- (g) Convenience Store
- (h) Health and Fitness Facility
- (i) Laundromat
- (j) Library
- (k) Office
- (l) Park
- (m) Public Utility
- (n) Retail Use
- (o) Service Shop
- (p) Veterinary Clinic
- (q) Dwelling Unit – 2nd storey or higher
- (r) Drive Through

(2) Discretionary Uses

- (a) Place of Worship
- (b) Car Sales Lot
- (c) Car Washing Establishment (? Car Wash)
- (d) Daycare Centre
- (e) Restaurant
- (f) Lounge
- (g) Parking Garage
- (h) Parking Lot
- (i) Recycling Depot
- (j) Warehouse
- (k) Service Station
- (l) Gas Bar
- (m) Small Scale Wind Turbine
- (n) Taxi Stand
- (o) Dry Cleaning Establishment

(3) Zone Standards except Park, Public Utility, Parking Lot and Place of Worship:

(a)	Lot Area	900 m ²
(b)	Lot Frontage	30 metres
(c)	Building Height	15 metres
(d)	Building Line	7 metres
(e)	Side Yards	2, each equal to 1 metre for every 5 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

- (5) Zone Standards for Park, Public Utility, Parking Lot and Place of Worship shall be in the discretion of Council.

COMMERCIAL OFFICE – (C0)

(1) Permitted Uses, except 172 Logy Bay Road (PID #?)

- (a) Accessory Building
- (b) Adult Day Centre
- (c) Daycare Centre
- (d) Convenience Store
- (e) Office
- (f) Park
- (g) Public Utility
- (h) Service Shop
- (i) Dwelling Unit – 2nd storey or higher

(2) Discretionary Uses, except 172 Logy Bay Road (PID #?)

- (a) Clinic
- (b) Training School
- (c) Accessory Dwelling Unit
- (d) Heritage Use
- (e) Parking Garage
- (f) Parking Lot
- (g) Recycling Depot
- (h) Small Scale Wind Turbine

(3) Permitted Uses – 172 Logy Bay Road (PID #?)

- (a) Office

(4) Zone Standards except Park, Public Utility, Parking Lot and Heritage Use:

- | | | |
|-----|--|--------------------|
| (a) | Lot Area | 900 m ² |
| (b) | Lot Frontage | 20 metres |
| (c) | Building Height, except 57 Margaret's Place (PID #?) | 50 metres |
| (d) | Building Height 57 Margaret's Place (PID #?) | 20 metres |
| (d) | Building Line | 6 metres |

(e) Side Yards 2, each equal to 1 metre for every 5 metres of Building Height to a maximum of 6 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres

(f) Rear Yard 6 metres

(5) Zone Standards for Park, Public Utility, Parking Lot and Heritage shall be in the discretion of Council.

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COMMERCIAL OFFICE HOTEL – (COH)

(1) Permitted Uses

- (a) Accessory Building
- (b) Adult Day Centre
- (c) Bakery
- (d) Bank
- (e) Clinic
- (f) Training School
- (g) Convenience Store
- (h) Daycare Centre
- (i) Restaurant
- (j) Hotel
- (k) Laundromat
- (l) Office
- (m) Park
- (n) Pharmacy
- (o) Public Use
- (p) Public Utility
- (q) Service Shop
- (r) Veterinary Clinic
- (s) Retail Use
- (t) Dwelling Unit – 2nd storey or higher

(2) Discretionary Uses

- (a) Accessory Dwelling Unit
- (b) Parking Garage
- (c) Parking Lot
- (d) Small Scale Wind Turbine

(3) Zone Standards except Park, Public Use, Public Utility, and Parking Lot:

- | | | |
|-----|-----------------|--------------------|
| (a) | Lot Area | 900 m ² |
| (b) | Lot Frontage | 20 metres |
| (c) | Building Height | 50 metres |
| (d) | Building Line | 6 metres |

(e) Side Yards 2, each equal to 1 metre for every 5 metres of Building Height to a maximum of 6 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres

(f) Rear Yard 6 metres

(4) Zone Standards for Park, Public Use, Public Utility, and Parking Lot shall be in the discretion of Council.

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COMMERCIAL REGIONAL – (CR)

(1) Permitted Uses, except former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #?)

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Bakery
- (d) Bank
- (e) Car Washing Establishment
- (f) Place of Worship
- (g) Clinic
- (h) Commercial Garage
- (i) Training School
- (j) Communications Use
- (k) Convenience Store
- (l) Daycare Centre
- (m) Retail Use
- (n) Dry Cleaning Establishment
- (o) Restaurant
- (p) Health and Fitness Facility
- (q) Hotel
- (r) Library
- (s) Lounge
- (t) Office
- (u) Park
- (v) Public Use
- (w) Public Utility
- (x) Recreational Use
- (y) Recycling Depot
- (z) Warehouse
- (aa) Service Shop
- (bb) Service Station
- (cc) Gas Bar
- (dd) Taxi Stand
- (ee) Veterinary Clinic
- (ff) Drive Through

(2) Discretionary Uses, except former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #?)

