SECTION 1 – TITLE AND APPLICATION

1.1 SHORT TITLE

These Regulations may be cited as the “St. John’s Development Regulations 2019”.

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

1.5 The St. John’s Development Regulations, originally gazetted June 3, 1994, and all amendments thereto are repealed upon the coming into force of these Regulations.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

ACCESSORY BUILDING means:

(i) a detached Building not used as a Dwelling Unit, located on the same Lot as the main Building to which it is an accessory, and which has a Use that is incidental or complementary to the main Use, and may include, 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.

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.

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:

(i) highest point of the roof surface of a flat roof;
(ii) deck line of a mansard roof; or

(iii) mean height level between the eave and the ridge of a gable, hip, or gambrel roof,

unless otherwise specified.

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

**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.

**CEMTERY** 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 a 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 an outdoor space used to grow and care for vegetables, flowers, and/or annual plantings for personal consumption.

**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 a Restaurant are 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 which may be permitted by Council subject to special conditions or controls.

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).

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 including 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 means the growing of fruit, flowers, and vegetables for commercial purposes for consumption and/or sale and includes 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 the promotion of social, educational, cultural, religious or philanthropic objects, 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:

(i) an Archaeological Report
(ii) an Environmental Report
(iii) 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 – FRONT means the Street line on which a Lot has its civic address.

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.

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 Health and Wellness Centre, a Clinic, or Service Shop.

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

MINERAL WORKING means land or Buildings used for the working or extraction of any naturally occurring substance, including a pit or quarry.

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.

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

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 clients or customers.

PERMITTED USE means a Use that is listed within the permitted use classes set out in Section 10 of these Regulations.

PERSONAL CARE HOME means a residential Building for persons who need minimal to no assistance with the activities of daily living, which has no on-site health or nursing service and which 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.

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, 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 one Dwelling Unit and which is attached to another Dwelling Unit on one side only, where each Dwelling Unit 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 a 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.
**SINGLE DETACHED DWELLING** means a Building containing one Dwelling Unit and which is not attached to another Dwelling Unit.

**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.

**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.

**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 one Dwelling Unit and which is attached on both sides, unless it is the end unit in a row as a row of three Dwelling Units or more, where each Dwelling Unit 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.
SECTION 3 – APPEALS

3.1 RIGHT TO APPEAL

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

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

3.2 ST. JOHN’S LOCAL BOARD OF APPEAL

3.2.1 Appointment of Appeal Board

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

3.2.2 APPEALS TO THE APPEAL BOARD

(1) A person aggrieved by a decision made under these Regulations or the Act may appeal that decision to the Appeal Board where the decision is with respect to:
   (a) an application to undertake a Development;
   (b) a revocation of an approval or a permit to undertake a Development;
(c) the issuance of a Stop Work Order; or

(d) a decision permitted under the Act, or another act to be appealed to the Appeal Board.

(2) An appeal shall be filed not more than 14 days after the applicant has received the decision being appealed.

(3) An appeal shall be made in writing and shall include:

(a) a summary of the decisions appealed from;

(b) the grounds for the appeal; and

(c) the required fee.

(4) The secretary of the Appeal Board shall, not less than 14 days before the hearing of an appeal, publish a notice in a local newspaper advising that an appeal has been filed and the date the appeal is to be heard.

(5) The Appeal Board shall hear an appeal within 30 days of the filing of the appeal and shall issue a written decision within 14 days of the hearing.

(6) Council and the appellant are entitled, but not required, to appear before the Appeal Board either personally or by authorized representative.

(7) The Appeal Board shall be presided over by a chairperson appointed from among its members by Council, or, in the absence of the chairperson, such members present shall among themselves appoint.

(8) A majority of the members of the Appeal Board shall constitute a quorum.

(9) The Appeal Board shall not make a decision that is contrary to the Act, the Municipal Plan, these Regulations or policy adopted thereunder.

(10) In determining an appeal, the Appeal Board may confirm, reverse or vary the decision appealed from and may impose those conditions that the Appeal Board considers appropriate in the circumstances and may direct Council to carry out its decision or make the necessary order to have its decision implemented.

(11) Notwithstanding Subsection (10) where Council may, in its discretion, make a decision, the Appeal Board shall not make another decision that overrules the discretionary decision.

(12) The decision of a majority of the members of the Appeal Board present at the hearing of an appeal shall be the decision of the Appeal Board.

3.2.3 DEVELOPMENT MAY NOT PROCEED
Where an appeal is filed under Section 3.2.2 the development concerned shall not proceed pending a decision of the Appeal Board and the subsequent issuance of all required permits.

3.2.4 RETURN OF APPEAL FEE

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

3.2.5 DECISIONS OF THE APPEAL BOARD

(1) A decision of the Appeal Board may be appealed to the 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

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

4.3 EXERCISE OF DISCRETION

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

4.3.2 Where 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 No permit for Development shall be issued when, in the opinion of Council, it is premature by reason of the site lacking adequate road access, power, drainage, sanitary facilities or domestic water supply unless the applicant installs the access, services or facilities deemed necessary by Council.
4.3.4 Council may defer decisions on Development applications and/or amendments to these Regulations where 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:

<table>
<thead>
<tr>
<th>Information</th>
<th>All Applications</th>
<th>Applications that include Buildings</th>
<th>Discretionary and Commercial Uses</th>
<th>Rezoning Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>X</td>
<td>X</td>
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<td>Survey</td>
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<tr>
<td>Site Plan</td>
<td>X</td>
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<td></td>
</tr>
<tr>
<td>Description of Proposed Use</td>
<td>X</td>
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<tr>
<td>Lot Area &amp; Frontage</td>
<td>X</td>
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<tr>
<td>Vehicular Access</td>
<td>X</td>
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<tr>
<td>Water &amp; Sewer</td>
<td>X</td>
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<td>Building Placement</td>
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<td>Yards</td>
<td>X</td>
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<tr>
<td>Building Floor Area and Height</td>
<td></td>
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<td></td>
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<tr>
<td>Off-Street Parking</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Number of employees on site</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Hours of Operation/Duration</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
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<tr>
<td>Storm Water Management Plan</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
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<tr>
<td>Snow Storage Plan</td>
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<tr>
<td>Pedestrian Access, Cycling, &amp; Transit</td>
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<td>X</td>
<td>X</td>
<td></td>
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<tr>
<td>Other Information as Specified by Council</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

4.4.2 Deferral and Withdrawal
(1) A request for deferral of an application shall be made in writing by the applicant. Where a request for deferral is received, the application may be deferred for a maximum of 90 days from the date of receipt of the request. Should the applicant not reactivate the application within the aforesaid 90 days, the application shall be deemed to be withdrawn.

(2) An application may be withdrawn at any time upon the written request of the applicant.

(3) There shall be no refunding of any fees paid in respect of a deferred or withdrawn application.

4.5 APPROVAL

4.5.1 General

(1) Applications that comply with the provisions of the Act, the Municipal Plan, these Regulations and any policy adopted thereunder may be approved by authorized staff.

(2) All other applications, including, but not limited to, those involving a Discretionary Use, a 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:

(1) the Act, the Municipal Plan, these Regulations or any policy adopted thereunder;

(2) any condition attached to the approval or permit; or

(3) the approval or permit was issued contrary to the Act, the Municipal Plan, these Regulations, or any policy adopted thereunder; or

(4) the approval or permit was issued on the basis of insufficient and/or incorrect information.

4.6 FINANCIAL GUARANTEES

(1) Before commencing a Development, a developer may be required to make financial provisions, and/or enter into such agreements as may be required, to guarantee the payment of assessments, ensure site reinstatement and to enforce the carrying out of any other condition attached to an approval, permit or Development Agreement.

