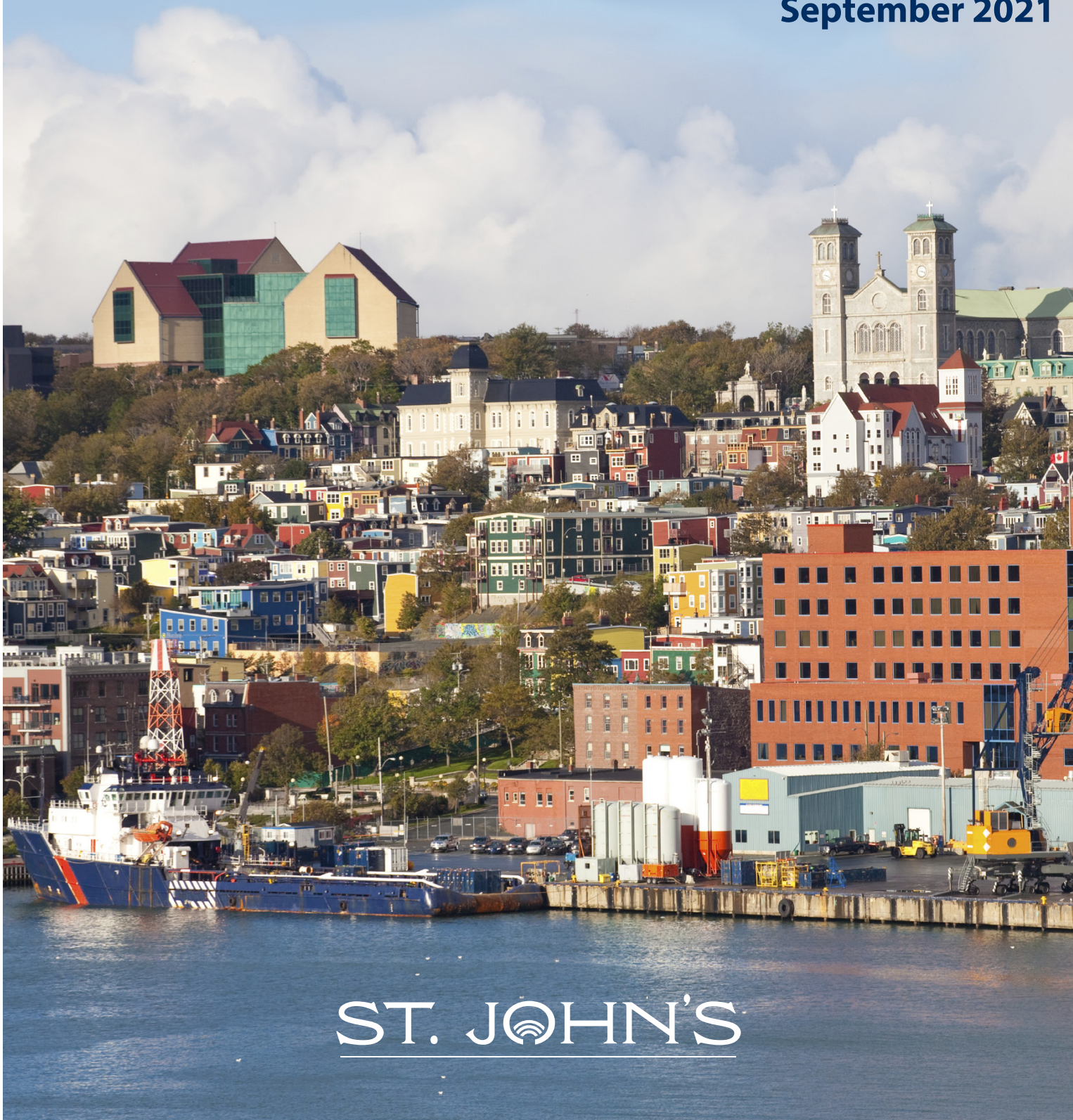




ENVISION ST. JOHN'S

Development Regulations

September 2021



ST. JOHN'S

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Thank you to the Town of Truro, Nova Scotia for the images used throughout this document.



SECTION 1 – TITLE AND APPLICATION

1.1 SHORT TITLE

These Regulations may be cited as the “St. John’s Development Regulations 2021”.

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 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 DRAWINGS AND ILLUSTRATIONS

Drawings and illustrations forming part of these Regulations are provided to assist in the interpretation of these Regulations. Where any conflict or inconsistency arises between a drawing or illustration and the text of the Regulations the text governs.

1.4 COMMENCEMENT

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

1.5 DEVELOPMENT REGULATIONS

The St. John’s Development Regulations, originally gazetted June 3, 1994, and all amendments thereto are repealed upon the coming into force of these Regulations.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

ACCESS means a way used or intended to be used by vehicles, pedestrians or animals in order to go from a street to adjacent or nearby land or to go from that land to the street.

ACCESSORY BUILDING means a detached Building not used as a Dwelling, located on the same Lot as the main Building to which it is an accessory, and which has a Use that is customarily incidental or complementary to the main use of the building or land, but is not limited to:

- for Residential Uses, domestic garages, carports, ramps, sheds, swimming pools, greenhouses, cold frames, fuel sheds, vegetable storage cellars, shelters for domestic pets, or radio and television antennae;
- for Commercial Uses, workshops, or garages; and
- for Industrial Uses, garages, offices, raised ramps, and docks.

ACCESSORY DWELLING UNIT means a Dwelling Unit for a caretaker or essential worker accessory to a Permitted Use when the unit is included in the main Building or, in the case of land uses such as Agriculture, Forestry or Salvage Yards, when the Dwelling Unit is situate on the same property as the Use and forms part of the Use, and which shall not exceed 80 metres square.

ACCESSORY USE means a use that is subsidiary to a Permitted or Discretionary use and that is customarily expected to occur with the Permitted or Discretionary use.

ACT if not specifically defined, means the Urban and Rural Planning Act, 2000 as may be amended from time to time.

ADULT DAY CENTRE means a Building or part thereof maintained and used for the purpose of providing care to adults on a daily basis, but does not include a Personal Care Home, Long Term Care Facility or Residential Care Facility.

ADULT MASSAGE PARLOUR means a Building, or part of a Building, where massage or similar services are provided by persons who are not Registered Massage Therapists and does not include a Clinic or Service Shop.

AGRICULTURAL TOURISM OPERATIONS means activities on a farm for the enjoyment or education of the public which promote the sale, marketing, production, harvesting or use of products of the farm and enhance the public's understanding and awareness of farming and farm life.

AGRICULTURAL USE means dairy farming, the breeding and rearing of livestock, including any creature kept for the production of food, wool, skins, or fur or for the purpose of its use in the farming of land, and/or the growing of crops.

ANIMAL UNIT means any one of the following animals or groups of animals:

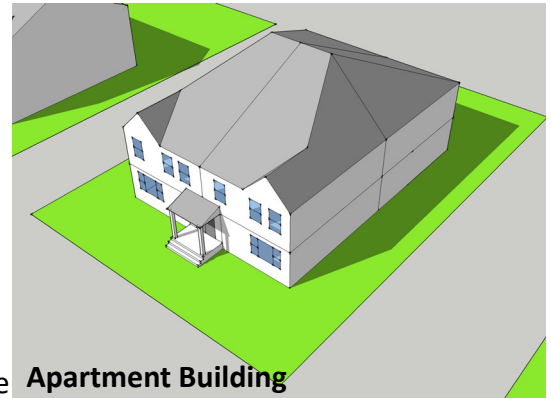
- 1 Bull
- 1000 Broiler Chickens or roasters (1.8-2.3 kg each)
- 1 Cow (including calf)

- 100 Female Mink (including associated males and kits)
- 100 Female Rabbits (including associated males and litter)
- 4 Goats
- x Hogs (based on 453.6 kg = 1 unit)
- 1 Horse (including foal)
- 125 Laying Hens
- 4 Sheep (including lambs)
- 1 Sow or Breed Sow (including weaners and growers based on 453.6 kg = 1 unit)
- x Turkeys, Ducks, Geese (based on 2,268 kg = 1 unit)

APARTMENT BUILDING means a Building which contains multiple Dwelling Units but does not include a Building with an Accessory Dwelling Unit, Subsidiary Dwelling Unit, a Four-Plex, or Townhouse Cluster.

AQUACULTURE means the breeding, hatching and rearing of fish or other aquatic plants or animals for sale and/or personal use.

AQUAPONICS is a food production system that combines Aquaculture with Hydroponics Operations.



BANK means any chartered bank, trust company, finance company, or credit union.

BAKERY means a facility for producing baked goods such as bread, biscuits, and cakes and may include the sale of same, but does not include a Restaurant.

BED AND BREAKFAST means an owner occupied or owner managed establishment for paid temporary accommodation for up to sixteen (16) overnight guests that may include a dining room for the use of overnight guests and their invitees. The establishment shall be registered with and receive a rating from Canada Select and shall be approved by the Province.

BUFFER means an area left in its natural state or landscaped with various plants, trees, shrubs, or grasses, in order to assist in conserving a natural resource or to mitigate the impacts of one Use upon another.

BUILDING means:

- (i) a structure, erection, alteration or improvement placed on, over or under land attached, anchored or moored to land;
- (ii) mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other similar uses;
- (iii) a part of and fixtures on Buildings referred to in subparagraphs (i) and (ii); and
- (iv) an excavation of land whether or not that excavation is associated with the intended or actual construction of a Building or thing referred to in subparagraphs (i) to (iii); but does not include for the

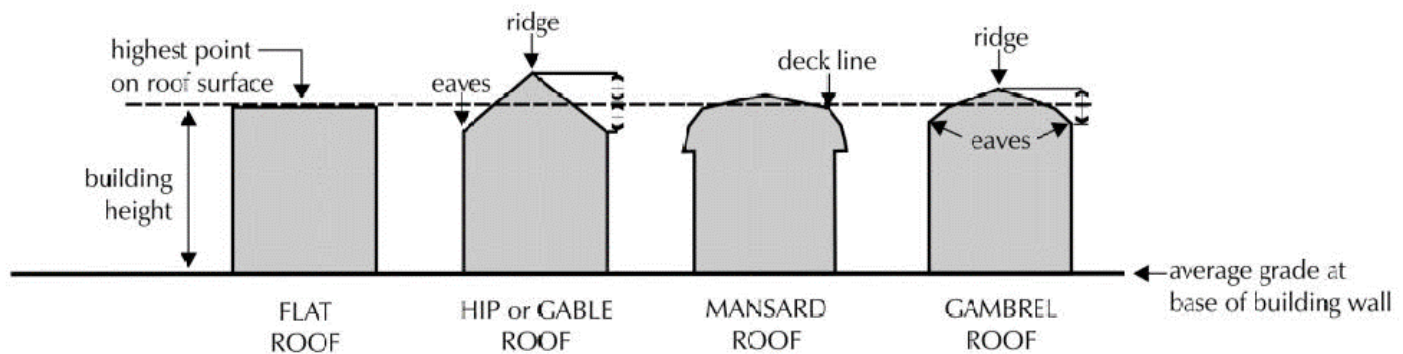
purposes of these Regulations:

- a fence
- a utility enclosure

BUILDING HEIGHT means the vertical distance measured in metres from the established grade to the:

- highest point of the roof surface of a flat roof;
- deck line of a mansard roof; or
- mean height level between the eave and the ridge of a gable, hip, or gambrel roof, unless otherwise specified and in any case, a building height shall not include mechanical structure, smokestacks, steeples and purely ornamental structures above a roof;

ILLUSTRATION OF BUILDING HEIGHT



BUILDING LINE (SETBACK) means a line established by the City that runs parallel to a street line and is the closest point to a Street that a Building may be placed.

CARRIAGE HOUSE means a designated heritage building which is a detached subordinate Building originally designed primarily for the storage of carriages. For the purpose of these Regulations, a Carriage House is not an Accessory Building.

CARPORT means a Building or structure used for the parking or storage of a motor vehicle and being without walls on at least two sides.

CAR SALES LOT means a Building or an open area used for storage or display, for sales purposes, of motor vehicles.

CAR WASH means an establishment used exclusively for washing or cleaning motor vehicles for gain.

CEMETERY means any land, Building or structure used for burying or interring the dead, including associated



Buildings for grounds keeping, equipment storage and administrative office space.

CLINIC means a Building or part of a Building used by physicians, dentists or other health care professionals, their staff and their patients, for the purpose of consultation, diagnosis or treatment of human non-residential patients, and may include medical laboratories or an ancillary pharmacy, but does not include an Adult Massage Parlour.

COMMERCIAL GARAGE means a Building, or part of a Building, used for the repair of equipment or self-propelled vehicles and/or trailers, but does not include a service station.

COMMERCIAL USE means any Use categorized as commercial.

COMMUNICATIONS USE means any establishment or facility in the field of communications, including radio stations, television stations, and telephone companies.

COMMUNITY AMENITY BUILDING means a Building provided for the personal, shared, or communal use of residents of a Pocket Neighbourhood.

COMMUNITY GARDEN means a shared outdoor space used to grow and care for vegetables, flowers, and/or annual plantings for personal consumption.

CONSERVATION PLAN means a plan that identifies the impacts of a proposed Development and describes the requirements approved by Council under which the Development can proceed.

CONVENIENCE STORE means a Building which is used as a store that serves the primary needs of the adjacent neighbourhood and in which at least 80% of the retail floor space is devoted to the sale and display of grocery items and may include a delicatessen or snack bar provided that same is contained within the Building.

CRAFT BREWERY/DISTILLERY means a facility which is licensed by the Province to produce, sell and distribute beer, wine, or other liquor or distilled spirits and shall include a tasting room open to the public. Retail sales or Restaurant may be permitted.

DAYCARE CENTRE means a Building or part of a Building in which licensed child care services are provided to more than 5 non-resident children at any one time.

DECK means a structure without a permanent roof which may or may not have screening, and which may or may not be attached to the main Building.

DEVELOPMENT means the carrying out of building, engineering, mining, or other operations in, on, over, or under land, or the making of a material change in the use, or the intensity of use of land, buildings, or premises and the:

- (i) making of an access onto a highway, road, or way;

- (ii) erection of an advertisement or sign;
- (iii) construction of a Building; and
- (iv) the parking of a trailer, or vehicle used for the sale of refreshments or merchandise, or as an office, or for living accommodation;

and excludes:

- (v) carrying out of works for the maintenance, improvement, or other alteration of any building, being works which affect only the interior of the Building or which do not materially affect the external appearance or use of the Building;
- (vi) carrying out by a highway authority of any works required for the maintenance or improvement of a road, being works carried out on land within the boundaries of the road reservation;
- (vii) carrying out by a local authority or statutory undertakers of works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of a street or other land for that purpose; and
- (viii) the use of a Building or land within the courtyard of a dwelling house for a purpose incidental to the enjoyment of the dwelling house as a dwelling.

For the purposes of these Regulations, development also includes excavation, land clearing, grubbing, and the subdividing or consolidating of parcels of land.

DISCRETIONARY USE means a use that is listed within the discretionary use classes established in the use zone tables of an authority's Development Regulations.

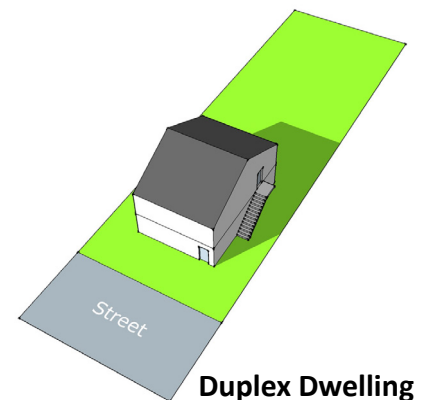
DRIVE THROUGH means a Building or operation that is designed to allow or require occupants to remain in their motor vehicles while goods and/or services are either provided to them or self-service is being undertaken or initiated by them.

DRIVEWAY means a way used or intended to be used by vehicles and/or pedestrians in order to go from a Street to adjacent land or to go from that land to the Street.

DRY CLEANING ESTABLISHMENT means a Building, or part of a Building, where dry cleaning, dyeing, or cleaning of articles or goods or fabric is carried on.

DUPLEX DWELLING means a Building containing two Dwelling Units, constructed one above the other, each having an individual entrance, provided that no Dwelling Unit shall be wholly in the basement of the Building.

DWELLING UNIT means any Building, or portion thereof, which is occupied in whole or in part, as the home or residence of one or more human beings,



with kitchen and bathroom facilities for the resident(s).

ESTABLISHED GRADE means,

(i) where used in reference to a building, the average elevation of the finished surface of the ground where it meets the exterior or the front of that building exclusive of any artificial embankment or entrenchment, or

(ii) where used in reference to a structure that is not a building, the average elevation of the finished grade of the ground immediately surrounding the structure, exclusive of any artificial embankment or entrenchment.

FARM MARKET means a Building or operation on a farm where food produced in whole or in part on the farm is offered for retail sale to the public.

FARM RESTAURANT means a Building, or part of a Building, on a farm where food produced in whole or in part on the farm is prepared and offered for retail sale to the public for consumption on the farm, but shall not include catering service or a takeout service.

FENCE means a vertical physical barrier constructed out of typical fencing materials for the purpose of assuring privacy or protection, and shall include hedges, shrubs, and Landscaping features which are used for these purposes and shall also include that portion of a retaining wall which projects above the surface of the ground which it supports.

FLOAT PLANE HANGAR means a Building designed and used solely for the storage of a float plane.

FLOODPLAIN means the area of land adjacent to a watercourse or a water body that will be inundated by the one (1) percent annual chance flood.

FLOOR AREA – NET for the purposes of these Regulations means 80% of Floor Area - Gross.

FLOOR AREA – GROSS means the total floor area of all floors in a Building measured to the outside face of exterior walls, and includes basements and mezzanines but excluding any porches, verandas, sunrooms (unless habitable in all seasons of the year), garage, or mechanical penthouse and any areas used exclusively for parking of motor vehicles.

FLOOR AREA RATIO means the ratio which the Floor Area – Gross of the Building(s) on a Lot shall bear to the area of that Lot.

FOOD AND BEVERAGE PROCESSING means a facility for producing, mixing, compounding or baking any edible product, but does not include a Restaurant or other premises where any such product is made for consumption on the premises and does not include a Bakery.

