

**TOWN OF PASADENA
DEVELOPMENT REGULATIONS 2000-2010**

THE URBAN AND RURAL PLANNING ACT

TOWN OF PASADENA

LAND USE ZONING, SUBDIVISION AND ADVERTISEMENT
REGULATIONS

(DEVELOPMENT REGULATIONS)

Published by Authority

The Council of the Town of Pasadena hereby adopts the following Land Use Zoning, Subdivision and Advertisement Regulations as required by Section 37 of The Urban and Rural Planning Act.

Made and adopted by the Council of the Town of Pasadena, on the _____ day of _____, 2000 .

Clerk

Mayor

Approved by me at St. John's this _____ day of _____, 2000 .

JOAN MARIE AYLWARD, M.H.A.
St. John's Centre District
Minister of Municipal and Provincial Affairs

All persons are hereby requested to take notice that anyone who wishes to view these Regulations may do so at the Office of the Town Clerk of the Town Council of Pasadena.

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TOWN OF PASADENA MUNICIPAL PLAN
LAND USE, ZONING, SUBDIVISION AND ADVERTISEMENT REGULATIONS
(DEVELOPMENT REGULATIONS)

APPLICATION

1. Short Title

These Regulations may be cited as the Pasadena Development Regulations.

2. Interpretation

(1) Words and phrases used in these Regulations shall have the meanings ascribed to them in Schedule A.

(2) Words and phrases not defined in Schedule A shall have the meanings which are commonly assigned to them in the context in which they are used in the Regulations.

3. Commencement

These Regulations come into effect throughout the Pasadena Municipal Planning Area, hereinafter referred to as the Planning Area, on the date of publication of a notice to that effect in the Newfoundland Gazette.

4. Municipal Code and Regulations

The Building Code including the Plumbing Code, the Fire Code, the Electrical Code, and any other ancillary code and any Building Regulations, Waste Disposal Regulation and/or any other municipal regulations regulating or controlling the development, conservation and use of land in force in the Town of Pasadena, shall, under these Regulations apply to the entire Planning Area.

5. Authority

In these Regulations, "Authority" means the Council of the Town of Pasadena.

PART I - GENERAL REGULATIONS

6. Compliance With Regulations

No development shall be carried out within the Planning Area except in accordance with these Regulations.

7. Permit Required

No person shall carry out any development within the Planning Area except where otherwise provided in these Regulations unless a permit for the development has been issued by the Authority.

8. Permit to be Issued

Subject to Regulations 9 and 10, a permit shall be issued for development within the Planning Area that conforms to:

- (a) the general development standards set out in Part II of these Regulations, the requirements of Part V of these Regulations, and the use classes, standards, requirements, and conditions prescribed in Schedule C of these Regulations for the use zone in which the proposed development is located;
- (b) the standards set out in the Building Code and/or other ancillary codes, and any Building Regulations, Waste Disposal Regulations, and/or any other municipal regulation in force in the Planning Area regulating or controlling development, conservation and use of land and buildings;
- (c) the standards set out in Part III of these Regulations in the case of advertisement;
- (d) the standards set out in Part IV of these Regulations in the case of subdivision;
- (e) the standards of design and appearance established by the Authority.

9. Permit Not to be Issued in Certain Cases

Neither a permit nor outline planning permission shall be issued for development within the Planning Area when, in the opinion of the Authority, it is premature by reason of the site lacking adequate road access, power, drainage, sanitary facilities, or domestic water supply, or being beyond the natural development of the area at the time of application unless the applicant contracts to pay the full cost of construction of the services deemed

necessary by the Authority and such cost shall attach to and upon the property in respect of which it is imposed.

10. Discretionary Powers of Authority

In considering an application for a permit or for outline planning permission to carry out development, the Authority shall take into account the policies expressed in the Municipal Plan and any further scheme, plan or regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of these Regulations, the Authority may, in its discretion, and as a result of its consideration of the matters set out in this Regulation, conditionally approve or refuse the application.

11. Variances by Authority

- (1) Where a permit cannot be granted because the proposed development does not comply with these Regulations, the Authority may in its discretion vary the requirements to literal conformity with the Regulations if, in the Authority's opinion, the requirements would prejudice the proper development of the land, building or structure in question, or be contrary to the public interest.
- (2) Variance from these Regulations pursuant to Regulation 11(1) shall only be authorized in the following circumstances:
 - (a) if, in the opinion of the Authority, such variance is not contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any further scheme, plan or regulation pursuant thereto, and the public interest;
 - (b) if, prior to authorization of such variance, the Authority has considered its effect on adjoining properties;
 - (c) if the variance does not change the permitted use of the property;

- (d) if the Authority is satisfied that the variance has not become necessary due to the intentional or negligent conduct of the owner or some other party acting with the owner's knowledge or consent;
 - (e) if, prior to authorization of such variance, the Authority has given notice of the application in accordance with Regulation 22 and has considered any objections or representations which may have been received on the matter.
- (3) Variance from these Regulations pursuant to Regulation 11(1) shall not be authorized if such variance, when considered together with other variances made or to be made in respect of the same land, building or structure, would have a cumulative effect contrary to the general intent of these Regulations, the Municipal Plan, or any further scheme, plan or regulation pursuant thereto, even though the variances individually would not have such effect.

12. Service Levy

- (1) The Authority may require a developer to pay a service levy where development is made possible or where the density of potential development is increased, or where the value of property is enhanced by the carrying out of public works either on or off the site of the development.
- (2) A service levy shall not exceed the cost, or estimated cost, including finance charges to the Authority of constructing or improving the public works referred to in Regulation 12(1) that are necessary for the real property to be developed in accordance with the standards required by the Authority and for uses that are permitted on that real property.
- (3) A service levy shall be assessed on the real property based on:
- (a) the amount of real property benefitted by the public works related to all the real property so benefitted; and,
 - (b) the density of development made capable or increased by the public work.

- (4) The Authority may require a service levy to be paid by the owner of the real

property;

- (a) at the time the levy is imposed;
- (b) at the time development of the real property commences;
- (c) at the time development of the real property is completed; or,
- (d) at such other time as the Authority may decide.

13. Financial Guarantees by Developer

(1) The Authority may require a developer before commencing a development to make such financial provisions and/or enter into such agreements as may be required to guarantee the payment of service levies, ensure site reinstatement, and to enforce the carrying out of any other condition attached to a permit or licence.

(2) The financial provisions pursuant to Regulation 13(1) may be made in the form of:

- (a) a cash deposit from the developer, to be held by the Authority, or;
- (b) a guarantee by a bank, or other institution acceptable to the Minister, for expenditures by the developer, or;
- (c) a performance bond provided by an insurance company or a bank, or;
- (d) an annual contribution to a sinking fund held by the Authority.

14. Dedication of Land for Public Use

In addition to the requirements for dedication of land under Regulation 74, the Authority may require the dedication of a percentage of the land area of any subdivision or other development for public use, and such land shall be conveyed to the Authority in accordance with the provisions of the Act.

15. Reinstatement of Land

Where the use of land is discontinued or the intensity of its use is decreased, the Authority may order the developer, the occupier of the site, or the owner or all of them to reinstate the site, to remove all or any buildings or erections,

to cover or fill all wells or excavations, and to close all or any accesses, or to do any

of these things or all of them, as the case may be, and the developer, occupier or owner shall carry out the order of the Authority and shall put the site in a clean and sanitary condition to the satisfaction of the Authority.

16. Form of Application

- (1) An application for a development permit or for outline planning permission shall be made only by the owner or by a person authorized by the owner to the Authority on such form as may be prescribed by the Authority, and every application shall include such plans, specifications and drawings as the Authority may require, and be accompanied by the permit fee required by the Authority.
- (2) The Authority shall, on request, supply to every applicant a copy of the application forms referred to in Regulation 16(1) and a description of the plans, specifications and drawings required to be provided with the application.

17. Register of Application

The Authority shall keep a public register of all applications for development, and shall enter therein the Authority's decision upon each application and the result of any appeal from that decision.

18. Deferment of Application

- (1) The Authority may, with the written agreement of the applicant, defer consideration of an application.
- (2) Applications properly submitted in accordance with these Regulations which have not been determined by the Authority and on which a decision has not been communicated to the applicant within eight weeks of the receipt thereof by the Authority, and on which consideration has not been deferred in accordance with Regulation 18(1), shall be deemed to be refused.

19. Outline Planning Permission

- (1) The Authority may grant outline planning permission for the erection, alteration or conversion of a building if, after considering an application for outline planning permission made under these Regulations, it is satisfied that the proposed development is, subject to the approval of detailed plans, in compliance with these Regulations.
- (2) Where outline planning permission is granted under this Regulation, it shall be subject to the subsequent approval by the Authority of such details as may be listed in the outline planning permission, which shall also specify that further application for approval of these details shall be received not later than two years from the grant of outline planning permission.

20. Development Permit

- (1) A plan or drawing which has been approved by the Authority and which bears a mark and/or signature indicating such approval together with a permit shall be deemed to be permission to develop land in accordance with these Regulations but such permission shall not relieve the applicant from full responsibility for obtaining permits or approvals under any other regulation or statute prior to commencing the development; from having the work carried out in accordance with these Regulations or any other regulations or statutes; and from compliance with all conditions imposed thereunder.
- (2) The Authority may attach to a permit or to outline planning permission such conditions as it deems fit in order to ensure that the proposed development will be in accordance with the purposes and intent of these Regulations.
- (3) Where the Authority deems necessary, permits may be issued on a temporary basis for a period not exceeding two years, which may be extended in writing by the Authority for further periods not exceeding two years.

- (4) A permit is valid for such period, not in excess of two years, as may be stated therein, and if the development has not commenced, the permit may be renewed for a further period not in excess of one year, but a permit shall not be renewed

more than once, except in the case of a permit for an advertisement, which may be renewed in accordance with Part III of these Regulations.

- (5) The approval of any application and plans or drawings or the issue of a permit shall not prevent the Authority from thereafter requiring the correction of errors, or from ordering the cessation, removal of, or remedial work on any development being carried out in the event that the same is in violation of this or any other regulations or statute.
- (6) The Authority may revoke a permit for failure by the holder of it to comply with these Regulations or any condition attached to the permit or where the permit was issued in error or was issued on the basis of incorrect information.
- (7) No person shall erase, alter or modify any drawing or specifications upon which a permit to develop has been issued by the Authority.
- (8) There shall be kept available on the premises where any work, matter or thing in being done for which a permit has been issued, a copy of the permit and any plans, drawings or specifications on which the issue of the permit was based during the whole progress of the work, or the doing of the matter or thing until completion.

21. Reasons for Refusing Permit

The Authority shall, when refusing to issue a permit or attaching conditions to a permit, state the reasons for so doing.

21.1 Right of Appeal

The Authority shall, when refusing to issue a permit or attaching conditions to a permit, inform the applicant of the provisions of Section 29, namely, the right of the applicant to appeal the decision of the Authority to the Local Board of Appeal and the appeal period established in paragraph (3) of Section 29.

Amended 1997 05 16

22. Notice of Application

The Authority may, and when a variance is necessary under Regulation 11 and the Authority wishes to consider whether to authorize such a variance, when a change in

nonconforming use is to be considered under Regulation 45, or when the development proposed is listed as a discretionary use in Schedule C of the Regulations shall, at the expense of the applicant, give notice of an application for a permit or for outline planning permission, by public advertisement in a newspaper circulating in the area or by any other means deemed necessary.

23. Right of Entry

The Authority, the Director, or any inspector may enter upon any public or private land and may at all reasonable times enter any development or building upon the land for the purpose of making surveys or examinations or obtaining information relative to the carrying out of any development, construction, alteration, repair, or any other works whatsoever which the Authority is empowered to regulate.

24. Record of Violations

Every inspector shall keep a record of any violation of these regulations which comes to his knowledge and report that violation to the Authority.

25. Stop Work Order and Prosecution

(1) Where a person begins a development contrary or apparently contrary to these Regulations, the Authority may order that person to stop the development or work connected therewith pending final adjudication in any prosecution arising out of the development.

(2) A person who does not comply with an order made under Regulation 25(1) is guilty of an offence under the provisions of the Act.

26. Local Board of Appeal Established

A Local Board of Appeal shall be appointed to hear all appeals arising from these Regulations.

27. Appointment of Local Board of Appeal

(1) The Authority may, subject to the approval of the Minister, appoint not less than three and not more than five persons to constitute the Local Board of Appeal.

Amended 1997 05 16

(2) The Authority under Regulation 27(1) shall not appoint elected or appointed officials of the Authority to be members of the Local Board of Appeal.

- (3) Every member of the Local Board of Appeal shall be appointed for such periods, not exceeding the term of office of the Authority, as may be deemed appropriate by the Authority, and shall be eligible for re-appointment.
- (4) The Local Board of Appeal shall be presided over by a Chairman appointed from among its members by the Authority or in the absence of the Chairman, such member as the members present shall from among themselves appoint.
- (5) A majority of the members of the Local Board of Appeal shall constitute a quorum.
- (6) The Authority may by a two-thirds vote of its members provide for remuneration to be paid to members of the Local board of Appeal and may prescribe the amount.
- (7) Where a Local Board of Appeal has been appointed and approved under Regulation 27(1), the Clerk of the Authority shall be the Secretary of that Local Board of Appeal.

28. Appeal Board to Act as Local Board of Appeal

Where a Local Board of Appeal has not been appointed and approved by the Minister under Regulation 27(1), the appropriate Appeal Board established under the provisions of the Act shall be deemed to have been appointed as the Local Board of Appeal, and shall carry out the functions and exercise the same powers as if it were appointed a Local Board of Appeal under Regulations 27(1), but it shall not be obliged to hold appeal hearings within the Planning Area or to hear appeals within the time limits established under these Regulations.

29. Appeals to Local Board of Appeal

- (1) The Local Board of Appeal shall hear appeals from decisions of the Authority made under these Regulations and shall either confirm the decision or recommend to the Authority that the decision be varied or reversed.

- (2) Any person may appeal to the Local Board of Appeal from a decision of the Authority made under these Regulations.
- (3) An appeal shall be submitted in writing to the Authority within thirty (30) days of **the date of the decision appealed from, shall include an appeal fee to be paid to** the Appeal Board hearing the appeal, and shall state the circumstances and grounds of the appeal.
 - (3.1) **Where the municipality has not appointed a Local Board of Appeal, the appeal fee shall be the fee established for appeals to the Regional Appeal Boards by Order of the Minister of Municipal and Provincial Affairs, and where the municipality has appointed the Local Board of Appeal, the appeal fee shall be an amount established by resolution of the Authority and no greater than the Regional Appeal Boards appeal fee.**
- (4) Within one week of receiving an appeal, the Authority shall forward it to the Local Board of Appeal together with the required fee and a copy of the application appealed from and all other correspondence, plans and pertinent information.
- (5) The Local Board of Appeal shall meet to hear an appeal within sixty calendar days after that appeal has been filed with the Authority, and shall make its decision known in writing to the Authority and to the appellant within two weeks of hearing the appeal.
- (6) The Authority, the appellant, and any other person likely to be affected by the appeal, shall be advised of the time and place of the appeal hearing by the Secretary at least one week before the appeal is to be heard.
- (7) The Authority and the appellant are entitled, but are not bound, to appear before the Local Board of Appeal either personally or by representatives appointed by them.