(2) The form of financial provisions or agreement required under Subsection (1) shall be determined by Council and may be:

(a) a cash deposit, bank draft or certified cheque;

(b) an irrevocable letter of credit in a form as may be acceptable to Council; or

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

(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

(1) 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) Variances;

(e) any other application Council may direct; or

(f) 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 Central (CC) 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:
<table>
<thead>
<tr>
<th>Waterways</th>
<th>Wetlands</th>
<th>Ponds or Lakes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>15 metres</strong> from the 100-year high water mark of waterways and tributaries shown on <strong>Maps 4 &amp; 5 including, but not limited to:</strong>&lt;br&gt;• Outer Cove Brook&lt;br&gt;• Stick Pond Brook&lt;br&gt;• Coaker’s River&lt;br&gt;• Bellview Stream&lt;br&gt;• Virginia River&lt;br&gt;• Nagle’s Hill Brook&lt;br&gt;• Leary’s Brook&lt;br&gt;• Rennie’s River&lt;br&gt;• Quidi Vidi River&lt;br&gt;• Mundy Pond Brook&lt;br&gt;• Kitty Gaul’s Brook&lt;br&gt;• Luke’s Brook&lt;br&gt;• Kilbride Brook&lt;br&gt;• Flynn’s Brook&lt;br&gt;• Waterford River&lt;br&gt;• Leamy’s Brook&lt;br&gt;• Doyle’s Brook&lt;br&gt;• Cochrane Pond Brook&lt;br&gt;• Raymond’s Brook&lt;br&gt;• Manuel’s River&lt;br&gt;• Conway Brook&lt;br&gt;• Nut Brook&lt;br&gt;• Kelligrews River&lt;br&gt;• Lower Gullies River&lt;br&gt;• South Brook</td>
<td><strong>15 metres</strong> from the edge of the wetlands shown on <strong>Maps 4 &amp; 5 including, but not limited to:</strong>&lt;br&gt;• Galway Wetlands&lt;br&gt;• Airport Heights Wetland&lt;br&gt;• Clovelly Wetlands&lt;br&gt;• Lundrigan’s Marsh&lt;br&gt;• Harbourview Marsh&lt;br&gt;• Synod Lands East Wetland&lt;br&gt;• Synod Lands North Wetland&lt;br&gt;• Island Pond Marsh&lt;br&gt;• Yellow Marsh Wetland&lt;br&gt;• Kent’s Pond&lt;br&gt;• Marine Institute Wetland&lt;br&gt;• Mundy Pond Wetland&lt;br&gt;• Wetland #9 (Atlantic Cool Climate Crop Research Centre, Agriculture and Agri-Food Canada)</td>
<td><strong>15 metres</strong> from the 100-year high water mark of any Pond or Lake.</td>
</tr>
<tr>
<td><strong>50 metres</strong> from the edge of the wetlands shown on <strong>Maps 4 &amp; 5 including, but not limited to:</strong>&lt;br&gt;• Synod Lands West Wetland&lt;br&gt;• Long Pond Marsh&lt;br&gt;• George’s Pond</td>
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</tbody>
</table>

(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 or a Floodplain for:
(a) residential Decks, Fences and 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 purposes;
(g) trails;
(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; or
(k) Wharves and Stages.
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 of the Subdivision to existing development, Streets, transit, and trailways;
(e) the provision for future access to adjacent undeveloped lands;
(f) the compatibility between the Subdivision and surrounding Uses, both existing and potential;
(g) the volume and type of vehicular and pedestrian traffic that will be generated by the Subdivision;
(h) the proposed servicing, including water and sanitary sewer, storm water management and utilities;
(i) the landscape plan which shows the location of dedicated open space; and
(j) such further information as required by the 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 amenity subject to the said land being acceptable to the City.

(2) Notwithstanding Subsection (1), where the lands required to be conveyed pursuant to Subsection (1) cannot be identified or agreed upon, the City may accept from the applicant payment of a sum of money equivalent to 10% of the raw land value of the Subdivision or a combination of money and land equivalent to 10% of the raw land value of the Subdivision.
SECTION 6 – SPECIFIC DEVELOPMENTS

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

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 6.0 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 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.

6.5 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.

6.6 COMMERCIAL GARAGE

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

Building Height (maximum) 6 metres

(2) All vehicle repair shall be contained within the Building.

6.7 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.

6.8 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.

6.9 DAYCARE CENTRES

6.9.1 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.

6.9.2 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:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Residential Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R1</td>
</tr>
<tr>
<td>Lot Area (minimum)</td>
<td>600 metres square</td>
</tr>
<tr>
<td>Lot Frontage (minimum)</td>
<td>18 metres</td>
</tr>
<tr>
<td>Landscaping Front yard (minimum)</td>
<td>50%</td>
</tr>
</tbody>
</table>

6.10 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:

<table>
<thead>
<tr>
<th>From the boundary of a Residential or Apartment Zone</th>
<th>Minimum of 10 metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>From a Residential Use located in a zone which is not exclusively for residential purposes</td>
<td>Minimum of 3 metres</td>
</tr>
<tr>
<td>From a School, Daycare Centre, Adult Day Centre or Place of Worship</td>
<td>Minimum of 3 metres</td>
</tr>
</tbody>
</table>

(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.

6.11 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.

6.12 GAS STATION

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

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>Maximum of 900 metres square</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Frontage</td>
<td>Minimum of 35 metres</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>Maximum of 30%</td>
</tr>
<tr>
<td>Building Height</td>
<td>Maximum of 6 metres</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Building Line for main Building</td>
<td>Minimum of 12 metres</td>
</tr>
<tr>
<td>Side Yard</td>
<td>Minimum of 6 metres</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>Minimum of 6 metres</td>
</tr>
</tbody>
</table>

(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.

6.13 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.

6.14 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.

6.15 HOME OCCUPATION

6.15.1 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.

6.15.2 Home Occupation in an Accessory Building

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

(a) the Accessory Building shall comply with Section 6.2;

(b) the Home Occupation shall not exceed the lesser of 80 metres square or the Gross Floor Area of the Accessory Building;

(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 to which the Accessory Building is associated and not employ more than 2 non-residents;
(e) have activities associated with the Home Occupation which are not hazardous and which do not cause a significant increase in traffic, noise, odour, dust, fumes, lighting or other nuisance or inconvenience to residents of nearby properties;

(f) have sufficient parking to accommodate the Home Occupation and the Dwelling Unit; and

(g) have no change in type, nature, or intensity without the approval of Council.

6.16 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.

6.17 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.

6.18 KENNEL

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

A Lounge shall not be permitted with 50 metres of the Newfoundland War Memorial, and shall be a Discretionary Use when located:
(a) within 150 metres of:
   (i) a Residential Zone;
   (ii) an Apartment Zone;
   (iii) a School; or
   (iv) a Place of Worship.
(b) within the Downtown Business Improvement Area, excepting those properties abutting George Street between Queen Street and Beck’s Cove (see Map 6).

6.20 MASSAGE PARLOUR

A 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.

6.21 MINERAL WORKING

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

<table>
<thead>
<tr>
<th>Buffer Category</th>
<th>Minimum Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>From an Residential, Apartment, Rural Residential or Rural Residential Infill Zone</td>
<td>300 metres</td>
</tr>
<tr>
<td></td>
<td>1000 metres</td>
</tr>
<tr>
<td>From a Commercial, Mixed or Public Use</td>
<td>50 metres</td>
</tr>
<tr>
<td>From any Street</td>
<td>30 metres</td>
</tr>
<tr>
<td>From any body of water, water course or wetland</td>
<td>50 metres</td>
</tr>
</tbody>
</table>

(2) A Mineral Working shall comply with all applicable Provincial and Municipal legislation.
6.22 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.