FORESTRY USE means the Use of land for the purposes of forest and woodland management, and including the felling, cutting, trimming, extraction of timber therefrom or the reforestation thereof.

FOUR-PLEX means a Building that has four Dwelling Units having at least one Dwelling Unit entirely or partially above another with the entire Building being on one Lot. It is not a Semi-Detached Dwelling or Townhouse with multiple Dwelling Units.



FUNERAL HOME means an establishment for the preparation of human remains for interment or disposal including a crematorium and/or Place of Worship to conduct commemorative services.

GAS STATION means an establishment for the sale of gasoline and ancillary products but does not include the repair of motor vehicles, a Commercial Garage or a Car Wash.

HARD LANDSCAPING means the man-made features used in Landscaping.

HEALTH AND WELLNESS CENTRE means an establishment providing health, fitness, and recreational activities, such as, but not limited to, boxing, dancing, gymnastics, martial arts, weightlifting, yoga, or other forms of physical exercise. This Use may also include the incidental sale of health and fitness merchandise. This does not include a Massage Parlour.

HEAVY EQUIPMENT STORAGE means the use of land or Buildings for the storage or parking of operational motorized vehicles or equipment such as, but not limited to: construction equipment, transportation equipment, agricultural equipment or fisheries equipment, tow trucks, tractors, tractor trailers, semi-trailers, dump trucks, flatbed trucks, utility trucks, graders, excavators and construction trailers, and shall exclude the service or maintenance, the sale or rental, the salvage for scrap or recycling of equipment or materials or the storage of scrap materials from the aforementioned type of vehicles and equipment.

HERITAGE USE means any Use of a designated heritage building which is, in Council's opinion, compatible with the adjoining uses.

HOME OCCUPATION means a secondary use of a Dwelling Unit and/or Accessory Building by at least one of the residents of such Dwelling Unit to conduct a gainful occupation or business activity.

HOME OFFICE means a secondary use of a Dwelling Unit by at least one of the residents of such Dwelling Unit to conduct a gainful occupation or business activity with such occupation or business activity being restricted to office uses which do not involve visitation of clients to the site and employment of non-residents.

HORTICULTURE USE means the growing of fruit, flowers, vegetables, trees, shrubs and plants (nursery) for commercial purposes for consumption and/or sale and included Hydroponics.

HOTEL means an establishment that provides lodging and usually meals, entertainment, and various personal services for more than 16 persons.

HYDROPONICS means the cultivation of plants without soil.

INDOOR RIDING ARENA means an enclosed structure for horse riding.

INDUSTRIAL USE means the use of land or Building for the purpose of manufacturing, fabricating, assembling, altering, repairing, packing, canning, storing, breaking up, demolishing, or treating any article, commodity or substance, and "industry" shall be construed accordingly.



INSTITUTIONAL USE means a Building or part thereof used for non-commercial purposes by a non-profit society for the promotion of social, educational, cultural, religious or philanthropic objectives, and may include a residential component owned and managed by the Institution and ancillary to the purpose of the Institution.

KENNEL means an establishment used for the boarding of small animals normally considered as household pets and other animals. This shall include the boarding of animals during the day and for extended periods of time.

LANDSCAPING means an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements. Driveways and areas for loading, parking or storing of vehicles are not Landscaping.

LAND USE REPORT is a report prepared by suitably qualified person(s) to identify and assess the impacts of a proposed land use or Development on the urban environment and/or surrounding lands or neighbourhood, and includes recommendations and proposals to control and mitigate identified impacts and may include:

- an Archaeological Report
- an Environmental Report
- a Heritage Report

LAUNDROMAT means an establishment where individual washing machines and clothes dryers are operated by the customer or an attendant.

LIGHT INDUSTRIAL USE means Use of any land or Buildings for an Industrial Use that can be carried out without hazard or intrusion and without detriment to the amenity of the surrounding area by reason of noise, vibration, smell, fumes, smoke, grit, soot, ash, dust, glare or appearance.

LODGING HOUSE means a Dwelling Unit wherein accommodation is provided for between five (5) and sixteen (16) persons inclusive, in which kitchen and/or bathroom facilities are used in common by some or all the occupants.

LONG TERM CARE FACILITY means a residential Building for persons requiring moderate to total assistance with the activities of daily living, having on-site nursing staff and which is provincially licensed.

LOT means a plot, tract, or parcel of land which can be considered as a unit of land for a particular Use or Building.

LOT AREA means the total horizontal area within the lines of the Lot.

LOT COVERAGE means the combined area of all Building on a Lot measured at the level of the lowest floor above the established grade and expressed as a percentage of the total area of the Lot.

LOT DEPTH means the average distance between the front Lot Line and the rear Lot Line of a Lot.

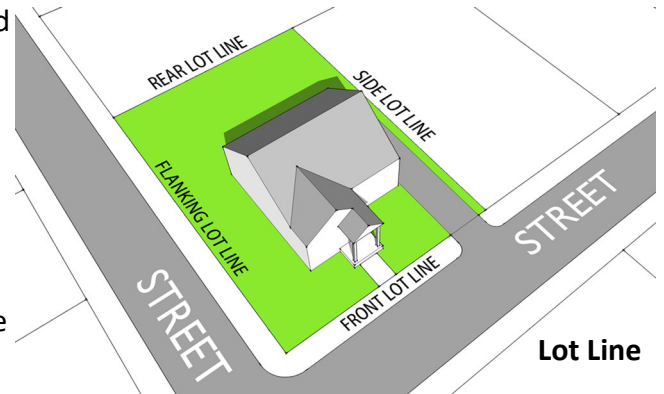
LOT FRONTAGE means the horizontal distance between the side Lot Lines measured at the Building Line.



LOT LINE means any line defining the boundaries of a Lot and shall include a Lot Line – Front, a Lot Line – Rear, and a Lot Line – Side.

LOT LINE – FLANKING means a Side Lot Line along a Street.

LOT LINE – FRONT means the Street line on which a Lot has its civic address, except where a lot has two or more Street Lines, in which case the Development Officer shall determine the Front Lot Line, considering the most appropriate setting of the Building on the Lot.



LOT LINE – REAR means the Lot Line or lines opposite the Lot Line – Front.

LOT LINE – SIDE means a Lot Line or lines other than Lot Line – Front or Lot Line – Rear.

LOUNGE means a Building, or part of Building, which is primarily used for the purpose of selling and serving of spirits, wines, or beer to the general public for consumption on the premises and which is licensed under the Liquor Control Act and any Regulations made thereunder.

MICRO UNIT means a Dwelling Unit which shall not exceed 42 metres square (450 square feet).

MINERAL WORKING means land or Buildings use for the working or extraction of any naturally occurring substance, including a pit or quarry and can include exploration or mining activity.

MINI HOME means a Single Detached Dwelling Unit which is designed and built to be transportable to its site where it is affixed to a foundation.

MINI HOME PARK means a Development designed for Mini Homes.

MITIGATION PLAN means a plan that identifies the impacts of a proposed Development as established by a Land Use Report and describes the requirements under which the Development can proceed.

NON-CONFORMING BUILDING means a Building legally existing at the coming into force of these Regulations that does not meet the requirements of these Regulations.

NON-CONFORMING LOT means a Lot legally existing at the coming into force of these Regulations that does not meet the requirements of these Regulations.

NON-CONFORMING USE means a legally existing Use that is not listed as a Permitted or Discretionary Use for the Zone in which it is located or which does not meet the Development Standards for that Use zone.

OFFICE means a Building, or part thereof, used for the practice of a profession, business, or public administration that may include administrative and clerical functions but does not include a Clinic or Bank.

OWNER means a person or an organization of persons owning or having the legal right to use the land under consideration.

PARK means an area owned by either the City of St. John's, the Province of Newfoundland and Labrador, the Government of Canada, or an administrative/statutory agency, board, commission, or wholly owned corporation of either of the three levels of government; which is maintained substantially in its natural state and/or landscaped for the use and enjoyment of the public; and includes playgrounds, playing fields, campgrounds, and picnic areas; but does not include a Place of Assembly.

PARKING GARAGE means a Building, or part of a Building, used for the parking of vehicles and accessible to the public or as an accommodation to clients or customers.

PARKING LOT means a Lot, or part of a Lot, used for the parking of vehicles and accessible to the public as an accommodation to users or owners.

PERMITTED USE means a use that is listed within the permitted use classes set out in the use zone tables of an authority's Development Regulations.

PERSONAL CARE HOME means a residential Building for persons who need minimal to no assistance with the activities of daily living, which may have associated health or nursing services, and is provincially licensed.

PHARMACY means a Building, or part of a Building, where prescriptions, medicines and drugs are compounded or prepared or sold and where non-prescription medications and health aids are sold under the direct supervision of a pharmacist.

PID means a Parcel Identification number.

PIPE STORAGE YARD means a property used for storage of pipe. An ancillary Building or Buildings with a total footprint not exceeding 30% of the Lot Area is permitted.

PLACE OF AMUSEMENT means land or Building used as a gathering place for non-sports related recreational activities and includes, but is not limited to, a bingo hall, billiard or pool room, games arcade, dance hall and music hall, but does not include an Indoor Riding Arena.

PLACE OF ASSEMBLY means land or Building used as a gathering place for substantial numbers of people, and without limiting the generality of the foregoing, includes auditoriums, convention centres, public and private halls, movie theatres and similar gathering places.

PLACE OF WORSHIP means a Building for religious observances and may include an accessory Place of Assembly.

POCKET NEIGHBOURHOOD – means between 4 and 8 Tiny Homes on a Lot, which are orientated around a common open space area and common ancillary Building(s) for the condominium use.

PROHIBITED USE means a use that is not listed within the Permitted or Discretionary Use classes under Section 10 or a use that the City specifies as not permitted within a Zone.

PUBLIC USE means land or Buildings used by the Council, the Province of Newfoundland and Labrador, or the Government of Canada for a purpose not otherwise defined in these Regulations.

PUBLIC UTILITY means all land and Buildings used by the City or a “Public Utility” within the meaning of the *Public Utilities Act*, RSNL 1990 c.P-47, as amended.

RECREATIONAL USE means a playground, playing field, an athletic field, stadium, trail riding facilities, outdoor skating parks, games parks, campground and similar Uses, and Buildings and structures accessory to the foregoing Uses, but does not include an Indoor Riding Arena.

RECYCLING DEPOT means a Building, or part of a Building, in which paper, plastic, glass, and other non-organic materials are received, sorted, processed, and stored for the purpose of recycling, and which has no outdoor storage of materials.

RESIDENTIAL CARE FACILITY means a Building for persons seeking treatment for addiction and similar medical conditions who live under the care and supervision of health care and counselling professionals.

RESIDENTIAL RETAIL STORE means a Retail Use within a Dwelling Unit.

RESIDENTIAL USE means any land or Building used for a Dwelling Unit.

RESTAURANT means a Building, or part of a Building, where food is prepared and offered for sale or sold to the public and may include catering service, a take-out service, and the serving of alcohol on the premises.

RETAIL USE means a Building, or part of a Building, where goods or articles are offered for sale at retail prices, and includes storage on or about the store premises of limited quantities of such goods or things sufficient to service such store.

SALVAGE YARD is a premises where scrap metals or other scrap materials are sorted or stores; or where automobiles, other vehicles, machinery, or parts thereof are dismantled, demolished, or stores; or where goods, wares, merchandise, or articles are processed for further use and excludes Recycling Depots.

SCHOOL means the Building used by a body of students that is organized as a unit for the purposes of primary, elementary, or high school education and includes the teachers and other staff members associated with the use.

SCREEN means:

- (i) a solid decorative wall constructed of brick, concrete, stone or wood, or other suitable construction material; or
- (ii) a plastic or chain-link fence, combined with a thick row of evergreen landscaping.

SEMI-DETACHED DWELLING means a Building containing at least one Dwelling Unit and which Building is attached to another Building containing a Semi-Detached Dwelling on one side only, where each Building is on its own Lot.

SERVICE SHOP means a Building, or part thereof, where personal services are provided. Without limiting the generality of this definition, a Service Shop may include a barber shop, hair salon, tailoring shop, but does not include an Adult Massage Parlour.

SERVICE STATION means any land or Building used for the sale/installation of petroleum products, automotive parts and accessories and motor vehicle repairs, and may include the offering for sale of a maximum of six (6) motor vehicles at any time subject to adequate on-site parking and may also include a Convenience Store or car wash associated with the main use.

SHOPPING CENTRE means a group of shops and complementary uses with integrated parking and which is planned, developed and designed as a unit, containing a minimum of five (5) retail sales establishments.

SINGLE DETACHED DWELLING means a Building containing at least one Dwelling Unit and which Building is not attached to another Building and is on its own Lot.

SIGN means a word, letter, model, placard, board, device or representation, whether illuminated or not, in the nature of or employed wholly or in part for the purpose of advertisement, announcement or direction and excludes those things employed wholly as a memorial, advertisements of local government, utilities and boarding or similar structures used for the display of advertisements.

SOFT LANDSCAPING means Landscaping excluding hard-surfaced area such as decorative stonework, retaining walls, walkways or other hard-surfaced landscape or architectural elements.

STACKING LANE means an on-site queuing lane at a Drive Through for motorized vehicles which may be identified by barriers, curbs, markers or signs.

STEPBACK means the portion of a building that is horizontally recessed from the façade that that faces the street.

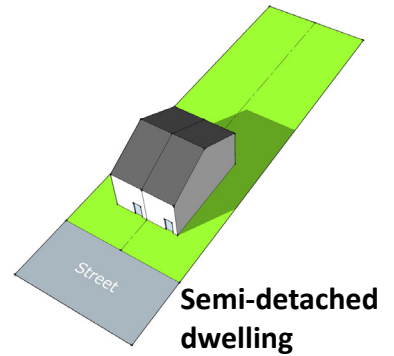
STOREY means that portion of a Building which is situated between the top of any floor and the top of the floor next above it, or, if there is no floor above it, that portion between the top of such floor and the ceiling above it.

STREET means a publicly owned street, road, highway, or other way including a structure for any part of the street, road, highway or other way designed and intended or used by the public for the passage of traffic and include all the space between the boundary lines of the street, road, highway or other way.

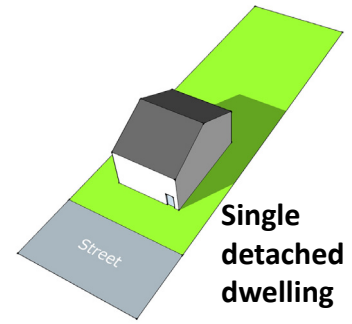
STREET LINE means the edge of a Street reservation as defined by the City.

SUBDIVISION means a Development of lands with two or more Lots.

SUBSIDIARY DWELLING UNIT means a separate Dwelling Unit that is located within the structure of a main Building and which is subordinate to the main Dwelling Unit.



Semi-detached dwelling



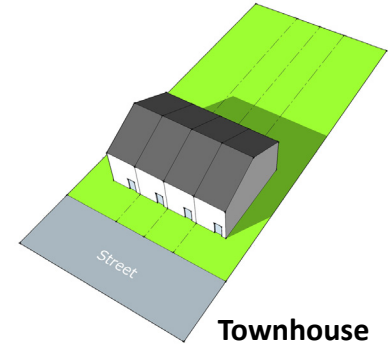
Single detached dwelling

TAXI STAND means the location from which a taxi business and/or taxi is directed, managed, and/or dispatched.

TINY HOME DWELLING – means a Single Detached Dwelling on a permanent foundation, with a ground floor area of less than 46 metres square (500 square feet).

TOWNHOUSE CLUSTER means a group of three or more Townhouses on one Lot, with one Driveway, as a condominium.

TOWNHOUSE means a Building containing at least one Dwelling Unit and which Building is attached on both sides to a Building containing at least one dwelling unit, unless it is the end unit in a row as a row of three such Buildings or more, where each Building is on its own Lot.



TRAINING SCHOOL means a technical school, a vocational school, college or university, and includes the studio of a dance teacher or music teacher, an art school, golf school, business or trade school and any other specialized school conducted for gain, but does not include an Indoor Riding Arena.

TRANSPORTATION DEPOT means any structure or Lot used for the purpose of storing, servicing or refueling of vehicles connected with a transportation business, but does not include a Commercial Garage.

TRANSPORTATION TERMINAL means any structure for the use of transportation facilities, excluding taxis, available to the general public.

USE means a Building or activity situated on a Lot or a Development permitted on a Lot.

USE ZONE OR ZONE means an area of land including Buildings and water designated on the zoning map to which the Uses, standards and conditions of a particular Use Zone table apply.

VARIANCE means a departure, to a maximum of 10%, from the Yard, area, Lot coverage, setback, size, height, frontage, or any other numeric requirement of the applicable Use Zone table of these Regulations.

VEHICLE STORAGE YARD means a Lot used for the storage of motorized vehicles and shall exclude the service or maintenance of motorized vehicles, the salvage for scrap or recycling of motorized vehicles, and not be open to the public.

VETERINARY CLINIC means a Building for the medical care and treatment of animals and may include overnight accommodation for animals receiving medical care, outdoor pens, or enclosures, but does not include a Kennel.

WAREHOUSE means a Building, or part of a Building, which is used for the housing, storage, display, adapting for sale, packaging or distribution of goods, wares, merchandise, foodstuffs, substances, articles or things.

WATER UTILITY ENCLOSURE means a heated above ground, non-confined space for the purpose of locating and protecting premises isolation backflow prevention devices.

WETLAND means land that is seasonally or permanently covered by shallow water, as well as land where the



water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favored the dominance of either hydrophytic or water tolerant plants.

WHARVES AND STAGES means a structure affixed to land which a boat or ship may be moored to load and unload.

WIND TURBINE – SMALL SCALE means a turbine that converts the wind's kinetic energy into either electrical power or mechanical energy. The wind turbine is comprised of the tower, rotor blades (either horizontal or vertical) and the nacelle. A small scale wind turbine is a single turbine that has a nameplate capacity which is not greater than 300 kW. It has a stand-alone design, either on its own foundation or supported by guy wires.

WIRELESS COMMUNICATIONS FACILITIES means infrastructure regulated by the Federal Government that enables wireless communications including broadcast antennas, cellular phone towers including private antenna systems for Ham Radio and Citizen Band Radio, mounted on the ground or on another structure such as a rooftop.

