

**TOWN OF HAPPY VALLEY-
GOOSE BAY
DEVELOPMENT REGULATIONS**

IMPORTANT: To see if there were any changes to
this plan since it came into effect, please refer to:

List of Development Regulation Amendments

March 24, 2008

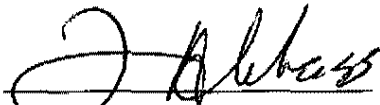
**TOWN OF HAPPY VALLEY - GOOSE BAY
DEVELOPMENT REGULATIONS
2008 - 2018**


**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF HAPPY VALLEY - GOOSE BAY DEVELOPMENT REGULATIONS**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Happy Valley - Goose Bay adopts the Town of Happy Valley - Goose Bay Development Regulations.

Adopted by the Town Council of Happy Valley - Goose Bay on the 13th day of May, 2008.

Signed and sealed this 26th day of June, 2008.

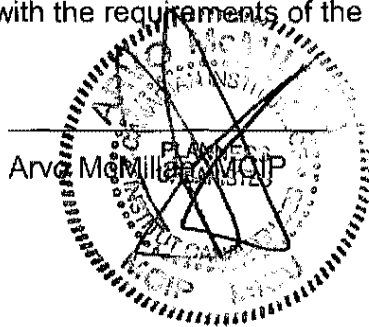
Mayor: 
Leo Abbass

Clerk: 
Valerie Sheppard

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations have been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

MCIP:



Development Regulations/Amendment	
REGISTERED	
Number	<u>1960-2008-007</u>
Date	<u>July 23rd 2008</u>
Signature	<u>[Signature]</u>

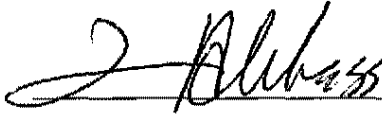
URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF HAPPY VALLEY - GOOSE BAY DEVELOPMENT REGULATIONS

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Happy Valley - Goose Bay

- a) adopted the Town of Happy Valley - Goose Bay Development Regulations on the 13th day of May, 2008.
- b) gave notice of the adoption of the Town of Happy Valley - Goose Bay Development Regulations by advertisement inserted on the 19th day of May, 2008 and the 26th day of May, 2008 in the Labradorian newspaper.
- c) set the 4th day of June at 7:30 p.m. at the Town Hall, Happy Valley - Goose Bay for the holding of a public hearing to consider objections and submissions.

Now under the authority of section 23 of the *Urban and Rural Planning Act 2000*, on the 26th day of June, 2008 the Town Council of Happy Valley - Goose Bay approves the Town of Happy Valley - Goose Bay Development Regulations as adopted.

SIGNED AND SEALED this 26th day of June, 2008

Mayor: 
Leo Abbass


Clerk: 
Valerie Sheppard

TABLE OF CONTENTS - 1

APPLICATION.....	Page 1
1. Short Title.....	Page 1
2. Interpretation.....	Page 1
3. Commencement.....	Page 1
4. Development Regulations Under the Urban and Rural Planning Act 2000 - "Ministerial Regulations.....	Page 1
5. Municipal Code and Regulations.....	Page 1
6. Town.....	Page 1
PART I - GENERAL REGULATIONS.....	Page 2
7. Compliance With Regulations.....	Page 2
8. Permit Required.....	Page 2
9. Permit to be Issued.....	Page 2
10. Permit Not to be Issued in Certain Cases.....	Page 2
11. Discretionary Powers of Town.....	Page 2
12. Variances by Town.....	Page 3
13. Service Levy.....	Page 3
14. Financial Guarantees by Developer.....	Page 4
15. Dedication of Land for Public Use.....	Page 4
16. Reinstatement of Land.....	Page 4
17. Form of Application.....	Page 5
18. Register of Application.....	Page 5
19. Deferment of Application.....	Page 5
20. Approval in Principle.....	Page 5
21. Development Permit.....	Page 6
22. Reasons for Refusing Permit.....	Page 7
23. Notice of Application.....	Page 8
24. Right of Entry.....	Page 8
25. Record of Violations.....	Page 8
26. Stop Work Order and Prosecution.....	Page 8
27. Appeals.....	Page 9
PART II - GENERAL DEVELOPMENT STANDARDS.....	Page 10
28. Access Ramps and Stairs, Decks.....	Page 10
29. Accesses and Service Streets.....	Page 10
30. Accessory Buildings – Residential Zones.....	Page 10
31. Accessory Buildings – Non-Residential Zones.....	Page 11
32. Accessory Uses.....	Page 13
33. Advertisements and Signs.....	Page 13
34. Advertisements Exempt from Control.....	Page 15
35. Advertisements - Temporary and/or Portable Signs.....	Page 16
36. Advertisements and Signs near Highways.....	Page 17
37. Advertisements Relating to Onsite Uses.....	Page 17
38. Advertisements Relating to Offsite Uses.....	Page 18