Amended 1997 05 16

- (8) The Local Board of Appeal shall consider and determine each appeal in accordance with the intent of these Regulations and the Municipal Plan and any further plan, scheme or regulations that are in force, having due regard to the circumstances and merits of the particular case and the use of discretionary powers by the Authority.

- (9) In determining an appeal, the Local Board of Appeal shall be bound by the Municipal Plan and any further scheme or plan that is in force under the Act.
- (10) Every member of a Local Board of Appeal shall be subject to the provisions of the Municipalities Act with respect to conflict of interest as if he were a councillor elected under that Act.
- (11) The decision of a majority of the members of the Local Board of Appeal present, excluding all members prohibited from voting because of conflict of interest, shall be the decision of the Board whose decision shall not be subject to further appeals to any other Appeal Board constituted under the Act.
- (12) If a Local Board of Appeal is unable to decide an appeal because of the conflict of interest of a majority of its members, the Authority shall, subject to the approval of the Minister, and for that appeal only, appoint other persons to replace those members so affected.

30. Effect of Decision by Local Board of Appeal

The Authority shall be bound to carry out the decision of the Local Board of Appeal, which decision shall be binding on all parties.

30.1 Return of Appeal Fee

Where an appeal made by an appellant under Section 29 is successful, an amount of money equal to the fee paid by that appellant under paragraph 29(3) shall be paid to him or her by the Authority, and the Local Board of Appeal shall so order in its decision.

31. Development May Not Proceed

Where an appeal is made from a decision of the Authority, the development concerned shall not proceed pending a decision on the appeal and the subsequent issue of all required permits.

Section 30 - Amended 1992 11 27

Section 30.1 - Amended 1997 05 16

PART II - GENERAL DEVELOPMENT STANDARDS

32. Accesses and Service Streets

- (1) Access shall be located to the specification of the Authority so as to ensure the greatest possible convenience and safety of the street system and the Authority may prescribe the construction of service streets to reduce the number of accesses to collector and arterial streets.
- (2) No vehicular access shall be closer than 10 metres to the street line of any street intersection.

33. Accessory Buildings

- (1) Accessory buildings shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
- (2) No accessory building or part thereof shall project in front of any building line.
- (3) The sideyard requirements set out in the use zone tables in these Regulations shall apply to accessory buildings wherever they are located on the lot but accessory buildings on two (2) adjoining properties may be built to property boundaries provided they shall be of fire resistant construction and have a common firewall.

34. Advertisements

Advertisements shall not be erected or displayed except in accordance with Part III of these Regulations.

35. Buffer Strips

Where any industrial development permitted in any Use Zone abuts an existing or proposed residential area, or is separated from it by a road only, the owner of the site of the industrial development shall provide a buffer strip not less than ten (10) metres wide between any residential activity and the industrial area. The buffer shall include the provision of such natural or structural barrier as may be required by the Authority and shall be maintained by the owner or occupier to the satisfaction of the Authority.

36. Building Height

The Authority may permit the erection of buildings of a height greater than that specified in Schedule C, but in such cases the building line setback and rearyard requirements shall be varied as follows:

- (1) The building line setback shall be increased by 2 metres for every 1 metre increase in height.
- (2) The rearyard shall not be less than the minimum building line setback calculated as described in (1) above plus 6 metres.

37. Building Line and Setback

The Authority, by resolution, may establish building lines on an existing or proposed street or service street and may require any new buildings to be located on those building lines, whether or not such building lines conform to the standards set out in the tables in Schedule C of these Regulations.

38. Family and Group Care Centres

Family group care centre use is permitted in any dwelling or apartment that is adequate in size to accommodate the number of persons living in the group, inclusive of staff, provided that in the opinion of the Authority, the use of the dwelling does not materially differ from, nor adversely affect, the amenities of the adjacent residences, or the neighbourhood in which it is located. The Authority may require special access and safety features to be provided for the occupants before occupancy is permitted.

39. Height Exceptions

The height requirements prescribed in Schedule C of these Regulations may be waived in the case of communication masts and antennae, flagpoles, water towers, spires, belfries, or chimneys, but any such waiver which results in an increase of more than 20% in the permitted height of the structure shall only be authorized under the provisions of Regulation 11.

40. Livestock Structures and Uses

- (1) No structure designed to contain more than five animal units shall be erected or used unless it complies with the following requirements:
 - (a) The structure shall be at least 600 m from a residence, (except a farm residence or a residence which is a non-conforming use

in any zone in which agriculture is a permitted use class in the Use Zone Tables in Schedule C of these Regulations), and, from an area designated for residential use in an approved Plan, and, from a Provincial or Federal

Park.

- (b) The structure shall be at least 60 m from the boundary of the property on which it is to be erected.
 - (c) The structure shall be at least 90 m from the centre line of a street.
 - (d) The erection of the structure shall be approved by the Department of Forestry & Agriculture and the Department of Environment & Lands.
- (2) No development for residential use shall be permitted within 600 m of an existing structure designed to contain more than five animal units unless the development is first approved by the Department of Forestry & Agriculture.

41. Lot Area

- (1) No lot shall be reduced in area, either by the conveyance or alienation of any portion thereof or otherwise, so that any building or structure on such lot shall have a lot coverage that exceeds, or a front yard, rear yard, side yard, frontage or lot area that is less than that permitted by these Regulations for the zone in which such lot is located.
- (2) Where any part of a lot is required by these Regulations to be reserved as a yard, it shall continue to be so used regardless of any change in the ownership of the lot or any part thereof, and shall not be deemed to form part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

42. Lot Area and Size Exceptions

Where, at the time of coming into effect of these Regulations, one or more lots already exist in any residential zone, with insufficient frontage or area to permit the owner or purchaser of such a lot or lots to comply with the provisions of these Regulations, then these Regulations shall not prevent the issuing of a permit by the Authority for the erection of a dwelling thereon, provided that the lot coverage and height are not greater than, and the yards and floor area are not less than the standards set out in these Regulations.

43. Lot Frontage

Except where specifically provided for in the Use Zone Tables in Schedule C of these

Regulations, no residential or commercial building shall be erected unless the lot on which it is situated fronts directly onto a street or forms part of a Comprehensive Development Scheme.

44. Mobile Homes

- (1) Groups of more than five mobile homes shall be located only in approved mobile home parks and mobile home subdivisions in Residential Use Zones so designated and shall conform to the requirements of the Provincial Mobile Home Development Regulations currently in effect.
- (2) No development permit shall be issued for a mobile home lot unless it conforms with the requirements of Regulation 23 of the Mobile Home Development Regulations.

45. Non-Conforming Uses

- (1) Any legal use of buildings or land at the date of the coming into effect of these Regulations may although not conforming with the Regulations of the Use Zone in which they are located:
 - (a) be continued, or;
 - (b) be changed to another non-conforming use if after notice of an application to change the use has been given in accordance with Regulation 22 and consideration given to any objections or representations which may have been received on the matter, it is the Authority's opinion, that the new use is more compatible with the permitted use(s) in the Use Zone in which the building is located.
- (2) A building, which is legally used for a purpose not permissible within the zone in which it is located, shall not be enlarged, extended, reconstructed, or altered structurally, unless such building is thereafter to be used for a purpose permitted within that zone, provided that:

- (a) the interior of such building may be permitted by the Authority to be reconstructed or altered, in order to render it more convenient or commo-

- dious for the same purpose for which such building is legally used;
- (b) any building which at the date of the coming into effect of these Regulations is being used in a zone where such use is not permissible may be permitted by the Authority to be altered structurally or extended by not more than fifty percent of its original floor area if such alterations or extensions conform to all the requirements of these Regulations except those pertaining to land use, and are confined to the existing lot.
- (3) A building which is legally used for any purpose but which does not conform to the Regulations of the Use Zone in which it is located, and which subsequently suffers damage or deterioration to an extent greater than fifty percent of its replacement value, excluding land, shall not be reconstructed except in conformity with the Regulations for the Use Zone in which such building is located, provided that:
- (a) the owner of such building may within one year of such damage taking place make application to the Authority for a permit to reconstruct the building for the same purpose for which it was legally used.
 - (b) the Authority shall before the expiration of sixty (60) days from the day on which a complete application is received to construct such a building:
 - (i) serve a notice of expropriation in accordance with the Act, or;
 - (ii) indicate its willingness to issue a permit to develop providing that the reconstruction of the building conforms to all the requirements of these Regulations except those pertaining to land use, and that any such development takes place within the existing curtilage of the lot.

46. Offensive and Dangerous Uses

No building or land shall be used for any purpose which may be dangerous by causing or promoting fires or other hazards or which may emit noxious, offensive or dangerous fumes, smoke, gases, radiation, smells, ash, dust or grit, excessive noise or vibration, or create any nuisance that has an unpleasant effect on the senses unless its

use is authorized by the Authority and any other authority having jurisdiction.

47. Offstreet Parking Requirements

- (1) For every building, structure or use to be erected, enlarged or established, there shall be provided and maintained a quantity of off-street parking spaces sufficient to ensure that the flow of traffic on adjacent streets is not impeded by the on-street parking of vehicles associated with that building, structure or use.
- (2) The number of parking spaces to be provided for any building, structure, use of occupancy shall conform to the standards set out in Schedule D of these Regulations.
- (3) Each parking space, except in the case of one or two-family dwellings, shall be made accessible by means of a hard surfaced right-of-way at least 3 m in width. Parking required in a Residential Zone shall be provided on the same lot as the dwelling or dwellings. Parking space for apartments shall be provided in the rear yard where possible. In a Non-Residential Zone, parking spaces shall be provided within the limits of the zone in which the use is situated and not more than 200 m distant from the use concerned.
- (4) The parking facilities required by this Regulation shall, except in the case of single or attached dwellings, be arranged so that it is not necessary for any vehicle to reverse onto or from a street.
- (5) Where, in these Regulations, parking facilities for more than four vehicles are required or permitted:
 - (a) parking space shall mean an area of land, not less than 15 m² in size, capable of being used for the parking of a vehicle without the need to move other vehicles on adjacent areas;
 - (b) the parking area shall be constructed and maintained to the specifications of the Authority;
 - (c) the lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent development;
 - (d) a structure, not more than 3 m in height and more than 5 m² in area may

- be erected in the parking area for the use of attendants in the area;
- (e) except in zones in which a service station is a permitted use, no gasoline pump or other service station equipment shall be located or maintained on a parking area;
 - (f) no part of any off-street parking area shall be closer than 1.5 m to the front lot line in any zone;
 - (g) access to parking areas in non-residential zones shall not be by way of residential zones;
 - (h) where a parking area is in or abuts a residential zone, a natural or structural barrier at least 1 m in height shall be erected and maintained along all lot lines;
 - (i) where, in the opinion of the Authority, strict application of the above parking requirements is impractical or undesirable, the Authority may as a condition of a permit require the developer to pay a service levy in accordance with these Regulations in lieu of the provision of a parking area, and the full amount of the levy charged shall be used by the Authority for the provision and upkeep of alternative parking facilities within the general vicinity of the development.

48. Off-Street Loading Requirements

- (1) For every building, structure or use to be erected, enlarged or established requiring the shipping, loading or unloading of animals, goods, wares or merchandise, there shall be provided and maintained for the premises loading facilities on land that is not part of a street comprised of one or more loading spaces, 15 m long, 4 m wide, and having a vertical clearance of at least 4 m with direct access to a street or with access by a driveway of a minimum width of 6 m to a street.

- (2) The number of loading spaces to be provided shall be determined by the Authority.
- (3) The loading facilities required by this Regulation shall be so arranged that vehicles can manoeuvre clear of any street and so that it is not necessary for any vehicle to reverse onto or from a street.

49. Parks and Playgrounds, and Conservation Uses

Nothing in these Regulations shall prevent the designation of conservation areas or the establishment of parks and playgrounds in any zones provided that such parks and playgrounds are not located in areas which may be hazardous to their use and are not operated for commercial purposes.

50. Screening and Landscaping

The Authority may, in the case of existing unsightly development, order the owner or occupier to provide adequate and suitable landscaping or screening; and for this purpose may require the submission of an application giving details of the landscaping or screening, and these Regulations shall then apply to that application. The provision of adequate and suitable landscaping or screening may be made a condition of any development permit where, in the opinion of the Authority, the landscaping or screening is desirable to preserve amenity, or protect the environment.

51. Services and Public Utilities

The Authority may within any zone permit land to be used in conjunction with the provision of public services and public utilities if the use of that land is necessary to the proper operation of the public service or public utility concerned provided that the design and landscaping of any development of any land so used is, in the opinion of the Authority, adequate to protect the character and appearance of the area.

52. Service Stations

The following requirements shall apply to all proposed service stations:

- (a) All gasoline pumps shall be located on pump islands designed for such purpose, and to which automobiles may gain access from either side.
- (b) Pump islands shall be set back at least 4 metres from the front lot line.

- (c) Accesses shall not be less than 7 metres wide and shall be clearly marked, and where a service station is located on a corner lot, the minimum distance between an access and the intersection of street lines at the junction shall be 10 metres and the lot line between entrances shall be clearly indicated.

53. Side Yards

A sideyard which shall be kept clear of obstruction shall be provided on the exposed

sides of every building in order to provide access for the maintenance of that building.

54. Street Construction Standards

A new street may not be constructed except in accordance with and to the design and specifications laid down by the Authority.

55. Subsidiary Apartments

Subsidiary apartments may be permitted in single dwellings only, and for the purposes of calculating lot area and yard requirements, shall be considered part of the self-contained dwelling.

56. Unsubdivided Land

Development is not permitted on unsubdivided land unless sufficient area is reserved to satisfy the yard and other allowances called for in the Use Zone in which it is located and the allowances shall be retained when the adjacent land is developed.

57. Zero Lot Line and Other Comprehensive Development

The Authority may, at its discretion, approve the erection of dwellings which are designed to form part of a zero lot line development or other comprehensive layout which does not, with the exception of dwelling unit floor area, meet the requirements of the Use Zone Table in Schedule C, provided that the dwellings are designed to provide both privacy and reasonable access to natural daylight and the overall density within the layout conforms to the regulations and standards set out in the Use Zone Table apply where the layout adjoins other development.

PART III - ADVERTISEMENTS

58. Permit Required

Subject to the provisions of Regulation 63, no advertisement shall be erected or displayed in the Planning Area unless a permit for the advertisement is first obtained from the Authority.

59. Form of Application

Application for a permit to erect or display an advertisement shall be made to the authority in accordance with Regulation 16.

60. Advertisements Prohibited in Street Reservation

No advertisement shall be permitted to be erected or displayed within, on or over any highway or street reservation.

61. Permit Valid for Limited Period

A permit granted under these Regulations for the erection or display of an advertisement shall be for a limited period, not exceeding two years, but may be renewed at the discretion of the Authority for similar periods.