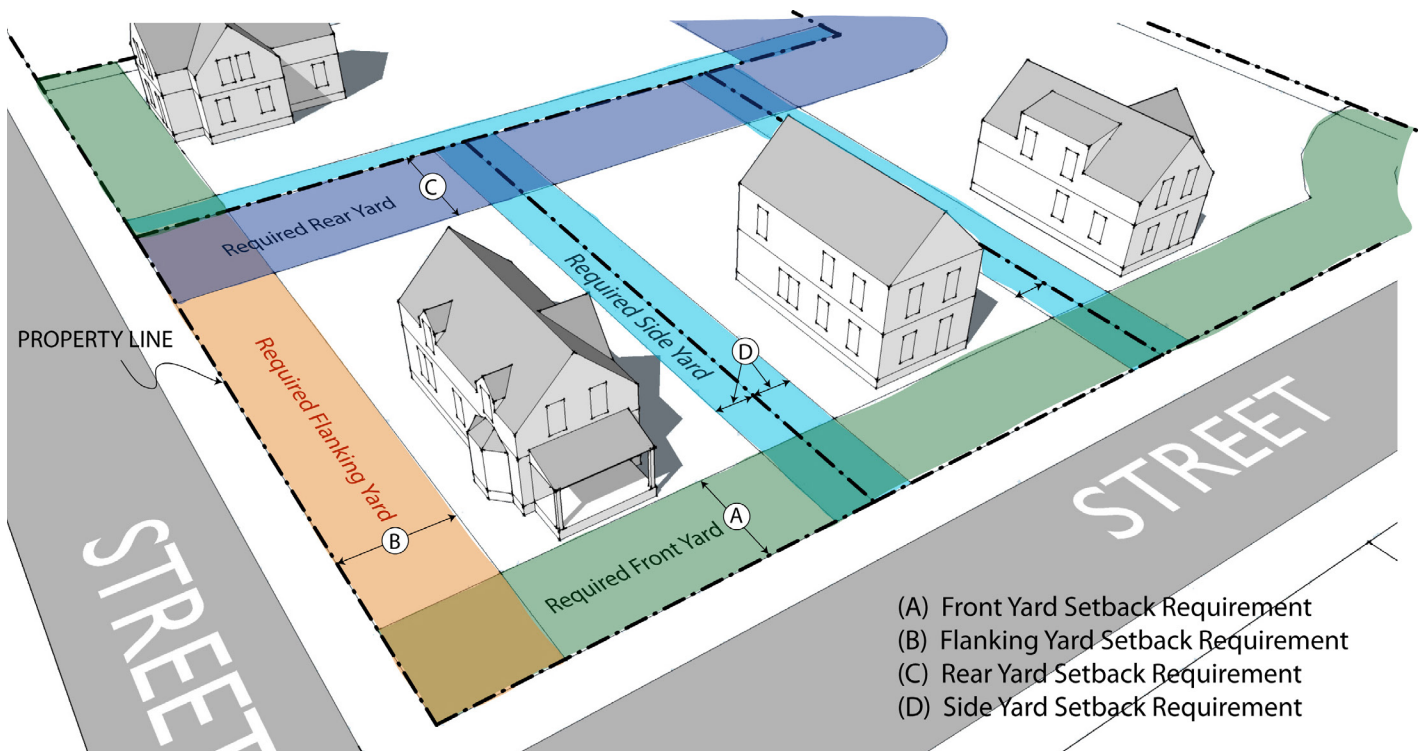
YARD means the part of a Lot unoccupied by the main Building.

YARD – FRONT means a Yard that extends across the full width of a Lot between the Front Lot Line and the nearest main wall of any Building on such Lot.

YARD – REAR means a Yard that extends across the full width of a Lot between the Rear Lot Line and the nearest main wall of the main Building on such Lot.

YARD – SIDE means a Yard that extends from the Front Yard to a Rear Yard between the Side Lot Line of a Lot and the nearest main wall of the main Building thereon.

ZONING MAP means the map or maps attached to and forming a part of the City's Regulations.



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 the 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 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 a Specified Metre Contour

Notwithstanding any other provision of these Regulations, no Development shall be permitted:

- (a) above the 130 metre contour elevation in Kilbride;
- (b) above the 185 metre contour elevation in Airport Heights; or
- (c) above the 190 metre contour elevation elsewhere;

unless approved by Council.

4.2 DECISIONS

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 Compatibility with the Municipal Plan

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 Discretion of Council

Where provisions herein are 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 Premature Development

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 Deferral of Applications

Council may defer decisions on Development applications and/or amendments to these Regulations where 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 is to 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. Where other persons have an interest in the property proposed to be developed, their consent may be required.
- (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	X
Hours of Operation/Duration		X	X	
Storm Water Management Plan	X	X	X	X
Snow Storage Plan (As requested)	X	X	X	X
Pedestrian Access, Cycling, & Transit	X	X	X	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 or owner.
- (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 Non-Conforming Use, a Subdivision of 10 or more Lots, a Development which requires 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 the application'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 Land Use Report, and
 - (b) the implementation schedule of the Land Use Report recommendations.

- (3) A Development Agreement may be assigned only with Council's consent.
- (4) 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.
- (5) 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 adopted 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:

- (a) the Act, the Municipal Plan, these Regulations or any policy adopted thereunder;
- (b) any condition attached to the approval or permit; or
- (c) the approval or permit was issued contrary to the Act, the Municipal Plan, these Regulations, or any policy adopted thereunder; or
- (d) 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.
- (3) The forfeiture of financial guarantees does not relieve the developer of any conditions or obligations contained in a Development Agreement or final approval.

4.7 DEDICATION OF LAND FOR PUBLIC PURPOSES

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.

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 within a radius of 150 metres of the application site.
- (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) any other application Council may direct; or
 - (e) amendments to these Regulations,

and Council may require a Public Meeting to be held in respect of any of the above or any other matter arising under these Regulations.

- (4) Council shall appoint a person to chair a Public Meeting who may be a Member of Council.

4.9 LAND USE REPORT

- (1) A Land Use Report, and any supporting studies or plans, shall be prepared at the expense of the applicant.
- (2) Council shall require a Land Use Report as part of the Development application review process for applications related to or involving:
- (a) all applications for an amendment to the Municipal Plan or Development Regulations;
 - (b) approval of a non-residential development in or adjoining a Residential District;
 - (c) development of new Streets;
 - (d) residential Subdivisions of five (5) or more Lots in an Unserviced Area;
 - (e) development in the Watershed Zone;
 - (f) Wind Turbine – Small Scale;
 - (g) buildings with a height greater than 18 metres in the Commercial Downtown (CD) Zone, which Land Use Report shall address wind impact on adjacent properties and pedestrians; and
 - (h) buildings with a height greater than 18 metres in the Institutional Downtown (INST-DT) Zone and the Commercial Downtown Mixed 2 (CDM2) Zone.
- (3) Notwithstanding Subsection (2), where a Land Use Report is required, but in the opinion of Council the scale or circumstances of the proposed Development does not merit a Land Use Report, Council may accept a staff report in lieu of the Land Use Report.
- (4) Notwithstanding Subsections (2) and (3), Council may require a Land Use Report as part of any other Development application review process.
- (5) The terms of reference for a Land Use Report shall be approved by Council and shall form part of the report itself.
- (6) The Land Use Report shall address at a minimum, Development use, public consultation, elevations, materials, height, location, environmental impacts, infrastructure, transit, and compatibility with the Municipal Plan, and 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 WATERWAYS, WETLANDS, PONDS OR LAKES

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

Waterways	Wetlands	Ponds or Lakes
<p>15 metres from the 100-year high water mark of waterways and tributaries shown on Maps 4 & 5 including, but not limited to:</p> <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 • South Brook 	<p>15 metres from the edge of the wetlands shown on Maps 4 & 5 including, but not limited to:</p> <ul style="list-style-type: none"> • Galway Wetlands • 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) <hr/> <p>50 metres from the edge of the wetlands shown on Maps 4 & 5 including, but not limited to:</p> <ul style="list-style-type: none"> • Synod Lands West Wetland • Long Pond Marsh • George’s Pond 	<p>15 metres from the 100-year high water mark of any Pond or Lake.</p>

(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 a waterway, wetland, pond, lake or the Buffer adjacent to 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 for those bodies of water enumerated in Subsection (1):
- (a) residential decks, residential fences and residential Accessory Buildings;
 - (b) public works and infrastructure;
 - (c) Public Utility;
 - (d) servicing of a private Development;
 - (e) protection of areas of geological instability;
 - (f) flood control infrastructure;
 - (g) trails and parks;
 - (h) Landscaping;
 - (i) construction of storm water detention infrastructure;
 - (j) paving of gravel Parking Lots existing as of the coming into force of these Regulations;
 - (k) Wharves and Stages or
 - (l) Driveways.
- (5) Notwithstanding Subsection (3), Council may permit the following Development in bodies of water as enumerate in Subsection (1):
- (a) public works and infrastructure;
 - (b) Public Utility;
 - (c) protection of areas of geological instability;
 - (d) flood control infrastructure;
 - (e) trails and parks;
 - (f) landscaping;

- (g) construction of storm water detention infrastructure;
 - (h) wharves and stages; and
 - (i) driveways.
- (6) Prior to approval being given for a Development outlined in Subsection (4) or (5) the Environment and Sustainability Experts Panel shall be consulted, except in the case of the construction of residential patios, residential fencing, residential accessory buildings and residential driveways.
- (7) Wharves and Stages – Development of a wharf or stage shall be considered up to the high water mark. Beyond this area, applicable approvals from other levels of Government are required.
- (8) Council may permit residential development in the Floodplain and Buffer of Rennie’s River at 6 and 8 Winter Avenue.

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 any policy adopted thereunder.

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) within 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 and interconnectedness of the Subdivision to existing development, Streets, transit and trailways, pedestrians and cyclists.
- (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 City.

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

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 Development Design Manual 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

- (1) Prior to the issuance by the City of a Letter of Acceptance certifying satisfactory completion of the Subdivision work as defined in the City's Development Design Manual, 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 Development Design Manual. 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.
- (2) It shall be the sole responsibility of the applicant to call for an inspection upon expiry of the maintenance period. Any deficiencies identified by the City at an inspection shall be deemed to have occurred during the maintenance period.

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 Development Design Manual, 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 purposes 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 CONFLICTING PROVISIONS

The following are supplemental to Section 10 of these Regulations. Where the provisions of this Section conflict with Section 10, this Section shall govern.

6.2 ACCESSORY BUILDINGS

6.2.1 General

For the purposes of this section, an Accessory Building shall not include a Deck or Swimming Pool or a Carriage House.

6.2.2 Accessory Building Area

- (1) For a Residential Use, the Accessory Building(s) Area shall not exceed the lesser of 10% of the Lot Area or 75% of the Residential Building footprint.
- (2) For all other Uses, the Accessory Building(s) Area shall not exceed 35% of the Rear Yard.

6.2.3 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.

6.2.4 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;
 - (c) located a minimum of 2.4 metres from any other Building on the Lot; and
 - (d) located a minimum of 3.0 metres from a Street.
- (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

6.3 ADULT DAY CENTRE

- (1) An Adult Day Centre shall:
 - (a) have a minimum of 5 metres square 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.

6.4 ADULT MASSAGE PARLOUR

An Adult Massage Parlour shall not be permitted within:

- (a) 50 metres of the Newfoundland War Memorial;
- (b) 25 metres of a Residential Zone or an Apartment Zone; or
- (c) 150 metres of a School, a Place of Worship or Daycare Centre.

6.5 AGRICULTURAL USE

- (1) A Residential Use, excepting a farm residence, shall be discretionary within 600 metres of a structure designed to contain six (6) or more Animal Units.
- (2) A structure designed to contain six (6) or more Animal Units shall be discretionary with 600 metres of a Residential Use, excepting a farm residence, and shall be not less than 60 metres from the property boundary.
- (3) Buffering and/or Screening shall be required pursuant to Section 7.6.3.

6.6 AQUACULTURE, AQUAPONICS, HORTICULTURE, AND HYDROPONICS

- (1) The use of a greenhouse, which is equipped with artificial illumination, within 600 metres of a Residential Use, excepting a farm residence, shall be discretionary.
- (2) Artificial light shall not be directed towards abutting Residential Uses.
- (3) Buffering and/or Screening shall be required pursuant to Section 7.6.3.

6.7 CARRIAGE HOUSE

A Carriage House may include one Dwelling Unit. Use of a Carriage House for a Dwelling Unit is considered a Heritage Use.

6.8 COMMERCIAL GARAGE

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



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

6.9 CONVENIENCE STORE OR SERVICE SHOP IN APARTMENT BUILDING

A Convenience Store or Service Shop in an Apartment Building shall:

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

6.10 CROWN LAND RESERVES

All applications for Crown Land must be approved and meet the Zoning Requirements as determine by the City of St. John's. Subject to the Map 9 (Provincial Lands) the following Crown Land Reserves will be recognized and as directed by the Province, applications will not be entertained within the following areas:

- Directive 9.E.80 (Three Arm Pond): No Crown Land applications may be accepted or approved except for applications for utilities or Provincial Infrastructure may be accepted in consultation with the Department of Transportation and Infrastructure.
- Directive 9.E.50 (*Former Mun Woodlot*): No Crown Land applications may be accepted or approved except for applications for:
 - o Agriculture or Forestry Development may be accepted in the area mark as "A".
 - o Quarry Development may be accepted in the area Defined as area "B".
 - o Utilities or Provincial Infrastructure may be accepted in all areas.
- Directive 9.E.65 (Cuckold's Pond Crown Land Reserve):
 - o No applications will be accepted or approved.
 - o Applications taken in error must be cancelled.
- Directive 9.E.29 (Freshwater Crown Reserve):
 - o No Crown Land Applications to be accepted
- Directive 9.E.66 (Signal Hill Road-Murphy's Right of Way Crown Reserve):
 - o No Crown Land Applications to be accepted or approved.
 - o Applications taken in error must be cancelled.

6.11 CRAFT BREWERY/DISTILLERY

A Craft Brewery/Distillery shall:

- (a) have all processing and storage contained within a Building, except in an Industrial Zone; and
- (b) the area dedicated to production and storage shall not exceed 500 metres square.

6.12 DAYCARE CENTRES

6.12.1 Daycare Centre in Residential Use

A Daycare Centre in a Residential Use shall:

- (a) not exceed the lesser of 60 metres square or 40% of the Floor Area of the Dwelling Unit 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.

6.12.2 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 metres square	450 metres square	450 metres square	450 metres square	450 metres square	450 metres square
Lot Frontage (minimum)	18 metres	15 metres	15 metres	15 metres	15 metres	15 metres
Landscaping Front yard (minimum)	50%	50%	50%	N/A	50%	N/A

6.13 DRIVE THROUGH

- (1) 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 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	Minimum of 10 metres
From a Residential Use located in a zone which is not exclusively for residential purposes	Minimum of 3 metres
From a School, Daycare Centre, Adult Day Centre or Place of Worship	Minimum of 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 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, a noise attenuation barrier/acoustic barrier/noise wall may not be required at Council's discretion.
- (4) All applications for a Drive Through shall be referred to the Transportation Engineer who shall establish the minimum number of stacking spaces required in the Stacking Lane.

6.14 FLOAT PLANE HANGAR LOTS

Development of a Float Plane Hangar Lot is subject to the following:

- (a) a minimum Lot Area of 1400 metres square; and
- (b) a Float Plane Hangar and a Float Plane Hangar Lot shall not be used as a Dwelling Unit.



6.15 GAS STATION

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

Lot Area	Maximum of 900 metres square
Lot Frontage	Minimum of 35 metres
Lot Coverage	Maximum of 30%
Building Height	Maximum of 6 metres
Building Line for main Building	Minimum of 12 metres
Side Yard	Minimum of 6 metres
Rear Yard	Minimum of 6 metres

- (2) All fuel pumps and fuel tanks shall be not less than 6.0 metres from any Lot Line.
- (3) A canopy shall not be less than 3.0 metres from any Lot Line. A canopy shall not be considered in calculating Lot Coverage.
- (4) (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 Gas Station will abut a Residential Zone, an Apartment Zone or any Residential Use.
- (b) Notwithstanding Subsection 4(a), where a noise study shows noise levels will not increase beyond existing levels due to the Gas Station, a noise attenuation barrier/acoustic barrier/noise wall may not be required at Council's discretion.
- (5) Buffering and/or Screening shall be required pursuant to Section 7.6.3.

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

- (1) A heat pump, air conditioner or exhaust device shall be located:
 - (a) in the abutting Street, Side Yard, or Rear Yard of the Lot; and
 - (b) not less 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.
- (3) Notwithstanding Subsection (1) and (2), the Manager of Regulatory Services may permit an air conditioner or exhaust device to be located on a roof or in a window.

6.17 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) where there is a Building, open storage shall be in the Rear Yard; and
- (c) open storage shall be Screened and Landscaped in accordance with Section 7.6.3.

6.18 HOME OCCUPATION

6.18.1 Home Occupation in a Dwelling Unit

A Home Occupation in a Dwelling Unit shall:

- (a) not exceed the lesser of 45 metres square or 25% of the Gross Floor Area of the Dwelling Unit;
- (b) have no open storage or display of goods, materials, or equipment;
- (c) have no wholesale sales. 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.

6.18.2 Home Occupation in an Accessory Building

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

- (a) is located within the Rural (R) Zone, the Rural Residential (RR) Zone, and Rural Residential Infill (RRI) Zone, the Agricultural (A) Zone or the Forestry (F) Zone.
- (b) the Accessory Building shall comply with Section 6.2;
- (c) the Home Occupation shall not exceed the lesser of 80 metres square or the Gross Floor Area of the Accessory Building;
- (d) have no wholesale sales. Retail sales may be permitted provided they are incidental to the Home Occupation;
- (e) be operated by a resident of the dwelling to which the Accessory Building is associated and not employ more than 2 non-residents;
- (f) 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;
- (g) have sufficient parking to accommodate the Home Occupation and the Dwelling Unit; and
- (h) have no change in type, nature, or intensity without the approval of Council.