TABLE OF CONTENTS - 2

39.	Agriculture.....	Page 18
40.	Airport Noise Exposure Forecast Contours and Residential Development, Goose Bay Airport Zoning Regulations.....	Page 19
41.	Archaeological Resources and Heritage Sites and Areas.....	Page 19
42.	Bed and Breakfast, Boarding House.....	Page 20
43.	Buffers - Non-Residential.....	Page 20
44.	Building Line and Setback.....	Page 20
45.	Buildings on a Lot.....	Page 21
46.	Campground.....	Page 21
47.	Child Care.....	Page 21
48.	Comprehensive Development.....	Page 21
49.	Discretionary Use Classes.....	Page 22
50.	Entrance and Window Wells.....	Page 22
51.	Family and Group Care Centres.....	Page 22
52.	Fences.....	Page 22
53.	Forestry.....	Page 24
54.	Home Business.....	Page 24
55.	Lot Area.....	Page 25
56.	Lot Area and Size Exceptions.....	Page 25
57.	Lot Frontage and Road Frontage.....	Page 25
58.	Mineral Exploration.....	Page 26
59.	Mineral Working.....	Page 26
60.	Non-Conforming Uses.....	Page 29
61.	Offensive and Dangerous Uses.....	Page 31
62.	Parks and Playgrounds and Conservation Areas.....	Page 31
63.	Public Services and Public Utilities.....	Page 32
64.	Screening and Landscaping.....	Page 32
65.	Service Stations.....	Page 32
66.	Site Development.....	Page 32
67.	Site Development Quarry and Soil Removal.....	Page 33
68.	Solid Waste Disposal Site Buffer.....	Page 33
69.	Street Construction Standards.....	Page 33
70.	Subsidiary Apartments.....	Page 33
71.	Unserviced Development.....	Page 33
72.	Unsubdivided Land.....	Page 34
73.	Utilities - Wind and Small Hydro, Solar, Other Energy Forms.....	Page 34
74.	Waterways and Wetlands.....	Page 35
75.	Well-Field Protection Area and Potential Water Supply Protection Area	Page 36
PART III - SUBDIVISION OF LAND.....		Page 38
76.	Permit Required.....	Page 38
77.	Building Permits Required.....	Page 38
78.	Subdivision Subject to Zoning.....	Page 38

TABLE OF CONTENTS - 3

79.	Issue of Permit Subject to Considerations.	Page 38
80.	Concept Plan and Final Plan - Approval.	Page 39
81.	Payment of Service Levies and Other Charges	Page 39
82.	Construction and Town Engineer Costs Guarantees.	Page 40
83.	Services to be Provided.	Page 40
84.	Building Lines.	Page 40
85.	Land for Public Open Space.	Page 40
86.	Structure in Street Reservation.	Page 41
87.	Subdivision Design Standards	Page 41
88.	Engineer to Design Works and Certify Construction Layout.	Page 42
89.	Street Works May Be Deferred.	Page 42
90.	Transfer of Streets and Utilities to Town.	Page 43
91.	Restriction on Sale of Lots.	Page 43
PART IV - USE ZONES.		Page 44
92.	Use Zones.	Page 44
93.	Use Classes.	Page 44
94.	Permitted Uses.	Page 44
95.	Discretionary Uses.	Page 44
96.	Uses Not Permitted - Prohibited Uses.	Page 45
SCHEDULE A – DEFINITIONS.		Page 46
SCHEDULE B – CLASSIFICATION OF USES OF LAND AND BUILDINGS.		Page 56
SCHEDULE C – USE ZONE TABLES.		Page 62
	RESIDENTIAL LOW DENSITY (RLD) ZONE.	Page 63
	RESIDENTIAL SPECIAL (RS) ZONE.	Page 64
	RESIDENTIAL (RMD) ZONE.	Page 65
	RESIDENTIAL MOBILE HOME (RMH) ZONE	Page 67
	MIXED DEVELOPMENT (MD) ZONE.	Page 68
	COMMERCIAL (COM) ZONE.	Page 70
	PUBLIC (PUB) ZONE.	Page 72
	AIRPORT AND DEFENCE (AD) ZONE.	Page 73
	INDUSTRIAL - COMMERCIAL (IC) ZONE.	Page 74
	INDUSTRIAL - COMMERCIAL NORTH SIDE (IC-NS) ZONE.	Page 75
	INDUSTRIAL (IND) ZONE.	Page 77
	RURAL (RU) ZONE.	Page 78
	SEASONAL RESIDENTIAL (SR) ZONE.	Page 80
	AGRICULTURE (A) ZONE.	Page 81
	RECREATIONAL OPEN SPACE (ROS) ZONE.	Page 83
	ENVIRONMENTAL PROTECTION (EP) ZONE.	Page 84
	ENVIRONMENTAL PROTECTION MANAGEMENT UNIT (EP-MU) ZONE	Page 85

TABLE OF CONTENTS - 4

PUBLIC UTILITY (PU) ZONE. Page 86

SCHEDULE D – PARKING AND OFFSTREET LOADING REQUIREMENTS.. Page 87

SCHEDULE E – GOOSE BAY AIRPORT ZONING REGULATIONS..... Page 94

MAPS: Land Use Zoning Maps 1, 2 and 3 (Goose Bay Airport Zoning Regulations)

**TOWN OF HAPPY VALLEY - GOOSE BAY MUNICIPAL PLAN
(DEVELOPMENT REGULATIONS)
APPLICATION**

1. Short Title

These Regulations may be cited as the Happy Valley - Goose Bay 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 Happy Valley - Goose Bay 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. Development Regulations Under the Urban and Rural Planning Act 2000 - "Ministerial Regulations"

The Ministerial Regulations enacted under Section 36 of the Act shall apply to development within the Planning Area. Where there is conflict between these and the Happy Valley - Goose Bay Development Regulations, the Ministerial Regulations shall prevail. The Ministerial Regulations are included with the Happy Valley - Goose Bay Development Regulations.