6.23 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.

6.24 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.

6.25 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 |

6.26 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.

6.27 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.

6.28 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.

6.29 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.

7.1.4 Building Setback

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.

7.2 BUILDING LINES AND SIGHT LINES

7.2.1 Building Line – Yards

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

(a) establish or re-establish the Building Line for any Street, or for any Lot situate thereon, at any point or place that Council deems appropriate; and

(b) require that any new Building constructed on a Street be built on, or at any specific point behind, the Building Line established or re-established pursuant to this Section.
7.2.2 Building Line – Streets

The following Streets shall have the Building Line stipulated:

<table>
<thead>
<tr>
<th>Street</th>
<th>Distance from the center line of the Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kenmount Road</td>
<td>35 metres from the center line of the Street</td>
</tr>
<tr>
<td>Logy Bay Road</td>
<td>25 metres from the center line of the Street for that portion of the Street north of Harding Road</td>
</tr>
<tr>
<td>Portugal Cove Road</td>
<td>25 metres from the center line of the Street for that portion of the Street north of McDonald Drive</td>
</tr>
<tr>
<td>Topsail Road</td>
<td>30 metres from the center line of the Street for that portion of the Street west of Forbes Street</td>
</tr>
<tr>
<td>Torbay Road</td>
<td>25 metres from the center line of the Street</td>
</tr>
</tbody>
</table>

7.2.3 Corner Lot and Yard Abutting a Street

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

(a) 15 metres distance from the point of intersection of the two Street Lines along each Street Line if one or both of the intersecting Streets is an arterial or a collector, or

(b) 8 metres distance from the point of intersection of the two Street Lines along each Street Line if neither of the intersecting Streets is an arterial or a collector.

(2) Except for corner Lots in the Downtown (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, the Transportation Engineer may increase the sight lines at an intersection where in his/her opinion the sight lines provided for in Subsection 7.2.3(1) are inadequate to ensure vehicular and pedestrian safety.

7.2.4 Lots Having Frontage on more than one Street
Where a Lot, which is not a corner Lot, has frontage on more than one Street, the front Yard, 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

7.3 SNOW STORAGE

Where a Lot or Development is in an area identified on Map 7 or where Council may direct, a detailed snow storage plan shall be required as part of the application for Development.

7.4 VARIANCES

Notwithstanding any other provision in these Regulations:

(a) Where an approval or Building Permit cannot be issued because a proposed Development does not comply with the requirements set out in these Regulations, the Council may, in its discretion, grant a Variance from the applicable requirements to a maximum of 10% where, in Council’s opinion compliance with the requirements would prejudice the proper Development of the land, Building or structure in question or would be contrary to the public interest.

(b) A Variance shall not be allowed if the Variance, when considered together with other Variances made or to be made with respect to the same land, Building, or structure, would have a cumulative effect that is greater than a 10% Variance, even though the individual Variances are separately not more than 10%.

(c) A Variance shall not be permitted where the proposed Development would increase the non-conformity of an existing Development.

(d) Written notice of any proposed Variance shall be provided to all persons whose land abuts the Development that is the subject of the Variance.

7.5 NON-CONFORMITY

In addition to the provisions of Section 108 of the Urban and Rural Planning Act, 2000, and 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.

(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 his/her 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 his/her 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.
SECTION 8 – PARKING REQUIREMENTS

8.1 This section shall not apply to Planned Mixed Development Zones.

8.2 General Parking Requirements

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

8.3 Parking Standards

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

<table>
<thead>
<tr>
<th>Type or Nature of Building</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Day Centre (Commercial)</td>
<td>Where no drop off zone on site – 1 parking space for every 3 employees together with 1 parking space for every 30 metres square of Gross Floor Area; Where a drop off zone on site – 1 parking space for every 3 employees together with 1 parking space for every 15 metres square of Gross Floor Area.</td>
</tr>
<tr>
<td>Adult Day Centre (Residential)</td>
<td>1 parking space together with 1 parking space for every 30 metres square of Gross Floor Area of the Adult Day Centre (Residential)</td>
</tr>
<tr>
<td>Apartment Building</td>
<td>1.2 parking spaces for every Dwelling Unit</td>
</tr>
<tr>
<td>Bank</td>
<td>1 parking space for every 15 metres square of Net Floor Area</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>1 parking space for every 2 bedrooms used as a part of the Bed and Breakfast</td>
</tr>
<tr>
<td>Car Sales Lot</td>
<td>To be determined by Council</td>
</tr>
<tr>
<td>Clinic</td>
<td>3 parking spaces for every consultation/treatment room</td>
</tr>
<tr>
<td>Commercial Garage</td>
<td>1 parking space for every 30 metres square of Gross Floor Area</td>
</tr>
<tr>
<td>Daycare Centre</td>
<td>Where no drop off zone on site – 1 parking space for every 3 employees together with 1 parking space for every 30 metres square of Gross Floor Area; Where a drop off zone on site – 1 parking space for every 3 employees together with 1 parking space for every 15 metres square of Gross Floor Area</td>
</tr>
<tr>
<td>Dry Cleaning Establishment</td>
<td>1 parking space for every 50 metres square of Net Floor Area</td>
</tr>
<tr>
<td>Type or Nature of Building</td>
<td>Requirements</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Funeral Home</td>
<td>1 parking space for every 5 metres square of Gross Floor Area</td>
</tr>
<tr>
<td>Gas Station</td>
<td>2 parking spaces for every 2 gas pumps, 1 parking space for every 30 metres square used for administrative purposes together with 1 parking space for every 15 metres square of Net Floor Area</td>
</tr>
<tr>
<td>Health and Wellness Centre</td>
<td>1 parking space for every 25 metres square of studio area together with 1 parking space for every 30 metres square of Net Floor Area used for administration</td>
</tr>
<tr>
<td>Heritage Use</td>
<td>To be determined by Council</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>To be determined by Council</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 parking space for every 3 guest rooms or suites together with 1 parking space for every 5 metres square of banquet/conference/meeting space</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>1 parking space for every 50 metres square of manufacturing area</td>
</tr>
<tr>
<td>Lodging House</td>
<td>1 parking space for every 2 bedrooms used as a part of the Lodging House</td>
</tr>
<tr>
<td>Long Term Care Facility</td>
<td>To be determined by Council</td>
</tr>
<tr>
<td>Lounge</td>
<td>1 parking space for every 5 metres square of seating area</td>
</tr>
<tr>
<td>Micro Unit</td>
<td>No parking required</td>
</tr>
<tr>
<td>Office</td>
<td>1 parking space for every 30 metres square of Net Floor Area</td>
</tr>
<tr>
<td>Personal Care Home</td>
<td>1 parking space for every 15 metres square of Gross Floor Area</td>
</tr>
<tr>
<td>Place of Amusement Place of Assembly</td>
<td>1 parking space for every 10 metres square of seating area or 1 parking space for every 3 seats, whichever is greater, excepting movie theatres which shall have 1 parking space for every 3.7 seats</td>
</tr>
<tr>
<td>Type or Nature of Building</td>
<td>Requirements</td>
</tr>
<tr>
<td>----------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>1 parking space for every 9 metres square of Gross Floor Area</td>
</tr>
<tr>
<td>Pocket Neighbourhood</td>
<td>1 parking space per Dwelling Unit</td>
</tr>
<tr>
<td>Recreational Use</td>
<td>Number of parking spaces equivalent to 10% of the occupancy capacity of Building and site</td>
</tr>
<tr>
<td>Residential Use, except Tiny Home Dwelling and Micro Unit</td>
<td>1 parking space for every Dwelling Unit</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 parking space for every 5 metres square of seating area together with 12 parking spaces where take out service is offered</td>
</tr>
<tr>
<td>Retail Use</td>
<td>1 parking space for every 15 metres square of Net Floor Area</td>
</tr>
<tr>
<td>Service Shop</td>
<td>1 parking space for every 15 metres square of Net Floor Area or 3 parking spaces for every work station, whichever is greater</td>
</tr>
<tr>
<td>Tiny Home Dwelling</td>
<td>No parking required</td>
</tr>
<tr>
<td>Townhouse Cluster</td>
<td>1 parking space per Dwelling Unit</td>
</tr>
<tr>
<td>Training School</td>
<td>1 parking space for every 5 metres square of instruction area together with 1 parking space for every 30 metres square of Net Floor Area used for administrative purposes</td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td>3 parking spaces for every consultation/treatment room</td>
</tr>
<tr>
<td>Warehouse</td>
<td>1 parking space for every 100 metres square of storage area</td>
</tr>
</tbody>
</table>

8.4 Churchill Square

A commercial Development in Churchill Square (Map 3) shall have 1 parking space for every 40 metres square of Net Floor Area.