- (a) Dwelling Unit – 2nd storey or higher
- (b) Light Industrial Use
- (c) Parking Lot

- (d) Parking Garage
- (e) Place of Amusement
- (f) Place of Assembly
- (g) Small Scale Wind Turbine
- (h) Adult Entertainment

(3) Permitted Use – former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #?)

- (a) Bank
- (b) Clinic
- (c) Service Shop
- (d) Restaurant
- (e) Office
- (f) Parking Garage
- (g) Pharmacy
- (h) Health and Fitness Facility
- (i) Retail Use

(4) Discretionary Use – former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #?)

- (a) Public Use
- (b) Public Utility

(5) Zone Standards except Place of Worship, Park, Public Use, Public Utility, and Parking Lot:

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 1800 m ² |
| (b) | Lot Frontage | 45 metres |
| (c) | Building Height | 20 metres |
| (d) | Building Line | 6 metres |
| (e) | Side Yards | 2, each equal to 1 metre for every 5 metres of Building Height except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

- (6) Zone Standards for Place of Worship, Park, Public Use, Public Utility, and Parking Lot shall be in the discretion of Council.

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COMPREHENSIVE DEVELOPMENT AREA – (CDA)

(1) Comprehensive Development Areas:

Area 1	Blackmarsh Road/Captain Whelan Drive (Map ?)
Area 2	
Area 3	Griffin's Lane/Valleyview Road (Map ?)
Area 4	Valleyview Road/Bay Bulls Road (Map ?)
Area 5	Old Petty Harbour Road/Densmore's Lane (Map ?)
Area 6	Quidi Vidi (Map ?)
Area 7	Signal Hill/Battery (Map ?)
Area 8	Southlands (Map ?)
Area 9	Kenmount Road (Map ?)

- (2) No Development is permitted in a Comprehensive Development Area until Council has approved a Development Plan for the Comprehensive Development Area and the Comprehensive Development Area is available for serviced Development and rezoned.

FORESTRY - (F)

(1) Permitted Uses

- (a) Forestry Use
- (b) Accessory Building
- (c) Home Office
- (d) Public Use
- (e) Single Detached Dwelling, provided the Forestry Use or Agricultural Use on the Lot has been in continuous operation for a minimum of 3 years

(2) Discretionary Uses

- (a) Subsidiary Dwelling Unit
- (b) Agricultural Use *(to be defined, ? distinguish between all types)*
- (c) Heavy Equipment Storage
- (d) Home Occupation
- (e) Indoor Riding Arena
- (f) Mineral Working
- (g) Public Utility
- (h) Recreational Use
- (i) Small Scale Wind Turbine
- (j) Vehicle Storage

(3) Zone Standards Public Use and Public Utility:

- | | | |
|-----|--|---------------------|
| (a) | Lot Area | 8000 m ² |
| (b) | Lot Frontage | 90 metres |
| (c) | Building Line | Council discretion |
| (d) | Building Height, except Single Detached Dwelling | Council discretion |
| (e) | Building Height Single Detached Dwelling | 10.2 metres |
| (f) | Side Yards | Council discretion |
| (g) | Rear Yard | Council discretion |

(4) Zone Standards for Park and Public Utility shall be in the discretion of Council.

INDUSTRIAL COMMERCIAL - (IC)

(1) Permitted Uses, except 456 Empire Avenue (PID #?)

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Bakery
- (d) Car Sales Lot
- (e) Car Washing Establishment
- (f) Place of Worship
- (g) Commercial Garage
- (h) Communications Use
- (i) Training School
- (j) Convenience Storage
- (k) Dry Cleaning Establishment
- (l) Health and Fitness Facility
- (m) Hotel
- (n) Light Industrial Use
- (o) Office
- (p) Park
- (q) Parking Garage
- (r) Public Use
- (s) Public Utility
- (t) Recreational Use
- (u) Recycling Depot
- (v) Warehouse
- (w) Service Shop
- (x) Taxi Stand
- (y) Tourism Use
- (z) Transportation Depot
- (aa) Transportation Terminal
- (bb) Veterinary Clinic
- (cc) Service Station
- (dd) Gas Bar
- (ee) Drive Through

(2) Discretionary Uses, except 456 Empire Avenue (PID #?)

- (a) Clinic
- (b) Daycare Centre
- (c) Restaurant
- (d) Heavy Equipment Storage
- (e) Parking Lot
- (f) Place of Amusement

- (g) Retail Use
- (h) Small Scale Wind Turbine
- (i) Funeral Home
- (j) Vehicle Storage
- (k) Adult Entertainment

(3) Uses, 456 Empire Avenue (PID #?)

- (a) all Uses are in the discretion of Council.

(4) Zone Standards, excepting Park, Public Use, Public Utility, Place of Worship and 456 Empire Avenue

- | | | |
|-----|-----------------|--|
| (a) | Lot Area | 1800 m ² |
| (b) | Lot Frontage | 45 metres |
| (c) | Building Line | 20 metres |
| (d) | Building Height | 20 metres |
| (e) | Side Yards | Two of 3 metres, except on a corner Lot where the Side Yard abutting the Street shall be 10 metres |
| (g) | Rear Yard | 3 metres |

(5) Zone Standards for Park, Public Use, Public Utility, Place of Worship and 456 Empire Avenue (PID #?) shall be in the discretion of Council.