5. 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 Happy Valley - Goose Bay, shall, under these Regulations apply to the entire Planning Area.

6. Town

In these Regulations, "Town" means the Council of the Town of Happy Valley - Goose Bay.

PART I - GENERAL REGULATIONS

7. Compliance With Regulations

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

8. 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 Town.

9. Permit to be Issued

Subject to Regulations 10 and 11, a permit shall be issued for development within the Planning Area that conforms to the requirements of these regulations.

10. Permit Not to be Issued in Certain Cases

Neither a permit nor approval in principle shall be issued for development within the Planning Area when, in the opinion of the Town, 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 Town and such cost shall attach to and upon the property in respect of which it is imposed.

11. Discretionary Powers of Town

In considering an application for a permit or for approval in principle to carry out development, the Town 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 Town 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.

12. Variances by Town (pursuant to Ministerial Development Regulations, Section 12)

- (1) Where an approval or a permit cannot be given by the Town because a proposed development does not comply with development standards set out in these Regulations, the Town may, in its discretion, vary the applicable development standards to a maximum of 10%, if, in the Town's opinion, compliance with the development standards would prejudice the proper development of the land, building or structure in question or would be contrary to the public interest.
- (2) The Town shall not allow a variance from development standards set out in these Regulations if that variance, when considered together with other variances made or to be made with respect to the same land, building or structure, would have a cumulative effect that is greater than a 10% variance even though the individual variances are separately not greater than 10%.
- (3) The Town shall not permit a variance from the development standards where the proposed development would increase the non conformity of an existing development.
- (4) Public Notice - When a variance is necessary under this Regulation, the Town shall, at the expense of the applicant, give written notice to the property owners in the immediate vicinity of the proposed variance.

13. Service Levy

- (1) The Town 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 Town of constructing or improving the public works referred to in Regulation 13(1) that are necessary for the real property to be developed in accordance with the standards required by the Town 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 benefited by the public works related to all the real property so benefited; and,

- b) the density of development made capable or increased by the public work.
- (4) The Town 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 Town may decide.

14. Financial Guarantees by Developer

- (1) The Town 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 engineering and other consultants' fees, 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 14(1) may be made in the form of:
 - a) a cash deposit from the developer, to be held by the Town, or;
 - b) a guarantee by a bank, or other institution acceptable to the Town, 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 Town.

15. Dedication of Land for Public Use

In addition to the requirements for dedication of land under Part III – Subdivisions, the Town 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 Town in accordance with the provisions of the Act.

16. Reinstatement of Land

Where the use of land is discontinued or the intensity of its use is decreased, the Town 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 Town and shall put the site in a clean and sanitary condition to the satisfaction of the Town.

17. Form of Application

- (1) An application for a development permit or for approval in principle shall be made only by the owner or by a person authorized by the owner to the Town on such form as may be prescribed by the Town, and every application shall include such plans, specifications and drawings as the Town may require, and be accompanied by the permit fee required by the Town.
- (2) The Town shall, on request, supply to every applicant a copy of the application forms referred to in Regulation 17(1) and a description of the plans, specifications and drawings required to be provided with the application.

18. Register of Application

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

19. Deferment of Application

- (1) The Town 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 Town and on which a decision has not been communicated to the applicant within eight weeks of the receipt thereof by the Town, and on which consideration has not been deferred in accordance with Regulation 19(1), shall be deemed to be refused.

20. Approval in Principle

- (1) The Town may grant approval in principle for a subdivision or any other development if, after considering an application for approval in principle 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 approval in principle is granted under this Regulation, it shall be subject to the subsequent approval by the Town of such details as may be listed in the approval in principle, which shall also specify that further application for approval of these details shall be received not later than two years from the grant of approval in principle.
- (3) The Approval In Principle shall set out or contain:
 - a) the development standards to be followed for the development;
 - b) the development plan with phasing and costs, showing land use, lotting and building location, public and private open spaces and buffers, roads, water and sewer services, and other relevant information and this development plan shall set out the general specifications of the roads, services and other relevant elements;
 - c) the permitting requirements - what permits are required and when;
 - d) when construction drawings are to be required – in general, construction drawings may only be required prior to the start of a phase or element of the development plan;
 - e) the responsibility for the maintenance and upgrading of services, and the provision of other services, such as garbage collection and street lighting;
 - f) the financial guarantees in respect of municipal water, sewer, road and related works to ensure that each phase of the work will be done in accordance with the Approval;
 - g) the financial and other obligations of the parties to the agreement;
 - h) the legal survey of the property.

21. Development Permit

- (1) A plan or drawing which has been approved by the Town 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 Town may attach to a permit or to approval in principle 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 Town 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 Town 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 Regulation 33 of these Regulations.
- (5) The approval of any application and plans or drawings or the issue of a permit shall not prevent the Town 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 Town 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 Town.
- (8) There shall be kept available on the premises where any work, matter or thing is 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.

22. Reasons for Refusing Permit

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

23. Notice of Application

- (1) When a change in nonconforming use is to be considered, or when the development proposed is listed as a discretionary use in Schedule C of the Regulations the Town shall, at the expense of the applicant, give notice of an application for a permit or for approval in principle, by public advertisement in a newspaper circulating in the area or by any other means deemed necessary.
- (2) When a variance is necessary under Regulation 12 the Town shall, at the expense of the applicant, give written notice to the property owners in the immediate vicinity of the proposed variance.