8.5 Downtown Parking
8.5.1 Non-Residential Parking in the Downtown

(1) For non-Residential Developments, except Hotels, in the area subject to the Downtown Parking Standard (Map 2), the parking requirements shall be:

   (a) for Lots with a Lot Area greater than 350 metres square and less than 2500 metres square, 1 parking space for every 100 metres square of Net Floor Area;

   (b) for Lots with a Lot Area from 2500 metres square to 4000 metres square, 1 parking space for every 75 metres square of Net Floor Area; and

   (c) for Lots with a Lot Area greater than 4000 metres square, 1 parking space for every 60 metres square of Net Floor Area.

(2) For Hotels in the area subject to the Downtown Parking Standard (Map 2), the parking requirement shall be 1 parking space for every 4 guest rooms or suites together with 1 parking space for every 7 metres square of banquet/ conference/meeting space.

8.5.2 Residential Parking in the Downtown

(1) For Residential Developments, except Developments on Water Street and Duckworth Street, in the area subject to the Downtown Parking Standard (Map 2), the parking requirement shall be 1 parking space for every Dwelling Unit.

(2) For Residential Developments on Water Street and Duckworth Street, in the area subject to the Downtown Parking Standard (Map 2) with 5 Dwelling Units or less, no parking spaces shall be required.

(3) For Residential Developments on Water Street and Duckworth Street, in the area subject to the Downtown Parking Standard (Map 2), with 6 or more Dwelling Units, the parking requirement shall be 1 parking space for every Dwelling Unit in excess of 5.

8.5.3 Exemption

For Micro Units, Tiny Home Dwellings, and for Development on a Lot less than 350 metres square in Lot Area in the area subject to the Downtown Parking Standard (Map 2), no parking spaces shall be required.

8.5.4 Cash in Lieu

Notwithstanding Subsections 8.5.1 and 8.5.2, Council may:

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

(i) provision of a cash in lieu payment in satisfaction of all or part of the parking requirement set out in Subsection 8.5.1 or 8.5.2, whichever is applicable, in an amount as may be established by Council from time to time;

(ii) provision of alternate parking, not on the Development’s Lot, acceptable to Council, in satisfaction of all or part of the parking requirement set out in Subsection 8.5.1 or 8.5.2, whichever is applicable; or

(iii) a combination of cash in lieu and alternate parking, not on the Development’s Lot, acceptable to Council, in satisfaction of all or part of the parking requirement set out in Subsection 8.5.1 or 8.5.2, whichever is applicable.

8.5.5 Damage/Destruction of Development

Where a Building located within the area subject to the Downtown Parking Standard (Map 2) is destroyed, damaged or deteriorated so as to render it uninhabitable or unfit for use, it may be repaired, renovated or reconstructed on the same Lot, for the same Use, within 3 years of the date of its destruction, removal or being adjudged uninhabitable or unfit for use by the Manager of Regulatory Services subject to:

(a) the number of parking spaces approved for the Development prior to destruction, damage or deterioration of the Building being maintained; and

(b) additional parking spaces, or cash in lieu, or a combination of both as required by Section 8.5 being provided in respect of any increase in Net Floor Area, number of guest rooms or suites, banquet/conference/meeting space, or number of Dwelling Units as the case may be.

8.6 Parking Lots Outside the Downtown

(1) A Parking Lot shall:

(a) be situate on the same Lot as the Use which it serves or is associated with unless Council determines otherwise or the Parking Lot does not serve or is not associated with any other Use;

(b) have a Buffer of 6 metres from any Street Line and a Buffer of 3 metres from any other Lot Line; and where abutting a Residential Use have a fence not less than 1.8 metres in height;

(c) have lighting which is not directed onto abutting properties; and

(d) covered with a suitable material in accordance with the Commercial Development Policy.
(2) A Parking Lot may have a structure for the use of attendants provided such structure does not exceed 5 metres square and 4.5 metres in height, and is not located on the Buffer.

8.7 Temporary Parking Lot

(1) Council may relax or waive the requirements provided for in Subsections 8.5 and 8.6 for a temporary Parking Lot.

(2) Approval for a temporary Parking Lot shall be for 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 8.7(2), a temporary Parking Lot shall not be used for the parking of vehicles unless an approval for a permanent Parking Lot is issued in relation to same.

8.8 Off-Street Loading and Truck Parking

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

8.9 Access/Egress Points

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

8.10 Parking Relief

Council may relieve an applicant of all or part of the parking requirements set out in this Section where it can be shown that the particular characteristics of the Development will require less parking, or in an Urban Intensification Area as designated by the Municipal Plan.

8.11 Bicycle Parking

Every Development, excepting that for a Residential Use, but including Apartment Buildings, shall have parking for bicycles. The number of spaces/stalls shall be in the discretion of the Transportation Engineer, and each space/stall shall be equipped with a device designed for bicycle storage and acceptable to the Transportation Engineer.
SECTION 9 – MAPPING AND ANCILLARY DOCUMENTS

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

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<td>Zoning Map</td>
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<td>Map 7</td>
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These documents are supplemental to and are to be read with these Regulations.

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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.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Abbreviation</th>
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<tr>
<td>Agriculture</td>
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<td>Industrial Quidi Vidi</td>
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<tr>
<td>Airport</td>
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<tr>
<td>Apartment 1</td>
<td>A1</td>
<td>Institutional</td>
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<td>Apartment 2</td>
<td>A2</td>
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<tr>
<td>Apartment 3</td>
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<tr>
<td>Apartment Downtown</td>
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<td>Mini Home Park</td>
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<tr>
<td>Apartment Special</td>
<td>AA</td>
<td>Open Space</td>
<td>O</td>
</tr>
<tr>
<td>Atlantic Place Parking Garage</td>
<td>APG</td>
<td>Open Space Reserve</td>
<td>OR</td>
</tr>
<tr>
<td>Atlantic Place</td>
<td>AP</td>
<td>Planned Mixed Development</td>
<td>PMD</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Planned Mixed Development 1</td>
<td>PMD1</td>
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<td></td>
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<td>(Galway Planning Community)</td>
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<td>C.A. Pippy Park</td>
<td>CAPP</td>
<td>Pocket Neighbourhood</td>
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<tr>
<td>Cemetery</td>
<td>CEM</td>
<td>Residential 1</td>
<td>R1</td>
</tr>
<tr>
<td>Commercial Downtown</td>
<td>CD</td>
<td>Residential 2</td>
<td>R2</td>
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<td>Commercial Downtown Mixed</td>
<td>CDM</td>
<td>Residential 3</td>
<td>R3</td>
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<tr>
<td>Commercial Downtown Mixed 2</td>
<td>CDM2</td>
<td>Residential Battery</td>
<td>RB</td>
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<td>Commercial Highway</td>
<td>CH</td>
<td>Residential Downtown</td>
<td>RD</td>
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<tr>
<td>Commercial Kenmount</td>
<td>CK</td>
<td>Residential 2 Cluster</td>
<td>R2C</td>
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<tr>
<td>Commercial Local</td>
<td>CL</td>
<td>Residential Mixed</td>
<td>RM</td>
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<tr>
<td>Commercial Local-Downtown</td>
<td>CLD</td>
<td>Residential Quidi Vidi</td>
<td>RQ</td>
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<tr>
<td>Commercial Mixed</td>
<td>CM</td>
<td>Residential Reduced Lot</td>
<td>RRL</td>
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<tr>
<td>Commercial Neighbourhood</td>
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<td>RA</td>
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<tr>
<td>Commercial Office Hotel</td>
<td>COH</td>
<td>Rural</td>
<td>R</td>
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</tbody>
</table>
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.