6.19 HOME OFFICE

A Home Office shall:

- (a) be located in a Dwelling Unit;
- (b) not exceed 20 metres square;
- (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.

6.20 INDOOR RIDING ARENA

An Indoor Riding Arena is subject to the following:

- (a) exterior lighting shall not be directed towards abutting Residential Uses; and
- (b) off street parking shall be provided for a minimum of 5 vehicles.

6.21 KENNEL

No Kennel Building or exterior exercise area shall be permitted within 50 metres of a Residential Use on an abutting property.

6.22 LOUNGE

- (1) A Lounge shall not be permitted within 50 metres of the Newfoundland War Memorial
- (2) A Lounge 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; or
 - (b) within the Downtown Business Improvement Area, excepting those properties abutting George Street between Queen Street and Beck's Cove (see Map 6).

6.23 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.

6.24 PARKING GARAGE

Within the Downtown Business Improvement Area, the Street level abutting on Water Street or Duckworth Street shall have a commercial use or uses other than the provision of parking, excepting access to the Parking Garage.

6.25 PROVINCIAL ARCHAEOLOGY

Any application for development within the areas identified on Map 1 are to be referred to the Provincial Archeology, Department of Tourism, Culture, Arts and Recreation.

6.26 PROVINCIAL FORESTRY AREAS

Silviculture Areas as outlined on Map 9 (Provincial Lands) will be recognized and protected as directed by the Province, unless otherwise notified by the Forestry Division, Department of Fisheries, Forestry and Agriculture.

6.27 PROVINCIAL ROADS

The following requirements apply to various provincial roads with the City:

- (a) Protected Roads: all development located within the established building control line (measured perpendicular 100 metres from the centreline of the roadway) must in accordance with the Protected Road Zoning Requirements and requires approval from the Government Services Centre (Department of Digital Government and Service NL). (refer to Map P-4 Road Classifications Envision Municipal Plan)
- (b) Scenic Road: development along these roads are subject to the policies of the St. John's Urban Region Regional Plan. (refer to Map P-4 Road Classifications Envision Municipal Plan)
- (c) Highway Signs: Any sign placed with the building control lines requires a permit from the Government Services Centre (Department of Digital Government and Service NL) and must be constructed in accordance with the Highway Sign Regulations and with the City of St. John's Sign Bylaw.

6.28 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 metres square or 50% of the Gross Floor Area of the Building; and
- (c) be clearly delineated and separated from any other occupancies in the Building.

6.29 RESTAURANTS

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.

6.30 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

6.31 WAREHOUSE

A Warehouse is subject to the following:

- (a) open storage shall be located in the Rear Yard and be enclosed by a wall, Screen, or Fence not less than 1.8 metres high; and
- (b) exterior lighting shall not be directed towards abutting Residential Uses.

6.32 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 not less than 0.3 metres from any Side or Rear Lot Line;
- (3) Sightlines shall 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.

6.33 WIND TURBINE – SMALL SCALE

- (1) A Wind Turbine – Small Scale 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 Wind Turbine – Small Scale shall be measured from grade to the highest point of the turbine rotor blade when in rotation.

6.34 WIRELESS COMMUNICATIONS FACILITY

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



SECTION 7 – GENERAL SITE REQUIREMENTS

7.1 LOT REQUIREMENTS

7.1.1 Development on Lot

No Development shall be permitted except on a Lot in accordance with these Regulations or policy adopted thereunder.

7.1.2 Minimum Lot Area

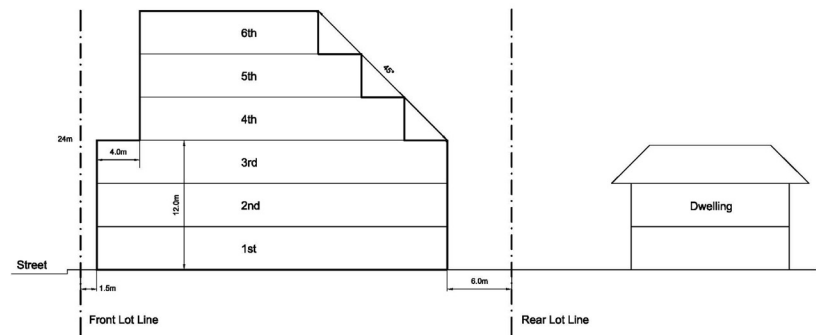
No new Lot shall be created for the purpose of Development which does not meet the minimum Lot standards under these Regulations, nor can any Lot be varied or reduced in area so that it or any Building thereon will not meet the minimum Lot and siting standards of these Regulations; provided that any Lot 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 and the Lot is accessible by emergency vehicle via the Street.

7.1.4 Building Stepback

All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.



7.1.5 Side Yard Calculations

Where the calculation of a Side Yard Requirements results in a fractional number, that number shall be rounded to the nearest whole number with 0.5 rounded up to the next whole number.

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:

- 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
- 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 north of Harding Road
Portugal Cove Road	25 metres from the center line of the Street for that portion of the Street north of MacDonald Drive
Topsail Road	30 metres from the center line of the Street for that portion of the Street west of Forbes Street
Torbay Road	25 metres from the center line of the Street

7.2.3 Corner Lot and Yard Abutting a Street

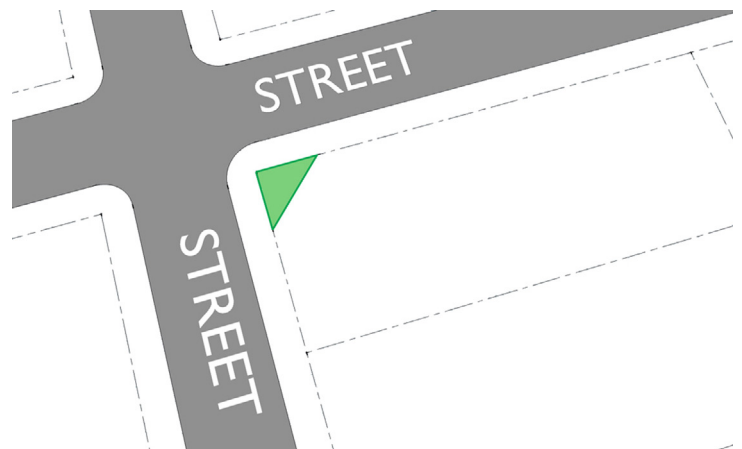
(1) For the purposes of this Subsection, a sight triangle shall be formed by two Street Lines and a line connecting two points on the two Street Lines located:

(a) 15 metres distance from the point of intersection of the two Street Lines along each Street Line for streets that serve a higher-order function within the immediate area, or

(b) 8 metres distance from the point of intersection of the two Street Lines along each Street Line for streets that serve a lower-order function within the immediate area.

(2) Except for corner Lots in the Downtown (Planning Area 1), and except as provided in Subsection 7.2.3(3), no Building, Fence, Sign, Water Utility Enclosure, or other obstruction shall be erected, nor shall any Development, including a Driveway or a Parking Lot, be permitted, within the sight triangle at an intersection.

(3) No Fence, Accessory Building, Water Utility Enclosure, or other obstruction 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.



- (4) Notwithstanding the foregoing, an authorized staff may extend or reduce the restrictions imposed by Section 7.2.3 where it is appropriate to do so in the opinion of the authorized staff.

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, for the purposes of Development, shall be determined by the Deputy City Manager – Planning, Engineering and Regulatory Services or his/her designate.

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	maximum 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	maximum 2.4 metres

7.2.7 Fence Location

Subject to Subsection 7.2.3 Fences shall be located a minimum of 2.0 metres from a Street.

7.3 SNOW STORAGE

Where a Lot or Development is proposed, a Snow Storage Plan may be required subject to the requirements of the Development Design Manual.

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-CONFORMING

In addition to the provisions of Section 108 of the Urban and Rural Planning Act, 2000, and Sections 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-Conforming 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-conforming 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

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 bulb, 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 bulb shall be covered with Soft Landscaping and all Landscaping shall be continuous on the Lot.
- (4) In addition to zone requirements, 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 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 unless a snow storage plan is provided and approved.
- (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 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 Industrial, Commercial, Institutional, Agricultural, or Public Use on their Lot.
- (2) Notwithstanding Subsection 7.6.3(1), where a Commercial Local Zone Use abuts an existing or proposed Residential Use, a 3 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 their Lot.
- (3) Notwithstanding Subsection 7.6.3(1), where a Commercial Local-Downtown Zone Use abuts an existing or proposed Residential Use, Buffering and Screening shall be in the discretion of Council.

7.7 TEMPORARY BUILDING AND STRUCTURES

Notwithstanding the zoning of a site:

1. Except as provided for in subsection (2), Council or an Officer of Council may allow the use of land or a Building or structure for the following, provided the proposed Building or structure is of a temporary nature and subject to such conditions deemed necessary by Council or an Officer of Council:
 - (a) A scaffold or other temporary Building or structure incidental to construction or work in progress, on premises for which a building permit under the St. John's Building By-Law has been granted, until such time as the work has been finished or abandoned; and
2. Council may allow a temporary Building or structure at or near the St. John's Harbour, or other navigable waters within the City intended for Harbour or marine-related Uses, subject to such conditions deemed necessary by Council.

REVISED SECTION 8 – PARKING REQUIREMENTS (NEW)

8.1 PLANNED MIXED DEVELOPMENT

This section shall not apply to Planned Mixed Developments.

8.2 GENERAL PARKING REQUIREMENTS

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

2) Where the calculation of required parking spaces results in a fractional number, that number shall be rounded to the nearest whole number with 0.5 rounded up to the next whole number.

8.3 PARKING STANDARDS

Except in the Downtown Parking Area and Intensification Areas, and where Council amends the parking spaces required under Section 8.12, the following parking requirements apply. This section provides the number of parking spaces that must be provided (minimum) and which shall not be exceeded (maximum).

Type or Nature of Building	Range of Parking Spaces																					
	Minimum	Maximum																				
Adult Day Centre (Commercial)	1 parking space for every 3 employees together with 1 parking space for every 100 m ² of Gross Floor Area	1 parking space for every 3 employees together with 1 parking space for every 15 m ² of Gross Floor Area																				
Adult Day Centre (Residential)	1 parking space for every 3 employees together with 1 parking space for every 15 m ² of Gross Floor Area	1 parking space for every 3 employees together with 1 parking space for every 15 m ² of Gross Floor Area																				
Apartment Building	<table border="1"> <thead> <tr> <th>Dwelling Size</th> <th>Minimum</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>0.8</td> </tr> <tr> <td>1 Bedroom Dwelling</td> <td>0.9</td> </tr> <tr> <td>2 Bedroom Dwelling</td> <td>1.0</td> </tr> <tr> <td>3 Bedroom Dwelling or Greater</td> <td>1.2</td> </tr> </tbody> </table>	Dwelling Size	Minimum	Studio	0.8	1 Bedroom Dwelling	0.9	2 Bedroom Dwelling	1.0	3 Bedroom Dwelling or Greater	1.2	<table border="1"> <thead> <tr> <th>Dwelling Size</th> <th>Minimum</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>1.2</td> </tr> <tr> <td>1 Bedroom Dwelling</td> <td>1.2</td> </tr> <tr> <td>2 Bedroom Dwelling</td> <td>1.5</td> </tr> <tr> <td>3 Bedroom Dwelling or Greater</td> <td>2.0</td> </tr> </tbody> </table>	Dwelling Size	Minimum	Studio	1.2	1 Bedroom Dwelling	1.2	2 Bedroom Dwelling	1.5	3 Bedroom Dwelling or Greater	2.0
	Dwelling Size	Minimum																				
Studio	0.8																					
1 Bedroom Dwelling	0.9																					
2 Bedroom Dwelling	1.0																					
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Dwelling Size	Minimum																					
Studio	1.2																					
1 Bedroom Dwelling	1.2																					
2 Bedroom Dwelling	1.5																					
3 Bedroom Dwelling or Greater	2.0																					
	Visitor parking: 0 visitor parking spaces for the first 7 Dwellings; 1 visitor parking space per 7 Dwellings thereafter	Maximums are summed for building and inclusive of visitor parking																				
Bank	1 parking space for every 30 m ² of Net Floor Area	1 parking space for every 15 m ² of Net Floor Area																				
Bed and Breakfast	1 parking space for every 2 guest rooms or suites used as a part of the Bed and Breakfast	1 parking space for every guest room or suite used as a part of the Bed and Breakfast																				

Type or Nature of Building	Range of Parking Spaces	
	Minimum	Maximum
Car Sales Lot	1 space for every 30 m ² of Gross Floor Area for the building and 1 space for every automobile stored, kept or displayed for sale	1 space for every 30 m ² of Gross Floor Area for the building and 1 space for every automobile stored, kept or displayed for sale
Clinic	1 parking space for every 20 m ² of Gross Floor Area	3 parking spaces for every consultation/treatment room
Commercial Garage	1 parking space for every 50 m ² of Gross Floor Area	1 parking space for every 15 m ² of Gross Floor Area
Daycare Centre	1 parking space for every 3 employees together with 1 parking space for every 100 m ² of Gross Floor Area	1 parking space for every 3 employees together with 1 parking space for every 15 m ² of Gross Floor Area
Dry Cleaning Establishment	1 parking space for every 100 m ² of Net Floor Area	1 parking space for every 15 m ² of Net Floor Area
Funeral Home	1 parking space for every 15 m ² of Gross Floor Area	1 parking space for every 5 m ² of Gross Floor Area
Gas Station	1 parking space for every 2 gas pumps and 1 parking space for every 30 m ² of Net Floor Area used for retail	1 parking space for every gas pump and 1 parking space for every 15 m ² of Net Floor Area used for retail
Health and Wellness Clinic	1 parking space for every 5m ² Gross Floor Area	1 parking space for every 2m ² Gross Floor Area
Heritage Use	To be determined by Council	To be determined by Council
Home Occupation	Zero if on-street parking is available	4 parking spaces
Hotel	1 parking space for every 4 guest rooms or suites together with 1 parking space for every 5 m ² of banquet/conference/meeting space	1 parking space for every 2 guest rooms or suites together with 1 parking space for every 4 m ² of banquet/conference/meeting space
Light Industrial	1 parking space for every 100 m ² of manufacturing area, provided this is not less than 3 parking spaces per tenant or establishment	1 parking space for every 20 m ² of Net Floor Area
Lodging House	1 parking space for every 2 rented rooms or suites used as a part of the Lodging House	1 parking space for every rented room or suite used as a part of the Lodging House
Long Term Care Facility/ Hospital	1 space for every 10 beds	1 space for every 5 beds

Type or Nature of Building	Range of Parking Spaces	
	Minimum	Maximum
Lounge	1 parking space for every 10 m ² of Gross Floor Area	1 parking space for every 5 m ² of Gross Floor Area
Micro Unit Dwelling	No parking required	1 parking space for every 4 units
Office	1 parking space for every 50 m ² of Net Floor Area	1 parking space for every 20 m ² of Net Floor Area
Personal Care Home	1 space for every 5 Units	1 space for every 2 Units
Place of Amusement Place of Assembly	1 parking space for every 15 m ² of Gross Floor Area	1 parking space for every 5 m ² of Gross Floor Area
Place of Worship	1 parking space for every 15 m ² of Gross Floor Area	1 parking space for every 5 m ² of Gross Floor Area
Pocket Neighbourhood	0.5 parking spaces per Dwelling Unit	1.2 parking spaces per Dwelling Unit
Recreation Use	5 parking spaces per acre	5 parking spaces per acre of passive recreation space plus number of parking spaces equivalent to 50% of the occupancy capacity of Building and Sports Fields
Residential Use, except Tiny Home Dwelling and Micro Unit Dwelling	1 parking space for every Dwelling Unit	2 parking spaces within 6m of the Street Line
Restaurant	Gross Floor Area is 200 m ² or less, no parking space is required Gross Floor Area is above 200 m ² but not greater than 500 m ² : 1 parking space for every 20 m ² of Gross Floor Area Gross Floor Area greater than 500 m ² : 1 parking space for every 10 m ² of Gross Floor Area	1 parking space for every 5 m ² of Gross Floor Area
Retail Use	If the Gross Floor Area is 200 m ² or less, no parking space is required. 1 parking space for every 30 m ² of Net Floor Area	1 parking space for every 10 m ² of Net Floor Area

Type or Nature of Building	Range of Parking Spaces							
	Minimum	Maximum						
Service Shop	Gross Floor Area is 200 m ² or less, no parking space is required. 1 parking space for every 30 m ² of Net Floor Area or 1.5 parking spaces for every work station, whichever is greater	1 parking space for every 15 m ² of Net Floor Area or 4 parking spaces for every work station, whichever is greater						
Shopping Centre	1 parking space for every 40 m ² of gross leasable area.	1 parking space for every 20 m ² of gross leasable area.						
Tiny Home Dwelling	No parking required	2 parking spaces						
Townhouse Cluster	1 parking space per Dwelling Unit	<table border="1"> <thead> <tr> <th>Dwelling Size</th> <th>Minimum</th> </tr> </thead> <tbody> <tr> <td>2 Bedroom Dwelling or Less</td> <td>1.5</td> </tr> <tr> <td>3 Bedroom Dwelling or Greater</td> <td>2.0</td> </tr> </tbody> </table>	Dwelling Size	Minimum	2 Bedroom Dwelling or Less	1.5	3 Bedroom Dwelling or Greater	2.0
Dwelling Size	Minimum							
2 Bedroom Dwelling or Less	1.5							
3 Bedroom Dwelling or Greater	2.0							
Training School	1 parking space for every 50 m ² of Net Floor Area	1 parking space for every 20 m ² of Net Floor Area						
Veterinary Clinic	1 parking space for every consultation/treatment room	4 parking spaces for every consultation/treatment room						
Warehouse	1 parking space for every 100 m ² of storage area	1 parking space for every 20 m ² of storage area						
Unspecified	For every Building or structure not specified above, the requirement shall be determined by Council							

8.4 COMMERCIAL/MIXED USE BUILDINGS

Notwithstanding Section 8.3, parking requirements for Buildings having 5 or more commercial occupancies shall be set at the time of original Development Approval. Parking requirements shall not be subject to review unless the Building size or Lot Area changes.

8.5 CHURCHILL SQUARE

The parking requirement for any Commercial Development in the Churchill Square Retail Area as set out on Map 3 shall be established at one (1) parking space per 40 square metres of net Floor Area. All public parking within the Churchill Square Retail Area is reserved for public use.