INDUSTRIAL GENERAL - (IG)

(1) Permitted Uses, except in Freshwater Bay (Map ?)

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Car Washing Establishment
- (d) Commercial Garage
- (e) Restaurant, only at Pier 7 (PID #?)
- (f) Food and Beverage Processing
- (g) Wharves and Stages
- (h) Industrial Use
- (i) Light Industrial Use
- (j) Lounge, only at Pier 7 (PID #?)
- (k) Public Use
- (m) Recycling Depot
- (n) Transportation Depot
- (o) Transportation Terminal
- (p) Warehouse

(2) Discretionary Uses, except in Freshwater Bay (Map ?)

- (a) Mineral Working
- (b) Park
- (c) Parking Lot
- (d) Parking Garage
- (e) Recreational Use
- (f) Salvage Yard
- (g) Small Scale Wind Turbine

(3) Permitted Uses, Freshwater Bay (Map ?)

- (a) Industrial offshore oil and gas exploration and development service base, together with related docking, loading, repair, storage, maintenance, and administrative facilities and compatible Uses

(4) Zone Standards, excepting Park, Parking Lot, Public Use, Public Utility, and Freshwater Bay (Map ?):

- | | | |
|-----|---------------|--------------------|
| (a) | Lot Area | Council discretion |
| (b) | Lot Frontage | Council discretion |
| (c) | Building Line | Council discretion |

- | | | |
|-----|--|--------------------|
| (d) | Building Height, except Lots abutting the shore line or on Harbour Drive | 20 metres |
| (e) | Building Height, Lots abutting the shore line or on Harbour Drive | 15 metres |
| (e) | Side Yards | Council discretion |
| (g) | Rear Yard | Council discretion |

- (5) Zone Standards for Park, Public Use, Public Utility, Parking Lot and Freshwater Bay (Map ?) shall be in the discretion of Council.

INDUSTRIAL QUIDI VIDI - (IQ)

(1) Permitted Uses

- (a) Accessory Building
- (b) Food and Beverage Processing
- (c) Wharves and Stages
- (d) Park
- (e) Public Utility
- (f) Public Use

(2) Discretionary Uses

- (a) Parking Lot
- (b) Restaurant
- (c) Daycare Centre
- (d) Service Shop
- (e) Retail Use

(3) Zone Standards shall be in the discretion of Council

INDUSTRIAL SPECIAL - (IS)

- (1) Permitted Uses
 - (a) Bulk Storage
 - (b) Public Use
 - (c) Public Utility
 - (d) Small Scale Wind Turbine
- (2) Zone Standards shall be in the discretion of Council

INSTITUTIONAL – (INST)

(1) Permitted Uses

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Long Term Care Facility
- (d) Personal Care Home
- (e) Adult Day Centre
- (f) Place of Worship
- (g) Clinic
- (h) Training School
- (i) Daycare Centre
- (j) Library
- (k) School
- (l) Park
- (m) Public Use
- (n) Public Utility
- (o) Place of Assembly
- (p) Funeral Home

(2) Discretionary Uses

- (a) Office
- (b) Service Shop
- (c) Small Scale Wind Turbine

(3) Zone Standards except Park, Public Use, Public Utility, and Place of Worship:

- | | | |
|-----|--|---|
| (a) | Lot Area | 900 m ² |
| (b) | Lot Frontage | 30 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height, except 50 Tiffany Lane (PID #?) | 30 metres |
| (e) | Building Height – 50 Tiffany Lane (PID # ?) | 80 metres |
| (f) | Side Yards | Two, each equal to 1 metre for every 5 metres of Building Height, except on |

a corner Lot where the Side Yard
abutting the Street shall be 6 metres

(g) Rear Yard 6 metres

- (4) Zone Standards for Park, Public Use, Public Utility and Place of Worship shall be in the discretion of Council.

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INSTITUTIONAL DOWNTOWN – (INST-DT)

(1) Permitted Uses

- (a) Accessory Building
- (b) Accessory Dwelling Unit
- (c) Long Term Care Facility
- (d) Personal Care Home
- (e) Adult Day Centre
- (f) Place of Worship
- (g) Clinic
- (h) Training School
- (i) Daycare Centre
- (j) Library
- (k) School
- (l) Park
- (m) Public Use
- (n) Public Utility
- (o) Place of Assembly
- (p) Funeral Home

(2) Discretionary Uses

- (a) Office
- (b) Service Shop
- (c) Small Scale Wind Turbine

(3) Zone Standards except Park, Public Use, Public Utility, and Place of Worship:

- | | | |
|-----|---|---|
| (a) | Building Height | 50 metres, except in areas subject to Protected View Plane (Map ?, Appendix ?) ** Needs work |
| (b) | Building Line | 0 metres |
| (c) | Building Façade Setback on Street | 0 metres for first 20 metres in Building Height, 4 metres for 21-40 metres in Building Height, 8 metres for 41 metres or greater in Building Height |
| (d) | All Other Zone Standards are in the discretion of Council | |

- (4) Zone Standards for Park, Public Use, Public Utility and Place of Worship shall be in the discretion of Council.