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

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.

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 Where the provisions of Section 10 conflict with the provisions of Section 6, Section 6 shall govern.
ZONES
MINI HOME PARK (MHP) ZONE

(1) Permitted Uses

(a) Accessory Building
(b) Community Garden
(c) Home Office
(d) Mini Home
(e) Mini Home Park
(f) Park

(2) Discretionary Uses

(a) Convenience Store
(b) Public Utility

(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

(1) Permitted Uses:

(a) Accessory Building
(b) Community Amenity Building
(c) Community Garden
(d) Tiny Home Dwelling

(2) Discretionary Uses:

(a) 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

(1) Permitted Uses

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

(2) Discretionary Uses

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

(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

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

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

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

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

(3) Permitted Uses Shea Heights (Planning Area 14)

(a) Townhouses are not permitted

(4) Permitted Uses 591-609 Southside Road (PID #s 44135, 47622, 44136, 15246)

(a) Accessory Building
(b) Single Detached Dwelling

(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) 0 metres
(d) Building Height (maximum) 10 metres
(e) Side Yards (minimum) 0 metres or 1.2 metres for an end unit, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres and except for end units 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

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
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<td>(a)</td>
<td>Lot Area (minimum)</td>
<td>360 metres square</td>
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<td>(b)</td>
<td>Lot Frontage (minimum)</td>
<td>20 metres</td>
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<tr>
<td>(c)</td>
<td>Building Line (minimum)</td>
<td>6 metres</td>
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<tr>
<td>(d)</td>
<td>Building Height (maximum)</td>
<td>8 metres</td>
</tr>
<tr>
<td>(e)</td>
<td>Side Yards (minimum)</td>
<td>Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres</td>
</tr>
<tr>
<td>(f)</td>
<td>Rear Yard (minimum)</td>
<td>6 metres</td>
</tr>
<tr>
<td>(g)</td>
<td>Landscaping (minimum)</td>
<td>40% of Lot, 30% of Front Yard</td>
</tr>
</tbody>
</table>

(11) Zone Standards for all other Uses shall be in the discretion of Council.
RESIDENTIAL 2 CLUSTER (R2C) ZONE

(1) Permitted Uses

(a) Accessory Building  
(b) Home Office  
(c) Townhouse Cluster

(2) Discretionary Uses

(a) Home Occupation  
(b) 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) 1.2 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

(1) Permitted Uses

(a) Accessory Building
(b) Bed and Breakfast
(c) Community Garden
(d) Duplex Dwelling
(e) Four-Plex
(f) Home Office
(g) Lodging House
(h) Park
(i) Semi-Detached Dwelling
(j) Single Detached Dwelling
(k) Subsidiary Dwelling Unit
(l) Tiny Home Dwelling
(m) Townhouse

(2) Discretionary Uses

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

(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
(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
(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) 0 metres; 1.2 metres for an end unit; and 2.4 metres for corner

(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 all other Uses shall be in the discretion of Council.
RESIDENTIAL BATTERY (RB) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

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

(3) Zone Standards Single Detached Dwelling

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

(4) Zone Standards for all other Uses shall be in the discretion of Council
RESIDENTIAL DOWNTOWN (RD) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Adult Day Centre
(b) Apartment Building, maximum of 6 Dwelling Units
(c) Convenience Store
(d) Daycare Centre
(e) Heritage use
(f) Home Occupation
(g) Micro Unit (maximum 5 per Building)
(h) Office
(i) Parking Lot
(j) Public Utility
(k) Residential Retail Store
(l) 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
(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) 3 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) 3 metres

(6) Zone Standards Townhouse
### Development Regulations (with definitions) – Draft #10
February 4, 2019

| (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 for an end unit where the Side Yard on the unattached side shall be 1.2 metres |
| (f) Rear Yard (minimum)      | 3 metres                      |

### Zone Standards Apartment Building

| (a) Lot Area (minimum)       | 80 metres square per Dwelling Unit |
| (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 from established grade |
| (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)      | 3 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) 3 metres

(9) Zone Standards for all other Uses shall be in the discretion of Council
RESIDENTIAL MIXED (RM) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

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

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Lot Area (minimum)</td>
<td>300 metres square</td>
</tr>
<tr>
<td>b</td>
<td>Lot Frontage (minimum)</td>
<td>10 metres</td>
</tr>
<tr>
<td>c</td>
<td>Building Line (minimum)</td>
<td>4.5 metres</td>
</tr>
<tr>
<td>d</td>
<td>Building Height (maximum)</td>
<td>8 metres</td>
</tr>
<tr>
<td>e</td>
<td>Side Yards (minimum)</td>
<td>Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres</td>
</tr>
<tr>
<td>f</td>
<td>Side Yard – Flanking Road (minimum)</td>
<td>4.5 metres</td>
</tr>
<tr>
<td>g</td>
<td>Rear Yard (minimum)</td>
<td>6 metres</td>
</tr>
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</table>

### Zone Standards Duplex Dwelling

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
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</tr>
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<tbody>
<tr>
<td>a</td>
<td>Lot Area (minimum)</td>
<td>350 metres square</td>
</tr>
<tr>
<td>b</td>
<td>Lot Frontage (minimum)</td>
<td>14 metres</td>
</tr>
<tr>
<td>c</td>
<td>Building Line (minimum)</td>
<td>4.5 metres</td>
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<tr>
<td>d</td>
<td>Building Height (maximum)</td>
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<tr>
<td>e</td>
<td>Side Yards (minimum)</td>
<td>Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres</td>
</tr>
<tr>
<td>f</td>
<td>Side Yard – Flanking Road (minimum)</td>
<td>4.5 metres</td>
</tr>
<tr>
<td>g</td>
<td>Rear Yard (minimum)</td>
<td>6 metres</td>
</tr>
</tbody>
</table>
(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, except on a Corner Lot where the Side Yard abutting the Street shall be 6 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 an 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
(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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Adult Day Centre
(b) Daycare Centre
(c) Heritage Use
(d) Home Occupation
(e) Parking Lot
(f) 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
### Zone Standards Semi-Detached Dwelling

<table>
<thead>
<tr>
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<th>Description</th>
<th>Requirement</th>
</tr>
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<tbody>
<tr>
<td>(a)</td>
<td>Lot Area (minimum)</td>
<td>200 metres square</td>
</tr>
<tr>
<td>(b)</td>
<td>Lot Frontage (minimum)</td>
<td>12 metres</td>
</tr>
<tr>
<td>(c)</td>
<td>Building Line (minimum)</td>
<td>0 metres</td>
</tr>
<tr>
<td>(d)</td>
<td>Building Height (maximum)</td>
<td>8 metres</td>
</tr>
<tr>
<td>(e)</td>
<td>Side Yards (minimum)</td>
<td>Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 1.8 metres</td>
</tr>
<tr>
<td>(f)</td>
<td>Rear Yard (minimum)</td>
<td>6 metres</td>
</tr>
</tbody>
</table>