24. Right of Entry

The Town, 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 Town is empowered to regulate.

25. 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 Town.

26. Stop Work Order and Prosecution

- (1) Where a person begins a development contrary or apparently contrary to these Regulations, the Town 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 26(1) is guilty of an offence under the provisions of the Act.

27. Appeals

- (1) See Ministerial Regulations – Sections 5 to 11.

- (2) Where an appeal lodged under Section 42 of the Urban and Rural Planning Act 2000 has been successful, the fee paid by the appellant shall be reimbursed by the Town.

PART II - GENERAL DEVELOPMENT STANDARDS

28. Access Ramps and Stairs, Decks

- (1) Access Ramps and Stairs – Open or partially covered access ramps and stairs are permitted within the minimum front, rear or side yards provided these do not create a safety hazard or block sight lines.
- (2) Decks – An open or partially enclosed deck attached to the dwelling shall not extend into the minimum permissible building line setback and shall not be closer to the side and rear lot lines than 1 metre. A deck is not included in the calculation of lot coverage under Schedule C.
- (3) Non Dwelling Decks – Decks attached to non-dwelling buildings shall not extend into the minimum front, side, or rear yards.
- (4) Stairs – Stairs are permitted within the minimum permissible front, rear and side yards

29. Accesses and Service Streets

- (1) Access shall be located to the specification of the Town so as to ensure the greatest possible convenience and safety of the street system and the Town may prescribe the construction of service streets to reduce the number of accesses to collector and arterial streets.
- (2) Any access to a Provincial Highway must be approved by the Department of Transportation and Works.
- (3) No vehicular access shall be closer than 10 metres to the street line of any street intersection.

30. Accessory Buildings – Residential Zones

This Regulation only applies to accessory buildings in residential zones, that is zones containing the word "Residential" in the title and the Mixed Development Zone.

- (1) General - Accessory buildings shall be clearly incidental and complementary to the use of the principal buildings in character, use and size, and shall be contained on the same lot as the principal building or buildings.

- (2) **Building Line** - The minimum building line (distance from the front lot line) for an accessory building shall be as that set out in Schedule C Use Zone for principal and other buildings.
- (3) **Side Yard** - Except for row and double dwellings where an accessory building can be built to the side lot line, provided that the wall adjoining the side lot line is of fire resistant construction, the minimum side yards (distance from the side lot lines) are as follows:
 - a) Minimum Side Yard - building up to 4 metres in height 1 metre
 - b) Minimum Side Yard - building exceeds 4 metres height . . . 2 metres
 - c) Minimum Side Yard Flanking Road (for a Corner Lot) – the accessory building shall not be closer to a flanking road than that set out for the dwelling under Schedule C.
- (4) **Rear Yard**
 - a) The minimum rear yard (distance from the rear lot line) of an accessory building shall be 1 metre for any building up to 4 metres in height.
 - b) Where the building exceeds 4 metres in height, the minimum rear yard shall be 2 metres.
- (5) **Separation Distance from Principal Building** - Accessory buildings shall maintain a minimum separation distance of 3 metres from a principal building, or the minimum required by the Building Code, whichever is the greater.
- (6) **Lot Coverage** - The combined lot coverage of accessory buildings together with principal and other buildings on a lot shall not exceed 33%.
- (7) **Floor Area** - No floor area requirements are set out for accessory buildings.
- (8) **Height** – The maximum height of an accessory building shall not exceed the height of the principal building.

31. Accessory Buildings – Non-Residential Zones

This Regulation sets out the requirements for accessory buildings in non-residential zones.

- (1) General - Accessory buildings shall be clearly incidental and complementary to the use of the principal buildings in character, use and size, and shall be contained on the same lot as the principal building or buildings.
- (2) Building Line - The minimum building line (distance from the front lot line) for an accessory building shall be as that set out in the Schedule C Use Zone for principal and other buildings.
- (3) Side Yard - Except where an accessory building can be built to the side lot line, provided that the wall adjoining the side lot line is of fire resistant construction, the minimum side yards (distance from the side lot lines) are as follows:
 - a) Minimum Side Yard - building up to 4 metres in height 1 metre
 - b) Minimum Side Yard - building exceeds 4 metres height . . . 2 metres
 - c) Minimum Side Yard Flanking Road (for a Corner Lot) – the accessory building shall not be closer to a flanking road than that set out for the principal building under Schedule C.
- (4) Rear Yard
 - a) The minimum rear yard (distance from the rear lot line) of an accessory building shall be 2 metres for any building up to 4 metres in height.
 - b) Where the building exceeds 4 metres in height, the minimum rear yard shall be 5 metres.
- (5) Separation Distance from Principal Building - Accessory buildings shall maintain a minimum separation distance of 3 metres from a principal building or the minimum required by the Building Code, whichever is the greater.
- (6) Lot Coverage – No lot coverage requirements are set out for non-residential zones accessory buildings
- (7) Floor Area – No floor area requirements are set out for non-residential zones accessory buildings.
- (8) Height – The maximum height of an accessory building shall not exceed the height of the principal building.