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MINERAL WORKING - (MW)

(1) Permitted Uses

- (a) Accessory Building
- (b) Mineral Working
- (c) Public Utility

(2) Discretionary Uses

- (a) Small Scale Wind Turbine

(3) Zone Standards shall be in the discretion of Council.

MINI HOME PARK - (MHP)

(1) Permitted Uses

- (a) Mini Home Park
- (b) Accessory Building
- (c) Home Office
- (d) Park

(2) Discretionary Uses

- (a) Convenience Store
- (b) Public Utility

(3) Zone Standards for Mini Home Park:

- (a) Lot Area 2 hectares
- (b) All other Zone standards shall be in the discretion of Council

(4) Zone Standards for individual Mini Home Sites within Mini Home Park:

- (a) Site Area 300 m²
- (b) Site Frontage 10 metres
- (c) Building Line 4 metres
- (d) Site Side Yards One of 1.2 metres and one of 3.5 metres, except on a corner Site where the Side Yard abutting the private access shall be 6 metres
- (g) Site Rear Yard 4 meters

(5) Zone Standards for Park, Parking Lot and Public Utility are in the discretion of Council.

OPEN SPACE - (O)

(1) Permitted Uses

- (a) Park
- (b) Recreational Use

(2) Discretionary Uses

- (a) Place of Assembly
- (b) Public Utility
- (c) Public Use
- (d) Small Scale Wind Turbine

(3) Zone Standards shall be in the discretion of Council.

OPEN SPACE RESERVE - (OR)

- (1) Discretionary Uses
 - (a) Accessory Building
 - (b) Park
 - (c) Public Utility
 - (d) Small Scale Wind Turbine
 - (e) Recreational Use
- (2) Zone Standards shall be in the discretion of Council.

PLANNED MIXED DEVELOPMENT – (PMD)

(1) Notwithstanding any other Section of these Regulations, Council may rezone land having an area of not less than 4 hectares to a Planned Mixed Development.

(2) A comprehensive development plan, which shall include, but not be limited to:

- Zone Uses
- Zone Standards
- Public amenity and Parks
- Streets and traffic
- Bodies of Water, watercourses and Floodplains
- Sidewalks
- Landscaping
- Parking

for the Planning Community Development shall be approved by Council and form part of a Development Agreement which Development Agreement shall be executed and registered in the Registry of Deeds for the Province of Newfoundland and Labrador before the rezoning is registered with the Minister and any Building Permits may be issued.

(3) All Security provisions will apply.

(4) Individual development in a Planned Community Development is subject to the Development Agreement and these Regulations and where there is a difference as to the Standards, the Development Agreement shall prevail.

PLANNED MIXED DEVELOPMENT – (PMD-1)
(Galway Planning Community)

- (1) Zone Uses, Zone Standards and Landscaping shall be as set out in the Development Agreement registered in the Registry of Deeds for the Province of Newfoundland and Labrador and as appended to these Regulations as Schedule ??

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RESIDENTIAL 1 - (R1)

(1) Permitted Uses

- (a) Single Detached Dwelling
- (b) Subsidiary Dwelling Unit
- (c) Accessory Building
- (d) Home Office
- (e) Park

(2) Discretionary Uses

- (a) Daycare Centre
- (b) Adult Day Centre
- (c) Home Occupation
- (d) Bed and Breakfast
- (e) Heritage Use
- (f) Public Utility
- (g) Parking Lot

(3) Zone Standards, excepting Park, Heritage Use, Public Utility and Parking Lot

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 450 m ² |
| (b) | Lot Frontage | 15 metres |
| (c) | Building Line | 7 metres |
| (d) | Building Height | 10.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(4) Zone Standards for Park, Heritage Use, Public Utility, and Parking Lot shall be in the discretion of Council.

RESIDENTIAL 2 - (R2)

- (1) Permitted Uses, except Shea Heights *(Planning Area 14 – Map?)* and 569-609 Southside Road *(PID #?)*

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Semi-Detached Dwelling
- (d) Duplex Dwelling
- (e) Single Attached Dwelling
- (f) Subsidiary Dwelling Unit
- (g) Bed and Breakfast
- (h) Home Office
- (i) Park
- (j) Lodging House

- (2) Discretionary Uses, except Shea Heights *(Planning Area 14 – Map?)* and 569-609 Southside Road *(PID #?)*

- (a) Daycare Centre
- (b) Adult Day Centre
- (c) Home Occupation
- (d) Apartment Building, maximum of 6 Dwelling Units
- (e) Heritage Use
- (f) Public Utility
- (g) Parking Lot