### Zone Standards for all other Uses

(6) Zone Standards for all other Uses shall be in the discretion of Council.
RESIDENTIAL REDUCED LOT (RRL) ZONE

(1) Permitted Uses

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

(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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Accessory Dwelling Unit  
(b) Heritage Use  
(c) 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 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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Heritage Use
(b) 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

(1) Permitted Uses

(a) Accessory Building
(b) Apartment Building
(c) Community Garden
(d) Daycare Centre
(e) Home Office
(f) Park
(g) Personal Care Home
(h) Townhouse

(2) Discretionary Uses

(a) Adult Day Centre
(b) Convenience Store
(c) Four-Plex
(d) Home Occupation
(e) Office
(f) Parking Lot
(g) Public Utility
(h) Semi-Detached Dwelling
(i) Service Shop

(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%
### Zone Standards for Townhouse

1. **Lot Area (minimum)**: 180 metres square
2. **Lot Frontage (minimum)**: 6 metres
3. **Building Line (minimum)**: 1.5 metres
4. **Building Height (maximum)**: 10 metres
5. **Side Yards (minimum)**: 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
6. **Rear Yard (minimum)**: 6 metres

### Zone Standards for Personal Care Home

1. **Lot Area (minimum)**: 750 metres square
2. **Lot Frontage (minimum)**: 20 metres
3. **Building Line (minimum)**: 7 metres
4. **Building Height (maximum)**: 12 metres
5. **Side Yards (minimum)**: 1 metre per storey, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
6. **Rear Yard (minimum)**: 6 metres
7. **Lot Coverage (maximum)**: 35%
8. **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

(1) Permitted Uses

(a) Accessory Building
(b) Apartment Building
(c) Community Garden
(d) Daycare Centre
(e) Four-Plex
(f) Home
(g) Park
(h) Personal Care Home
(i) Townhouse

(2) Discretionary Uses

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

(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)  1 metre per Storey  
(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

(1) Permitted Uses

(a) Accessory Building
(b) Apartment Building
(c) Community Garden
(d) Daycare Centre
(e) Home Office
(f) Park
(g) Personal Care Home

(2) Discretionary Uses

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

(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)

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, 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)  1 metre per 4 metres of height to a maximum of 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

(1) Permitted Uses

(a) Accessory Building
(b) Apartment Building, maximum 24 Dwelling Units
(c) Daycare Centre
(d) Home Office
(e) Park
(f) Community Garden
(g) Personal Care Home

(2) Discretionary Uses

(a) Adult Day Centre
(b) Convenience Store
(c) Home Occupation
(d) Micro Unit (maximum 5 per Building)
(e) Office
(f) Parking Lot
(g) Public Utility
(h) 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 height is adjusted to follow the grade of Streets or property boundaries provided height does not exceed 16 metres from established grade
(d) Side Yards Council discretion
(e) Rear Yard Council discretion
(f) Landscaping Council discretion
### Zone Standards for Personal Care Home

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

(5) Zone Standards for all other Uses shall be in the discretion of Council.
APARTMENT SPECIAL (AA) ZONE

(1) Permitted Uses

(a) Accessory Building
(b) Apartment Building
(c) Community Garden
(d) Daycare Centre
(e) Home Office
(f) Park
(g) Personal Care Home
(h) Townhouse

(2) Discretionary Uses

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

(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) 1 metre per Storey
(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
   (a) Parking Garage

(2) Discretionary Uses
   (a) Hotel, 9th storey or higher
   (b) Dwelling Units, 9th storey or higher

(3) Zone Standards
   (a) Building Height 11 storeys
   (b) Parking Spaces, Permitted Uses (minimum) 670
   (c) Parking Spaces, Discretionary Uses Section 8.5
   (d) Floor Area Ratio (maximum) 2.25
   (e) All other Zone Standards shall be in the discretion of Council
ATLANTIC PLACE (AP) ZONE

(1) Permitted Uses

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

(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

(1) Permitted Uses

(a) Bakery
(b) Bank
(c) Clinic
(d) Communications Use
(e) Convenience Store
(f) Health and Fitness Centre
(g) Hotel
(h) Laundromat
(i) Lounge
(j) Office
(k) Park
(l) Parking Garage
(m) Public Use
(n) Public Utility
(o) Restaurant
(p) Retail Use
(q) Service Shop
(r) Training School
(s) Transportation Terminal

(2) Discretionary Uses

(a) Adult Day Centre
(b) Bed and Breakfast
(c) Commercial Garage
(d) Craft Brewery/Distillery
(e) Daycare Centre
(f) Dwelling Unit
(g) Gas Station
(h) Lodging House
(i) Parking Lot
(j) Place of Amusement
(k) Place of Assembly
(l) 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 Setback on Street (minimum) 0 metres for first 18 metres in Building Height, 4 metres for greater than 18 metres in Building Height. Where Building Façade abuts more than one Street, setback shall be applied to a minimum of 2 Streets, such Streets being determined by the Chief Municipal Planner.

(d) Floor Area Ratio (maximum) 4.0

(e) 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

(1) Permitted Uses

(a) Bakery
(b) Bank
(c) Clinic
(d) Communications Use
(e) Convenience Store
(f) Dwelling Unit – 2nd storey or higher
(g) Health and Fitness Centre
(h) Hotel
(i) Laundromat
(j) Library
(k) Lounge
(l) Massage Parlour
(m) Office
(n) Park
(o) Place of Worship
(p) Public Use
(q) Public Utility
(r) Restaurant
(s) Retail Use
(t) Training School
(u) Transportation Terminal
(v) Service Shop

(2) Discretionary Uses

(a) Adult Day Centre
(b) Bed and Breakfast
(c) Craft Brewery/Distillery
(d) Daycare Centre
(e) Dwelling Unit – 1st storey (except Water Street & Duckworth Street)
(f) Lodging House
(g) Parking Garage
(h) Parking Lot
(i) Place of Amusement
(j) Place of Assembly
(k) 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) Building Façade Setback on Street (minimum) 0 metres for first 18 metres of Building Height, 4 metres for greater than 18 metres in Building Height. Where Building Façade abuts more than one Street, setback shall be applied to a minimum of 1 Street, such Street being determined by the Chief Municipal Planner.

(e) 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

(1) Permitted Uses, except 40 Henry Street (PID #45762)

(a) Bakery
(b) Bank
(c) Clinic
(d) Communications Use
(e) Convenience Store
(f) Dwelling Unit – 2nd storey or higher
(g) Health and Fitness Centre
(h) Hotel
(i) Laundromat
(j) Library
(k) Lounge
(l) Massage Parlour
(m) Office
(n) Park
(o) Place of Worship
(p) Public Use
(q) Public Utility
(r) Restaurant
(s) Retail Use
(t) Training School
(u) Transportation Terminal
(v) Service Shop

(2) Discretionary Uses, except 40 Henry Street (PID #45672)

(a) Adult Day Centre
(b) Bed and Breakfast
(c) Craft Brewery/Distillery
(d) Daycare Centre
(e) Dwelling Unit – 1st storey (except Water Street & Duckworth Street)
(f) Lodging House
(g) Parking Garage
(h) Parking Lot
(i) Place of Amusement
(j) Place of Assembly
(k) Taxi Stand
3) Permitted Uses – 40 Henry Street (PID #45762)

   (a) 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) 3.5

   (d) Building Façade Setback on Street (minimum) 0 metres for first 18 metres of Building Height, 4 metres for greater than 18 metres in Building Height. Where Building Façade abuts more than one Street, setback 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