62. Removal of Advertisements

Notwithstanding the provisions of these Regulations, the Authority may require the removal of any advertisement which, in its opinion, is:

- (a) hazardous to road traffic by reason of its siting, colour, illumination, or structural condition, or;
- (b) detrimental to the amenities of the surrounding area.

63. Advertisements Exempt from Control

The following advertisements may be erected or displayed in the Planning Area without application to the Authority:

- (a) on a dwelling or within the curtilage of a dwelling, one nameplate not exceeding 0.2 m² in area;
- (b) on an agricultural holding or farm, a notice board not exceeding 1 m² in area and relating to the operations being conducted on the land;
- (c) on land used for forestry purposes, signs or notices not exceeding 1 m² in area and relating to forestry operations or the location of logging operations conducted on the land;

- (d) on land used for mining or quarrying operations, a notice board not exceeding 1 m² in area relating to the operation conducted on the land;
- (e) on a dwelling or within the curtilage of a dwelling, one nameplate not exceeding 0.2 m² in area in connection with the practice of a professional person carried on in the premises;
- (f) on any site occupied by a church, school, library, art gallery, museum, institution or cemetery, one notice board not exceeding 1 m² in area;
- (g) on the principal facade of any commercial, industrial or public building, the name of the building or the name of the occupants of the building, in letters not exceeding one-tenth of the height of that facade or 3 m, whichever is the lesser;
- (h) on any parking lot directional signs and one sign not exceeding 1 m² in size, identifying the parking lot.

64. Approval Subject to Conditions

A permit may only be issued for the erection or display of advertisements which comply with the appropriate conditions and specifications set out in the Use Zone Tables in Schedule C of these Regulations.

65. Non-Conforming Uses

Notwithstanding the provisions of Regulation 58, a permit may be used for the erection or display of advertisements on a building or within the curtilage of a building or on a parcel of land, the use of which is a non conforming use, provided that the advertisement does not exceed the size and type of advertisement which could be permitted if the development was in a Use Zone appropriate to its use, and subject to any other conditions deemed appropriate by the Authority.

PART IV - SUBDIVISION OF LAND

66. Permit Required

No land in the Planning Area shall be subdivided unless a permit for the development of the subdivision is first obtained from the Authority.

67. Services to be Provided

No permit shall be issued for the development of a subdivision unless provisions satisfactory to the Authority have been made in the application for a supply of drinking water, a properly designed sewage disposal system, and a properly designed storm drainage system.

68. Payment of Service Levies and Other Charges

No permit shall be issued for the development of a subdivision until agreement has been reached for the payment of all fees levied by the Authority for connection to services, utilities and streets deemed necessary for the proper development of the subdivision, and all service levies and other charges imposed under Regulations 12 and 13.

69 Issue of Permit Subject to Considerations

A permit shall not be issued when, in the opinion of the Authority, the development of a subdivision does not contribute to the orderly growth of the municipality and does not demonstrate sound design principles. In considering an application, the Authority shall, without limiting the generality of the foregoing, consider:

- (a) the location of the land;
- (b) the availability of and the demand created for schools, services, and utilities;
- (c) the provisions of the Plan and Regulations affecting the site;
- (d) the land use, physical form and character of adjacent developments;
- (e) the transportation network and traffic densities affecting the site;
- (f) the relationship of the project to existing or potential sources of nuisance;
- (g) soil and subsoil characteristics;
- (h) the topography of the site and its drainage;
- (i) natural features such as lakes, streams, topsoil, trees and shrubs;
- (j) prevailing winds;
- (k) visual quality;

- (l) community facilities;
- (m) energy conservation;
- (n) such other matters as may affect the proposed development.

70. Building Permits Required

Notwithstanding the approval of a subdivision by the Authority, a separate building permit shall be obtained for each building proposed to be erected in the area of the subdivision, and no building permit for any building in the area shall be issued until the developer has complied with all the provisions of these Regulations with respect to the development of the subdivision.

71. Form of Application

Application for a permit to develop a subdivision shall be made to the Authority in accordance with Regulation 16.

72. Subdivision Subject to Zoning

The subdivision of land shall be permitted only in conformity with the Use Zones delineated on the Zoning Maps.

73. Building Lines

The Authority may establish building lines for any subdivision street and require any new building to be located on such building lines.

74. Land for Public Open Space

- (1) Before a development commences, the developer shall, if required, dedicate to the Authority, at no cost to the Authority, an area of land equivalent to not more than 10% of the gross area of the subdivision or 25 m² for every dwelling unit permitted in the subdivision, whichever is the greater, for public open space, provided that:
 - (a) where land is subdivided for any purpose other than residential use, the Authority shall determine the percentage of land to be dedicated;
 - (b) if, in the opinion of the Authority, no public open space is required, the land may be used for such other public use as the Authority may determine;

- (c) the location and suitability of any land dedicated under the provisions of this Regulation shall be subject to the approval of the Authority but in any case, the Authority shall not accept land which, in its opinion is incapable of development for any purpose;
 - (d) the Authority may accept from the developer in lieu of such area or areas of land the payment of a sum of money equal to the value of the land which would otherwise be required to be dedicated;
 - (e) money received by the Authority in accordance with Regulation 74(1)(d) above, shall be reserved by the Authority for the purpose of the acquisition or development of land for public open space or other public purpose.
- (2) Land dedicated for public use in accordance with this Regulation shall be conveyed to the Authority and may be sold or leased by the Authority for the purposes of any development that conforms with the requirements of these Regulations, and the proceeds of any sale or other disposition of land shall be applied against the cost of acquisition or development of any other land for the purposes of public open space or other public purposes.
- (3) The Authority may require a strip of land to be reserved and remain undeveloped along the banks of any river, brook or pond, and this land may, at the discretion of the Authority, constitute the requirement of land for public use under Regulation 74(1).

75. Structure in Street Reservation

The placing within any street reservation of any structure (for example, a hydro pole, telegraph or telephone pole, fire hydrant, mail box, fire alarm, sign post) shall receive the prior approval of the Authority which shall be satisfied on the question of safe construction and relationship to the adjoining buildings and other structures within the street reservation.

76. Subdivision Design Standards

No permit shall be issued for the development of a subdivision under these Regulations unless the design of the subdivision conforms to the following standards:

- (a) The finished grade of streets shall not exceed 10 percent.
- (b) Every cul de sac shall be provided with a turning circle of a diameter of not less than 30 m.
- (c) The maximum length of any cul de sac shall be:
 - (i) 200m in areas served by or planned to be served by municipal piped water and sewer services, as shown in the map and letter of agreement signed by the Municipality and the Minister of Municipal and Provincial Affairs in connection with municipal five-year capital works program eligibility.
 - (ii) 300m in areas not served by or planned to be served by municipal piped water and sewer services.
- (d) Emergency vehicle access to a cul de sac shall be not less than 3 m wide and shall connect the head of the cul de sac with an adjacent street.
- (e) No cul de sac shall be located so as to appear to terminate a collector street.
- (f) New subdivisions shall have street connections with an existing street or streets.
- (g) All street intersections shall be constructed within 5° of a right angle and this alignment shall be maintained for 30 m from the intersection.
- (h) No street intersection shall be closer than 60 m to any other street intersection.
- (i) No more than four streets shall join at any street intersection.
- (j) No residential street block shall be longer than 490 m between street intersections.
- (k) Streets in residential subdivisions shall be designed in accordance with the approved standards of the Authority, but in the absence of such standards, shall conform to the following minimum standards:

Type of Street	Street Reservation	Pavement Width	Sidewalk Width	Sidewalk Number
Arterial Streets	30 m	15 m	1.5 m	discretion of Council
Collector Streets	20 m	15 m	1.5 m	2
Local Residential Streets:				
where more than 50% of the units are single or double dwellings;	15 m	9 m	1.5 m	1
where 50% or more of the units are row houses or apartments.	20 m	9 m	1.5 m	2
Service Streets	15 m	9 m	1.5 m	discretion of Council

- (l) No lot intended for residential purposes shall have a depth exceeding four times the frontage.
- (m) Residential lots shall not be permitted which abut a local street at both front and rear lot lines.
- (n) The Authority may require any existing natural, historical or architectural feature or part thereof to be retained when a subdivision is developed.
- (o) Land shall not be subdivided in such a manner as to prejudice the development of adjoining land.

77. Engineer to Design Works and Certify Construction Layout

- (1) Plans and specifications for all water mains, hydrants, sanitary sewers, storm sewers and all appurtenances thereto and all streets, paving, curbs, gutters and catch basins and all other utilities deemed necessary by the Authority to service the area proposed to be developed or subdivided shall be de-

signed and prepared by or approved by the Engineer. Such designs and specifications shall, upon approval by the Authority, be incorporated in the plan of subdivision.

- (2) Upon approval by the Authority of the proposed subdivision, the Engineer shall certify all work of construction layout preliminary to the construction of the works and thereupon the developer shall proceed to the construction and installation, at his own cost and in accordance with the approved designs and specifications and the construction layout certified by the Engineer, of all such water mains, hydrants,

sanitary sewers and all appurtenances and of all such streets and other works deemed necessary by the Authority to service the said area.

78. Developer to Pay Engineer's Fees and Charges

The developer shall pay to the Authority all the Engineer's fees and charges for the preparation of designs and specifications and for the layout and supervision of construction; such fees and charges being percentages of the total cost of materials and labour for the construction and installation of all works calculated in accordance with the Schedule of Fees recommended by the Association of Professional Engineers of Newfoundland and in effect at the time the work is carried out.

79. Street Works May Be Deferred

The construction and installation of all curbs and gutters, catch basins, sidewalks and paving specified by the Authority as being necessary, may, at the Authority's discretion, be deferred until a later stage of the work on the development of the subdivision but the developer shall deposit with the Authority before approval of his application, an amount estimated by the Engineer as reasonably sufficient to cover the cost of construction and installation of the works. In the later stage of the work of development, the Authority shall call for tenders for the work of construction and installation of the works, and the amount so deposited by the developer shall be applied towards payment of the contract cost. If the contract cost exceeds the deposit, the developer shall pay to the Authority the amount of the excess. If the contract price is less than the deposit, the Authority shall refund the amount by which the deposit exceeds the contract price. Any amount so deposited with the Authority by the developer shall be placed in a separate savings account in a bank and all interest earned thereon shall be credited to the developer.

80. Transfer of Streets and Utilities to Authority

- (1) The developer shall, following the approval of the subdivision of land and upon request of the Authority, transfer to the Authority, at no cost to the Authority, and clear of all liens and encumbrances:
 - (a) all lands in the area proposed to be developed or subdivided which are approved and designated by the Authority for public uses as streets, or other rights-of-way, or for other public use;

- (b) all services or public works including streets, water supply and distribution and sanitary and storm drainage systems installed in the subdivision that are normally owned and operated by the Authority.
- (2) Before the Authority shall accept the transfer of lands, services or public works of any subdivision, the Engineer shall, at the cost to the developer, test the streets, services and public works installed in the subdivision and certify his satisfaction with their installation.
- (3) The Authority shall not provide maintenance for any street, service or public work in any subdivision until such time as such street, service or public work has been transferred to and accepted by the Authority.

81. Restriction on Sale of Lots

The developer shall not develop or dispose of any lot within a subdivision for the purposes of development and no building permit shall be issued until the Authority is satisfied that:

- (a) the lot can be served with satisfactory water supply and sewage disposal systems, and;
- (b) satisfactory access to a street is provided for the lots.

82. Grouping of Buildings and Landscaping

- (1) Each plan of subdivision shall make provision for the grouping of building types and for landscaping in order to enhance the visual aspects of the completed development and to make the most use of existing topography and vegetation.
- (2) Building groupings, once approved by the Authority, shall not be changed without written application to and subsequent approval of the Authority.

PART V – USE ZONES

83. Use Zones

- (1) For the purpose of these Regulations, the Planning Area is divided into Use Zones which are shown on the Zoning Map attached to and forming part of these Regulations.
- (2) Subject to Regulation 83(3), the permitted use classes, discretionary use classes, standards, requirements and conditions applicable to each Use Zone are set out in the Use Zone Tables in Schedule C of these Regulations.
- (3) Where standards, requirements and conditions applicable in a Use Zone are not set out in the Use Zone Tables in Schedule C, the Authority may in its discretion, determine the standards, requirements and conditions which shall apply.

84. Use Classes

The specific uses to be included in each Use Class set out in the Use Zone Tables in Schedule C shall be determined by the Authority in accordance with the classification and examples set out in Schedule B.

85. Permitted Uses

Subject to these Regulations, the uses that fall within the Permitted Use Classes set out in the appropriate Use Zone Table in Schedule C shall be permitted by the Authority in that Use Zone.

86. Discretionary Uses

Subject to these Regulations, the uses that fall within the Discretionary Use Classes set out in the appropriate Use Zone Table in Schedule C may be permitted in that Use Zone if the Authority is satisfied that the development would not be contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any further scheme or plan or regulation pursuant thereto, and to the public interest, and if the Authority has given notice of the application in accordance with Regulation 22 and has considered any objections or representations which may have been received on the matter.

87. Uses Not Permitted

Uses that do not fall within the Permitted Use Classes or Discretionary Use Classes set out in the appropriate Use Zone Tables in Schedule C, shall not be permitted in that Use Zone.

SCHEDULE A

DEFINITIONS

ACCESS: A way, intended for use by vehicles, pedestrians or animals as a means of going from a road, street or highway to land adjacent to it.

ACCESSORY BUILDING: A detached subordinate building not used for human habitation, located on the same lot as the main building structure or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the building, land or structure, and shall include:

- (a) in the case of 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;
- (b) in the case of commercial uses: workshops or garages;
- (c) in the case of industrial uses: garages, offices, raised ramps and docks.

ACT: The Urban and Rural Planning Act.

ADVERTISEMENT: Any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction; excluding such

things employed wholly as a memorial, or functional advertisement of Councils, or other local authorities, public utilities and public transport undertakers, and including any boarding or similar structure used or adapted for use for the display of advertisements.

AGRICULTURE: Horticulture, fruit growing, grain growing, seed growing, dairy farming, the breeding or 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, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of land for any other purpose. "Agricultural" shall be construed accordingly.

AMUSEMENT USE: The use of land or buildings equipped for the playing of electronic, mechanical, or other games and amusements including electronic games, pinball games and slot machine arcades and billiard and pool halls.

ANIMAL UNIT: Any one of the following animals or groups of animals:

- 1 bull;
- 1000 broiler chickens or roosters (1.8 – 2.3 kg each);
- 1 cow (including calf);
- 100 female mink (including associated males and kits);
- 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: A building containing three or more dwelling units, but does not include a row dwelling.

APPEAL BOARD: The appropriate Appeal Board established under the Act.

ARTERIAL STREET: The streets in the Planning Area constituting the main traffic arteries of the area and defined as arterial streets or highways in the Municipal Plan or on the Zoning Map.

BOARDING HOUSE: A dwelling in which at least 2 rooms are regularly rented to persons other than the immediate family of the owner or tenant.