8.6 DOWNTOWN PARKING AREA

The Downtown Parking Area is shown on Map 2.

8.6.1 Non-Residential Parking in the Downtown Parking Area

For non-Residential Development in the Downtown Parking Area, the minimum and maximum number of required parking spaces shall be 50 percent of those shown in Section 8.3.

8.6.2 Residential Parking in the Downtown

- (1) Residential Development on Water Street or Duckworth Street having 5 Dwelling Units or less: no parking spaces are required. Residential Development on Water Street or Duckworth Street having 6 or more Dwelling Units shall comply with the parking space requirements in Section 8.3.
- (2) All other Residential Development in the Downtown Parking Area, other than on Water Street or Duckworth Street, shall comply with the parking space requirements in Section 8.3.

8.6.3 Damage or Destruction of Development

Where a Building located in the Downtown Parking Area 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 to be provided in respect of any increase in Net Floor Area, number of guest rooms or suites, banquet/conference/meeting space, or number of Dwelling Units as the case may be.

8.7 INTENSIFICATION AREAS

Parking Requirements for all Developments in an Intensification Area (Map 7) shall meet, and not exceed, the Minimum Parking Requirements in Section 8.3.

8.8 PARKING LOTS OUTSIDE THE DOWNTOWN PARKING AREA

- (1) A Parking Lot outside the Downtown Parking Area shall:
 - (a) be situated 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 privacy fence not less than 1.8 metres in height, unless otherwise approved by Council;
 - (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 outside the Downtown Parking Area 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.

8.9 TEMPORARY PARKING LOT

- (1) Council may relax or waive the requirements provided for a temporary Parking Lot.
- (2) Approval for a temporary Parking Lot shall be for no more than three (3) years and may, upon written application, be extended for up to an additional two (2) years, for a total of five (5) years.
- (3) Upon expiration of the Approval provided for in Subsection 8.9(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.

8.10 OFF-STREET LOADING AND TRUCK PARKING

Every Development for a Commercial, Industrial, or Institutional Use outside the Downtown Business Improvement Area (Map 6) 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.

8.11 ACCESS/EGRESS POINTS

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

8.12 PARKING REPORT

- (1) Where an applicant wishes to provide a different number of parking spaces other than that required by this Section, Council shall require a Parking Report.
- (2) Notwithstanding Subsection (1), Council may require a Parking Report as part of any Development application review process.
- (3) The terms of reference for a Parking Report shall be approved by Transportation Engineering.
- (4) A Parking Report shall address at a minimum: parking generation rates for the Development including pre- and post-development; parking duration (short/long term); available parking in the area (private/



public on-street, parking lots and garages); effects on traffic and local parking; traffic to and from the Development; neighbourhood impact; other available transit options.

- (5) Where in the opinion of Council the change requested does not merit a Parking Report, Council may accept a staff report in lieu of a Parking Report.
- (6) A Parking Report, and any supporting studies or plans, shall be prepared at the expense of the applicant.

8.13 CASH IN LIEU

Where requested by the applicant, Council may accept the following:

- (1) Provision of a cash-in-lieu payment in satisfaction of all or part of the parking requirements in an amount as may be established by Council from time to time;
- (2) Shared parking agreement where the shared Parking Lot or Parking Garage is located within 400 metres of the Development; or
- (3) A combination of cash-in-lieu and shared parking.

8.14 BICYCLE PARKING

Developments containing an Apartment Building, Office Use and/or Retail Use shall providing parking space for bicycles as follows:

Type or Nature of Building	Parking Requirements
Apartment Building	1 bicycle parking space for every 2 residential units
Office Use with 500 m ² to 3200 m ² of Net Floor Area	2 bicycle parking spaces
Office Use greater than 3200 m ² of Net Floor Area	4 bicycle parking spaces for every 3200 m ²
Retail Use with 500 m ² to 3200 m ² of Net Floor Area	2 bicycle parking spaces
Retail Use greater than 3200 m ² of Net Floor Area	4 bicycle parking spaces for every 3200 m ²

- (1) Bicycle parking spaces shall be provided on the same Lot as the Development.
- (2) Bicycle Parking spaces shall be located near the building entrance and be equipped with a device to allow the bicycle to be secured.
- (3) Where bicycle parking cannot be provided Council may accept the provision of a cash-in-lieu payment in satisfaction of all or part of the bicycle parking requirement in an amount as may be established by Council from time to time.

SECTION 9 – MAPPING AND ANCILLARY DOCUMENTS

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

A	Minister's Development Regulations	
B	Zoning Map	
C	Map 1	Archaeological Areas
	Map 2	Downtown Parking Standards
	Map 3	Churchill Square Retail Area
	Map 4	Environmentally Protected Areas, Waterways and Wetlands
	Map 5	Flood Hazard Areas, Watersheds, Waterways and Wetlands
	Map 6	Downtown Business Improvement Area
	Map 7	Intensification Area Map
	Map 8	Downtown Snow Removal Map
	Map 9	Provincial Lands
D	PMD1 Zone Schedule	(a) Schedule A: Design Plan/Concept Plan May 2015 (b) Schedule B: Galway Land Use Plan (December 2019) (c) Schedule C: Galway Road Cross Sections/Transportation Plan (December 2019) (d) Schedule D: Parkland and Pedestrian Trail Plan (December 2019)
	PMD2 Zone Schedule	Concept Plan May 2015

These documents are supplemental to and are to be read with these Regulations.

A	Heritage By-Law and Designated Heritage Buildings
B	Development Design Manual
C	Stormwater Detention Policy
D	Parks & Open Space Master Plan
E	Urban Forest Plan
F	Wetland Management Policy
G	Watershed Management Plan

SECTION 10 – USE ZONE SCHEDULES

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 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.





Residential Zones

Zone	Abbreviation	Colour
Mini Home Park	MHP	
Pocket Neighbourhood	PN	
Residential 1	R1	
Residential 2	R2	
Residential 2 Cluster	R2C	
Residential 3	R3	
Residential Battery	RB	
Residential Downtown	RD	
Residential Mixed	RM	
Residential Quidi Vidi	RQV	
Residential Reduced Lot	RRL	
Residential Special	RA	
Residential Special 1	RA1	

Apartment Zones

Zone	Abbreviation	Colour
Apartment 1	A1	
Apartment 2	A2	
Apartment 3	A3	
Apartment Downtown	AD	
Apartment Special	AA	

Commercial Zones

Zone	Abbreviation	Colour
Atlantic Place Parking Garage	APG	
Commercial Atlantic Place	AP	
Commercial Downtown	CD	
Commercial Downtown Mixed	CDM	
Commercial Downtown Mixed 2	CDM2	
Commercial Highway	CH	
Commercial Kenmount	CK	
Commercial Local	CL	
Commercial Local-Downtown	CLD	
Commercial Mixed	CM	
Commercial Neighbourhood	CN	
Commercial Office	CO	
Commercial Office Hotel	COH	
Commercial Regional	CR	

Industrial Zones

Zone	Abbreviation	Colour
Airport	AIR	
Industrial Commercial	IC	
Industrial General	IG	
Industrial Quidi Vidi	IQV	
Industrial Special	IS	

Public Use

Zone	Abbreviation	Colour
C.A. Pippy Park	CAPP	
Cemetery	CEM	
Institutional	INST	
Institutional Downtown	INST-DT	
Open Space	O	













Rural Use

Zone	Abbreviation	Colour
Agriculture	AG	
Forestry	F	
Mineral Working	MW	
Rural	R	
Rural Residential	RR	
Rural Residential Infill	RRI	
Rural Village	RV	

Environmental Zones

Zone	Abbreviation	Colour
Open Space Reserve	OR	
Watershed	W	

Urban Expansion Zones

Zone	Abbreviation	Colour
Comprehensive Development Area	CDA	
Comprehensive Development Area 1	CDA1	
Comprehensive Development Area 2	CDA2	
Comprehensive Development Area 3	CDA3	
Comprehensive Development Area 4	CDA4	
Comprehensive Development Area 5	CDA5	
Comprehensive Development Area 6	CDA6	
Comprehensive Development Area 7	CDA7	
Comprehensive Development Area 8	CDA8	
Comprehensive Development Area 9	CDA9	
Planned Mixed Development	PMD	
Planned Mixed Development 1	PMD1	
Planned Mixed Development 2	PMD2	

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 ocean, such Zone shall be deemed to extend into the river or ocean so as to include any land reclaimed by changing water levels or infilling of the river or ocean.

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 4 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.

10.7 CONFLICTING PROVISIONS

Where the provisions of Section 10 conflict with the provisions of Section 6, Section 6 shall govern.

ZONES



MINI HOME PARK (MHP) ZONE**MHP****(1) PERMITTED USES**

Accessory Building	Mini Home
Community Garden	Mini Home Park
Home Office	Park

(2) DISCRETIONARY USES

Convenience Store	Public Utility
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(3) ZONE STANDARDS FOR MINI HOME PARK

- (a) Lot Area (minimum) 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 (minimum) 300 metres square
- (b) Site Frontage (minimum) 10 metres
- (c) Building Line (minimum) 4 metres
- (d) Site Side Yards (minimum) 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
- (e) Site Rear Yard (minimum) 4 metres

(5) ZONE STANDARDS FOR ALL OTHER USES ARE IN THE DISCRETION OF COUNCIL.

POCKET NEIGHBOURHOOD (PN) ZONE**PN****(1) PERMITTED USES**

Accessory Building	Community Garden
Community Amenity Building	Tiny Home Dwelling

(2) DISCRETIONARY USES

Public Utility

(3) ZONE STANDARDS

(a)	Lot Area (minimum)	246 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	3 metres
(f)	Rear Yard (minimum)	3 metres
(g)	Landscaping (minimum)	70%
(h)	Walkway Width (minimum)	1 metre

RESIDENTIAL 1 (R1) ZONE

R1

(1) PERMITTED USES

Accessory Building	Park
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit

2) DISCRETIONARY USES

Adult Day Centre	Home Occupation
Bed and Breakfast	Parking Lot
Daycare Centre	Public Utility
Heritage Use	

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLINGS

- (a) Lot Area (minimum) 450 metres square
- (b) Lot Frontage (minimum) 15 metres
- (c) Building Line (minimum) 6 metres
- (d) Building Height (maximum) 8 metres
- (e) Side Yards (minimum) Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
- (f) Rear Yard (minimum) 6 metres

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.



RESIDENTIAL 2 (R2) ZONE

R2

(1) PERMITTED USES, except Shea Heights (Planning Area 14) and 591-609 Southside Road (PID #s 44135, 47622, 44136, 15246)

Accessory Building	Park
Bed and Breakfast	Semi-Detached Dwelling
Community Garden	Single Detached Dwelling
Duplex Dwelling	Subsidiary Dwelling Unit
Home Office	Townhouse
Lodging House	

(2) DISCRETIONARY USES, except Shea Heights (Planning Area 14) and 591-609 Southside Road (PID #s 44135, 47622, 44136, 15246)

Adult Day Centre	Heritage Use
Apartment Building, maximum of 6 dwelling units	Home Occupation
Bed and Breakfast	Parking Lot
Daycare Centre	Personal Care Home
Four-plex	Public Utility

(3) PERMITTED USES SHEA HEIGHTS (PLANNING AREA 14)

Townhouses are not permitted

(4) PERMITTED USES 591-609 SOUTHSIDE ROAD (PID #S 44135, 47622, 44136, 15246)

Accessory Building	Single Detached Dwelling
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(5) ZONE STANDARDS FOR SINGLE DETACHED DWELLINGS

- (a) Lot Area (minimum) 350 metres square
- (b) Lot Frontage (minimum) 12 metres
- (c) Building Line (minimum) 6 metres
- (d) Building Height (maximum) 8 metres
- (e) Side Yards (minimum) Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
- (f) Rear Yard (minimum) 6 metres

(6) ZONE STANDARDS FOR SEMI-DETACHED DWELLING

(a)	Lot Area (minimum)	270 metres square
(b)	Lot Frontage (minimum)	9 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(7) ZONE STANDARDS FOR DUPLEX DWELLING

(a)	Lot Area (minimum)	510 metres square
(b)	Lot Frontage (minimum)	17 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(8) ZONE STANDARDS FOR TOWNHOUSE

(a)	Lot Area (minimum)	180 metres square
(b)	Lot Frontage (minimum)	6 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	10 metres

- | | | |
|-----|----------------------|---|
| (e) | Side Yards (minimum) | 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres |
| (f) | Rear Yard (minimum) | 6 metres |

(9) ZONE STANDARDS FOR APARTMENT BUILDING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 90 metres square Lot Area per Dwelling Unit |
| (b) | Lot Frontage (minimum) | 18 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 10 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Landscaping (minimum) | 40% |

(10) ZONE STANDARDS FOR FOUR-PLEX

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 360 metres square |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Landscaping (minimum) | 40% of Lot, 30% of Front Yard |

(11) ZONE STANDARDS FOR PERSONAL CARE HOME

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 750 metres square |
| (b) | Lot Frontage (minimum) | 18 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 10 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Landscaping (minimum) | 30% |

(12) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL 2 CLUSTER (R2C) ZONE

R2C

(1) PERMITTED USES

Accessory Building	Townhouse Cluster
Home Office	

(2) DISCRETIONARY USES

Home Occupation	Public Utility
-----------------	----------------

(3) ZONE STANDARDS FOR TOWNHOUSE CLUSTER

(a)	Lot Area (minimum)	180 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Minimum Distance Between Townhouse Clusters	1.2 metres
(e)	Side Yard (minimum)	6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Building Height (maximum)	10 metres
(h)	Landscaping (minimum)	30%

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL 3 (R3) ZONE**R3****(1) PERMITTED USES**

Accessory Building	Park
Bed and Breakfast	Semi-Detached Dwelling
Community Garden	Single Detached Dwelling
Duplex Dwelling	Subsidiary Dwelling Unit
Four-Plex	Tiny Home Dwelling
Home Office	Townhouse
Lodging House	

(2) DISCRETIONARY USES

Adult Day Centre	Parking Lot
Apartment Building, maximum of 6 dwelling units	Personal Care Home
Daycare Centre	Public Utility
Heritage Use	Residential Retail Store
Home Occupation	Service Shop
Office	

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	300 metres square
(b)	Lot Frontage (minimum)	10 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	4.5 metres

(4) ZONE STANDARDS FOR DUPLEX DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 350 metres square |
| (b) | Lot Frontage (minimum) | 14 metres |
| (c) | Building Line (minimum) | 4.5 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 4.5 metres |

(5) ZONE STANDARDS FOR SEMI-DETACHED DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 188 metres square |
| (b) | Lot Frontage (minimum) | 7.5 metres |
| (c) | Building Line (minimum) | 4.5 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | One of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 4.5 metres |

(6) ZONE STANDARDS FOR TOWNHOUSE

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 90 metres square |
| (b) | Lot Frontage (minimum) | 5.5 metres |
| (c) | Building Line (minimum) | 0 metres when located within the Downtown Snow Removal Area (Map 8); 4.5 metres all other locations |
| (d) | Building Height (maximum) | 10 metres |

- | | | |
|-----|----------------------|---|
| (e) | Side Yards (minimum) | 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for end unit where the Side Yard on the unattached side shall be 1.2 metres |
| (f) | Rear Yard (minimum) | 4.5 metres |

(7) ZONE STANDARDS FOR APARTMENT BUILDING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 90 metres square per Dwelling Unit |
| (b) | Lot Frontage (minimum) | 14 metres |
| (c) | Building Line (minimum) | 1.5 metres |
| (d) | Building Height (maximum) | 10 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 4.5 metres |

(8) ZONE STANDARDS FOR TINY HOME DWELLING

- | | | |
|-----|---------------------------|-------------------|
| (a) | Lot Area (minimum) | 91 metres square |
| (b) | Lot Frontage (minimum) | 5.5 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres |
| (f) | Rear Yard (minimum) | 4.5 metres |

(9) ZONE STANDARDS FOR FOUR-PLEX

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 320 metres square |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Landscaping (minimum) | 40% of Lot, 30% of Front Yard |

(10) ZONE STANDARDS FOR PERSONAL CARE HOME

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 650 metres square |
| (b) | Lot Frontage (minimum) | 14 metres |
| (c) | Building Line (minimum) | 1.5 metres |
| (d) | Building Height (maximum) | 10 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 4.5 metres |
| (g) | Landscaping (minimum) | 30% |

(11) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL BATTERY (RB) ZONE**RB****(1) PERMITTED USES**

Accessory Building	Lodging House
Bed and Breakfast	Park
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit

(2) DISCRETIONARY USES

Adult Day Centre	Public Utility
Heritage Use	Residential Retail Store
Home Occupation	Service Shop
Parking Lot	Wharves and Stages

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	150 metres square
(b)	Lot Area (maximum)	400 metres square
(c)	Lot Frontage (minimum)	10 metres
(d)	Building Line (minimum)	4.5 metres
(e)	Building Height (maximum)	9 metres from lowest point on Lot or 6 metres from highest point on Lot, whichever is lesser
(f)	Side Yards (minimum)	Two of 1.2 metres
(g)	Rear Yard (minimum)	4.5 metres

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL DOWNTOWN (RD) ZONE**RD****(1) PERMITTED USES**

Accessory Building	Park
Bed and Breakfast	Semi Detached Dwelling
Community Garden	Single Detached Dwelling
Duplex Dwelling	Subsidiary Dwelling Unit
Home Office	Tiny Home Dwelling
Lodging House	Townhouse

(2) DISCRETIONARY USES

Adult Day Centre	Micro Unit (maximum 6 per Building)
Apartment Building, maximum of 6 dwelling units	Office
Convenience Store	Parking Lot
Daycare Centre	Public Utility
Heritage Use	Residential Retail Store
Home Occupation	Service Shop

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	200 metres square
(b)	Lot Frontage (minimum)	8 metres
(c)	Building Line (minimum)	0 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres

(4) ZONE STANDARDS DUPLEX DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 240 metres square |
| (b) | Lot Frontage (minimum) | 12 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | 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 (minimum) | 6 metres |

(5) ZONE STANDARDS SEMI-DETACHED DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 140 metres square |
| (b) | Lot Frontage (minimum) | 7 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | 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 (minimum) | 6 metres |