- (3) Permitted Uses Shea Heights *(Planning Area 14 – Map?)*

- (a) Single Attached Dwellings are not permitted

- (4) Permitted Uses 569-609 Southside Road *(PID #?)*

- (a) Single Detached Dwelling
- (b) Accessory Building

- (5) Zone Standards except Semi-Detached Dwelling, Duplex Dwelling, Single Attached Dwelling, Apartment Building, Park, Parking Lot, and Public Utility:

- | | | |
|-----|---------------|--------------------|
| (a) | Lot Area | 350 m ² |
| (b) | Lot Frontage | 12 metres |
| (c) | Building Line | 7 metres |

- | | | |
|-----|-----------------|---|
| (d) | Building Height | 10.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(6) Zone Standards for Semi-Detached Dwelling:

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 270 m ² |
| (b) | Lot Frontage | 9 metres |
| (c) | Building Line | 7 metres |
| (d) | Building Height | 10.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(7) Zone Standards for Duplex Dwelling:

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 510 m ² |
| (b) | Lot Frontage | 17 metres |
| (c) | Building Line | 7 metres |
| (d) | Building Height | 10.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(8) Zone Standards for Single Attached Dwelling:

(a)	Lot Area	180 m ²
(b)	Lot Frontage	6 metres
(c)	Building Line	1.5 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(9) Zone Standards for Apartment Building:

(a)	Lot Area	510 m ²
(b)	Lot Frontage	17 metres
(c)	Building Line	7 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(10) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

RESIDENTIAL 3 - (R3)

(1) Permitted Uses, except Planning Area 2 Battery Development Area **(Map ?)**

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Semi-Detached Dwelling
- (d) Duplex Dwelling
- (e) Single Attached Dwelling
- (f) Subsidiary Dwelling Unit
- (g) Bed and Breakfast
- (h) Home Office
- (i) Park
- (j) Lodging House

(2) Discretionary Uses

- (a) Daycare Centre
- (b) Adult Day Centre
- (c) Home Occupation
- (d) Apartment Building, maximum of 6 Dwelling Units
- (e) Heritage Use
- (f) Public Utility
- (g) Parking Lot
- (h) Residential Retail Store
- (i) Office
- (j) Service Shop

(3) Permitted Uses Planning Area 2 Battery Development Area **(Map ?)**

- (a) Single Attached Dwellings are not permitted

(4) Zone Standards except Duplex Dwelling, Semi-Detached Dwelling, Single Attached Dwelling, Apartment Building, Park, Parking Lot, Public Utility:

- | | | |
|-----|---------------|--------------------|
| (a) | Lot Area | 300 m ² |
| (b) | Lot Frontage | 10 metres |
| (c) | Building Line | 6 metres |

- | | | |
|-----|--|---|
| (d) | Building Height, except in Battery Development Area (Map?) | 10.2 metres |
| (e) | Building Height Battery Development Area (Map ?) | Subject to Footprint and Height Control Overlay for Battery Development Area (Appendix ?) |
| (f) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (g) | Rear Yard | 4.5 metres |

(5) Zone Standards for Duplex Dwelling:

- | | | |
|-----|---|---|
| (a) | Lot Area | 350 m ² |
| (b) | Lot Frontage | 14 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height, except in Battery Development Area (Map ?) | 10.2 metres |
| (e) | Building Height Battery Development Area (Map ?) | Subject to Footprint and Height Control Overlay for Battery Development Area (Appendix ?) |
| (f) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 4.5 metres |

(6) Zone Standards for Semi-Detached Dwelling:

- | | | |
|-----|--------------|--------------------|
| (a) | Lot Area | 188 m ² |
| (b) | Lot Frontage | 7.5 metres |

- | | | |
|-----|---|---|
| (c) | Building Line | 6 metres |
| (d) | Building Height, except in Battery Development Area (Map ?) | 10.2 metres |
| (e) | Building Height Battery Development Area (Map ?) | Subject to Footprint and Height Control Overlay for Battery Development Area (Appendix ?) |
| (f) | Side Yards | One of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 4.5 metres |
- (7) Zone Standards for Single Attached Dwelling:
- | | | |
|-----|---|--|
| (a) | Lot Area | 90 m ² |
| (b) | Lot Frontage | 5.5 metres |
| (c) | Building Line | 1.5 metres |
| (d) | Building Height, except in Battery Development Area (Map ?) | 10.2 metres |
| (e) | Building Height Battery Development Area (Map ?) | Subject to Footprint and Height Control Overlay for Battery Development Area (Appendix ?) |
| (f) | Side Yards | 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 4.5 metres |
- (8) Zone Standards for Apartment Building:
- | | | |
|-----|----------|--------------------|
| (a) | Lot Area | 350 m ² |
|-----|----------|--------------------|

- | | | |
|-----|---|---|
| (b) | Lot Frontage | 14 metres |
| (c) | Building Line | 1.5 metres |
| (d) | Building Height, except in Battery Development Area (Map ?) | 10.2 metres |
| (e) | Building Height Battery Development Area (Map ?) | Subject to Footprint and Height Control Overlay for Battery Development Area (Appendix ?) |
| (f) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 4.5 metres |
- (9) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council.