BUILDING: Every structure, erection, excavation, alteration or improvement whatsoever placed on, over or under land, or attached, anchored or moored to land, and includes mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other like uses, and any part of a building as so defined and any fixtures that form part of a building.

BUILDING LINE: A line established by the Authority to set the horizontal distance between the closest point of a building and the street line.

COLLECTOR STREET: A street that is designed to link local streets with arterial streets and which is designated as a collector street in the Municipal Plan, or on the Zoning Map.

DAYCARE CENTRE or DAY NURSERY: A building or part of a building in which services and activities are regularly provided to children of pre-school age during the full daytime period as defined under the Day Nurseries Act, but does not include a school as defined by the Schools Act.

DEVELOPMENT: The carrying out of any building, engineering, mining or other operations in, on, over, or under land, or the

making of any material change in the use, or the intensity of use of any land, buildings, or premise and without limiting the generality of the foregoing, shall specifically include:

- (a) the making of an access onto a highway, road or way;
- (b) the erection of an advertisement or sign;
- (c) the parking of a trailer, or vehicle of any description used for the sale of refreshments or merchandise, or as an office, or for living accommodation, for any period of time;

and shall exclude:

- (d) the 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;
- (e) the 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;
- (f) the carrying out by any local authority or statutory undertakers of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;
- (g) the use of any building or land within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such.

DIRECTOR: The Director of Urban and Rural Planning.

DOUBLE DWELLING: A building containing two dwelling units, placed one above the other, or side by side, but does not include a self-contained dwelling containing a subsidiary apartment.

DWELLING UNIT: A self-contained unit consisting of one or more habitable rooms used or designed as the living quarters for one household.

ENGINEER: A professional engineer employed or retained by the Authority.

FAMILY AND GROUP CARE CENTRE: A dwelling accommodating up to but no more than six (6) persons exclusive of staff in a home-like setting. Subject to the size limitation, this definition includes, but is not limited to, the facilities called "Group Homes", "Halfway House", and "Foster Home".

FLOOR AREA: The total area of all floors in a building measured to the outside face of exterior walls.

FRONTAGE: The horizontal distance between side lot lines measured at the building line.

FRONT YARD DEPTH: The distance between the front lot line of a lot and the front wall of the main building on the lot.

GARAGE: A building erected for the storage of motor vehicles

as an ancillary use to a main building on the lot.

GENERAL INDUSTRY: The use of land or buildings for the purpose of storing, assembling, altering, repairing, manufacturing, fabricating, packing, canning, preparing, breaking up, demolishing, or treating any article, commodity or substance. "Industry" shall be construed accordingly.

GENERAL GARAGE: Land or buildings used exclusively for repair, maintenance and storage of motor vehicles and may include the sale of gasoline or diesel oil.

HAZARDOUS INDUSTRY: The use of land or buildings for industrial purposes involving the use of materials or processes which because of their inherent characteristics, constitute a special fire, explosion, radiation or other hazard.

INSPECTOR: Any person appointed and engaged as an Inspector by the Authority or by any federal or provincial authority or the agent thereof.

INSTITUTION: A building or part thereof occupied or used by persons who:

- (a) are involuntarily detained, or detained for penal or correctional purposes, or whose liberty is restricted, or;
- (b) require special care or treatment because of age, mental or physical limitations or medical conditions.

LAND: Includes land covered by water, and buildings and structures on, over, or under the soil and fixtures that form part of these buildings and structures.

LIGHT INDUSTRY: Use of any land or buildings for any general 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.

LOCAL STREET: A street designed primarily to provide access to adjoining land and which is not designated as a collector street or arterial street in the Municipal Plan, or on the Zoning Map.

LODGING HOUSE: A dwelling in which at least 2 rooms are regularly rented to persons other than the immediate family of the owner or tenant.

LOT: Any plot, tract or parcel of land which can be considered as a unit of land for a particular use or building.

LOT COVERAGE: The combined area of all buildings on the lot measured at the level of the lowest floor above the established grade expressed as a percentage of the total area of the lot.

LOT AREA: The total horizontal area within the lot lines of the lot.

MINERAL WORKING: Land or buildings used for the working or extraction of any naturally occurring substance.

MOBILE HOME: A transportable factory-built single family dwelling unit:

- (a) which complies with space standards substantially equal to those laid down in the Canadian Code for Residential Construction and is in accordance with

the construction standards laid down and all other applicable Provincial and Municipal Codes and;

- (b) which is designed to be:
 - (i) transported on its own wheels and chassis to a mobile home lot, and subsequently supported on its own wheels, jacks, posts or piers, or on a permanent foundation and;
 - (ii) connected to exterior public utilities approved by the Authority, namely, piped water, piped sewer, electricity and telephone, in order for such mobile home unit to be suitable for year round term occupancy.

MOBILE HOME PARK: A mobile home development under single or joint ownership, cared for and controlled by a mobile home park operator where individual mobile home lots are rented or leased with or without mobile home units placed on them and where ownership and responsibility for the maintenance and development of site facilities including underground services, access roads, communal areas, snowclearing and garbage collection, or any of them, are the responsibility of the mobile home park management, and where the mobile home development is classified as a mobile home park by the Authority.

MOBILE HOME SUBDIVISION: A mobile home development requiring the subdivision of land whether in single or joint ownership into two or more pieces or parcels of land for the purpose of locating thereon mobile home units under either

freehold or leasehold tenure and where the maintenance of streets and services is the responsibility of a municipality or public authority, and where the mobile home development is classified as a mobile home subdivision by the Authority.

OWNER: Any person, firm or corporation controlling the property under consideration.

PIT AND QUARRY WORKING: Carries the same meaning as Mineral Working.

REAR YARD DEPTH: The distance between the rear lot line and the rear wall of the main building on the lot.

RESTAURANT: A building or part thereof, designed or intended to be used or occupied for the purpose of serving the general public with meals or refreshments for consumption on the premises.

ROW DWELLING: Three or more dwelling units at ground level in one building, each unit separated vertically from the others.

SEASONAL RESIDENCE: A dwelling which is designed or intended for seasonal or recreational use, and is not intended for use as permanent living quarters.

SERVICE STATION: Any land or building used exclusively for the sale of petroleum products, automotive parts and accessories, minor repairs, washing and polishing of motor vehicles.

SERVICE STREET: A street constructed parallel to or close to another street for the purpose of limiting direct access to that street.

SHOP: A building or part thereof used for retail trade wherein the primary purpose is the selling or offering for sale of goods, wares or merchandise by retail or the selling or offering for sale of retail services but does not include an establishment wherein the primary purpose is the serving of meals or refreshments, an amusement use, a general garage, or a service station.

SHOPPING CENTRE: A group of shops and complementary uses with integrated parking and which is planned, developed and designed as a unit containing a minimum of 5 retail establishments.

SIDEYARD WIDTH: The distance between a side lot line and the nearest side wall of any building on the lot.

SHOWROOM: A building or part of a building in which samples or patterns are displayed and in which orders may be taken for goods, wares or merchandise, including vehicles and equipment, for later delivery.

STREET: Any street, road or highway or any other way designed or intended for public use for the passage of vehicles and pedestrians, owned by the Authority or other public agency and maintained at public expense, and is accessible to Fire Department vehicles and equipment.

STREET LINE: The edge of a street, road or highway reservation as defined by the authority having jurisdiction.

SUBDIVISION: The dividing of any land, whether in single or joint ownership, into two or more pieces for the purpose of development.

SUBSIDIARY APARTMENT: A separate dwelling unit constructed within and subsidiary to a self-contained dwelling.

TAKE-OUT FOOD SERVICE: A building in which the primary purpose is the preparation and sale of meals or refreshments for consumption off the premises.

TAVERN: Includes a nightclub and means a building licensed or licensable under the Liquor Control Act wherein meals and food may be served for consumption on the premises and in which entertainment may be provided.

USE ZONE or ZONE: 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 in Schedule C of the Regulations relate.

ZONING MAP: The map or maps attached to and forming part of the Regulations.

SCHEDULE B

CLASSIFICATION OF USES OF LAND AND BUILDINGS

NOTE: The classification of uses set out in the following table is based on the Classification of Typical Occupancies included as Table 3.1.2.A of the National Building Code of Canada, 1980. This classification is referred to in Regulation 84.

GROUP	DIVISION	CLASS	EXAMPLES
A. ASSEMBLY USES	1. Assembly Uses for the production and viewing of the performing arts.	(a) Theatre	Motion Picture Theatres T.V. Studios admitting an audience.
		2. General Assembly Uses	(a) Cultural and Civic
	(b) General Assembly		Community Halls Lodge Halls Dance Halls Gymnasias Auditoria Bowling Alleys
	(c) Educational		Schools Colleges (non-residential)
	(d) Place of Worship		Churches and similar places of worship. Church Halls
	(e) Passenger Assembly		Passenger Terminals
	(f) Club and Lodge		Private Clubs and Lodges (non-residential)
	(g) Catering		Restaurants Bars Lounges
	(h) Funeral Home		Funeral Homes and Chapels
	(i) Child Care		Day Care Centres
	(j) Amusement		Electronic Games Arcades Pinball Parlours Poolrooms

CLASSIFICATION OF USES OF LAND AND BUILDINGS

GROUP	DIVISION	CLASS	EXAMPLES
A. ASSEMBLY USES (continued)	3. Arena-type Uses	(a) Indoor Assembly	Arenas Armouries Ice Rinks Indoor Swimming Pools
	4. Open-air Assembly Uses	(a) Outdoor Assembly	Bleachers Grandstands Outdoor Ice Rinks and Swimming Pools Amusement Parks and Fair-grounds Exhibition Grounds Drive-in Theatres
B. INSTITUTIONAL USES	1. Penal and Correctional Institutional Uses	(a) Penal and Correctional Detention	Jails Penitentiaries Police Stations (with detention quarters) Prisons Psychiatric Hospitals (with detention quarters) Reformatories
	2. Special Care Institutional Uses	(a) Medical Treatment and Special Care	Children's Homes Convalescent Homes Homes for Aged Hospitals Infirmaries Orphanages Psychiatric Hospitals Sanatoria
C. RESIDENTIAL USES	1. Residential Dwelling Uses	(a) Single Dwelling	Single Detached Dwellings Family & Group Homes
		(b) Double Dwelling	Semi-detached Dwelling Duplex Dwellings Family & Group Homes
		(c) Row Dwelling	Row Houses Town Houses Family & Group Homes
		(d) Apartment Building	Apartments Family & Group Homes

CLASSIFICATION OF USES OF LAND AND BUILDINGS

GROUP	DIVISION	CLASS	EXAMPLES
C. RESIDENTIAL USES (continued)	2. General Residential Uses (continued)	(a) Collective Residential	Residential Colleges & Schools University & College Halls of Residence Convents & Monasteries Nurses and Hospital Residences
		(b) Boarding House Residential	Boarding Houses Lodging Houses
		(c) Commercial Residential	Hotels & Motels Hostels Residential Clubs
		(d) Seasonal Residential	Summer Homes & Cabins Hunting & Fishing Cabins
		(e) Mobile Homes	Mobile Homes
D. BUSINESS & PERSONAL SERVICE USES	1. Business, Professional, and Personal Service Uses	(a) Office	Offices (including Government Offices) Banks
		(b) Medical & Professional	Medical Offices and Consulting Rooms Dental Offices & Surgeries Legal Offices Similar Professional Offices
		(c) Personal Service	Barbers Hairdressers Beauty Parlours Small Appliance Repairs
		(d) General Service	Self-service Laundries Dry Cleaners (not using flammable or explosive substances) Small Tool and Appliance Rentals Travel Agents

CLASSIFICATION OF USES OF LAND AND BUILDINGS

GROUP	DIVISION	CLASS	EXAMPLES
D. BUSINESS & PERSONAL SERVICE USES (continued)	1. Business, Professional & Personal Service Uses (continued)	(e) Communica- tions	Radio Stations Telephone Exchanges
		(f) Police Station	Police Stations without detention quarters
		(g) Taxi Stand	Taxi Stands
		(h) Take-out Food Service	Take-out Food Service
		(i) Veterinary	Veterinary Surgeries
E. MERCANTILE USES	1. Retail Sale and Display Uses	(a) Shopping Centre	Shopping Centres
		(b) Shop	Retail Shops and Stores and Showrooms Department Stores
		(c) Indoor Market	Market Halls Auction Halls
		(d) Outdoor Market	Market Grounds Animal Markets Produce and Fruit Stands Fish Stalls
		(e) Convenience Store	Confectionary Stores Corner Stores Gift Shops Specialty Shops
F. INDUSTRIAL USES	1. Industrial uses in- volving highly combus- tible and hazardous substances and processes.	(a) Hazardous Industry	Bulk Storage of hazardous liquids and sub- stances. Chemical Plants Distilleries Feed Mills Lacquer, Mattress, Paint, Varnish, and Rubber Factories Spray Painting

CLASSIFICATION OF USES OF LAND AND BUILDINGS

GROUP	DIVISION	CLASS	EXAMPLES
F. INDUSTRIAL USES (continued)	2. General Industrial Uses involving Limited Hazardous Substances and Processes.	(a) General Industry	Factories Cold Storage Plants Freight Depots General Garages Warehouses Workshops Laboratories Laundries Planing Mills Printing Plants Contractors' Yards
		(b) Service Station	Gasoline Service Stations Gas Bars
	3. Light, Non-hazardous or Non-intrusive Industrial Uses.	(a) Light Industry	Light Industry Parking Garages Indoor Storage Warehouses Workshops
G. NON-BUILDING USES	1. Uses not directly related to building	(a) Agriculture	Commercial Farms Hobby Farms Market Gardens & Nurseries
		(b) Forestry	Tree Nurseries Silviculture
		(c) Mineral Working	Quarries Pits Mines Oil Wells
		(d) Recreational Open Space	Playing Fields Sports Grounds Parks Playgrounds
		(e) Conservation	Watersheds Buffer Strips Flood Plains Architectural, Historical and Scenic Sites Steep Slopes Wildlife Sanctuaries
		(f) Cemetery	Cemeteries Graveyards
		(g) Scrap Yard	Car Wrecking Yards Junk Yards Scrap Dealers

CLASSIFICATION OF USES OF LAND AND BUILDINGS

GROUP	DIVISION	CLASS	EXAMPLES
G. NON-BUILDING USES (continued)	1. Uses not directly related to building. (continued)	(h) Solid Waste	Solid Waste Disposal Sanitary Land Fill Incinerators
		(i) Animal	Animal Pounds Kennels Zoos
		(j) Antenna	TV, Radio and Communications Transmitting and Receiving Masts and Antennae
		(k) Transportation	Airfields Railway Yards Docks and Harbours

**TOWN OF PASADENA
DEVELOPMENT REGULATIONS 2000-2010**

Baird Planning Associates

SCHEDULE C

USE ZONE TABLES

For the purpose of the Development Regulations, the municipal planning area is divided into use zones. The use zones are represented by use symbols and are shown on the zoning maps attached to the Development Regulations.

This schedule contains tables showing the use classes that may be permitted or that may be treated as discretionary use classes for the purposes of these regulations (see Regulations 85 and 86). The tables indicate the required standards of development and may include conditions affecting some or all of these use classes.