(6) ZONE STANDARDS TOWNHOUSE

- | | | |
|-----|---------------------------|------------------|
| (a) | Lot Area (minimum) | 50 metres square |
| (b) | Lot Frontage (minimum) | 4.5 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 10 metres |

- | | | |
|-----|----------------------|---|
| (e) | Side Yards (minimum) | 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres |
| (f) | Rear Yard (minimum) | 6 metres |

(7) ZONE STANDARDS APARTMENT BUILDING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 80 metres square per Dwelling Unit or 80 metres square per 2 Micro Units |
| (b) | Lot Frontage (minimum) | 12 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 10 metres, as measured from all property boundaries, such that the height is adjusted to follow the grade of Streets or property boundaries provided Height does not exceed 10 metres as measured from the grade of the property over the site. |
| (e) | Side Yards (minimum) | 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 (minimum) | 6 metres |

(8) ZONE STANDARDS FOR TINY HOME DWELLING

- | | | |
|-----|---------------------------|-------------------|
| (a) | Lot Area (minimum) | 83 metres square |
| (b) | Lot Frontage (minimum) | 5.5 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres |
| (f) | Rear Yard (minimum) | 6 metres |

(9) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL MIXED (RM) ZONE**RM****(1) PERMITTED USES**

Accessory Building	Office
Bed and Breakfast	Park
Clinic	Semi-Detached Dwelling
Community Garden	Single Detached Dwelling
Duplex Dwelling	Subsidiary Dwelling Unit
Home Office	Townhouse
Lodging House	Training School

(2) DISCRETIONARY USES

Adult Day Centre	Pharmacy
Apartment Building, maximum of 6 dwelling units	Place of Assembly
Convenience Store	Place of Worship
Daycare Centre	Public Utility
Heritage Use	Residential Care Facility
Home Occupation	Retail Use
Parking Garage	School
Parking Lot	Service Shop
Personal Care Home	

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	300 metres square
(b)	Lot Frontage (minimum)	10 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	4.5 metres
(g)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS DUPLEX DWELLING

(a)	Lot Area (minimum)	350 metres square
(b)	Lot Frontage (minimum)	14 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	4.5 metres
(g)	Rear Yard (minimum)	6 metres

(5) ZONE STANDARDS SEMI-DETACHED DWELLING

(a)	Lot Area (minimum)	188 metres square
(b)	Lot Frontage (minimum)	9 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	One of 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	4.5 metres
(g)	Rear Yard (minimum)	6 metres

(6) ZONE STANDARDS TOWNHOUSE

(a)	Lot Area (minimum)	140 metres square
(b)	Lot Frontage (minimum)	5.5 metres
(c)	Building Line (minimum)	0 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres
(f)	Side Yard – Flanking Road (minimum)	2.4 metres
(g)	Rear Yard (minimum)	6 metres

(7) ZONE STANDARDS APARTMENT BUILDING AND PERSONAL CARE HOME

(a)	Lot Area (minimum)	90 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	14 metres
(c)	Building Line (minimum)	1.5 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(8) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL QUIDI VIDI (RQV) ZONE**RQV****(1) PERMITTED USES**

Accessory Building	Lodging House
Accessory Dwelling Unit	Park
Bed and Breakfast	Retail Use
Community Garden	Semi-Detached Dwelling Unit
Duplex Dwelling	Service Shop
Home Office	Single Detached Dwelling

(2) DISCRETIONARY USES

Adult Day Centre	Home Occupation
Daycare Centre	Parking Lot
Heritage Use	Public Utility

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	200 metres square
(b)	Lot Frontage (minimum)	8 metres
(c)	Building Line (minimum)	0 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a corner Lot where Side Yard abutting the Street shall be 3 metres
(f)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS DUPLEX DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 200 metres square |
| (b) | Lot Frontage (minimum) | 12 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | 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 (minimum) | 6 metres |

(5) ZONE STANDARDS SEMI-DETACHED DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 140 metres square |
| (b) | Lot Frontage (minimum) | 7 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | 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 (minimum) | 6 metres |

(6) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL REDUCED LOT (RRL) ZONE**RRL****(1) PERMITTED USES**

Accessory Building	Single Detached Dwelling
Home Office	

(2) ZONE STANDARDS

(a)	Lot Area	250 metres square
(b)	Lot Frontage	10 metres
(c)	Building Line	7 metres
(d)	Building Height	8 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, HARD LANDSCAPING OF THE FRONT YARD SHALL NOT EXCEED 3.6 METRES IN WIDTH.

RESIDENTIAL SPECIAL (RA) ZONE**RA****(1) PERMITTED USES**

Accessory Building	Park
Home Office	Single Detached Dwelling

(2) DISCRETIONARY USES

Accessory Dwelling Unit	Public Utility
Heritage Use	

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	740 metres square
(b)	Lot Frontage (minimum)	21 metres
(c)	Building Line (minimum)	9 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	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 (minimum)	11 metres

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL SPECIAL 1 (RA1) ZONE**RA1****(1) PERMITTED USES**

Accessory Building	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit
Park	

(2) DISCRETIONARY USES

Heritage Use	Public Utility
--------------	----------------

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	740 metres square
(b)	Lot Frontage (minimum)	21 metres
(c)	Building Line (minimum)	9 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yard (minimum)	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 (minimum)	11 metres

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

APARTMENT 1 (A1) ZONE**A1****(1) PERMITTED USES**

Accessory Building	Home Office
Apartment Building	Park
Community Garden	Personal Care Home
Daycare Centre	Townhouse

(2) DISCRETIONARY USES

Adult Day Centre	Parking Lot
Convenience Store	Public Utility
Four-Plex	Semi-Detached Dwelling
Home Occupation	Service Shop
Office	

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	750 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	7 metres
(d)	Building Height (maximum)	12 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres
(g)	Lot Coverage (maximum)	35%
(h)	Landscaping (minimum)	35%

(4) ZONE STANDARDS FOR TOWNHOUSE

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 180 metres square |
| (b) | Lot Frontage (minimum) | 6 metres |
| (c) | Building Line (minimum) | 1.5 metres |
| (d) | Building Height (maximum) | 10 metres |
| (e) | Side Yards (minimum) | 0 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for the end unit where the Side Yard on the unattached side shall be 1.2 metres |
| (f) | Rear Yard (minimum) | 6 metres |

(5) ZONE STANDARDS FOR PERSONAL CARE HOME

- | | | |
|-----|---------------------------|--|
| (a) | Lot Area (minimum) | 750 metres square |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Building Line (minimum) | 7 metres |
| (d) | Building Height (maximum) | 12 metres |
| (e) | Side Yards (minimum) | 1 metre per storey, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Lot Coverage (maximum) | 35% |
| (h) | Landscaping (minimum) | 35% |

(6) ZONE STANDARDS FOR A SEMI-DETACHED DWELLING

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 270 metres square per Dwelling Unit |
| (b) | Lot Frontage (minimum) | 18 metres; 9 metres per Dwelling Unit |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |

(7) ZONE STANDARDS FOR FOUR-PLEX

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 750 metres square |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Landscaping (minimum) | 40% of the Lot, 30% of the Front Yard |

(8) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

APARTMENT 2 (A2) ZONE**A2****(1) PERMITTED USES**

Accessory Building	Home Office
Apartment Building	Park
Community Garden	Personal Care Home
Daycare Centre	Four-Plex

2) DISCRETIONARY USES

Adult Day Centre	Parking Lot
Convenience Store	Public Utility
Home Occupation	Service Shop
Office	Townhouse

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	650 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum), except Margaret's Place (PID #46352)	24 metres
(e)	Building Height (maximum), Margaret's Place (PID #46352)	16 metres
(f)	Side Yards (minimum)	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 (minimum)	6 metres
(h)	Lot Coverage (maximum)	40%
(i)	Landscaping (minimum)	30%

(4) ZONE STANDARDS FOR TOWNHOUSE

(a)	Lot Area (minimum)	140 metres square
(b)	Lot Frontage (minimum)	5.5 metres
(c)	Building Line (minimum)	1.5 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	0 metres, 1.2 metres on unattached side, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(5) ZONE STANDARDS FOR PERSONAL CARE HOME

(a)	Lot Area (minimum)	650 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	24 metres
(e)	Side Yard (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Rear Yard (minimum)	6 metres
(h)	Lot Coverage (maximum)	40%
(i)	Landscaping (minimum)	30%

(6) ZONE STANDARDS FOR FOUR-PLEX

- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 750 metres square |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
| (g) | Landscaping (minimum) | 40% of the Lot, 30% of the Front Yard |

7) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

APARTMENT 3 (A3) ZONE

A3

(1)

PERMITTED USES	
Accessory Building	Home Office
Apartment Building	Park
Community Garden	Personal Care Home
Daycare Centre	

(2)

DISCRETIONARY USES	
Adult Day Centre	Parking Lot
Convenience Store	Public Utility
Home Occupation	Service Shop
Office	

(3) ZONE STANDARDS FOR APARTMENT BUILDING

- (a) Lot Area (minimum) 900 metres square
- (b) Lot Frontage (minimum) 20 metres
- (c) Building Line (minimum) 6 metres
- (d) Building Height (maximum) 40 metres

Except 346-360 Empire Avenue (PID #11915, 23995, 23994)
 40-58 Shortall Street (PID #24617, 352341, 52340)
 145 Stavanger Drive (PID #155330)
 485 Topsail Road (PID #46960)



(e)	Building Height (maximum)	
	346-360 Empire Avenue (PID #11915, 23995, 23994)	20 metres
	40-58 Shortall Street (PID #24617, 352341, 52340)	24 metres
	145 Stavanger Drive (PID #155330)	24 metres
	485 Topsail Road (PID #46960)	24 metres on north side of Lot and 16 metres on the south side of Lot
(f)	Side Yards (minimum)	2, each equal to 1 metre for every 4 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
(g)	Rear Yard (minimum)	6 metres, together with 1 additional metre for every 4 metres in excess of 24 metres of Building Height
(h)	Lot Coverage (maximum)	50%
(i)	Landscaping (minimum)	30%

(4) ZONE STANDARDS FOR PERSONAL CARE HOME

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	40 metres

(e)	Side Yard (minimum)	2, each equal to 1 metre for every 4 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)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Rear Yard (minimum)	6 metres, together with 1 additional metre for every 4 metres in excess of 24 metres of Building Height
(h)	Lot Coverage (maximum)	50%
(i)	Landscaping (minimum)	30%

(5) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.



APARTMENT DOWNTOWN (AD) ZONE**AD****(1) PERMITTED USES**

Accessory Building	Park
Apartment Building, maximum 24 dwellings	Community Garden
Daycare Centre	Personal Care Home
Home Office	

(2) DISCRETIONARY USES

Adult Day Centre	Office
Convenience Store	Parking Lot
Home Occupation	Public Utility
Micro Unit (maximum of 12 per building)	Service Shop

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Frontage (minimum)	20 metres
(b)	Building Line	Council discretion
(c)	Building Height (maximum)	16 metres, as measured from all property boundaries, such that the height is adjusted to follow the grade of Streets or property boundaries provided Height does not exceed 16 metres as measured from the grade of the property over the site.
(d)	Side Yards	Council discretion
(e)	Rear Yard	Council discretion
(f)	Landscaping	Council discretion

(4) ZONE STANDARDS FOR PERSONAL CARE HOME

(a)	Lot Area	Council discretion
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line	Council discretion
(d)	Building Height (maximum)	16 metres, as measured from all property boundaries, such that the height is adjusted to follow the grade of Streets or property boundaries provided Height does not exceed 16 metres as measured from the grade of the property over the site.
(e)	Side Yard	Council discretion
(f)	Side Yard on Flanking Road	Council discretion
(g)	Rear Yard	Council discretion
(h)	Landscaping	Council discretion

(5) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

APARTMENT SPECIAL (AA) ZONE**AA****(1) PERMITTED USES**

Accessory Building	Home Office
Apartment Building	Park
Community Garden	Personal Care Home
Daycare Centre	Townhouse

(2) DISCRETIONARY USES

Adult Day Centre	Parking Lot
Convenience Store	Public Utility
Home Occupation	Service Shop
Office	

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	7 metres
(d)	Building Height (maximum)	12 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres
(g)	Lot Coverage (maximum)	30%
(h)	Landscaping (minimum)	40%

(4) ZONE STANDARDS FOR TOWNHOUSE

- | | | |
|-----|---------------------------|--|
| (a) | Lot Area (minimum) | 180 metres square |
| (b) | Lot Frontage (minimum) | 6 metres |
| (c) | Building Line (minimum) | 0 metres |
| (d) | Building Height (maximum) | 10 metres |
| (e) | Side Yards (minimum) | 0 metres, and 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 (minimum) | 6 metres |

(5) ZONE STANDARDS FOR PERSONAL CARE HOME

- | | | |
|-----|--------------------------------------|--|
| (a) | Lot Area (minimum) | 900 metres square |
| (b) | Lot Frontage (minimum) | 20 metres |
| (c) | Building Line (minimum) | 7 metres |
| (d) | Building Height (maximum) | 12 metres |
| (e) | Side Yard (minimum) | Two, each equal to 1 metre for every 4 metres of Building Height |
| (f) | Side Yard on Flanking Road (minimum) | 6 metres |
| (g) | Rear Yard (minimum) | 6 metres |
| (h) | Lot Coverage (maximum) | 30% |
| (i) | Landscaping (minimum) | 40% |

(6) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

ATLANTIC PLACE PARKING GARAGE (APG) ZONE



(1) PERMITTED USES

Parking Garage

(2) DISCRETIONARY USES

Dwelling Units, 9 th storey or higher	Office
Hotel, 9 th storey or higher	Retail Use

(3) ZONE STANDARDS

- | | | |
|-----|--|--------------------------------------|
| (a) | Building Height | 12 storeys (not exceeding 47 meters) |
| (b) | Parking Spaces, Permitted Uses (minimum) | 670 |
| (c) | Parking Spaces, Discretionary Uses | Section 8.5 |
| (d) | Floor Area Ratio (maximum) | 2.5 |
| (e) | All other Zone Standards shall be in the discretion of Council | |

ATLANTIC PLACE (AP) ZONE



(1) PERMITTED USES

Adult Day Centre	Office
Bank	Parking Garage
Clinic	Public Use
Communication Use	Public Utility
Daycare Centre	Restaurant
Health and Wellness Centre	Retail Use
Hotel	Service
Laundromat	Taxi Stand
Library	Training School
Lounge	

(2) ZONE STANDARDS

- (a) Building Height 13 storeys as measured from Water Street
- (b) Floor Area Ratio (maximum) 10.8
- (c) All other Zone Standards shall be in the discretion of Council

(3) NOTWITHSTANDING SECTION 8.5, NO PARKING SHALL BE REQUIRED.



COMMERCIAL DOWNTOWN (CD) ZONE**CD****(1) PERMITTED USES**

Bakery	Park
Bank	Parking Garage
Clinic	Pharmacy
Communications Use	Public Use
Convenience Store	Public Utility
Dwelling Unit - 2 nd storey or higher	Restaurant
Health and Wellness Centre	Retail Use
Hotel	Service Shop
Laundromat	Training School
Lounge	Transportation Terminal
Office	

(2) DISCRETIONARY USES

Adult Day Centre	Gas Station
Bed and Breakfast	Lodging House
Commercial Garage	Parking Lot
Craft Brewery/Distillery	Place of Amusement
Daycare Centre	Place of Assembly
Dwelling Unit - 1 st story or higher	Taxi Stand

(3) ZONE STANDARDS EXCEPT PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT

(a) Building Height (maximum)	54 metres provided height over 18 metres requires a Land Use Report
(b) Building Line	0 metres
(c) Building Façade Stepback on Street with a 0 metre Building Line	0 metre stepback for first 18 metres in Building Height, 4 metre stepback for greater than 18 metres in Building Height. Where Building Façade abuts more than one Street, stepback shall be applied to a minimum of 2 Streets, such Streets being determined by the Chief Municipal Planner.
(d) Building Façade Stepback on Street with a 4 metre or greater Building Line	No stepback required.
(e) Floor Area Ratio (maximum)	5.0

(f) All other Zone Standards shall be in the discretion of Council

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.