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

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

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

(a) Aquaculture
(b) Aquaponics
(c) Craft Brewery/Distillery
(d) Daycare Centre
(e) Horticulture
(f) Hydroponics
(g) Parking Garage
(h) Parking Lot
(i) Place of Amusement
(j) Place of Assembly
(k) Wind Turbine – Small Scale

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

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

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

(a) Lot Area (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, 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

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

(a) Daycare Centre
(b) Parking Garage
(c) Parking Lot
(d) Place of Amusement
(e) Wind Turbine – Small Scale

(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)

(1) Permitted Uses, except 24 Torbay Road (PID #21267)

(a) Accessory Building  
(b) Adult Day Centre  
(c) Clinic  
(d) Community Garden  
(e) Convenience Store  
(f) Daycare Centre  
(g) Dwelling Unit – 2\textsuperscript{nd} Floor  
(h) Health and Fitness Centre  
(i) Laundromat  
(j) Library  
(k) Office  
(l) Public Utility  
(m) Residential Retail Store  
(n) Retail Use  
(o) Service Shop

(2) Permitted Uses – 24 Torbay Road (PID #21267)

(a) Office

(3) Discretionary Uses

(a) Restaurant  
(b) 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
Zone Standards for Public Utility shall be in the discretion of Council.

(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%
COMMERCIAL LOCAL – DOWNTOWN (CLD) ZONE

(1) Permitted Uses

(a) Accessory Building
(b) Adult Day Centre
(c) Clinic
(d) Community Garden
(e) Convenience Store
(f) Daycare Centre
(g) Dwelling Unit – 2nd Floor
(h) Health and Fitness Centre
(i) Laundromat
(j) Library
(k) Office
(l) Public Utility
(m) Residential Retail Store
(n) Retail Use
(o) Service Shop

(2) Discretionary Uses

(a) Restaurant
(b) Bakery

(3) Zone Standards except Public Utility

(a) Lot Area (minimum) 200 metres square
(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 (CM) ZONE

(1) Permitted Uses, except 615 Empire Avenue (PID #46166)

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

(2) Discretionary Uses, except 615 Empire Avenue (PID #46166)

(a) Aquaculture  
(b) Aquaponics  
(c) Car Wash  
(d) Craft Brewery/Distillery  
(e) Dwelling Unit – 1st storey  
(f) Horticulture  
(g) Hydroponics  
(h) Light Industrial Use
(i) Lounge  
(j) Parking Lot  
(k) Parking Garage  
(l) Place of Amusement (except Churchill Square (Map 3))  
(m) Place of Assembly  
(n) Recycling Depot  

(3) Permitted Use – 615 Empire Avenue (PID #46166)  
   (a) Light Industrial Use  

(4) Zone Standards except Place of Worship, Park, Public Use, Public Utility, and Parking Lot  
   (a) Building Height (maximum), 18 metres  
      except 615 Empire Avenue (PID #46166)  
   (b) Building Height (maximum), 8 metres  
      615 Empire Avenue (PID #46166)  
   (c) 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

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

(2) Discretionary Uses

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

(1) Permitted Uses, except 172 Logy Bay Road (PID #18723)

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

(2) Discretionary Uses, except 172 Logy Bay Road (PID #18723)

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

(3) Permitted Uses – 172 Logy Bay Road (PID #18723)

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

(5)  
(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%
COMMERCIAL OFFICE HOTEL (COH) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

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

(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
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<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
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<tbody>
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<td>(e)</td>
<td>Side Yards (minimum)</td>
<td>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</td>
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<td>(f)</td>
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<td>Lot Coverage (maximum) (except Gas Station)</td>
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<td>(h)</td>
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<td>20%</td>
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(4) Zone Standards for Park, Public Use, Public Utility, and Parking Lot shall be in the discretion of Council.
COMMERCIAL REGIONAL (CR) ZONE

(1) Permitted Uses, except former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #47316)

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

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

(a) Aquaculture
(b) Aquaponics
(c) Craft Brewery/Distillery
(d) Dwelling Unit – 2nd storey or higher
(e) Horticulture
(f) Hydroponics
(g) Light Industrial Use
(h) Parking Garage
(i) Parking Lot
(j) Wind Turbine – Small Scale

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

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

(4) Discretionary Uses – former Memorial Stadium – Lake Avenue and King’s Bridge Road (PID #47316)

(a) Public Use
(b) 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 (AIR) ZONE

(1) Uses and Zone Standards are determined by Her Majesty in Right of Canada or designate.
INDUSTRIAL COMMERCIAL (IC) ZONE

(1) Permitted Uses, except 456 Empire Avenue (PID #25041)

(a) Accessory Building
(b) Accessory Dwelling Unit
(c) Aquaculture
(d) Aquaponics
(e) Bakery
(f) Car Sales Lot
(g) Car Wash
(h) Commercial Garage
(i) Communications Use
(j) Convenience Store
(k) Craft Brewery/Distillery
(l) Drive Through
(m) Dry Cleaning Establishment
(n) Gas Station
(o) Health and Fitness Centre
(p) Horticulture
(q) Hotel
(r) Hydroponics
(s) Light Industrial Use
(t) Office
(u) Park
(v) Parking Garage
(w) Pipe Storage Yard
(x) Public Use
(y) Public Utility
(z) Recreational Use
(aa) Recycling Depot
(bb) Service Shop
(cc) Service Station
(dd) Taxi Stand
(ee) Tourism Use
(ff) Training School
(gg) Transportation Depot
(hh) Transportation Terminal
(ii) Veterinary Clinic
(jj) Warehouse
(2) Discretionary Uses, except 456 Empire Avenue (PID #25041)

(a) Clinic
(b) Daycare Centre
(c) Funeral Home
(d) Heavy Equipment Storage
(e) Restaurant
(f) Parking Lot
(g) Place of Amusement
(h) Retail Use
(i) Wind Turbine – Small Scale

(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 in Freshwater Bay

(a) Accessory Building
(b) Accessory Dwelling Unit
(c) Car Wash
(d) Commercial Garage
(e) Craft Brewery/Distillery
(f) Food and Beverage Processing
(g) Industrial Use
(h) Light Industrial Use
(i) Lounge, only at Pier 7 (PID #351587, 22880)
(j) Pipe Storage Yard
(k) Public Use
(l) Recycling Depot
(m) Restaurant, only at Pier 7 (PID #351587, 22880)
(n) Transportation Depot
(o) Transportation Terminal
(p) Warehouse
(q) Wharves and Stages

(2) Discretionary Uses, except in Freshwater Bay

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

(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
(b) Lot Frontage
(c) Building Line
(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
(g) Rear Yard

(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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Craft Brewery/Distillery
(b) Daycare Centre
(c) Parking Lot
(d) Restaurant
(e) Retail Use
(f) Service Shop

(3) Zone Standards shall be in the discretion of Council
INDUSTRIAL SPECIAL (IS) ZONE

(1) Permitted Uses

(a) Bulk Storage
(b) Public Use
(c) Public Utility
(d) Wind Turbine – Small Scale

(2) Zone Standards shall be in the discretion of Council
C.A. PIPPY PARK (CAPP) ZONE

(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

(1) Permitted Uses

(a) Accessory Building
(b) Cemetery

(2) Discretionary Uses

(a) Public Utility

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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Dwelling Unit, which is ancillary to a Permitted or Discretionary Use
(b) Office
(c) Service Shop
(d) Wind Turbine – Small Scale

(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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Daycare Centre
(b) Dwelling Unit, which is ancillary to a Permitted or Discretionary Use
(c) Office
(d) Service Shop