The Schedule contains use zone tables for the following zones:

<u>Use Zone</u>	<u>Code</u>	<u>Page</u>
Residential Low Density	RLD	1
Residential Medium Density	RMD	5
Residential Rural	RR	9
Residential Seasonal	RS	12
Residential - Comprehensive Development Area	R-CDA	13
Commercial General	CG	14
Commercial/Industrial	CI	17
Commercial Tourism	CT	20
Tourism Resource - Comprehensive Development Area	TR-CDA	23
Industrial Light	IL	24
Industrial Rural	IR	27
Public Use	PU	30
Open Space Recreation	OSR	32
Open Space Cemetery	OSC	34
Open Space Buffer	OSB	35
Conservation	CON	36
Agriculture	A	37
Rural	R	40

USE ZONE TABLE

ZONE TITLE - RESIDENTIAL LOW DENSITY (RLD)		
PERMITTED USE CLASSES - (See Regulation 85) Single dwelling, conservation.		
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Double dwelling, recreational open space, child care, boarding house, office, personal service, medical and professional, special care, general service, agriculture, light industry, antenna.		
STANDARDS	Single Dwelling	Double Dwelling
Minimum Lot Area (m ²)	670	390 (per unit)
Minimum Floor Area (m ²)	80	80 (per unit)
Minimum Frontage (m)	23.0	26.0
Minimum Building Line Setback (m)	9.0	9.0
Maximum Building Line Setback (m)	15.0	15.0
Minimum Sideyard (m)	3.0	3.0
Minimum Sideyard of Corner Lots Flanking the Street	7.0	7.0
Minimum Rearyard (m)	9.0	9.0
Maximum Lot Coverage	30%	33%
Maximum Height (m)	8.0	8.0

CONDITIONS FOR RESIDENTIAL LOW DENSITY ZONE1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

2. Accessory Buildings

Accessory buildings will have a maximum lot coverage of 7 percent and a maximum height of 3 metres. The maximum floor area of any one accessory building shall be 55 m².

Accessory buildings will be permitted only in the rearyard of the dwelling. It shall be no closer than 3.0 metres from another building and no closer than 1.0 metres from any property line.

3. Services

Development shall be connected to municipal services of adequate capacity. The frontage of each lot shall be on a publicly owned and maintained street. Access to the lot must be obtainable from this street.

4. Surface Grade

Council will require the development of appropriate grades on individual lots to facilitate efficient storm drainage toward the street.

CONDITIONS FOR RESIDENTIAL LOW DENSITY ZONE (continued)

5. Subsidiary Apartments

A subsidiary apartment shall be permitted within a single dwelling subject to the following conditions:

- (i) One subsidiary apartment may be permitted in a self-contained dwelling provided the minimum required floor area of the primary dwelling continues to be met. The minimum floor area of a subsidiary apartment shall be as follows:

	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms
Minimum Floor Area	50m ²	60m ²	70m ²	80m ²

- (ii) The appearance of the single dwelling will be maintained.
 (iii) In addition to the required parking for the single dwelling, one additional parking space will be required on the lot for the subsidiary apartment.

6. Front Wall

The front wall of a dwelling shall be parallel to the street it faces.

7. Height

“Height” means the height of a building measured as the vertical distance between ground level and:

- (a) The highest point of the roof surface of a flat roof.
 (b) The deck line of a mansard roof.
 (c) The median level between the eaves and the ridge of the gable, gambrel, or hip roof.

8. Non-Residential Uses

A non-residential development permitted as a discretionary use will be subject to the following criteria:

- (i) It must be located and designed to minimize the impact of traffic, noise, lighting, and signage on surrounding residential uses. Where necessary, screening will be required through the provision of trees, shrubs, berms, landscaping, or fencing.
 (ii) It must be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.
 (iii) Access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles.
 (iv) It must provide for adequate off-street parking for its needs.

9. Home Occupations

Professional and medical services, personal services, special care services, light industry, and office uses may be permitted as discretionary uses within residential dwellings or accessory buildings on the same lot. They will not be permitted as separate land uses.

A professional or medical service, personal service, special care service, light industry, or office use may be permitted in a single dwelling unit or an accessory building, provided that:

- (i) The dwelling is occupied as a residence by the professional or business user.
 (ii) The use is clearly subsidiary to the residential use and does not require external modification of the dwelling unit.
 (iii) The use does not alter the residential appearance of the lot and does not detract from the residential character of the neighbourhood.
 (iv) No more than 25% of the total floor area, up to a maximum of 45 square metres, is devoted to such uses.
 (v) The use is operated by a resident of the dwelling unit and does not employ more than the resident plus one employee.

CONDITIONS FOR RESIDENTIAL LOW DENSITY ZONE (continued)

- (vi) Light industry uses shall be limited to the production of baked goods, hand-made article such as clothing, and arts and crafts objects.
- (vii) Outdoor storage of goods and materials is not be permitted.
- (viii) The use will not generate traffic, sewerage, or water use in excess of what is normal in a dwelling unit in the use zone and can be accommodated by the existing municipal road and water and sewer services.
- (ix) Activities and materials associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or electrical interference, or in any other way result in a nuisance to the occupants of surrounding dwellings.
- (x) One building only, separate from the dwelling unit, may be used in connection with a light industrial use and shall conform to the Accessory Building condition for this use zone.
- (xi) No sign may be permitted other than a name plate not exceeding 0.2 m² in area which is attached to the principal building. Illumination of the sign is not permitted.
- (xii) Council may require fencing, screening, and separation to protect the amenity of adjacent uses.
- (xiii) Parking requirements are set out in Schedule D, however, a minimum of one space is required for a home occupation. The minimum required parking for a dwelling unit must continue to be met.
- (xiv) The parking of a commercial vehicle may be permitted on the lot provided that the appearance and bulk of the vehicle is in keeping with the amenities of the area.
- (xv) The residential lot has sufficient lot area to accommodate the parking requirements of both the dwelling unit and the home occupation use.
- (xvi) The development and operation of the home-based business will be subject to conditions outlined in a permit by the Town of Pasadena.
- (xvii) No change in the type, class, or extent of the use shall be permitted except in accordance with a development permit.

10. Child Care Uses

A daycare or day nursery (i.e. child care operation in which services are regularly provided to five or more children) may be permitted as a discretionary use subject to the following conditions:

- (i) The operation is in accordance with the terms and conditions of The Daycare and Homemaker Services Act.
- (ii) The use will only be permitted in a single dwelling.
- (iii) A limit of one daycare or day nursery will be permitted on a single cul de sac.
- (iv) The use will occupy no more than 60 m² or 40% of the floor area of the dwelling unit, whichever is less.
- (v) Any on-site, outdoor playground space will have a fence erected around the perimeter, with a gate in case of emergency.
- (vi) Sufficient parking space is provided in accordance with Schedule D of these regulations.
- (vii) The drop-off and pick-up of children will not interfere with the free flow of vehicular traffic.
- (viii) The use will not be located adjacent to hazardous, dangerous, or incompatible uses. These include but will not be limited to heavy industrial uses, service stations, taverns, and amusement uses.
- (ix) The development and operation of the child care use will be subject to the conditions outlined in a permit issued by the Town of Pasadena.

11. Bed & Breakfast and Boarding House Operations

Bed and breakfast and boarding house operations must be subsidiary to a single dwelling.

12. Agriculture

Agricultural activities permitted as a discretionary use will be limited to hobby vegetable or greenhouse farming.

CONDITIONS FOR RESIDENTIAL LOW DENSITY ZONE (continued)12. Conservation of the Natural Environment and Aesthetic Resources

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

13. Shoreline Buffers

Generally no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

14. The Newfoundland T'Railway

Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of both sides of the T'Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

USE ZONE TABLE

ZONE TITLE - RESIDENTIAL MEDIUM DENSITY (RMD)							
PERMITTED USE CLASSES - (See Regulation 85) Single dwelling, conservation.							
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Double dwelling, row dwelling, apartment building, subsidiary apartment, recreational open space, child care, office, personal service, medical and professional, special care, general service, light industry, antenna.							
STANDARDS	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building			
				1 Bed Apt	2 Bed Apt	3 Bed Apt	4 Bed Apt
Minimum Lot Area (m ²) per Dwelling Unit	620	390	350	200	250	280	300
Minimum Floor Area (m ²) per Dwelling Unit	80	80	65	40	50	60	70
Minimum Frontage (m)	23	26	12 per unit	36			
Minimum Building Line Setback (m)	9	9	9	8			
Maximum Building Line Setback (m)	15	15	15	15			
Minimum Sideyard (m)	3	3	3	5			
Minimum Sideyard of Corner Lots Flanking the Street	7	7	7	10			
Minimum Rearyard (m)	9	9	9	15			
Maximum Lot Coverage	30%	33%	33%	33%			
Maximum Height (m)	8	8	8	10			

CONDITIONS FOR RESIDENTIAL MEDIUM DENSITY ZONE1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

2. Residential Density

In each Residential Medium Density zone there shall be not more than 33% apartment units, row housing units, or a combination of apartment and row housing units. The remainder shall be either single or double dwellings or a combination of single or double dwellings.

3. Services

Development shall be connected to municipal services of adequate capacity. The frontage of each lot shall be on a publicly owned and maintained street. Access to the

lot must be obtainable from this street.

CONDITIONS FOR RESIDENTIAL MEDIUM DENSITY ZONE (continued)

4. Surface Grade

Council will require the development of appropriate grades on individual lots to facilitate efficient storm drainage toward the street.

5. Accessory Buildings

Accessory buildings will have a maximum lot coverage of 7 percent and a maximum height of 3 metres. The maximum floor area of any one accessory building shall be 55 m².

Accessory buildings will be permitted only in the rearyard of the dwelling. It shall be no closer than 3.0 metres from another building and no closer than 1.0 metres from any property line.

6. Subsidiary Apartments

A subsidiary apartment shall be permitted within a single dwelling subject to the following:

- (i) The appearance of the single dwelling is to be maintained.
- (ii) In addition to the required parking for the single dwelling, one additional parking space will be required on the lot for the subsidiary apartment.
- (iii) The construction of a basement apartment converts a single family dwelling into a duplex dwelling and the standards in the use zone table shall apply.

7. Front Wall

The front wall of a dwelling shall be parallel to the street it faces.

8. Height

“Height” means the height of a building measured as the vertical distance between ground level and:

- (a) The highest point of the roof surface of a flat roof.
- (b) The deck line of a mansard roof.
- (c) The median level between the eaves and the ridge of the gable, gambrel, or hip roof.

9. Non-Residential Uses

A non-residential development permitted as a discretionary use will be subject to the following criteria:

- (i) It must be located and designed to minimize the impact of traffic, noise, lighting, and signage on surrounding residential uses. Where necessary, screening will be required through the provision of trees, shrubs, berms, landscaping, or fencing.
- (ii) It must be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.
- (iii) Access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles.
- (iv) It must provide for adequate off-street parking for its needs.

10. Home Occupations

Professional and medical services, personal services, special care services, light industry, and office uses may be permitted as discretionary uses within residential dwellings or accessory buildings on the same lot. They will not be permitted as separate land uses.

A professional or medical service, personal service, special care service, light industry, or office use may be permitted in a single dwelling unit or an accessory building, provided that:

- (i) The dwelling is occupied as a residence by the professional or business user.

- (ii) The use is clearly subsidiary to the residential use and does not require external modification of the dwelling unit.
- (iii) The use does not alter the residential appearance of the lot and does not detract from the residential character of the neighbourhood.
- (iv) No more than 25% of the total floor area, up to a maximum of 45 square metres, is devoted to such uses.
- (v) The use is operated by a resident of the dwelling unit and does not employ more than the resident plus one employee.
- (vi) Light industry uses shall be limited to the production of baked goods, hand-made article such as clothing, and arts and crafts objects.
- (vii) Outdoor storage of goods and materials is not be permitted.
- (viii) The use will not generate traffic, sewerage, or water use in excess of what is normal in a dwelling unit in the use zone and can be accommodated by the existing municipal road and water and sewer services.
- (ix) Activities and materials associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or electrical interference, or in any other way result in a nuisance to the occupants of surrounding dwellings.
- (x) One building only, separate from the dwelling unit, may be used in connection with a light industrial use and shall conform to the Accessory Building condition for this use zone.
- (xi) No sign may be permitted other than a name plate not exceeding 0.2 m² in area which is attached to the principal building. Illumination of the sign is not permitted.
- (xii) Council may require fencing, screening, and separation to protect the amenity of adjacent uses.
- (xiii) Parking requirements are set out in Schedule D, however, a minimum of one space is required for a home occupation. The minimum required parking for a dwelling unit must continue to be met.
- (xiv) The parking of a commercial vehicle may be permitted on the lot provided that the appearance and bulk of the vehicle is in keeping with the amenities of the area.
- (xv) The residential lot has sufficient lot area to accommodate the parking requirements of both the dwelling unit and the home occupation use.
- (xvi) The development and operation of the home-based business will be subject to conditions outlined in a permit by the Town of Pasadena.
- (xvii) No change in the type, class, or extent of the use shall be permitted except in accordance with a development permit.

11. Child Care Uses

A daycare or day nursery (i.e. child care operation in which services are regularly provided to five or more children) may be permitted as a discretionary use subject to the following conditions:

- (i) The operation is in accordance with the terms and conditions of The Daycare and Homemaker Services Act.
- (ii) The use will only be permitted in a single dwelling.
- (iii) A limit of one daycare or day nursery will be permitted on a single cul de sac.
- (iv) The use will occupy no more than 60 m² or 40% of the floor area of the dwelling unit, whichever is less.
- (v) Any on-site, outdoor playground space will have a fence erected around the perimeter, with a gate in case of emergency.
- (vi) Sufficient parking space is provided in accordance with Schedule D of these regulations.
- (vii) The drop-off and pick-up of children will not interfere with the free flow of vehicular traffic.
- (viii) The use will not be located adjacent to hazardous, dangerous, or incompatible uses. These include but will not be limited to heavy industrial uses, service stations, taverns, and amusement uses.
- (ix) The development and operation of the child care use will be subject to the conditions outlined in a permit issued by the Town of Pasadena.

12. Bed & Breakfast and Boarding House Operations

Bed and breakfast and boarding house operations must be subsidiary to a single dwelling.

13. Agriculture

Agricultural activities permitted as a discretionary use will be limited to hobby vegetable or greenhouse farming.

14. Conservation of the Natural Environment and Aesthetic Resources

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

15. Shoreline Buffers

Generally no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

16. The Newfoundland T'Railway

Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of both sides of the T'Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

USE ZONE TABLE

ZONE TITLE - RESIDENTIAL RURAL (RR)	
PERMITTED USE CLASSES - (See Regulation 85) Single dwelling, conservation.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Subsidiary apartment, office, professional service, general service, personal service, veterinary, animal, special care, child care, light industry, recreational open space, antenna.	
STANDARDS	Single Dwelling
Minimum Lot Area (m ²) per Dwelling Unit	4,000
Minimum Floor Area (m ²) per Dwelling Unit	80.0
Minimum Frontage (m)	45.0
Minimum Building Line Setback (m)	9.0
Maximum Building Line Setback (m)	30.0
Minimum Sideyard (m)	3.0
Minimum Rearyard (m)	9.0
Maximum Lot Coverage	30%
Maximum Height (m)	8.0

CONDITIONS FOR RESIDENTIAL RURAL1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of permitted uses.