COMMERCIAL DOWNTOWN MIXED (CDM) ZONE**CDM****(1) PERMITTED USES**

Adult Massage Parlour	Office
Bakery	Park
Bank	Pharmacy
Clinic	Place of Worship
Communications Use	Public Use
Convenience Store	Public Utility
Dwelling Unit – 2 nd storey or higher	Restaurant
Health and Wellness Centre	Retail Use
Hotel	Service Shop
Laundromat	Training School
Library	Transportation Terminal
Lounge	

(2) DISCRETIONARY USES

Adult Day Centre	Micro Unit (maximum number of micro units is equal to half of the total number of residential units)
Bed and Breakfast	Parking Garage
Craft Brewery/Distillery	Parking Lot
Daycare Centre	Place of Amusement
Dwelling Unit - 1 st storey (except Water Street & Duckworth Street)	Place of Assembly
Lodging House	Taxi Stand

(3) ZONE STANDARDS, EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT

- (a) Building Height (maximum) 18 metres
- (b) Building Line 0 metres
- (c) Floor Area Ratio (maximum) 3.0
- (d) All other Zone Standards are in the discretion of Council

(4) ZONE STANDARDS FOR PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL DOWNTOWN MIXED 2 (CDM2) ZONE

CDM2

(1) PERMITTED USES, except 40 Henry Street (PID #45762)

Adult Massage Parlour	Office
Bakery	Park
Bank	Pharmacy
Clinic	Place of Worship
Communications Use	Public Use
Convenience Store	Public Utility
Dwelling Unit – 2 nd storey or higher	Restaurant
Health and Wellness Centre	Retail Use
Hotel	Service Shop
Laundromat	Training School
Library	Transportation Terminal
Lounge	

(2) DISCRETIONARY USES, except 40 Henry Street (PID #45672)

Adult Day Centre	Micro Unit (maximum number of micro units is equal to half of the total number of residential units)
Bed and Breakfast	Parking Garage
Craft Brewery/Distillery	Parking Lot
Daycare Centre	Place of Amusement
Dwelling Unit - 1 st storey (except Water Street & Duckworth Street)	Place of Assembly
Lodging House	Taxi Stand

(3) PERMITTED USES – 40 Henry Street (PID #45762)

Apartment Building

(4) ZONE STANDARDS EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT

- | | | |
|-----|--|---|
| (a) | Building Height (maximum) | 27 metres, except for 132 Duckworth Street (PID #12371), where the maximum height shall be 20 metres |
| (b) | Building Line | 0 metres |
| (c) | Floor Area Ratio (maximum) | 4 |
| (d) | Building Façade Stepback on Street (minimum) | 0 metre stepback for first 18 metres in Building Height, 4 metre stepback for greater than 18 metres in Building Height unless otherwise approved by Council. |
- Where Building Façade abuts more than one Street, stepback shall be applied to a minimum of 2 Streets, such Streets being determined by the Chief Municipal Planner.
- (e) All other Zone Standards are in the discretion of Council

(5) ZONE STANDARDS FOR PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL HIGHWAY (CH) ZONE

CH

(1) PERMITTED USES, except 55, 59, 63, 67 & 71 Airport Road (PID #s 33874, 33872, 33872, 33871, 22585)

Accessory Building	Massage Parlour
Accessory Dwelling Unit	Office
Bakery	Park
Bank	Pharmacy
Car Sales Lot	Place of Worship
Car Wash	Public Use
Clinic	Public Utility
Commercial Garage	Recreation Use
Communications Use	Recycling Depot
Convenience Store	Retail Use
Drive Through	Service Shop
Dry Clean Establishment	Service Station
Funeral Home	Taxi Stand
Gas Station	Training School
Hotel	Transportation Terminal
Health and Wellness Centre	Veterinary Clinic
Laundromat	Warehouse
Lounge	

2) DISCRETIONARY USES, except 55, 59, 63, 67 & 71 Airport Road (PID #s 33874, 33872, 33872, 33871, 22585)

Aquaculture	Parking Garage
Aquaponics	Parking Lot
Craft Brewery/Distillery	Place of Amusement
Daycare Centre	Place of Assembly
Horticulture	Wind Turbine – Small Scale
Hydroponics	

(3) PERMITTED USES for properties 55, 59, 63, 67 and 71 Airport Road (Parcel ID #s 33874, 33873, 33872, 33871, 22585)

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 (minimum)	1200 metres square
(b)	Lot Frontage (minimum)	35 metres
(c)	Building Height (maximum)	27 metres
(d)	Building Line (minimum)	6 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres
(g)	Lot Coverage (except Gas Station) (maximum)	50%
(h)	Landscaping (minimum)	20%

(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) ZONE



(1) PERMITTED USES, except 55, 59, 63, 67 & 71 Airport Road (PID #s 33874, 33872, 33872, 33871, 22585)

Accessory Building	Park
Accessory Dwelling Unit	Pharmacy
Adult Massage Parlour	Place of Assembly
Bakery	Place of Worship
Bank	Public Use
Car Sales Lot	Public Utility
Car Wash	Recreation Use
Clinic	Recycling Depot
Commercial Garage	Restaurant
Convenience Store	Retail Use
Drive Through	Service Shop
Dry Cleaning Establishment	Service Station
Funeral Home	Shopping Centre
Gas Station	Taxi Stand
Hotel	Training School
Laundromat	Transportation Terminal
Library	Veterinary Clinic
Lounge	Warehouse
Office	

(2) DISCRETIONARY USES

Daycare Centre	Place of Amusement
Parking Garage	Wind Turbine – Small Scale
Parking Lot	



(3) ZONE STANDARDS EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT

(a)	Lot Area (minimum)	1800 metres square
(b)	Lot Frontage (minimum)	45 metres
(c)	Building Height (maximum)	18 metres
(d)	Building Line (minimum)	6 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres
(g)	Lot Coverage (except Gas Station) (maximum)	50%
(h)	Landscaping (minimum)	20%

(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)**CL****(1) PERMITTED USES, except 24 Torbay Road (PID #21267)**

Accessory Building	Laundromat
Adult Day Centre	Library
Clinic	Office
Community Garden	Public Utility
Convenience Store	Residential Retail Store
Daycare Centre	Retail Use
Dwelling Unit – 2 nd Floor	Service Shop
Health and Wellness Centre	

(2) PERMITTED USES – 24 Torbay Road (PID #21267)

Office

(3) DISCRETIONARY USES

Restaurant

Bakery

(4) ZONE STANDARDS EXCEPT PUBLIC UTILITY

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	30 metres
(c)	Building Height (maximum)	9 metres
(d)	Building Line (minimum)	7 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres
(g)	Landscaping (minimum)	20%

(5) ZONE STANDARDS FOR PUBLIC UTILITY SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL LOCAL – DOWNTOWN (CLD) ZONE**CLD****(1) PERMITTED USES**

Accessory Building	Laundromat
Adult Day Centre	Library
Clinic	Office
Community Garden	Public Utility
Convenience Store	Residential Retail Store
Daycare Centre	Retail Use
Dwelling Unit – 2 nd Floor	Service Shop
Health and Wellness Centre	

(2) DISCRETIONARY USES

Restaurant	Bakery
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(3) ZONE STANDARDS EXCEPT PUBLIC UTILITY

(a)	Lot Area	Council discretion
(b)	Lot Frontage	Council discretion
(c)	Building Height (maximum)	10 metres
(d)	Building Line	Council discretion
(e)	Side Yards	Council discretion
(f)	Rear Yard	Council discretion
(g)	Landscaping	Council discretion

(4) ZONE STANDARDS FOR PUBLIC UTILITY SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL MIXED USE (CM) ZONE



(1) PERMITTED USES, except 615 Empire Avenue (PID #46166)

Accessory Building	Gas Station
Accessory Dwelling Unit	Hotel
Adult Day Centre	Library
Adult Massage Parlour	Office
Bakery	Park
Bank	Place of Worship
Bed and Breakfast	Public Use
Clinic	Public Utility
Community Garden	Restaurant
Convenience Store	Retail Use
Daycare Centre	Service Shop
Drive Through	Service Station
Dry Cleaning Establishment	Taxi Stand
Dwelling Unit – 2 nd storey or higher	Training School

(2) DISCRETIONARY USES, except 615 Empire Avenue (PID #46166)

Aquaculture	Lounge
Aquaponics	Parking Garage
Car Wash	Parking Lot
Craft Brewery/Distillery	Pharmacy
Dwelling Unit – 1 st storey	Place of Amusement (except Churchill Square (Map 3))
Horticulture	Place of Assembly
Hydroponics	Recycling Depot
Light Industrial Use	

(3) PERMITTED USE – 615 EMPIRE AVENUE (PID #46166)

Light Industrial Use

(4) ZONE STANDARDS EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT

- | | | |
|-----|--|-------------|
| (a) | Building Height (maximum), except 615 Empire Avenue (PID#46166) and 43-53 Rowan Street (PID#18955) | 18 metres |
| (b) | Building Height (maximum) 615 Empire Avenue (PID#46166) except 43-53 Rowan Street (PID#18955) | 8 metres |
| (c) | Building Height (maximum) 43-53 Rowan Street (PID#18955), except 615 Empire Avenue (PID#46166) | 21.5 metres |
| (d) | All other zone Standards shall be in the discretion of Council | |

(5) ZONE STANDARDS FOR PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT SHALL BE IN THE DISCRETION OF COUNCIL.



COMMERCIAL NEIGHBOURHOOD (CN) ZONE



(1) PERMITTED USES

Accessory Building	Laundromat
Adult Day Centre	Library
Bakery	Office
Bank	Park
Clinic	Public Utility
Community Garden	Retail Use
Convenience Store	Service Shop
Drive Through	Training School
Dwelling Unit – 2 nd storey or higher	Veterinary Clinic
Health and Wellness Centre	

(2) DISCRETIONARY USES

Car Sales Lot	Pharmacy
Car Wash	Place of Worship
Daycare Centre	Recycling Depot
Dry Cleaning Establishment	Restaurant
Gas Station	Service Station
Lounge	Taxi Stand
Parking Garage	Warehouse
Parking Lot	Wind Turbine – Small Scale



(3) ZONE STANDARDS EXCEPT PARK, PUBLIC UTILITY, PARKING LOT AND PLACE OF WORSHIP

- | | | |
|-----|--|--|
| (a) | Lot Area (minimum) | 900 metres square |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Building Height (maximum) | 14 metres |
| (d) | Building Line (minimum) | 7 metres |
| (e) | Side Yards (maximum) | 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 (minimum) | 6 metres |
| (g) | Lot Coverage (maximum)
(except Gas Station) | 50% |
| (h) | Landscaping (minimum) | 20% |

(4) ZONE STANDARDS FOR PARK, PUBLIC UTILITY, PARKING LOT AND PLACE OF WORSHIP SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL OFFICE (CO) ZONE

CO

(1) PERMITTED USES, *except 172 Logy Bay Road (PID #18723)*

Accessory Building	Office
Adult Day Centre	Park
Convenience Store	Public Utility
Daycare Centre	Service Shop
Dwelling Unit – 2 nd storey or higher	

(2) DISCRETIONARY USES

Accessory Dwelling Unit	Parking Lot
Clinic	Pharmacy
Heritage Use	Recycling Depot
Parking Garage	Wind Turbine – Small Scale

(3) PERMITTED USE – 172 LOGY BAY ROAD (PID #18723)

Office



(4) ZONE STANDARDS EXCEPT PARK, PUBLIC UTILITY, PARKING LOT AND HERITAGE USE

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Height (maximum), except 57 Margaret's Place (PID #10805)	45 metres
(d)	Building Height (maximum) - 57 Margaret's Place (PID #10805)	18 metres
(e)	Building Line (minimum)	6 metres
(f)	Side Yards (minimum)	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
(g)	Rear Yard (minimum)	6 metres
(h)	Lot Coverage (maximum) (except Gas Station)	50%
(i)	Landscaping (minimum)	20%

(5) ZONE STANDARDS FOR PARK, PUBLIC UTILITY, PARKING LOT AND HERITAGE USE SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL OFFICE HOTEL (COH) ZONE**COH****(1) PERMITTED USES**

Accessory Building	Laundromat
Adult Day Centre	Office
Bakery	Park
Bank	Pharmacy
Clinic	Public Use
Convenience Store	Public Utility
Daycare Centre	Retail Use
Dwelling Unit – 2 nd storey or higher	Service Shop
Hotel	Veterinary Clinic

(2) DISCRETIONARY USES

Accessory Dwelling Unit	Personal Care Home
Parking Garage	Wind Turbine – Small Scale
Parking Lot	

(3) ZONE STANDARDS EXCEPT PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Height (maximum)	45 metres
(d)	Building Line (minimum)	6 metres
(e)	Side Yards (minimum)	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 (minimum)	6 metres
(g)	Lot Coverage (maximum) (except Gas Station)	50%
(h)	Landscaping (minimum)	20%

(4) ZONE STANDARDS FOR PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT SHALL BE IN THE DISCRETION OF COUNCIL.

COMMERCIAL REGIONAL (CR) ZONE**CR****(1) PERMITTED USES, except former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #47316)**

Accessory Building	Lounge
Accessory Dwelling Unit	Office
Adult Massage Parlour	Park
Bakery	Pharmacy
Bank	Place of Worship
Car Wash	Public Use
Clinic	Public Utility
Commercial Garage	Recreational Use
Communications Use	Restaurant
Convenience Store	Retail Use
Daycare Centre	Service Shop
Drive Through	Service Station
Dry Cleaning Establishment	Shopping Centre
Gas Station	Taxi Stand
Health and Wellness Centre	Veterinary Clinic
Hotel	Warehouse
Library	

(2) DISCRETIONARY USES, except former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #47316)

Aquaculture	Hydroponics
Aquaponics	Light Industrial Use
Craft Brewery/Distillery	Parking Garage
Dwelling Unit – 2 nd storey or higher	Parking Lot
Horticulture	

(3) PERMITTED USE – former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #47316)

Bank	Pharmacy
Clinic	Restaurant
Health and Wellness Centre	Retail Use
Office	Service Shop
Parking Garage	

(4) **DISCRETIONARY USES, former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #47316)**

Public Use

Public Utility

(5) **ZONE STANDARDS EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT**

- (a) Lot Area (minimum) 1800 metres square
- (b) Lot Frontage (minimum) 45 metres
- (c) Building Height (maximum) 20 metres
- (d) Building Line (minimum) 6 metres
- (e) Side Yards (minimum) 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 (minimum) 6 metres
- (g) Lot Coverage (maximum) 50%
(except Gas Station)
- (h) Landscaping (minimum) 20%

(6) **ZONE STANDARDS FOR PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY, AND PARKING LOT SHALL BE IN THE DISCRETION OF COUNCIL.**



AIRPORT (A) ZONE



- (1) USES AND ZONE STANDARDS ARE DETERMINED BY HER MAJESTY THE QUEEN IN RIGHT OF CANADA OR DESIGNATE.

INDUSTRIAL COMMERCIAL (IC) ZONE

IC

(1) PERMITTED USES, except 456 Empire Avenue (PID #25041)

Accessory Building	Light Industrial Use
Accessory Dwelling Unit	Office
Aquaculture	Park
Aquaponics	Parking Garage
Bakery	Pipe Storage Yard
Car Sales Lot	Public Use
Car Wash	Public Utility
Commercial Garage	Recreational Use
Communications Use	Recycling Depot
Convenience Store	Service Shop
Craft Brewery/Distillery	Service Station
Drive Through	Taxi Stand
Dry Cleaning Establishment	Tourism Use
Gas Station	Training School
Health and Wellness Centre	Transportation Depot
Horticulture	Transportation Terminal
Hotel	Veterinary Clinic
Hydroponics	Warehouse

(2) DISCRETIONARY USES, except 456 Empire Avenue (PID #25041)

Clinic	Parking Lot
Daycare Centre	Pharmacy
Funeral Home	Place of Amusement
Heavy Equipment Storage	Retail Use
Lounge	Wind Turbine – Small Scale
Restaurant	Vehicle Storage Yard

(3) USES, 456 EMPIRE AVENUE (PID #25041)

(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 (PID #25041)**
- | | | |
|-----|---|---|
| (a) | Lot Area (minimum) | 1800 metres square |
| (b) | Lot Frontage (minimum) | 45 metres |
| (c) | Building Line (minimum) | 18 metres |
| (d) | Building Height (maximum) | 20 metres |
| (e) | Side Yards (minimum) | Two of 3 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 3 metres |
| (g) | Lot Coverage (maximum) (except Gas Station) | 50% |
| (h) | Landscaping (minimum) | 20% |
- (5) ZONE STANDARDS FOR PARK, PUBLIC USE, PUBLIC UTILITY, PLACE OF WORSHIP AND 456 EMPIRE AVENUE (PID #25041) SHALL BE IN THE DISCRETION OF COUNCIL.**

INDUSTRIAL GENERAL (IG) ZONE



(1) PERMITTED USES, *except Freshwater Bay*

Accessory Building	Pipe Storage Yard
Accessory Dwelling Unit	Public Use
Car Wash	Recycling Depot
Commercial Garage	Restaurant, only at Pier 7 (PID #351587, 22880)
Craft Brewery/Distillery	Transportation Depot
Food and Beverage Processing	Transportation Terminal
Industrial Use	Warehouse
Light Industrial Use	Wharves and Stages
Lounge, only at Pier 7 (PID #351587, 22880)	

(2) DISCRETIONARY USES, *except in Freshwater Bay*

Mineral Working	Recreational Use
Park	Salvage Yard
Parking Lot	Wind Turbine – Small Scale
Parking Garage	

(3) PERMITTED USES, FRESHWATER BAY

- (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

(a)	Lot Area	Council discretion
(b)	Lot Frontage	Council discretion
(c)	Building Line	Council discretion
(d)	Building Height (maximum), except Lots abutting the shore line or on Harbour Drive	18 metres
(e)	Building Height (maximum), Lots abutting the shore line or on Harbour Drive	14 metres
(f)	Side Yards	Council discretion
(g)	Rear Yard	Council discretion

(5) ZONE STANDARDS FOR PARK, PUBLIC USE, PUBLIC UTILITY, PARKING LOT AND FRESHWATER BAY SHALL BE IN THE DISCRETION OF COUNCIL.

INDUSTRIAL QUIDI VIDI (IQV) ZONE

IQV

(1) PERMITTED USES

Accessory Building	Public Utility
Food and Beverage Processing	Public Use
Park	Wharves and Stages

(2) DISCRETIONARY USES

Craft Brewery/Distillery	Restaurant
Daycare Centre	Retail Use
Lounge	Service Shop
Parking Lot	

(3) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL

INDUSTRIAL SPECIAL (IS) ZONE



(1) PERMITTED USES

Bulk Storage	Public Utility
Public Use	Wind Turbine – Small Scale

(2) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL

C.A. PIPPY PARK (CAPP) ZONE

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.**



CEMETERY (CEM) ZONE

CEM

(1) PERMITTED USES

Accessory Building Cemetery

(2) DISCRETIONARY USES

Public Utility

(3) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.

INSTITUTIONAL (INST) ZONE

INST

(1) PERMITTED USES

Accessory Building	Park
Accessory Dwelling Unit	Personal Care Home
Adult Day Centre	Place of Assembly
Clinic	Place of Worship
Community Garden	Public Use
Daycare Centre	Public Utility
Funeral Home	Residential Care Facility
Institutional Use	School
Library	Training School
Long Term Care Facility	

(2) DISCRETIONARY USES

Dwelling Unit, which is ancillary to a Permitted or Discretionary Use	Service Shop
Heritage Use	Wind Turbine – Small Scale
Office	

(3) ZONE STANDARDS EXCEPT PARK, PUBLIC USE, PUBLIC UTILITY, AND PLACE OF WORSHIP

(a)	Lot Area (minimum)	900 metres square
(b)	Lot Frontage (minimum)	30 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum), except 50 Tiffany Lane (PID #45350)	23 metres
(e)	Building Height (maximum) – 50 Tiffany Lane (PID #45350)	72 metres
(f)	Side Yards (minimum)	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 (minimum)	6 metres

- (h) Lot Coverage (maximum) (Except Gas Station) 50%
- (i) Landscaping (minimum) 20%

(4) ZONE STANDARDS FOR PARK, PUBLIC USE, PUBLIC UTILITY AND PLACE OF WORSHIP SHALL BE IN THE DISCRETION OF COUNCIL.