32. Accessory Uses

- (1) See also Schedule A - Definitions.
- (2) Subject to the other requirements of these Regulations, including those of Schedule C, uses accessory to a permitted or discretionary use are allowed. Subject to Schedule C, examples of accessory uses include, but are not limited to:
 - a) facilities for the serving of food and alcoholic beverages in an arena or other place of assembly, marina, or hotel (commercial - residential) and/or a gift or souvenir shop in a museum, hotel or other establishment;
 - b) a general garage attached to or forming part of a car-dealership or other major retail-wholesale outlet;
 - c) an office, convenience store and/or catering establishment in a campground;
 - d) a marina, dock or wharf in a residential or other zone;
 - e) a subsidiary apartment;
 - f) a business carried out in a dwelling or residential accessory building by a resident of the dwelling, a home business - Regulation 54;
 - g) a dwelling accessory to a non-residential permitted or discretionary use – for example, a farm dwelling, a church manse, a caretaker's dwelling.
- (3) Accessory uses shall be clearly subsidiary to and controlled so as to be compatible with the primary use and the use of nearby properties.

33. Advertisements and Signs

- (1) The terms "advertisement" and "sign" are interchangeable.
- (2) Permit Required – Unless specifically exempted, no advertisement shall be erected or displayed in the Planning Area unless a permit for the advertisement is first obtained from the Town, and, where necessary, from the Department of Government Services.
- (3) Form of Application – Application for a permit to erect or display an advertisement shall be made to the Town in accordance with Regulation 17.

- (4) Advertisements in Street Reservation – No advertisement shall be erected or displayed within, on or over any highway or street reservation unless it is a premises sign (advertisement relating to onsite uses) and where applicable, unless this sign has been approved by the Town and the Department of Government Services and/or the Department of Transportation and Works.
- (5) Permit Valid for Limited Period
- a) A permit shall be valid for a period of one year and failure by the applicant to initiate construction before expiration of the first permit year shall require reapplication to the Town.
 - b) Where, upon expiration of the first permit year a person wants the continued placement of that sign, that person shall apply to the Town for a renewed permit.
 - c) The Town may issue a renewed permit and that renewed permit shall be valid for a period of three years, and this must subsequently be renewed for further three year periods if the sign is to remain in place.
 - d) A renewed permit shall not be issued until the Town is satisfied that the sign has been maintained to its satisfaction and conforms to these Regulations and the conditions attached to the permit.
- (6) Removal of Advertisements
Notwithstanding the provisions of these Regulations, the Town may require the removal of any advertisement which, in its opinion, is:
- a) hazardous to road traffic by reason of its siting, colour, illumination, maintenance or structural condition; or,
 - b) detrimental to the amenities of the surrounding area.
- (7) Signs - Non-Conforming Uses – A permit may be used for the erection or display of advertisements on a building or within the courtyard 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 Town.
- (8) Prohibition – A sign shall not be erected, posted or placed:

- a) where in the opinion of the Town, that sign would be hazardous to road traffic by reason of its siting, illumination or structural condition;
 - b) where in the opinion of the Town that sign would be detrimental to the amenities of surrounding areas or length of highway or road;
 - c) where that sign is not maintained to the satisfaction of the Town;
 - d) within or over a highway or street intersection unless otherwise approved by the Town for Town roads, or by the Department of Transportation and Works for roads under Provincial jurisdiction;
 - e) with the exception of premises advertisements, within 300 metres, or a distance specified by the Department of Transportation and Works, or the Town of the intersection of two or more highways and/or for Town roads, or from the crossing of a public road;
 - f) at a location that is objectionable to residents of the immediate area; and
 - g) on a sign erected by the Department of Transportation and Works.
- (9) Signs or Advertisements Not Specifically Covered – If for some reason an application is received for a sign or advertisement that does not fall into one of the categories set out under these Regulations, then subject to the other applicable requirements of these Regulations the Town may approve, approve with conditions, or refuse to approve the sign or advertisement.

34. Advertisements Exempt from Control

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

- a) a posting of a candidate in a federal, provincial or municipal election or a regional school board election;
- b) a temporary sign relating to federal, provincial or municipal public works;
- c) a notice required by law to be posted;
- d) a regulatory, warning, directional, guide or informational sign erected by the Department of Transportation and Works;
- e) a sign placed by a telephone, telegraph or electric power company to indicate danger;

- f) a sign, not exceeding 0.5 square metres, advertising the sale or rental of a building or lot upon which the sign is located;
- g) a flag, emblem or insignia of a nation, country or province;
- h) one temporary sign related to building construction located on a site on which the work is being carried out;
- i) on a dwelling or within the courtyard of a dwelling, one nameplate not exceeding 0.28 m² in area;
- j) on an agricultural holding or farm, a notice board not exceeding 1.5 m² in area and relating to the operations being conducted on the land;
- k) 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;
- l) 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;
- m) on a dwelling or within the courtyard of a dwelling, one nameplate not exceeding 0.28 m² in area in connection with the practice of a business carried on in the premises;
- n) on any site occupied by a church, school, library, art gallery, museum, institution, public building or charitable facility, and/or or cemetery, one notice board placed no closer than 3 metres from a street line;
- o) 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;
- p) on any parking lot directional signs and one sign not exceeding 1 m² in size, identifying the parking lot; and,
- q) a sign indicating the location of a municipal or municipal planning area boundary, located beyond the back slope of a highway ditching.