(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

   (a) Community Garden
   (b) Park
   (c) Recreational Use

(2) Discretionary Uses

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

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

(1) Permitted Uses

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

(2) Discretionary Uses

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

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

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<td>450 metres square</td>
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<td>(b)</td>
<td>Lot Frontage (minimum)</td>
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<td>(c)</td>
<td>Building Line (minimum)</td>
<td>6 metres</td>
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<tr>
<td>(d)</td>
<td>Building Height (maximum)</td>
<td>8 metres</td>
</tr>
<tr>
<td>(e)</td>
<td>Side Yards (minimum)</td>
<td>Two of 1.2 metres, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres</td>
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<tr>
<td>(f)</td>
<td>Rear Yard (minimum)</td>
<td>10 metres</td>
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</table>

(5) Zone Standards for all other Uses shall be in the discretion of Council.
FORESTRY (F) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Agricultural Use
(b) Aquaculture
(c) Aquaponics
(d) Heavy Equipment Storage
(e) Home Occupation
(f) Horticulture
(g) Hydroponics
(h) Indoor Riding Arena
(i) Mineral Working
(j) Public Utility
(k) Recreational Use
(l) Subsidiary Dwelling Unit
(m) Wind Turbine – Small Scale
(n) Warehouse

(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
Zone Standards for Public Use and Public Utility shall be in the discretion of Council.
MINERAL WORKING (MW) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Wind Turbine – Small Scale

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

(1) Permitted Uses

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

(2) Discretionary Uses

(a) Agricultural Tourism Operation
(b) Aquaculture
(c) Aquaponics
(d) Bed and Breakfast
(e) Farm Market
(f) Float Plane Hangar
(g) Heavy Equipment Storage
(h) Home Occupation
(i) Hydroponics
(j) Indoor Riding Arena
(k) Kennel
(l) Pipe Storage Yard
(m) Recreational use
(n) Residential Care Facility
(o) Subsidiary Dwelling Unit
(p) Vehicle Storage Yard
(q) Veterinary Clinic
(r) Warehouse
(s) Wind Turbine – Small Scale

(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) Two of 6 metres
(d) Building Height (maximum) 8 metres
(e) Side Yards (minimum) 15 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
RURAL RESIDENTIAL (RR) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

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

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>Lot Area (minimum)</td>
<td>4000 metres square</td>
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<tr>
<td>(b)</td>
<td>Lot Frontage (minimum)</td>
<td>45 metres</td>
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<tr>
<td>(c)</td>
<td>Building Line (minimum)</td>
<td>20 metres</td>
</tr>
<tr>
<td>(d)</td>
<td>Building Height</td>
<td>Council discretion</td>
</tr>
<tr>
<td>(e)</td>
<td>Side Yards (minimum)</td>
<td>Two of 6 metres</td>
</tr>
<tr>
<td>(f)</td>
<td>Rear Yard (minimum)</td>
<td>6 metres</td>
</tr>
</tbody>
</table>
RURAL RESIDENTIAL INFILL (RRI) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

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

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>Lot Area (minimum)</td>
<td>2023 metres square</td>
</tr>
<tr>
<td>(b)</td>
<td>Lot Frontage (minimum)</td>
<td>30 metres</td>
</tr>
<tr>
<td>(c)</td>
<td>Building Line (minimum)</td>
<td>6 metres</td>
</tr>
<tr>
<td>(d)</td>
<td>Building Height</td>
<td>Council discretion</td>
</tr>
<tr>
<td>(e)</td>
<td>Side Yards</td>
<td>Council discretion</td>
</tr>
<tr>
<td>(f)</td>
<td>Rear Yard</td>
<td>Council discretion</td>
</tr>
</tbody>
</table>
RURAL VILLAGE (RV) ZONE

(1) Permitted Uses

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

(2) Discretionary Uses

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

(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

(a) Accessory Building
(b) Community Garden
(c) Park
(d) Public Utility
(e) Recreational Use
(f) 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

(1) Comprehensive Development Areas:

<table>
<thead>
<tr>
<th>Area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area 1</td>
<td>Blackmarsh Road/Captain Whelan Drive</td>
</tr>
<tr>
<td>Area 2</td>
<td>Intentionally left blank</td>
</tr>
<tr>
<td>Area 3</td>
<td>Griffin’s Lane/Valleyview Road</td>
</tr>
<tr>
<td>Area 4</td>
<td>Valleyview Road/Bay Bulls Road</td>
</tr>
<tr>
<td>Area 5</td>
<td>Old Petty Harbour Road/Densmore’s Lane</td>
</tr>
<tr>
<td>Area 6</td>
<td>Intentionally left blank</td>
</tr>
<tr>
<td>Area 7</td>
<td>Signal Hill/Battery</td>
</tr>
<tr>
<td>Area 8</td>
<td>Southlands</td>
</tr>
<tr>
<td>Area 9</td>
<td>Kenmount Road</td>
</tr>
</tbody>
</table>

(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

(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)

(1) Permitted Uses

(a) Accessory Building  
(b) Apartment Building  
(c) Bakery  
(d) Bank  
(e) Clinic  
(f) Convenience Store  
(g) Daycare Centre  
(h) Dry Cleaning Establishment  
(i) Dwelling Unit in the second and/or higher storeys of a Building  
(j) Four-Plex  
(k) Health and Wellness Centre  
(l) Home Occupation  
(m) Home Office  
(n) Office  
(o) Park  
(p) Parking Lot  
(q) Public Use  
(r) Public Utility  
(s) Retail Use  
(t) Restaurant  
(u) School  
(v) Semi-Detached Dwelling  
(w) Service Shop  
(x) Single Detached Dwelling  
(y) Townhouse Cluster  
(z) Townhouse  
(aa) Veterinary Clinic

(2) Discretionary Uses

(a) Institutional Use  
(b) Lounge  
(c) Place of Amusement
### Zone Standards (subject to Section 7.3 – Snow Storage) for Single Detached Dwelling

1. **Lot Area (minimum)**: 335 metres square
2. **Lot Frontage (minimum)**: 11 metres
3. **Building Line (minimum)**: 7.5 metres
4. **Side Yards (minimum)**: 1.2 metres and 1.2 metres
5. **Rear Yard (minimum)**: 6 metres
6. **Side Yard on Flanking Road (minimum)**: 6 metres
7. **Building Height (maximum)**: 12.2 metres
8. **Lot Coverage (maximum)**: 45%

### Zone Standards (subject to Section 7.3 – Snow Storage) for Semi-Detached Dwelling

1. **Lot Area (minimum)**: 164 metres square per Dwelling Unit
2. **Lot Frontage (minimum)**: 6 metres per Dwelling Unit
3. **Building Line (minimum)**: 7.5 metres
4. **Side Yards (minimum)**: 1.8 metres and 0 metres on the common lot line
5. **Rear Yard (minimum)**: 6 metres
6. **Side Yard on Flanking Road (minimum)**: 6 metres
7. **Building Height (maximum)**: 12.2 metres
8. **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 (minimum)  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:

<table>
<thead>
<tr>
<th>Type/Nature of Building</th>
<th>Minimum Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>1 space per 23 metres square of Net Floor Area</td>
</tr>
<tr>
<td>Residential – Apartment Building</td>
<td>1.5 spaces per Dwelling Unit</td>
</tr>
<tr>
<td>Residential – Single Detached Dwelling, Semi-Detached Dwelling, Townhouse</td>
<td>2 spaces per Dwelling Unit (attached Private Garage may count as 1 space)</td>
</tr>
<tr>
<td>Residential – Single Attached Cluster</td>
<td>1 space per Dwelling Unit</td>
</tr>
</tbody>
</table>
(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) Land Use Plan
(c) Galway Road Cross Sections/Transportation Plan
(d) Parkland and Pedestrian Trail Plan