INSTITUTIONAL DOWNTOWN (INST-DT) ZONE

INST-DT

(1) PERMITTED USES

Accessory Building	Personal Care Home
Adult Day Centre	Place of Assembly
Clinic	Place of Worship
Community Garden	Public Use
Funeral Home	Public Utility
Institutional Use	Residential Care Facility
Library	School
Long Term Care Facility	Training School
Park	

(2) DISCRETIONARY USES

Daycare Centre	Office
Dwelling Unit, which is ancillary to a Permitted or Discretionary Use	Service Shop
Heritage Use	

(3) ZONE STANDARDS EXCEPT PARK, PUBLIC USE, PUBLIC UTILITY, AND PLACE OF WORSHIP

- (a) Building Height (maximum) 23 metres as measured from all property boundaries, such that height is adjusted to follow grades of Streets or property boundaries provided height does not exceed 23 metres from established grade
- (b) Building Line 0 metres
- (c) Floor Area Ratio (maximum) 3.0
- (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.



OPEN SPACE (O) ZONE



(1) PERMITTED USES

Community Garden Park	Recreational Use
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(2) DISCRETIONARY USES

Place of Assembly Public Utility	Public Use Wind Turbine – Small Scale
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(3) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.

AGRICULTURE (AG) ZONE



(1) PERMITTED USES

Accessory Building	Public Use
Agricultural Use	Public Utility
Forestry Use	Single Detached Dwelling, provided the Agricultural Use or Forestry Use on the Lot has been in continuous operation for a minimum of 3 years
Home Office	Veterinary Clinic
Horticulture	

(2) DISCRETIONARY USES

Agricultural Tourism Operations	Hydroponics
Aquaculture	Indoor Riding Arena
Aquaponics	Kennel
Bed and Breakfast	Single Detached Dwelling not associated with Forestry or Agricultural Use and only where Lot is serviced
Farm Market	Subsidiary Dwelling Unit
Heavy Equipment Storage	Wind Turbine – Small Scale
Home Occupation	

(3) ZONE STANDARDS, SINGLE DETACHED DWELLING ON UNSERVICED LOT NOT ASSOCIATED WITH FORESTRY OR AGRICULTURAL USE

(a)	Lot Area (minimum)	2023 metres square
(b)	Lot Frontage (minimum)	30 metres
(c)	Building Line (minimum)	15 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	10 metres



- (4) ZONE STANDARDS, SINGLE DETACHED DWELLING ON SERVICED LOT NOT ASSOCIATED WITH FORESTRY OR AGRICULTURAL USE**
- | | | |
|-----|---------------------------|---|
| (a) | Lot Area (minimum) | 450 metres square |
| (b) | Lot Frontage (minimum) | 15 metres |
| (c) | Building Line (minimum) | 6 metres |
| (d) | Building Height (maximum) | 8 metres |
| (e) | Side Yards (minimum) | Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres |
| (f) | Rear Yard (minimum) | 6 metres |
- (5) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.**

FORESTRY (F) ZONE**F****(1) PERMITTED USES**

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

(2) DISCRETIONARY USES

Agricultural Use	Indoor Riding Arena
Aquaculture	Mineral Working
Aquaponics	Public Utility
Heavy Equipment Storage	Recreational Use
Home Occupation	Subsidiary Dwelling Unit
Horticulture	Warehouse
Hydroponics	Wind Turbine – Small Scale

(3) ZONE STANDARDS, EXCEPT PUBLIC USE AND PUBLIC UTILITY

(a)	Lot Area (minimum)	8000 metres square
(b)	Lot Frontage (minimum)	90 metres
(c)	Building Line	Council discretion
(d)	Building Height, except Single Detached Dwelling	Council discretion
(e)	Building Height Single Detached Dwelling (maximum)	8 metres
(f)	Side Yards	Council discretion
(g)	Rear Yard	Council discretion

(4) ZONE STANDARDS FOR PUBLIC USE AND PUBLIC UTILITY SHALL BE IN THE DISCRETION OF COUNCIL.

MINERAL WORKING (MW) ZONE

MW

(1) PERMITTED USES

Accessory Building
Mineral Working
Public Utility

(2) DISCRETIONARY USES

Wind Turbine – Small Scale

(3) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.

RURAL (R) ZONE



(1)

PERMITTED USES	
Accessory Building	Forestry Use
Agricultural Use	Park
Community Garden	Public Utility
Home Office	Single Detached Dwelling, provided the Agricultural Use or Forestry Use on the Lot has been in continuous operation for a minimum of 3 years
Horticulture	

(2)

DISCRETIONARY USES	
Agricultural Tourism Operation	Kennel
Aquaculture	Pipe Storage Yard
Aquaponics	Recreational Use
Bed and Breakfast	Residential Care Facility
Farm Market	Subsidiary Dwelling Unit
Float Plane Hangar	Vehicle Storage Yard
Heavy Equipment Storage	Veterinary Clinic
Home Occupation	Warehouse
Hydroponics	Wind Turbine – Small Scale
Indoor Riding Arena	

(3) ZONE STANDARDS SINGLE DETACHED DWELLING, EXCEPT #'S 420-496 MADDOX COVE ROAD (PID #S 50359, 51044, 50358, 50357, 51081, 50355, 50354, 50353, 50352, 50351, 50350)

(a)	Lot Area (minimum)	8000 metres square
(b)	Lot Frontage (minimum)	90 metres
(c)	Building Line (minimum)	15 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS FOR #'S 420-496 MADDOX COVE ROAD (PID #S 50359, 51044, 50358, 50357,



51081, 50355, 50354, 50353, 50352, 50351, 50350)

(a)	Lot Area (minimum)	8000 metres square
(b)	Lot Frontage (minimum)	60 metres
(c)	Building Line (minimum)	15 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	6 metres

(5) ZONE STANDARDS FOR ALL OTHER USES

(a)	Lot Area (minimum)	8000 metres square
(b)	Lot Frontage (minimum)	90 metres
(c)	Building Line	Council discretion
(d)	Building Height	Council discretion
(e)	Side Yards	Council discretion
(f)	Rear Yard	Council discretion
(g)	Coastal cliff edge (minimum for erosion)	30 metres

6) ZONE STANDARDS FOR FLOAT PLANE HANGAR LOTS

(a)	Lot Area (minimum)	1400 metres square
(b)	All other Zone Standards	Council discretion

RURAL RESIDENTIAL (RR) ZONE**RR****(1) PERMITTED USES**

Accessory Building	Lodging House
Bed and Breakfast	Park
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit

(2) DISCRETIONARY USES

Agricultural Use	Kennel
Daycare Centre	Parking Lot
Forestry Use	Place of Worship
Heavy Equipment Storage	Public Utility
Home Occupation	Residential Retail Store
Indoor Riding Arena	Warehouse

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	4000 metres square
(b)	Lot Frontage (minimum)	45 metres
(c)	Building Line (minimum)	20 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS FOR ALL OTHER USES

(a)	Lot Area (minimum)	4000 metres square
(b)	Lot Frontage (minimum)	45 metres
(c)	Building Line (minimum)	20 metres
(d)	Building Height	Council discretion
(e)	Side Yards (minimum)	Two of 6 metres
(f)	Rear Yard (minimum)	6 metres

RURAL RESIDENTIAL INFILL (RRI) ZONE**RR1****(1) PERMITTED USES**

Accessory Building	Lodging House
Bed and Breakfast	Park
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit

(2) DISCRETIONARY USES

Agricultural Use	Parking Lot
Daycare Centre	Public Utility
Forestry Use	Retail Use
Heavy Equipment Storage	Service Shop
Home Occupation	Vehicle Storage
Indoor Riding Arena	Warehouse

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	2023 metres square
(b)	Lot Frontage (minimum)	30 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS FOR ALL OTHER USES

- (a) Lot Area (minimum) 2023 metres square
- (b) Lot Frontage (minimum) 30 metres
- (c) Building Line (minimum) 6 metres
- (d) Building Height Council discretion
- (e) Side Yards Council discretion
- (f) Rear Yard Council discretion

RURAL VILLAGE (RV) ZONE**RV****(1) PERMITTED USES**

Accessory Building	Park
Bed and Breakfast	Recreational Use
Community Garden	Single Detached Dwelling
Home Office	Subsidiary Dwelling Unit
Lodging House	

(2) DISCRETIONARY USES

Agricultural Use	Place of Worship
Daycare Centre	Public Utility
Heritage Use	Retail Use
Home Occupation	School
Parking Lot	Service Shop
Place of Assembly	

(3) ZONE STANDARDS SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	2000 metres square
(b)	Lot Frontage (minimum)	30 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	8 metres
(e)	Side Yards (minimum)	Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

OPEN SPACE RESERVE (OR) ZONE



(1) DISCRETIONARY USES

Accessory Building	Public Utility
Community Garden	Recreational Use
Park	Wind Turbine – Small Scale

(2) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.

WATERSHED – (W)



- (1) USES AND ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.



COMPREHENSIVE DEVELOPMENT AREA (CDA) ZONE**CDA****(1) COMPREHENSIVE DEVELOPMENT AREAS:**

Area 1	Blackmarsh Road/Captain Whelan Drive
Area 2	<i>Intentionally left blank</i>
Area 3	Griffin's Lane/Valleyview Road
Area 4	Valleyview Road/Bay Bulls Road
Area 5	Old Petty Harbour Road/Densmore's Lane
Area 6	<i>Intentionally left blank</i>
Area 7	Signal Hill/Battery
Area 8	Southlands
Area 9	Kenmount Road

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

PLANNED MIXED DEVELOPMENT (PMD) ZONE

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 Planned Mixed 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 Mixed 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 1 (PMD1) ZONE (Galway Planned Community)

PMD1

(1) PERMITTED USES

Accessory Building	Office
Apartment Building	Park
Bakery	Parking Lot
Bank	Public Use
Clinic	Public Utility
Convenience Store	Retail Use
Community Garden	Restaurant
Daycare Centre	School
Dry Cleaning Establishment	Semi-Detached Dwelling
Dwelling Unit in the second and/or higher storeys of a Building	Service Shop
Four-Plex	Single Detached Dwelling
Health and Wellness Centre	Townhouse Cluster
Home Occupation	Townhouse
Home Office	Veterinary Clinic

(2) DISCRETIONARY USES

Institutional Use	Place of Amusement
Lounge	

(3) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	335 metres square
(b)	Lot Frontage (minimum)	11 metres
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yards (minimum)	1.2 metres and 1.2 metres
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(4) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR SEMI-DETACHED DWELLING

(a)	Lot Area (minimum)	164 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	6 metres per Dwelling Unit
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yards (minimum)	1.8 metres and 0 metres on the common lot line
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(5) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR TOWNHOUSE

(a)	Lot Area (minimum)	164 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	6 metres per Dwelling Unit
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yard (minimum)	One of 1.8 metres
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(6) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR TOWNHOUSE CLUSTER

(a)	Lot Area (minimum)	554 metres square
(b)	Lot Frontage (minimum)	18.2 metres
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yard (minimum)	4.5 metres as oriented from the Public Street
(e)	Side Yard for End Unit (minimum)	1.8 metres
(f)	Rear Yard (minimum)	6 metres as oriented from the Public Street
(g)	Side Yard on Flanking Road (minimum)	6 metres
(h)	Building Height (maximum)	12.2 metres
(i)	Lot Coverage (maximum)	45%

(7) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR FOUR-PLEX

(a)	Lot Area (minimum)	182 metres square per Building
(b)	Lot Frontage (minimum)	12 metres per Building
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yard (minimum)	2.4 metres
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(8) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	554 metres square
(b)	Lot Frontage (minimum)	18.2 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Side Yard (minimum)	1 metre per Storey
(e)	Rear Yard (minimum)	6 metres
(f)	Building Height (maximum)	7 Storeys
(g)	Lot Coverage (maximum)	50%
(h)	Density (maximum)	60 Dwelling Units per Building

(9) ZONE STANDARDS (SUBJECT TO SECTION 7.3 – SNOW STORAGE) FOR COMMERCIAL USE

(a)	Lot Area (minimum)	277 metres square
(b)	Lot Frontage (minimum)	9 metres
(c)	Building Line (minimum)	0 metres
(d)	Side Yard (minimum)	4.5 metres
(e)	Rear Yard (minimum)	4.5 metres
(f)	Side Yard on Flanking Road (minimum)	4.5 metres
(g)	Building Height (maximum)	2 Storeys
(h)	Lot Coverage (maximum)	45%

(10) OFF STREET PARKING REQUIREMENTS

Notwithstanding Section 8, the following off-street parking requirements shall apply:

Type/Nature of Building	Minimum Required Parking
Commercial	1 space per 23 metres square of Net Floor Area
Residential – Apartment Building	1.5 spaces per Dwelling Unit
Residential – Single Detached Dwelling, Semi-Detached Dwelling, Townhouse	2 spaces per Dwelling Unit (attached Private Garage may count as 1 space)
Residential – Single Attached Cluster	1 space per Dwelling Unit

(11) LANDSCAPING REQUIREMENTS

- (a) One tree shall be planted not less than every 18 metres (maximum) on both sides of all Streets. Exact tree location with the Street cross section shall be determined by the City prior to final development approval being issued.
- (b) Landscaping and Screening shall be provided as identified on the attached schedules (Appendix PMD1) and in accordance with Section 7.6 Landscaping and Screening.

(12) THE FOLLOWING DOCUMENTS SHALL FORM PART OF THE ZONE REQUIREMENTS AND DEVELOPMENT REGULATIONS FOR THE PLANNED MIXED DEVELOPMENT 1 ZONE (APPENDIX PMD1):

- (a) Design Plan
- (b) Galway Land Use Plan (December 2019)
- (c) Galway Road Cross Sections/Transportation Plan (December 2019)
- (d) Parkland and Pedestrian Trail Plan (December 2019)

PLANNED MIXED DEVELOPMENT ZONE 2 (PMD2)**(Galway Planned Community Phase 2)****(1) PERMITTED USES****Residential:**

Accessory Building
 Accessory Building (Subject to Section 8.3.6)
 Apartment Building
 Community Garden
 Home Office (Subject to Section 7.9)
 Home Occupation (Subject to Section 7.8)
 Semi-Detached Dwelling
 Single Detached Dwelling
 Stacked Townhouse
 Townhousing
 Townhouse Cluster

Other:

Park
 Public Use
 Public Utility

(2) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR SINGLE DETACHED DWELLING

(a)	Lot Area (minimum)	335 metres square
(b)	Lot Frontage (minimum)	11 metres
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yards (minimum)	1.2 metres and 1.2 metres
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(3) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR SEMI-DETACHED DWELLING

(a)	Lot Area (minimum)	164 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	6 metres per Dwelling Unit
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yards (minimum)	1.8 metres and 0 metres on the common lot line
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(4) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR TOWNHOUSE

(a)	Lot Area (minimum)	164 metres square per Dwelling Unit
(b)	Lot Frontage (minimum)	6 metres per Dwelling Unit
(c)	Building Line (minimum)	7.5 metres
(d)	Side Yard (minimum)	One of 1.8 metres
(e)	Rear Yard (minimum)	6 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(5) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR TOWNHOUSE CLUSTER

(a)	Lot Area (minimum)	554 metres square
(b)	Lot Frontage (minimum)	18.2 metres
(c)	Building Line (minimum)	7.5 metres
(d)	Rear Yard (minimum)	6 metres as oriented from the Public Street
(e)	Side Yard (minimum)	4.5 metres as oriented from the Public Street
(f)	Side Yard for End Unit (minimum)	1.8 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(6) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR STACKED TOWNHOUSE

(a)	Lot Area (minimum)	182 metres square per Building
(b)	Lot Frontage (minimum)	12 metres per Building
(c)	Building Line (minimum)	7.5 metres
(d)	Rear Yard (minimum)	6 metres
(e)	Side Yard (minimum)	2.4 metres
(f)	Side Yard on Flanking Road (minimum)	6 metres
(g)	Building Height (maximum)	12.2 metres
(h)	Lot Coverage (maximum)	45%

(7) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	554 metres square
(b)	Lot Frontage (minimum)	18.2 metres
(c)	Building Line (minimum)	4.5 metres
(d)	Rear Yard (minimum)	6 metres
(e)	Side Yard (minimum)	1 metre per storey
(f)	Building Height (maximum)	7 Storeys
(g)	Lot Coverage (maximum)	50%
(h)	Density (maximum)	60 Dwelling Units per Building

(8) ZONE STANDARDS (SUBJECT TO SECTION 8.7 – SNOW STORAGE) FOR COMMERCIAL USE

(a)	Lot Area (minimum)	277 metres square
(b)	Lot Frontage (minimum)	9 metres
(c)	Building Line (minimum)	0 metres
(d)	Side Yard (minimum)	4.5 metres
(e)	Rear Yard (minimum)	4.5 metres
(f)	Side Yard on Flanking Road (minimum)	4.5 metres
(g)	Building Height (maximum)	2 Storeys
(h)	Lot Coverage (maximum)	45%

(9) OFF STREET PARKING REQUIREMENTS

Notwithstanding Section 9, the following off-street parking requirements shall apply:

Type/Nature of Building	Minimum Required Parking
Residential – Apartment Building	1.5 spaces per Dwelling Unit
Residential – Single Detached Dwelling, Semi-Detached Dwelling, Townhouse	2 spaces per Dwelling Unit (attached Private Garage may count as 1 space)
Residential – Stacked Townhouse	1 space per Dwelling Unit

(10) LANDSCAPING REQUIREMENTS

- (a) One tree shall be planted not less than every 18 metres (maximum) on both sides of all Streets. Exact tree location within the Street cross section shall be determined by the City prior to final development approval being issued.
- (b) Landscaping and Screening shall be provided as identified on the attached schedules (Appendix PDM2) and in accordance with Section 7.6 Landscaping and Screening.

(11) THE FOLLOWING DOCUMENTS SHALL FORM PART OF THE ZONE REQUIREMENTS AND DEVELOPMENT REGULATIONS FOR THE PLANNED MIXED DEVELOPMENT 2 ZONE (APPENDIX PMD2):

- (a) Galway Concept Plan (May 2015)