RESIDENTIAL BATTERY - (RB)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Subsidiary Dwelling Unit
- (d) Lodging House
- (e) Bed and Breakfast
- (f) Home Office
- (g) Park

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Wharves and Stages
- (c) Heritage Use
- (d) Home Occupation
- (e) Public Utility
- (f) Parking Lot
- (g) Service Shop
- (h) Residential Retail Store

(3) Zone Standards except Park, Parking Lot and Public Utility

- | | | |
|-----|---|--|
| (a) | Lot Area | 150 m ² |
| (b) | Lot Frontage | 10 metres |
| (c) | Building Line | 4.5 metres |
| (d) | Building Height, except in Battery Development Area (Map ?) | 9 metres from lowest point on Lot or 6 metres from highest point on Lot, whichever is lesser |
| (e) | Building Height Battery Development Area (Map ?) | Subject to Footprint and Height Control Overlay for Battery Development Area (Map ?) |
| (f) | Side Yards | Two of 1.2 metres |
| (g) | Rear Yard | 4.5 metres |

- (4) Zone Standards Park, Parking Lot, and Public Utility shall be in the discretion of Council

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RESIDENTIAL DOWNTOWN - (RD)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Semi-Detached Dwelling
- (d) Duplex Dwelling
- (e) Single Attached Dwelling
- (f) Subsidiary Dwelling Unit
- (g) Bed and Breakfast
- (h) Home Office
- (i) Park
- (j) Lodging House

(2) Discretionary Uses

- (a) Daycare Centre
- (b) Adult Day Centre
- (c) Home Occupation
- (d) Apartment Building, maximum of 6 Dwelling Units
- (e) Heritage Use
- (f) Public Utility
- (g) Parking Lot
- (h) Residential Retail Store
- (i) Office
- (j) Service Shop

(3) Zone Standards except Duplex Dwelling, Semi-Detached Dwelling, Single Attached Dwelling, Apartment Building, Park, Parking Lot and Public Utility:

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 200 m ² |
| (b) | Lot Frontage | 8 metres |
| (c) | Building Line | 0 metres |
| (d) | Building Height | 10.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres |
| (f) | Rear Yard | 4.5 metres |

(4) Zone Standards Duplex Dwelling:

(a)	Lot Area	240 m ²
(b)	Lot Frontage	12 metres
(c)	Building Line	0 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres
(f)	Rear Yard	4.5 metres

(5) Zone Standards Semi-Detached Dwelling:

(a)	Lot Area	140 m ²
(b)	Lot Frontage	7 metres
(c)	Building Line	0 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	One of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres
(f)	Rear Yard	4.5 metres

(6) Zone Standards Single Attached Dwelling:

(a)	Lot Area	50 m ²
(b)	Lot Frontage	4.5 metres
(c)	Building Line	0 metres
(d)	Building Height	10.2 metres

(e) Side Yards 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres

(f) Rear Yard 4.5 metres

(7) Zone Standards Apartment Building:

(a) Lot Area 240 m²

(b) Lot Frontage 12 metres

(c) Building Line 0 metres

(d) Building Height 10.2 metres

(e) Side Yards Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres

(f) Rear Yard 4.5 metres

(8) Zone Standards for Park, Parking Lot and Public Utility shall be in the discretion of Council

RESIDENTIAL MIXED - (RM)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Semi-Detached Dwelling
- (d) Duplex Dwelling
- (e) Single Attached Dwelling
- (f) Subsidiary Dwelling Unit
- (g) Bed and Breakfast
- (h) Home Office
- (i) Park
- (j) Lodging House
- (k) Training School
- (l) Clinic
- (m) Office

(2) Discretionary Uses

- (a) Daycare Centre
- (b) Adult Day Centre
- (c) Home Occupation
- (d) Apartment Building, maximum of 6 Dwelling Units
- (e) Heritage Use
- (f) Public Utility
- (g) Parking Lot
- (h) Retail Use
- (i) Service Shop
- (j) Place of Worship
- (k) Convenience Store
- (l) Parking Garage
- (m) Personal Care Home
- (n) Pharmacy
- (o) School
- (p) Place of Assembly

(3) Zone Standards except Duplex Dwelling, Semi-Detached Dwelling, Single Attached Dwelling, Apartment Building, Park, Parking Lot, Public Utility and Place of Worship:

- | | | |
|-----|--------------|--------------------|
| (a) | Lot Area | 300 m ² |
| (b) | Lot Frontage | 10 metres |

(c)	Building Line	6 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(4) Zone Standards Duplex Dwelling:

(a)	Lot Area	350 m ²
(b)	Lot Frontage	14 metres
(c)	Building Line	6 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(5) Zone Standards Semi-Detached Dwelling:

(a)	Lot Area	188 m ²
(b)	Lot Frontage	9 metres
(c)	Building Line	6 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	One of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(6) Zone Standards Single Attached Dwelling:

(a)	Lot Area	140 m ²
(b)	Lot Frontage	5.5 metres
(c)	Building Line	1.5 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(7) Zone Standards Apartment Building:

(a)	Lot Area	350 m ²
(b)	Lot Frontage	14 metres
(c)	Building Line	1.5 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard	6 metres

(8) Zone Standards Park, Parking Lot, Public Utility and Place of Worship shall be in the discretion of Council

RESIDENTIAL QUIDI VIDI - (RQV)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Semi Detached Dwelling Unit
- (d) Duplex Dwelling
- (e) Bed and Breakfast
- (f) Home Office
- (g) Park
- (h) Retail Use
- (i) Lodging House
- (j) Accessory Dwelling Unit
- (k) Service Shop

(2) Discretionary Uses

- (a) Adult Day Centre
- (b) Daycare Centre
- (c) Heritage Use
- (d) Home Occupation
- (e) Public Utility
- (f) Parking Lot

(3) Zone Standards except Semi-Detached Dwelling, Duplex Dwelling, Park, Parking Lot and Public Utility:

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 200 m ² |
| (b) | Lot Frontage | 8 metres |
| (c) | Building Line | 0 metres |
| (d) | Building Height | 10.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a corner Lot where Side Yard abutting the Street shall be 3 metres |
| (f) | Rear Yard | 4.5 metres |

(4) Zone Standards Duplex Dwelling:

(a)	Lot Area	200 m ²
(b)	Lot Frontage	12 metres
(c)	Building Line	0 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres
(f)	Rear Yard	4.5 metres

(5) Zone Standards Semi-Detached Dwelling:

(a)	Lot Area	140 m ²
(b)	Lot Frontage	7 metres
(c)	Building Line	0 metres
(d)	Building Height	10.2 metres
(e)	Side Yards	One of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres
(f)	Rear Yard	4.5 metres

(6) Zone Standards Park, Parking Lot, and Public Utility shall be in the discretion of Council

RESIDENTIAL REDUCED LOT - (RRL)

(1) Permitted Uses

- (a) Accessory Building
- (b) Single Detached Dwelling
- (c) Home Office

(2) Zone Standards

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 250 m ² |
| (b) | Lot Frontage | 10 metres |
| (c) | Building Line | 7 metres |
| (d) | Building Height | 12.2 metres |
| (e) | Side Yards | Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard | 6 metres |

(3) Notwithstanding section 7, hardscape of the Front Yard shall not exceed 3.6 metres in width.

RESIDENTIAL SPECIAL - (RA)

(1) Permitted Uses

- (a) Single Detached Dwelling
- (b) Accessory Building
- (c) Home Office
- (d) Park

(2) Discretionary Uses

- (a) Heritage Use
- (b) Public Utility
- (c) Accessory Dwelling Unit *(?? based on recent requests)*

(3) Zone Standards, excepting Park, Heritage Use, and Public Utility

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 740 m ² |
| (b) | Lot Frontage | 21 metres |
| (c) | Building Line | 9 metres |
| (d) | Building Height | 12.2 metres |
| (e) | Side Yards | One of 1.5 metres and one of 3 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and the other Side Yard shall be 1.5 metres |
| (f) | Rear Yard | 11 metres |

(Note: Landscaping is addressed elsewhere in Regs and some zone standards proposed contravene the earlier provisions)

(4) Zone Standards for Park, Heritage Use and Public Utility shall be in the discretion of Council.

RESIDENTIAL SPECIAL 1 - (RA1)

(1) Permitted Uses

- (a) Single Detached Dwelling
- (b) Subsidiary Dwelling Unit (*? correct name for NBC*)
- (c) Accessory Building
- (d) Home Office
- (e) Park

(2) Discretionary Uses

- (a) Heritage Use
- (b) Public Utility

(3) Zone Standards, excepting Park, Heritage Use, and Public Utility

- | | | |
|-----|-----------------|---|
| (a) | Lot Area | 740 m ² |
| (b) | Lot Frontage | 21 metres |
| (c) | Building Line | 9 metres |
| (d) | Building Height | 12.2 metres |
| (e) | Side Yard | One of 1.5 metres and one of 3 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and the other Side Yard shall be 1.5 metres |
| (f) | Rear Yard | 11 metres |

(4) Zone Standards for Park, Heritage Use and Public Utility shall be in the discretion of Council.

RURAL - (R)

(1) Permitted Uses

- (a) Agricultural Use
- (b) Forestry Use
- (c) Home Office
- (d) Park
- (e) Public Utility
- (f) Accessory Building
- (g) Single Detached Dwelling, provided the Agricultural Use or Forestry Use on the Lot has been in continuous operation for a minimum of 3 years

(2) Discretionary Uses

- (a) Subsidiary Dwelling Unit
- (b) Bed and Breakfast
- (c) Restaurant
- (d) Farm Market
- (e) Agricultural Tourism Operations
- (f) Warehouse
- (g) Floatplane Hangar
- (h) Heavy Equipment Storage
- (i) Home Occupation
- (j) Indoor Riding Arena
- (k) Kennel
- (l) Personal Care Home
- (m) Recreational Use
- (n) Small Scale Wind Turbine
- (o) Vehicle Storage Yard
- (p) Veterinary Clinic