2. Water and Sewerage

All developments must have their individual water and sewer arrangements approved by the Department of Health or the Department of Government Services and Lands before a permit to build will be granted by Council. If the minimum lot area prescribed in the standards above is judged by the agency to be insufficient to ensure adequate sanitary water supply and sewage disposal, Council will require a larger lot area as prescribed by the agency.

3. Accessory Buildings

Accessory buildings will have a maximum lot coverage of 7 percent or 70 m², whichever is less, and a maximum height of 4 metres. In reviewing an application for an accessory building, Council will consider its effect on neighbouring properties.

An accessory building will be permitted only in the rearyard of the dwelling. It shall be no closer than 3.0 metres from another building and no closer than 1.5 metres from any property line.

CONDITIONS FOR RESIDENTIAL RURAL (continued)4. Building Line Setbacks

Building line setbacks are required to conform generally with the setback distances of dwellings on adjoining or neighbouring lots, but not beyond the maximum setback of 30 metres.

5. Lot Frontage on Existing Road Only

New dwellings can only be developed with their lots fronting onto the existing public road in the Sandy Cove area. New dwelling units will not be permitted on other existing or proposed roads.

6. Siting of Dwelling Units

The siting of each new dwelling unit on a lot will be such that the lot can be subdivided at such future time that water and sewer becomes available and higher densities will be permitted.

7. Subsidiary Apartments

Notwithstanding Section 55 of Part II of these regulations, subsidiary apartments will only be permitted in the Residential Rural zone at the discretion of Council. The standards as set out for the Residential Low Density zone will apply.

8. Height

“Height” means the height of a building measured as the vertical distance between ground level and:

- (a) The highest point of the roof surface of a flat roof.
- (b) The deck line of a mansard roof.
- (c) The median level between the eaves and the ridge of the gable, gambrel, or hip roof.

Where the ground level of a lot occupied by a building varies, Council shall determine the ground level for the purpose of determining height.

9. Non-Residential Uses

A non-residential development permitted as a discretionary use will be subject to the following criteria:

- (i) It must be located and designed to minimize the impact of traffic, noise, lighting, and signage on surrounding residential uses. Where necessary, screening will be required through the provision of trees, shrubs, berms, landscaping, or fencing.
- (ii) It must be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.
- (iii) Access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles.
- (iv) It must provide for adequate off-street parking for its needs.

10. Home Occupations

Professional and medical services, personal services, special care services, light industry, and office uses may be permitted as discretionary uses within residential dwellings or accessory buildings on the same lot. They will not be permitted as separate land uses.

A professional or medical service, personal service, special care service, light industry, or office use may be permitted in a single dwelling unit or an accessory building, provided that:

- (i) The dwelling is occupied as a residence by the professional or business user.
- (ii) The use is clearly subsidiary to the residential use and does not require external modification of the dwelling unit.
- (iii) The use does not alter the residential appearance of the lot and does not detract from the residential character of the neighbourhood.
- (iv) No more than 25% of the total floor area, up to a maximum of 45 square metres, is devoted to such uses.

- (v) The use is operated by a resident of the dwelling unit and does not employ more than the resident plus one employee.
- (vi) Light industry uses shall be limited to the production of baked goods, hand-made article such as clothing, and arts and crafts objects.
- (vii) Outdoor storage of goods and materials is not be permitted.
- (viii) The use will not generate traffic, sewerage, or water use in excess of what is normal in a dwelling unit in the use zone and can be accommodated by the existing municipal road and water and sewer services.
- (ix) Activities and materials associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, or electrical interference, or in any other way result in a nuisance to the occupants of surrounding dwellings.
- (x) One building only, separate from the dwelling unit, may be used in connection with a light industrial use and shall conform to the Accessory Building condition for this use zone.
- (xi) No sign may be permitted other than a name plate not exceeding 0.2 m² in area which is attached to the principal building. Illumination of the sign is not permitted.
- (xii) Council may require fencing, screening, and separation to protect the amenity of adjacent uses.
- (xiii) Parking requirements are set out in Schedule D, however, a minium of one space is required for a home occupation. The minimum required parking for a dwelling unit must continue to be met.
- (xiv) The parking of a commercial vehicle may be permitted on the lot provided that the appearance and bulk of the vehicle is in keeping with the amenities of the area.
- (xv) The residential lot has sufficient lot area to accommodate the parking requirements of both the dwelling unit and the home occupation use.
- (xvi) The development and operation of the home-based business will be subject to conditions outlined in a permit by the Town of Pasadena.
- (xvii) No change in the type, class, or extent of the use shall be permitted except in accordance with a development permit.

11. Animal Uses

Animal uses permitted at Council’s discretion will be limited to kennels, stables and similar uses for sheltering domestic pets and animals. Keeping of livestock and poultry will not be permitted.

12. Conservation of the Natural Environment and Aesthetic Resources

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

13. Shoreline Buffers

Generally no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

Boat houses and wharves may be permitted in the conservation buffer along Deer Lake subject to the approval and conditions of the Department of Environment.

14. The Newfoundland T’Railway

Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of both sides of the T’Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

RS

USE ZONE TABLE

ZONE TITLE - RESIDENTIAL SEASONAL (RS)
PERMITTED USE CLASSES - (See Regulation 85) Conservation.

DISCRETIONARY USE CLASSES - (See Regulations 22 and 86)
Antenna.

CONDITIONS FOR RESIDENTIAL SEASONAL

18. New Development Not Permitted

Council shall not allow further residential development in this zone.

USE ZONE TABLE

ZONE TITLE - RESIDENTIAL - COMPREHENSIVE DEVELOPMENT AREA (R-CDA)
PERMITTED USE CLASSES - (See Regulation 85) Conservation.
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Agriculture, forestry, recreational open space.

CONDITIONS FOR RESIDENTIAL CDA1. Comprehensive Development Scheme

A proposal for residential development in this zone will be considered only if:

- (i) it is in accordance with a Comprehensive Development Scheme that has been adopted by Council. The requirements of a Comprehensive Development Scheme for this area are outlined in the Municipal Plan, Section 3.2.4 - Section 4.
- (ii) the area has been redesignated to Residential through an amendment to the Municipal Plan; and
- (iii) the area has been rezoned through an amendment to these Regulations.

2. Water and Sewerage

Council will not approve a development scheme that proposes any areas for unserved residential development.

USE ZONE TABLE

ZONE TITLE - COMMERCIAL GENERAL - CG	
PERMITTED USE CLASSES - (See Regulation 85) Shop, indoor market, office, general assembly, passenger assembly, convenience store, catering, funeral home, theatre, cultural and civic, child care, medical and professional, personal service, general service, communications, veterinary, general service, police station, conservation, antenna.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Shopping centre, commercial residential, single dwelling, double dwelling, apartment building, amusement, take-out food service, taxi stand, educational, place of worship, club and lodge, outdoor market, service station, recreational open space.	
STANDARDS	All Uses
Minimum Lot Area (m ²)	400
Minimum Floor Area (m ²)	No Minimum
Minimum Frontage (m)	23.0
Minimum Building Line Setback (m)	4.0 (Council may require higher setbacks on Main St.)
Minimum Sideyards (m)	5.0 & 1.8 (may be waived for buildings with adjoining walls)
Minimum Rear Yard (m)	10.0
Maximum Lot Coverage	40%
Maximum Height (m)	10.0

CONDITIONS FOR COMMERCIAL GENERAL ZONE**1. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (Refer to Sections 10, 22, and 86 of Part II of these Regulations).

2. Automobile and Recreational Vehicle Dealers

Despite the inclusion of Shop uses in the Permitted Uses table, automobile dealers and recreational vehicle dealers will be treated as Discretionary Uses in this zone.

3. Development Criteria

A commercial development in this zone will be subject to the following criteria:

- (i) It must have direct access onto a collector street.
- (ii) It must be located and designed to minimize the impact of traffic, noise, lighting, and signage on surrounding residential uses. Where necessary, screening will be required through the provision of trees, shrubs, berms, landscaping, or fencing.
- (iii) It must be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding residential areas and other land uses.
- (iv) Access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles.
- (v) It must provide for adequate off-street parking and loading facilities for its needs.
- (vi) It must have adequate water and sewer services for its needs.

CONDITIONS FOR COMMERCIAL GENERAL ZONE (continued)

4. Effect on Adjacent Residential Areas

Development shall be located and designed to minimize the effect of traffic noise, signs, and lighting on adjacent residential areas.

5. Screening and Buffers

Council may require buffers between uses in this zone and adjacent residential uses in order to protect dwellings from noise, light, traffic, fumes, and unsightly appearance.

6. Height

"Height" means the height of a building measured as the vertical distance between ground level and:

- (a) the highest point of the roof surface or a flat roof,
- (b) the deck line of a mansard roof;
- (c) the median level between eaves and ridge of a gable, gambrel, or hip roof.

Where the ground level of a lot occupied by a building varies, Council shall determine the ground level for the purpose of determining height.

7. Access Points

Access points to any use in this zone will be limited in number as determined by Council.

8. Landscaping and Screening

Landscaping and screening may be required for any development in a manner determined by Council in order to provide for the following: a visual screen between different or incompatible uses, a noise barrier, attractive visual continuity between developments, visual integrity or identity of an area, or enhancement of the attractiveness of a development.

Landscaping and screening shall be in accordance with the following provisions:

- (i) A three metre landscaped area or a screen at least 1.8 metres in height will be provided where a commercial, industrial or public use adjoins a residential use.
- (ii) Adequate landscaping or screening will be provided between residential development and arterial roads and wherever possible landscaped areas will be at least 10 metres deep.

9. Shoreline Buffers

Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

10. The Newfoundland T'Railway

Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of both sides of the T'Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

11. Conservation of Natural Environment and Aesthetic Areas

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

CONDITIONS FOR COMMERCIAL GENERAL ZONE (continued)12. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 13 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 14 below and to any other conditions deemed appropriate by Council.

13. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area.
- (ii) No advertisement will exceed 5 square metres in area.

14. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.
- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

15. Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government services and Lands and other applicable authorities.

USE ZONE TABLE

ZONE TITLE - COMMERCIAL / INDUSTRIAL (CI)	
PERMITTED USE CLASSES - (See Regulation 85) Funeral home, office, medical and professional, personal service, general service, taxi stand, veterinary, shop, light industry. conservation.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Outdoor market, child care, recreational open space, antenna.	
STANDARDS	All Uses
Minimum Lot Area (m ²)	500
Minimum Floor Area (m ²)	50
Minimum Frontage (m)	23
Minimum Building Line Setback (m)	8 (Council may require higher setbacks on Main Street)
Minimum Sideyards (m)	5 & 1.8 (may be waived for buildings with adjoining walls)
Minimum Rear Yard (m)	10
Maximum Lot Coverage	40%
Maximum Height (m)	6

CONDITIONS FOR COMMERCIAL / INDUSTRIAL1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (Refer to Sections 10, 22, and 86 of Part II of these Regulations).

2. Automobile and Recreational Vehicle Dealers

Despite the inclusion of Shop uses in the Permitted Uses table, automobile dealers and recreational vehicle dealers will be treated as Discretionary Uses in this zone.

3. Development Criteria

A commercial development in this zone will be subject to the following criteria:

- (i) It must have direct access onto a public street.
- (ii) It must be located and designed to minimize the impact of traffic, noise, lighting, and signage on surrounding residential uses. Where necessary, screening will be required through the provision of trees, shrubs, berms, landscaping, or fencing.
- (iii) It must be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding residential areas and other land uses.
- (iv) Access points to the street must be limited in number (as determined by Council) and designed for maximum safety of pedestrians and vehicles.
- (v) It must provide for adequate off-street parking and loading facilities for its needs.
- (vi) It must have adequate water and sewer services for its needs.

4. Effect on Adjacent Residential Areas

Development shall be located and designed to minimize the effect of traffic noise, signs, and lighting on adjacent residential areas.

CONDITIONS FOR COMMERCIAL/INDUSTRIAL (continued)

5. Screening and Buffers

Council may require buffers between uses in this zone and adjacent residential uses in order to protect dwellings from noise, light, traffic, fumes, and unsightly appearance.

6. Height

"Height" means the height of a building measured as the vertical distance between ground level and:

- (a) the highest point of the roof surface or a flat roof,
- (b) the deck line of a mansard roof;
- (c) the median level between eaves and ridge of a gable, gambrel, or hip roof.

Where the ground level of a lot occupied by a building varies, Council shall determine the ground level for the purpose of determining height.

7. Access Points

Access points to any use in this zone will be limited in number.

8. Outdoor Storage

Outdoor storage is not permitted in front yards. It may be permitted in sideyards and backyards. Council may require fencing or other form of screening where quantity and/or type of material may lead to unsightly appearance.

9. Conservation of Natural Environment and Aesthetic Areas

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

10. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 11 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 12 below and to any other conditions deemed appropriate by Council.

11. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area.
- (ii) No advertisement will exceed 5 square metres in area.

12. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres.
- (ii) When the advertisements relate to a specific land use, it will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.

CONDITIONS FOR COMMERCIAL/INDUSTRIAL (continued)

- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

13 Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government Services and Lands and other applicable authorities.

USE ZONE TABLE

ZONE TITLE - COMMERCIAL TOURISM (CT)	
PERMITTED USE CLASSES - (See Regulation 85) Commercial residential, catering.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Passenger assembly, service station, taxi stand, take-out food service, convenience store, indoor market, outdoor market, amusement, outdoor assembly, office, shop, recreational open space, transportation, conservation, antenna.	
STANDARDS	All Uses
Minimum Lot Area (m ²)	500
Minimum Floor Area (m ²)	No Minimum
Minimum Frontage (m)	30
Minimum Building Line Setback (m)	15 (Council may require higher setbacks on Trans Canada Highway)
Minimum Sideyards (m)	5
Minimum Rear Yard (m)	10
Maximum Lot Coverage	40%
Maximum Height (m)	6

CONDITIONS FOR TOURISM COMMERCIAL

1. Site Plan
The development of land uses in this zone will be subject to a site development plan that has been approved by Council. The requirements of a site plan are outlined in the Municipal Plan (Section 3.3.3, Item 3).
2. Services
Water supply and sewage disposal in unserviced areas must be approved by the Departments of Health, Government Services and Lands, and/or Environment and Labour.
3. Discretionary Use Classes
The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (Refer to Sections 10, 22, and 86 in Part II of these Regulations).
4. Highway Oriented Uses
The discretionary use classes - passenger assembly, service station, taxi stand, take-out food service, indoor market, and outdoor market - will not be considered for development in any Commercial Tourism sites other than along the TCH service road at the east entrance to Pasadena.
5. Outdoor Assembly Uses
Outdoor assembly will be limited to commercial campgrounds, amusement parks, fairgrounds, and exhibition grounds.