35. Advertisements - Temporary and/or Portable Signs

A temporary and/or portable sign may be permitted in any zone for a period not exceeding 30 consecutive days, provided the sign:

- a) does not exceed 4 square metres in area;

- b) does not create or aggravate a traffic hazard, such as by blocking a sight-line;
- c) does not interfere with other lawful signs, including directional signs;
- d) is of a location, materials, design and colour in keeping with the character and appearance of the area;
- e) if necessary, is approved by the Department of Government Services, together with the Town;
- f) the sign shall be immediately removed upon expiry of the permit;
- g) a renewal permit for a temporary and/or portable sign may only be issued thirty days after the expiry of the original permit.

36. Advertisements and Signs near Highways

- (1) This section does not apply to lands lying solely within the jurisdiction of the Government of Canada, for example, Goose Bay Airport.
- (2) Pursuant to Newfoundland Regulation 85/99 as amended, the Provincial Government has designated "control lines" alongside each provincially maintained route. These lines extend 400 metres from the highway centre lines, except that the control area is reduced within the within Municipal Boundaries and built up areas of incorporated communities to 100 metres from the centre line of a provincial highway. Advertisements and signs falling within the designated control lines of any highway must be referred to and approved or exempted by the Government Services office serving the area.

37. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement, including premises signs, on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- a) the size, shape, illumination and material construction of the advertisement shall meet the requirements of the Town, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area;
- b) unless it is a sign affixed to the wall or canopy of a building the advertisement shall not exceed 5 square metres in area on any side.

38. 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:

- a) which advertisement shall not exceed 3 square metres in area;
- b) when the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate;
- c) the location, siting and illumination of each advertisement shall be to the satisfaction of the Town, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

39. Agriculture

- (1) Agricultural uses are regulated by the Town and the Provincial Government, subject to the Farm Practices Act and other relevant legislation. Agricultural uses shall be approved by both the Agrifoods Division of the Department of Natural Resources and the Town, together with other appropriate agencies.
- (2) Except for infill development any *residential development* within 600 metres of structure containing more than five animal units must be referred to the Agrifoods Division for a recommendation. The Town shall not issue a permit contrary to the recommendation.
- (3) Any *livestock structure (barn)* containing five or more animal units must be located at least 600 metres from a non-farm dwelling, unless otherwise determined after referral to, and upon recommendation of, the Agrifoods Division. The structure shall be at least 60 metres from the boundary of the property on which it is to be erected and shall be at least 90 metres from the centre line of a street. The erection of the structure shall be approved by the Agrifoods Division before a permit is issued by the Town.
- (4) Subject to the approval of the Agrifoods Division, including the principal farm residence, two dwellings can be allowed on a farm provided they are located on the same parcel of land and the second dwelling is located in such a way as not to prejudice the farm operation.

40. Airport Noise Exposure Forecast Contours and Residential Development, Goose Bay Airport Zoning Regulations

- (1) Residential Development – No residential development shall be permitted above the NEF 35 contour line as shown on the Land Use Zoning Maps, unless it is:
 - a) it is within, or immediately adjacent to, a built-up residential area with full municipal services, and that as a condition of a permit for a dwelling, the owner states that the owner is aware of the possible noise from aircraft noise, and that the owner will not bring legal action against the Town or the Government of Canada for any disturbance, possible health effects, or loss of property value or damage to property caused by aircraft noise or other activities associated with the Goose Bay Airport;
 - b) is accessory to the use or operations of the Airport and/or is military in nature and/or falls under the class of commercial-residential (hotels, motels, inns).
- (2) All Development – All development is subject to the Goose Bay Airport Zoning Regulations which is included in Schedule E of these Regulations.

41. Archaeological Resources and Heritage Sites and Areas

- (1) If an archaeological site or historical artifacts are discovered during construction, development shall stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation consulted. Development shall not proceed until the Provincial Archaeology Office has evaluated the site.
- (2) Before approval is granted for a major development, such as a subdivision, or a new commercial or public building, the application shall be referred to the Provincial Archaeology Office for investigation.
- (3) After proper notification and consultation, the Town may designate any property or structure a heritage property or building and require that certain conditions pertaining to appearance and upkeep be maintained.

- (4) The Town may designate an entire area containing groupings of archaeological and/or heritage sites a heritage area under which certain conditions designed to protect and best develop the resources are put into place. Archaeological sites may be zoned Environmental Protection.

42. Bed and Breakfast, Boarding House

Bed and breakfast and/or boarding house is subject to the following conditions:

- a) the proposed building has an exterior design which is sensitive to the residential character of the surrounding area and respects the scale and density of adjacent dwellings; and
- b) the development is landscaped in a manner compatible with the surrounding residential area.

43. Buffers - Non-Residential

Where any non-residential use abuts a residential use or area, the owner of the site of the non-residential development may be required to provide a buffer strip between any non-residential building or activity and the residential use. The buffer shall include the provision of grass strips, hedges, trees or shrubs, or structural barriers as may be required by the Town, and shall be maintained by the owner or occupier to the satisfaction of the Town.

44. Building Line and Setback

- (1) The Town, 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.
- (2) The building line setback is measured from the front property line.
- (3) In accordance with the Building Near Highways Regulations 1997, the building line along Provincial highways shall not be less than that specified under the Building Near Highways Regulations. The minimum building line is 20 metres from the centre-line of the Trans Labrador Highway (Route No. 500) from the intersection of Route 520 (North West River Road) towards

Churchill Falls, 15 metres from the centre-line of Route 520 - North West River Road, also known as the Hamilton River Road.