(3) Zone Standards Park, Public Utility and *#'s?? Maddox Cove Road (PID #s ?):*

- | | | |
|-----|-----------------|---------------------|
| (a) | Lot Area | 8000 m ² |
| (b) | Lot Frontage | 90 metres |
| (c) | Building Line | Council discretion |
| (d) | Building Height | Council discretion |
| (e) | Side Yards | Council discretion |

(g) Rear Yard Council discretion

(4) Zone Standards for ***#s?? Maddox Cove Road (PID #s?):***

(a) Lot Area 8000 m²

(b) Lot Frontage 60 metres

(c) Building Line 15 metres

(d) Building Height 10.2 metres

(e) Side Yards Two of 6 metres

(g) Rear Yard 6 metres

(5) Zone Standards for Park and Public Utility shall be in the discretion of Council.

RURAL RESIDENTIAL - (RR)

(1) Permitted Uses

- (a) Agricultural Use
- (b) Forestry Use
- (c) Home Office
- (d) Park
- (e) Accessory Building
- (f) Single Detached Dwelling
- (g) Bed and Breakfast
- (h) Lodging House
- (i) Subsidiary Dwelling Unit

(2) Discretionary Uses

- (a) Place of Worship
- (b) Daycare Centre
- (c) Heavy Equipment Storage
- (d) Home Occupation
- (e) Indoor Riding Arena
- (f) Kennel
- (g) Parking Lot
- (h) Public Utility
- (i) Warehouse
- (j) Residential Retail Store

(3) Zone Standards, excepting Park, Parking Lot, Public Utility and Place of Worship:

- | | | |
|-----|--|---------------------|
| (a) | Lot Area | 4000 m ² |
| (b) | Lot Frontage | 45 metres |
| (c) | Building Line | 20 metres |
| (d) | Building Height, except Single Detached Dwelling | Council discretion |
| (e) | Building Height Single Detached Dwelling | 10.2 metres |
| (f) | Side Yards | Two of 6 metres |
| (g) | Rear Yard | 6 metres |

- (4) Zone Standards for Park, Parking Lot, Public Utility and Place of Worship shall be in the discretion of Council.

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RURAL RESIDENTIAL INFILL - (RRI)

(1) Permitted Uses

- (a) Accessory Building
- (b) Agricultural Use
- (c) Single Detached Dwelling
- (d) Subsidiary Dwelling Unit
- (e) Bed and Breakfast
- (f) Lodging House
- (g) Home Office
- (h) Forestry Use
- (i) Park

(2) Discretionary Uses

- (a) Daycare Centre
- (b) Heavy Equipment Storage
- (c) Home Occupation
- (d) Indoor Riding Arena
- (e) Parking Lot
- (f) Public Utility
- (g) Warehouse
- (h) Vehicle Storage
- (i) Retail Use
- (j) Service Shop

(3) Zone Standards, excepting Park, Parking Lot and Public Utility:

- | | | |
|-----|--|--|
| (a) | Lot Area | 1860 m ² |
| (b) | Lot Frontage | 30 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height, except Single Detached Dwelling | Council discretion |
| (e) | Building Height Single Detached Dwelling | 10.2 metres |
| (f) | Side Yards | Two of 1.2 metres, except on a corner Lot where the Side |

(g)	Rear Yard	6 metres
(4)	Zone Standards for Park, Parking Lot, and Public Utility shall be in the discretion of Council.	

6 metres

(4) Zone Standards for Park, Parking Lot, and Public Utility shall be in the discretion of Council.

RURAL VILLAGE - (RV)

(1) Permitted Uses

- (a) Accessory Building
- (b) Agricultural Use
- (c) Single Detached Dwelling
- (d) Subsidiary Dwelling Unit
- (e) Bed and Breakfast
- (f) Lodging House
- (g) Home Office
- (h) Recreational Use
- (i) Park

(2) Discretionary Uses

- (a) Place of Worship
- (b) Service Shop
- (c) Daycare Centre
- (d) Heritage Use
- (e) Home Occupation
- (f) Parking Lot
- (g) Place of Assembly
- (h) Public Utility
- (i) Retail Use
- (j) School

(3) Zone Standards, excepting Park, Parking Lot, Public Utility, Place of Worship and Heritage Use:

- | | | |
|-----|--|--|
| (a) | Lot Area | 2000 m ² |
| (b) | Lot Frontage | 30 metres |
| (c) | Building Line | 6 metres |
| (d) | Building Height, except Single Detached Dwelling | Council discretion |
| (e) | Building Height Single Detached Dwelling | 10.2 metres |
| (f) | Side Yards | Two of 1.2 metres, except on a corner Lot where the Side |

(g) Rear Yard 6 metres

WATERSHED – (W)

- (1) Uses and Zone Standards are determined by Council in accordance with sections 104 and 106 of the City of St. John's Act, RSNL 1990, c.C-17, as amended.

(Query: Add Water Resources Act)

(Note: Not all watersheds are addressed in City Act)

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