CONDITIONS FOR TOURISM COMMERCIAL (continued)

6. Boathouses and Wharves

Accessory buildings, boathouses, and wharves may be permitted along the Deer Lake shoreline as accessory uses to conservation and water based recreational activities. Accessory buildings will have a maximum floor area of 56 m² and a maximum height of 3.0 metres.

7. Access Points

Access points to any use in this zone will be limited in number. Council may determine the location and number of accesses for a particular use.

8. Height

“Height” means the height of a building measured as the vertical distance between ground level and:

- (a) the highest point of the roof surface of a flat roof;
- (b) the deck line of a mansard roof;
- (c) the median level between the eaves and the ridge of the gable, gambrel, or hip roof.

9. Conservation of Natural Environment and Aesthetic Areas

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as local conservation areas and maintenance of tree cover along lot frontages.

10. Shoreline Buffers

Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

11. The Newfoundland T’Railway

Existing tree cover and plant life within 50 metres of both sides of the T’Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

12. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 12 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 13 below and to any other conditions deemed appropriate by Council.

13. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area.
- (ii) No advertisement will exceed 5 square metres in area.

13. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.

- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

14. Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government Services and Lands and other applicable authorities.

USE ZONE TABLE

ZONE TITLE - TOURISM / RECREATION - COMPREHENSIVE DEVELOPMENT AREA (TR-CDA)
PERMITTED USE CLASSES - (See Regulation 85) Conservation.
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Recreational open space, agriculture, forestry, antenna.

CONDITIONS

1. Short-Term Development
Any interim development that is permitted at the discretion of Council shall not interfere with the intended use of this land as stated in the Municipal Plan, Section 3.3.4.
2. Comprehensive Development Scheme
A proposal for tourism or recreational development in this zone will be considered only if it is in accordance with a Comprehensive Development Scheme that has been adopted by Council and the area has been redesignated to Tourism Commercial through an amendment to the Municipal Plan and rezoned through an amendment to these Regulations. The requirements of a Comprehensive Development Scheme for this area are outlined in the Municipal Plan, Section 3.3.4.
3. Conservation of Natural Environment and Aesthetic Areas
Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.
4. Shoreline Buffers
Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.
5. The Newfoundland T' Railway
Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of both sides of the T' Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

USE ZONE TABLE

ZONE TITLE - INDUSTRIAL LIGHT (IL)	
PERMITTED USE CLASSES - (See Regulation 85) Light industry, communications, conservation.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) General industry, shop, office, general service, service station, transportation, animal, antenna.	
STANDARDS	All Uses
Minimum Lot Area (m ²)	1,860
Minimum Floor Area (m ²)	50.0
Minimum Frontage (m)	30.0
Minimum Building Line Setback (m)	8.0
Minimum Sideyards (m)	5.0
Minimum Rear Yard (m)	15.0
Maximum Lot Coverage	No Maximum
Maximum Height (m)	14.0

CONDITIONS FOR INDUSTRIAL LIGHT ZONE1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses. (Refer to Sections 10, 22, and 86 in Part II of these Regulations)

2. Shop Uses in Discretionary Use Classes

Shop uses referred to in the Discretionary Use Class include retail activities such as building supplies, plumbing and electrical, equipment rentals, etc. that require direct vehicular access for loading of heavy or bulky goods. They do not include more pedestrian oriented retail activities such as supermarkets, department stores, and small shops.

3. Development Criteria

A development in this zone will be subject to the following criteria:

- (i) It must have direct access onto a public street.
- (ii) It must be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding residential areas and other land uses;
- (iii) Access points to the street must be limited in number (as determined by Council) and designed for maximum safety of pedestrians and vehicles.
- (iv) It must provide for adequate off-street parking and loading facilities for its needs.
- (v) It must have adequate water and sewer services for its needs.

4. Property Appearance

As defined by Council, strict property upkeep and outdoor storage standards will be enforced. These standards will generally be higher for properties located within sight of the Trans Canada Highway.

CONDITIONS FOR INDUSTRIAL LIGHT ZONE (continued)5. Access Points

Access points to any use in this zone will be limited in number, as determined by Council.

6. Parking Related to Industrial Uses

All industrial establishments must provide adequate off-street parking for all employees as outlined in Schedule D. Customer or client parking related only to industrial uses may be provided for in the street right-of-way through the construction of suitable bays in which the parked vehicles will not interfere with moving traffic.

7. Conservation of Natural Environment and Aesthetic Areas

Council may require agreements with property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

8. Shoreline Buffers

Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

9. The Newfoundland T'Railway

Existing tree cover and plant life within 50 metres of both sides of the T'Railway will be maintained to preserve the natural and aesthetic quality of the corridor.

10. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 10 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 11 below and to any other conditions deemed appropriate by Council.

11. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the area.
- (ii) No advertisement will exceed 5 square metres in area.

12. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.
- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

CONDITIONS FOR INDUSTRIAL LIGHT ZONE (continued)

13. Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government Services and Lands and other applicable authorities.

USE ZONE TABLE

ZONE TITLE - INDUSTRIAL RURAL (IR)	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) General industry, light industry, hazardous industry, solid waste, transportation, scrap yard, office, antenna.	
STANDARDS	All Uses
Minimum Building Line Setback (m)	15.0
Minimum Sideyards (m)	5.0
Minimum Rear Yard (m)	15.0
Maximum Height (m)	14.0

CONDITIONS FOR INDUSTRIAL RURAL

1. Discretionary Use Classes
The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they will not inhibit or prejudice the existence of existing uses within this zone or existing and permitted uses in areas outside the zone (Refer to Sections 10, 22, and 86 of Part II of these Regulations).
2. Non-Offensive Industrial Uses
Proposed industrial uses that are judged to be more suitable for the Pasadena Industrial Park on Stentaford Drive will not be permitted in the Rural Industrial zone.
3. Water and Sewerage
All developments must have their individual water and sewer arrangements approved by the Department of Health or the Department of Government Services and Lands before a permit to build will be granted by Council. These arrangements must ensure adequate sanitary water supply and sewage disposal for the needs of the development.
4. Development Plan
All applications for development must be accompanied by a comprehensive site plan and description of the proposed industrial activity. Information is required on buildings, outdoor activities and space requirements, and anticipated impacts (noise, vibration, smell, dust, smoke, increased runoff, airborne contaminants, waterborne contaminants, appearance, etc.).
5. Development Agreement
Prior to approving a development in this zone, Council will require an agreement with the developer and property owner aimed at minimizing nuisances on other land uses and protecting environmental resources. Such agreements must include sufficient provisions to satisfy Council that the development will meet the following criteria:
 - (i) The development will have direct access onto the street.
 - (ii) It will be located and designed to minimize the impact of traffic, noise, lighting, and signage on other existing and future land uses. Where necessary, screening will be required through the provision of trees, shrubs, berms, landscaping, or fencing.
 - (iii) It will be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.

CONDITIONS FOR INDUSTRIAL RURAL (continued)

- (iv) It will be designed and maintained so as to minimize excessive noise, vibration, smell, dust, smoke, surface run-off, airborne and waterborne contaminants, and other potential nuisances and pollutants.
- (v) It will provide for adequate off-street parking and loading facilities for its needs.
- (vi) It will adhere to any special developmental and operational restrictions imposed by Council as a condition of approval.

6. Distance from Public Road

Notwithstanding the minimum building line setback of 15 metres (See Standards above), a higher setback may be required if this is determined by Council to be necessary.

7. Height

“Height” means the height of a building measured as the vertical distance between ground level and:

- (a) the highest point of the roof surface or a flat roof;
- (b) the deck line of a mansard roof;
- (c) the median level between eaves and ridge of a gable, gambrel, or hip roof.

Where the ground level of a lot occupied by a building varies, Council shall determine the ground level for the purpose of determining height.

8. Screening of Offensive Uses

Open storage of unsightly goods and machinery will be screened from the street and adjoining properties by a screen or fence no less than 2.0 metres high and constructed to Council's specifications.

9. Storage of Flammable Liquids

All uses and structures for the bulk storage of flammable liquids shall conform to the requirements of the Provincial Fire Commissioner and shall be surrounded by such buffers and landscaping as Council may require to prevent damage to adjacent uses by fire, explosion, or spillage.

10. Access Points

Access points to any use in this zone will be limited in number, as determined by Council.

11. Parking

All industrial establishments must provide adequate off-street parking for all employees as outlined in Schedule D. Off-street parking will also be provided for customers and clients.

12. Conservation of Natural Environment and Aesthetic Areas

Council may require agreements with property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

13. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 13 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 14 below and to any other conditions deemed appropriate by Council.

CONDITIONS FOR INDUSTRIAL RURAL (continued)

14. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the area.
- (ii) No advertisement will exceed 5 square metres in area.

15. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.
- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

USE ZONE TABLE

ZONE TITLE - PUBLIC USE (PU)	
PERMITTED USE CLASSES - (See Regulation 85) Educational, cultural and civic, general assembly, place of worship, medical treatment and special care, child care, conservation.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Office, indoor assembly, club and lodge, collective residential, cemetery, recreational open space.	
STANDARDS	All Uses
Minimum Lot Area (m ²)	1,860
Minimum Building Line Setback (m)	10.0
Minimum Sideyards (m)	5.0 & 1.8
Minimum Rear Yard (m)	15.0
Maximum Height (m)	10.0

CONDITIONS FOR PUBLIC USE1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (refer to Sections 10, 22, and 86 in Part II of these Regulations).

2. Office Uses

An office uses may be permitted as discretionary use provided that it is clearly subsidiary to a permitted use class.

3. Access and Parking

Council shall require safe vehicular and pedestrian access to the lot and adequate off-street parking that meets the standards of these Development Regulations.

4. Municipal Services

Full municipal services will be required for new public use developments.

5. Height

“Height” means the height of a building measured as the vertical distance between ground level and:

- (a) the highest point of the roof surface or a flat roof;
- (b) the deck line of a mansard roof;
- (c) the median level between eaves and ridge of a gable, gambrel, or hip roof.

Where the ground level of a lot occupied by a building varies, Council shall determine the ground level for the purpose of determining height.

CONDITIONS FOR PUBLIC USE (continued)

6. Landscaping and Screening

Landscaping and screening may be required for any development in a manner determined by Council in order to provide for the following: a visual screen between different or incompatible uses, a noise barrier, attractive visual continuity between developments, visual integrity or identity of an area, or enhancement of the attractiveness of a development.

7. Conservation of Natural Environment

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

8. Shoreline Buffers

Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Exceptions may include certain public works and passive recreational open space uses provided they will not be detrimental to the environmental and aesthetic quality of the area.

9. Newfoundland T'Railway

Existing tree cover and plant life within 50 metres of both sides of the railway trail will be maintained to preserve the natural and aesthetic quality of the corridor.

10. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council;
- (ii) No other advertisements are permitted in this zone.

USE ZONE TABLE

ZONE TITLE - OPEN SPACE/RECREATION (OSR)	
PERMITTED USE CLASSES - (See Regulation 85) Recreational open space, conservation.	
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Indoor assembly, general assembly, outdoor assembly, indoor assembly, child care, catering, take-out food service, convenience store, antenna.	
STANDARDS	All Uses
Minimum Lot Area (m ²)	1,860
Minimum Floor Area (m ²)	No Minimum
Minimum Frontage (m ²)	15.0
Minimum Building Line Setback (m)	10.0
Minimum Sideyards (m)	5.0
Minimum Rear Yard (m)	10.0
Maximum Lot Coverage	No Maximum
Maximum Height (m)	10.0

CONDITIONS FOR OPEN SPACE/RECREATION

1. Discretionary Use Classes
The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (Refer to Sections 10, 22, and 86 in Part II of these Regulations).
2. Role and Scale of Discretionary Uses
The role and scale of discretionary uses will be in accordance with their status as clearly subsidiary activities to Recreational Open Space uses.
3. Site Layout and Buffering
Council will ensure that proposed developments will not adversely affect nearby residential areas or traffic routes by requiring appropriate site layout, buffering, screening and landscaping.
4. Newfoundland T'Railway
Non-recreational uses will not be permitted to encroach on the Newfoundland T'Railway right-of-way, except for a limited number of public or private road crossings. A road crossing may be permitted only if there is no other viable routing option to the area being accessed. Existing tree cover and plant life within 50 metres of both sides of the railway trail will be maintained to preserve the natural and aesthetic quality of the corridor.

CONDITIONS FOR OPEN SPACE/RECREATION (continued)

5. Conservation of Natural Environment and Aesthetic Areas

Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. Such agreements will include provisions such as designation of local conservation areas and maintenance of tree cover along lot frontages.

6. Shoreline Buffers

Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works, trails, and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the stream, waterbody, and shoreline area.

7. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 8 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 9 below and to any other conditions deemed appropriate by Council.

8. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the area.
- (ii) No advertisement will exceed 5 square metres in area.

9. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.
- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

10. Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government Services and Lands and other applicable authorities.

USE ZONE TABLE

ZONE TITLE - OPEN SPACE/CEMETERY (OSC)
PERMITTED USE CLASSES - (See Regulation 85) Cemetery, conservation.

CONDITIONS1. Accessory Building

Accessory buildings will have an area of no more than 56 square metres and a maximum height of 3.0 metres.

An accessory building will be no closer than 3.0 metres from another building and 1.5 metres from any property line.

The location of an accessory building requires the approval of Council.

USE ZONE TABLE

ZONE TITLE - OPEN SPACE/BUFFER - OS/B
PERMITTED USE CLASSES - (See Regulation 85) Conservation.
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Recreational open space, agriculture, antenna.

CONDITIONS FOR OPEN SPACE/BUFFER1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they do not detract from the primary function of this zone as a buffer between incompatible land uses and their development will not inhibit or prejudice the existence or the development of permitted or discretionary uses in the adjacent zones.

USE ZONE TABLE

ZONE TITLE - CONSERVATION (CON)
PERMITTED USE CLASSES - (See Regulation 85) Conservation.
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Recreational open space, transportation, antenna.

CONDITIONS1. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to conservation uses or that their development will not inhibit or prejudice conservation uses (Refer to Sections 10, 22, and 86 of Part II of these Regulations).

2. Boating and Water Recreation

Boating, swimming, and other water recreation may be permitted in this zone as a use in the Recreation Open Space Use Classes.

3. Shoreline Buffers

Generally, no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

Permitted development associated with water bodies and watercourses will be carried out in conformance with the Guidelines of the Department of Fisheries and Oceans.

4. Boathouses and Wharves

Accessory buildings, boathouses, and wharves may be permitted along the shoreline of Deer Lake as accessory uses to conservation and water based activities. Accessory buildings will have a maximum floor area of 56 square metres and a height of no more than 3.0 metres.

USE ZONE TABLE

ZONE TITLE - AGRICULTURE (A)
PERMITTED USE CLASSES - (See Regulation 85) Agriculture, conservation.
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Mineral exploration, mineral working, aggregate extraction, forestry, animal, general industrial, light industrial, veterinary, single dwelling, antenna.