45. Buildings on a Lot

- (1) See also Regulation 48, Comprehensive Development.
- (2) More than one apartment building, double dwelling and/or row dwelling can be allowed on a lot, provided that the requirements of Schedule C and other parts of these Regulations are satisfied. However, not more than one single dwelling shall be permitted on a lot.
- (3) Non-residential use classes – two or more buildings can be erected on a lot provided that the yard and setback and other requirements of Schedule C and other parts of these Regulations are satisfied.

46. Campground

A plan of the campground shall be submitted in a format satisfactory to the Town, showing and specifying the number and location of campsites and all facilities, services, internal roads and measures for buffering and/or screening. The approved plan, together with any other approvals and conditions shall form part of the permit.

47. Child Care

Where allowed, a child care facility shall be compatible with the residential or other area within which it is located. In a residential area there shall be no visible indication that such a use is occurring, except for a small identification sign. The approval of the department of Government Services is required before a permit for a child care facility is issued by the Town.

48. Comprehensive Development

- (1) At its discretion the Town may approve a comprehensive development that only in its overall density and land use complies with the development standards of a Use Zone. Provided that the comprehensive development itself fronts on a public road and there is adequate access, dwellings and other buildings within the comprehensive development need not directly front on a public road.
- (2) A comprehensive development is subject to an Approval in Principle.

49. Discretionary Use Classes

The discretionary use classes listed in Schedule C may be permitted at the discretion of the Town 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.

50. Entrance and Window Wells

An entrance well or a window well is permitted in the minimum front, rear or side yard under Schedule C provided it does not extend more than 0.3 metres above grade.

51. Family and Group Care Centres

Where allowed, a 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 Town, 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 Town may require special access and safety features to be provided for the occupants before occupancy is permitted.

52. Fences

- (1) Applicability – Except as otherwise set out in Schedule C or in a Fence Regulation adopted under the Municipalities Act, the requirements of this Section shall apply to all fences.
- (2) Fence – For the purpose of this Section a fence includes a vertical physical barrier constructed out of typical fencing materials, and includes hedges, shrubs and landscaping features used for these purposes, and, that portion of a retaining wall which projects above the surface of the ground which it supports.
- (3) Public Authorities – The provision of these Regulations shall apply to all public authorities except the Government of Canada and in those cases where an exception from the Regulations is require to respond to an emergency or for a public purpose.

- (4) Damages – The Town shall not be liable for any damages for the repair of any fence whatsoever where the Town, its employees or agents or otherwise have acted without negligence. In particular, the Town shall not be liable for any damages or repairs of any fence whatsoever during the normal operation of snow clearing on streets or sidewalks located within the Municipal Planning Area.
- (5) Order to Remove Fence – When in the opinion of the Town, a fence creates a safety hazard or obstruction or impedes snow-clearing due to its location, height or construction material, the Town may issue an order to the property owner stating that the fence or portions thereof be removed, reconstructed or repaired within a specified time in order to correct the safety hazard or obstruction and the cost to remove, construct or repair said fence or part thereof will be at the owner's expense. In the event that the property owner does not remove the fence within the specified time as ordered, the Town may remove the fence and the cost to remove, reconstruct or repair said fence will be at the owner's expense.
- (6) Fence Maintenance – Every person who owns a fence shall maintain such fence in a good state of repair. For the purpose of this section, "good state of repair" shall mean:
 - a) the fence is complete and in a structurally sound condition and plumb and securely anchored;
 - b) protected by weather -resistant materials;
 - c) fence components are not broken, rusted, rotten or in a hazardous condition;
 - d) all stained or painted fences are maintained free of peeling; and
 - e) that the fence does not present an unsightly appearance deleterious to abutting land or to the neighbourhood.
- (7) Fence Materials – The material or materials used in the erection and repair of a fence, shall only be of a type which meets the approval of the Town.
- (8) Fence Height
 - a) **Sight Lines** – No fence shall be permitted to interfere with traffic sight lines as determined by the Town.

- b) **Street Line to Building Line** – The maximum height of a fence shall not exceed 1.2 metres between the street line and the building line, except where additional height is required by the Town for screening or security, in which case the maximum height of a fence shall not exceed 2.4 metres.
 - c) **Building Line to Rear Property Line** – The maximum height of a fence between the building line and the rear property line shall not exceed 2.4 metres.
- (9) Electrical Fence – No person shall erect an electrical fence on any land, unless required for the containment of livestock or the protection of crops from marauding animals.
- (10) Barbed Wire Fence – No person shall erect a fence consisting wholly or partly of barbed wire or other barbed material except along the top of any fence in excess of 2.1 metres enclosing a lot used for commercial or industrial purposes provided the industrial or commercial lot does not abut a residential lot or residential use zone.

53. Forestry

Approvals for woodcutting or other forestry related activities must be obtained from the provincial Department of Natural Resources - Forest Management Unit.

54. Home Business

A Home Business can only be permitted as an accessory use (Regulation 32) if:

- a) the primary use of the property remains residential and the scope and intensity of the use classes is entirely compatible with the residential uses of the property and neighbourhood, and the business is operated by a resident of the dwelling;
- b) sufficient off-street parking space is provided;
- c) no mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- d) no wholesale or retail sale of goods is externally apparent – for example, if sale of crafts occurs it does not occur through walk-in or drive-in trade;
- e) there is no outdoor storage or display;

- f) a non-illuminated identification sign not exceeding 0.28 m² in area shall be permitted on the dwelling provided that the sign is consistent with residential character of the neighbourhood;
- g) no change in the type, class or extent of the home business shall be permitted except with the approval of the Town.