CONDITIONS FOR AGRICULTURE ZONE

1. Resource Department Approvals
Development may be permitted by Council subject to any necessary approvals from the Departments of Forest Resources and Agriculture, Mines and Energy, and other applicable Departments.
2. Discretionary Use Classes
The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (Refer to Sections 10, 22, and 86 of Part II of these Regulations).
3. Single Dwelling
A single dwelling may be permitted as a subsidiary use to a bona fide farm operation, subject to the following:
 - (v) It can be shown that full-time habitation is necessary to the successful operation of the farm as determined by the Department of Forest Resources and Agriculture.
 - (ii) The resident is a full-time farmer who derives more than 50 percent of his or her income from the farm.
 - (iii) It will have a minimum floor area of 80m² and a minimum building line setback of 10 metres.
4. General and Light Industrial Uses
General and light industrial uses shall be limited to those uses directly related to agriculture or forestry uses.
5. Buffering of Livestock and Poultry Facilities
Notwithstanding Section 35 of Part II of these Regulations, a buffer of not less than 480 metres will be maintained between any livestock or poultry holding or processing facility and the street line of existing or currently planned residential streets within adjacent Residential Low Density and Residential Medium Density zones.

Existing livestock or poultry holding or processing facilities located less than 480 metres of a residential street line will not be permitted to expand by more than fifty percent unless it can be shown that this will not be detrimental to neighbouring residential areas.

CONDITIONS FOR AGRICULTURE ZONE (continued)

6. Mineral Workings

A mineral working operation shall be limited to a small scale pit or quarry. All permitted pits and quarries will be restricted to a maximum area of 4000 m². They shall not extend below the water table, and shall not have a working face of more than 3 metres in height. No pit or quarry shall be permitted within 180 metres of the zone boundary.

a) Water Pollution and Ponding

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any waterbody or watercourse. Any access road to a pit or quarry that crosses a brook or stream shall be bridged in accordance with the regulations of the department of Environment and Labour.

b) Erosion Control

No mineral working operation shall be carried out in a manner so as to cause erosion of adjacent land.

c) Site Maintenance

Mineral working operations shall be kept clean of refuse, abandoned vehicles, abandoned equipment and derelict buildings.

d) Access Roads

During extended periods of shutdown, access roads to a mineral working site shall be ditched or barred to the satisfaction of Council.

e) Conservation of Topsoil

In establishing a mineral working site, every care will be taken to conserve cover material for site reinstatement. All stumps, organic material, and topsoil, including the rusty coloured and iron stained layers, shall be stripped and stockpiled at least 5 metres from active quarry and aggregate stockpile areas. The owner or operator shall ensure that the quality of this material is not affected by dilution with other materials.

f) Site Rehabilitation

Upon termination of the mineral working operation, the following work shall be carried out by the operator.

- (i) All buildings, machinery, and equipment shall be removed.
- (ii) All pit and quarry slopes will be graded to grades of less than 20° or to a grade conforming to that existing prior to the mineral working.
- (iii) Topsoil and other organic material will be respread over the entire quarried area and grass seeding shall be undertaken.
- (iv) The access road to the working site shall be ditched or barred to the satisfaction of Council.

g) Security Bonding

Prior to a permit being issued for a pit, quarry, or other potentially intrusive industrial activity, an applicant will be required to post a performance bond or some other financial guarantee with the Town to ensure performance conditions set by Council are adhered to. The performance bond will be returned to the developer upon cessation of the operation and the restoration and landscaping of the site to Council's satisfaction.

CONDITIONS FOR AGRICULTURE ZONE (continued)

7. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is permitted without application to Council.
 - (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 8 below and to any other conditions deemed appropriate by Council.
3. Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 9 below and to any other conditions deemed appropriate by Council.

8. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area.
- (ii) No advertisement will exceed 5 square metres in area.

9. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.
- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

10. Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government Services and Lands and other applicable authorities.

USE ZONE TABLE

ZONE TITLE - RURAL (R)
PERMITTED USE CLASSES - (See Regulation 85) Agriculture, conservation.
DISCRETIONARY USE CLASSES - (See Regulations 22 and 86) Animal, veterinary, mineral exploration, mineral working, forestry, general industrial, light industrial, recreational open space, outdoor tourism, residential, antenna.

CONDITIONS FOR RURAL ZONE

1. Resource Department Approvals
Development may be permitted subject to necessary approvals from the Departments of Forest Resources and Agriculture, Mines and Energy, and other applicable Departments.

2. Discretionary Use Classes
The discretionary use classes listed in this table may be permitted at the discretion of Council provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses (Refer to Sections 10, 22, and 86 of Part II of these Regulations).

3. General and Light Industrial Uses
Industrial uses shall be limited to those uses directly related to the natural resource base.

4. Buffering of Livestock and Poultry Facilities
Notwithstanding Section 35 of Part II of these Regulations, a buffer of not less than 480 metres will be maintained between any livestock or poultry holding or processing facility and the street line of existing or currently planned residential streets within adjacent Residential Low Density and Residential Medium Density zones.

Existing livestock or poultry holding or processing facilities located less than 480 metres of a residential street line will not be permitted to expand by more than fifty percent unless it can be shown that this will not be detrimental to neighbouring residential areas.

5. Mineral Workings
Council may permit a mineral working operation if it is satisfied that it will not create a nuisance, result in serious adverse effects on the natural environment, extend below the water table, or adversely affect an existing or currently planned development.

- a) Minimum Buffer Around a Pit or Quarry
No pit or quarry shall be located closer than the minimum distance set out below to a specified development or natural feature:

	Minimum Buffer
Existing or planned residential development	300 metres
Any other development or site likely to be developed during the life of the pit or quarry.	150 metres
Public highway or street	50 metres
Protected road	90 metres
Waterbody or water course	50 metres

CONDITIONS FOR RURAL ZONE (continued)

- b) Water Pollution and Ponding
No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any waterbody or watercourse. Any access road to a pit or quarry that crosses a brook or stream shall be bridged in accordance with the regulations of the department of Environment and Labour.
 - c) Erosion Control
No mineral working operation shall be carried out in a manner so as to cause erosion of adjacent land.
 - d) Site Maintenance
Mineral working operations shall be kept clean of refuse, abandoned vehicles, abandoned equipment and derelict buildings.
 - e) Access Roads
During extended periods of shutdown, access roads to a mineral working site shall be ditched or barred to the satisfaction of Council.
 - f) Conservation of Topsoil and Organic Material
In establishing a mineral working site, every care will be taken to conserve cover material for site reinstatement. All stumps, organic material, and topsoil, including the rusty coloured and iron stained layers, shall be stripped and stockpiled at least 5 metres from active quarry and aggregate stockpile areas. The owner or operator shall ensure that the quality of this material is not affected by dilution with other materials.
 - g) Termination and Site Rehabilitation
Upon termination of the mineral working operation, the following work shall be carried out by the operator.
 - (i) All buildings, machinery, and equipment shall be removed.
 - (ii) All pit and quarry slopes will be graded to grades of less than 20° or to a grade conforming to that existing prior to the mineral working.
 - (iii) Topsoil and other organic material will be respread over the entire quarried area and grass seeding shall be undertaken.
 - (iv) The access road to the working site shall be ditched or barred to the satisfaction of Council.
 - h) Security Bonding
Prior to a permit being issued for a pit, quarry, or other potentially intrusive industrial activity, an applicant will be required to post a performance bond or some other financial guarantee with the Town to ensure performance conditions set by Council are adhered to. The performance bond will be returned to the developer upon cessation of the operation and the restoration of the site to Council's satisfaction.
6. Other Non-Agricultural Industrial Operations
Council may require that other non-agricultural industrial activities conform to the same or similar conditions as stipulated above for Mineral Workings operations.
 7. The Newfoundland T'Railway
Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of both sides of the T'Railway will be maintained to preserve the natural and aesthetic quality of the corridor.
 8. Other Recreational Trails
Unless otherwise permitted by Council, existing tree cover and plant life within 50 metres of all recreational trails designated by Council will be maintained to preserve the natural and aesthetic quality of the corridor. Designated trails will include the all trails of the Pasadena Nordic Ski Club, certain snowmobiling trails, and other specific trails identified by Council.
 9. Single Dwelling

Single dwellings may be permitted in two instances only: (1) as a subsidiary use to a bona fide farm operation; and (2) in the rural community of Pynn's Brook.

a) Farm Dwelling

A single dwelling may be permitted as a subsidiary use to a bona fide farm operation, subject to the following:

- (i) It can be shown that full-time habitation is necessary to the successful operation of the farm as determined by the Department of Forest Resources and Agriculture.
- (ii) The resident is a full-time farmer who derives more than 50 percent of his or her income from the farm.
- (iii) It will have a minimum floor area of 80m² and a minimum building line setback of 10 metres.
- (iv) Water and sanitary sewer arrangements must be approved by the Department of Health or the Department of Government Services and Lands before a permit to build will be granted by Council.

b) Pynn's Brook

A single dwelling may be permitted in the existing developed area of Pynn's Brook, subject to the following:

- (i) It will be located on a single lot with an area of no less than 4,000 m².
- (ii) It will have a minimum floor area of 90m² and a minimum building line setback of 10 metres.
- (iii) Water supply and sanitary sewer arrangements must be approved by the Department of Health and Community Services or the Department of Government Services and Lands before a permit will be granted. If the minimum lot area prescribed in (i) above is judged by the agency to be insufficient to ensure adequate sanitary water supply and sewage disposal, Council will require a larger lot as prescribed by the agency.
- (iv) It will not have direct access onto the Trans Canada.

10. Temporary Dwelling

At the discretion of Council, a temporary dwelling may be permitted as a subsidiary use to a permitted use, subject to the following:

- (i) It will not be the full-time residence of any person.
- (ii) It will not be used for any purpose other than as a subsidiary dwelling to the permitted use.
- (iii) It will have a maximum floor area of 25 m².
- (iv) It will be erected only on the ground surface and will not have any portion of its foundation underground.
- (v) It will be erected and located in such a manner that in the opinion of Council, it can be easily dismantled or removed upon termination of the operation.
- (vi) It will be removed from the site as soon as the permitted use ceases to operate.

11. Shoreline Buffers

Generally no development will be permitted within 15 metres of rivers or streams or within 30 metres of the shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted as long as they will not be detrimental to the environmental and aesthetic quality of the area.

Accessory buildings, boathouses, and wharves may be permitted along the shoreline of Deer Lake as accessory uses to conservation and water based activities. Accessory buildings will have a maximum floor area of 56 square metres and a height of no more than 3.0 metres.

12. Advertisement Requirements

- (i) The erection or display of advertisements specified in Regulation 63 is

permitted without application to Council.

- (ii) Advertisements may be permitted on any lot or site occupied by a use permitted in this zone subject to conditions set out in Condition 11 below and to any other conditions deemed appropriate by Council.
- (iii) Advertisements may be permitted on any site which relate to a use permitted in this or another zone subject to the conditions set out in Condition 12 below and to any other conditions deemed appropriate by Council.

13. Advertisements Relating to Onsite Uses

The conditions for the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this zone shall be as follows:

- (i) The size, shape, illumination, and material construction of the advertisement will meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area.
- (ii) No advertisement will exceed 5 square metres in area.

14. Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (i) No advertisement will exceed 3 square metres in area.
- (ii) When the advertisements relate to a specific land use, they will be located within a reasonable distance of, and only show thereon the name and nature of and the distance and direction to the premises to which they relate.
- (iii) The location, siting, and illumination of each advertisement will be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street intersections, the location of nearby buildings, and the preservation of the amenities of the surrounding area.
- (iv) The advertisement will not be situated in whole or in part within the right-of-way of a public street.

15. Advertisements on Provincial Roads

On roads under Provincial jurisdiction, applications to erect advertisements will require referral to and approval from the Department of Government Services and Lands and other applicable authorities.

SCHEDULE D

OFF-STREET PARKING REQUIREMENTS

1. The offstreet parking requirements for uses in the various use classes set out in Schedule B shall be as set out in the following table.
2. In the case of developments including uses in more than one use class, these standards shall be regarded as cumulative.
3. Adequate offstreet provision for drop-off and pick-up of persons shall be provided in developments where required, such as uses within the educations, passenger assembly, child care, medical treatment and special care, commercial residential and take-out food service use classes.

G R O U P	D I V I S I O N	CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
A	1	(a) Theatre	One space for every 5 seats.
	2	(a) Cultural and Civic	One space for every 50 square metres of gross floor area.
		(b) General Assembly	One space for every 10 square metres of gross floor area.
		(c) Educational	Schools – 2 spaces for every class room. Further education – 1 space for every 5 persons using the facilities (students, faculty and staff).
		(d) Place of Worship	One space for every 5 seats.
		(e) Passenger Assembly	As specified by the Authority.
		(f) Club and Lodge	One space for every 3 persons that may be accommodated at one time.
		(g) Catering	One space for every 3 customers that may be accommodated at one time.
		(h) Funeral Home	One space for every 10 square metres of gross floor area.
		(i) Child Care	One space for every 20 square metres of gross floor area.
		(j) Amusement	One space for every 10 square metres of gross floor area.
	3	(a) Indoor Assembly	One space for every 10 spectators that may be accommodated at one time.

G R O U P	D I V I S I O N	CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
	4	(a) Outdoor Assembly	As specified by the Authority.
B	1	(a) Penal and Correctional Detention	As specified by the Authority.
C	2	(a) Medical Treatment and Special Care	One space for every 2 patients.
	1	(a) Single Dwelling	Two spaces for every dwelling unit.
		(b) Double Dwelling	Two spaces for every dwelling unit.
		(c) Row Dwelling	Two spaces for every dwelling unit.
		(d) Apartment Building	Three spaces for every 2-dwelling units.
	2	(a) Collective Residential	As specified by the Authority.
		(b) Commercial Residential	One space for every guest room.
		(c) Seasonal Residential	One space for every residential unit.
		(d) Mobile Home	Two spaces for every dwelling unit.
D	1	(a) Office	One space for every 20 square metres of gross floor area.
		(b) Medical and Professional	One space for every 20 square metres of gross floor area.
		(c) Personal Service	One space for every 20 square metres of gross floor area.
		(d) General Service	One space for every 20 square metres of gross floor area.
		(e) Communications	As specified by the Authority.
		(f) Police Station	As specified by the Authority.
		(g) Taxi Stand	As specified by the Authority.
		(h) Take-out Food Service	One space for every 20 square metres of gross floor area.
		(i) Veterinary	One space for every 20 square metres of gross floor area.
E	1	(a) Shopping Centre	One space for every 15 square metres of gross floor area.

G R O U P	D I V I S I O N	CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
		(b) Shop	One space for every 20 square metres of gross floor area.
		(c) Indoor Market	As specified by the Authority.
		(d) Outdoor Market	As specified by the Authority.
		(e) Convenience Stores	One space for every 20 square metres of gross floor area.
F	1	(a) Hazardous Industry	One space for every employee.
	2	(a) General Industry	One space for every employee.
		(b) Service Station	One space for every 20 square metres of gross floor area.
	3	(a) Light Industry	One space for every employee.