55. 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.

56. Lot Area and Size Exceptions

Where, at the time of coming into effect of these Regulations, one or more lots already exist in any 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 Town 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.

57. Lot Frontage and Road Frontage

Unless the development forms part of a Comprehensive Development, is a seasonal residence, or falls under a use class within the Non-Building Use Group of Schedule B, the development must front onto an existing public road or a subdivision road built in conformity with the standards in these Regulations.

58. Mineral Exploration

- (1) Subject to the other provisions of these Development Regulations, mineral exploration which is not classed as development by virtue of appreciable soil disturbance, construction of access roads, noise, odour and appearance can be permitted anywhere in the Town, provided that adequate notification is provided to the Town.
- (2) Mineral exploration which is classed as development is subject to the following conditions:
 - a) adequate provision is made for buffering and/or other means of reducing or eliminating the impacts of the exploration on other uses, the environment and waterways and wetlands;
 - b) where there is soil disturbance, the developer shall provide a site restoration or landscaping surety and/or other satisfactory guarantees of site restoration or landscaping to the Town.
- (3) No permit shall be issued by the Town for mineral exploration until the necessary permits and approvals have been obtained from the Departments of Natural Resources, Government Services, and Environment and Conservation, together with any other relevant Provincial agencies.

59. Mineral Working

- (1) Where permitted, mineral workings are subject to this Regulation, any other applicable regulations and the approval of the Department of Natural Resources.
- (2) No residential development shall be permitted closer than 300 metres to a mineral working unless the Town and the Department of Natural Resources – Mineral Lands Division – are satisfied that such development will not adversely affect the operations of the existing or proposed mineral working.
- (3) Separation from Adjacent Uses – Unless the Town is satisfied that the working will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature:
 - a) Existing or Proposed Residential Development

- | | | |
|-----|-------------------------------|-------------|
| i) | where no blasting is involved | 300 metres |
| ii) | where blasting is involved | 1000 metres |
- b) Any Other Existing or Proposed Development 150 metres
- c) Public Highway or street 50 metres
- d) Protected Road 90 metres
- e) Body of water or watercourse 50 metres.
- (4) Screening – A mineral working shall be screened in the manner described below where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use.
- a) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, condition (4)(b) must be undertaken.
- b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- c) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- d) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as

required above, the Town may refuse to permit the use or associated activity.

- (5) Fencing – The Town may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.
- (6) Water Pollution – No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.
- (7) Water Ponding – No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Acts and Regulations of the Department of Environment and Conservation.
- (8) Erosion Control – No mineral working shall be carried out in a manner so as to cause erosion of erosion of adjacent land.
- (9) Site Maintenance – The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.
- (10) Access Roads – During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of the Town.
- (11) Stockpiling Cover Material – All stumps, organic material and topsoil, including the rusty coloured and iron stained layer, shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is not affected by dilution with other materials.
- (12) Operating Plant and Associated Processing and Manufacturing
 - a) The Town may permit processing and manufacturing use associated with mineral workings provided that, in the opinion of the Town, the use does not create a nuisance nor is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of fumes, dust, dirt, objectionable odour, or by reason of unsightly storage of materials.

- b) all permanent or temporary buildings, plants and structures associated with processing and manufacturing will be located so as not to interfere with the present or future extraction of aggregate resources.
 - c) the Town may specify a minimum separation distance between operating plant or associated processing and manufacturing structure or equipment and adjacent developed areas likely to be developed during the life of the mineral working.
- (13) Termination and Site Rehabilitation – Upon completion of the mineral working, the following work shall be carried out by the operation:
- a) all buildings, machinery and equipment shall be removed;
 - b) all pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working;
 - c) topsoil and any organic materials shall be re-spread over the entire quarried area;
 - d) the access road to the working shall be ditched or barred to the satisfaction of the Town;
 - e) if the mineral working contains reserves of material sufficient to support further extraction operations, the Town may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

60. Non-Conforming Uses

- (1) This Regulation is based upon Section 108 (2) of the Urban and Rural Planning Act 2000, and Sections 14, 15, and 16 of the Ministerial Development Regulations.
- (2) Notwithstanding a plan, scheme or regulations made under the Urban and Rural Planning Act 2000, the Town shall, in accordance with regulations made under this Act, allow a development or use of land to continue in a manner that does not conform with a regulation, scheme, or plan that applies to that land provided that the non-conforming use legally existed before the registration under section 24 of the Act of the plan, scheme or regulations made with respect to that kind of development or use.

- (3) Notwithstanding subsection (2), a right to resume a discontinued non-conforming use of land shall not exceed one year. For the purpose of this Regulation, discontinuance of a non-conforming use begins when any one of the following conditions is met:
- a) the building or use of land is clearly vacated or the building is demolished;
 - b) the owner or tenant has ceased paying business occupancy taxes for that use;
 - c) the owner or tenant has stated in writing that the use has ceased.
- (4) A building, structure or development that does not conform to a scheme, plan or regulations made under this Act that is allowed to continue under subsection (2):
- a) shall not be internally or externally varied, extended or expanded unless otherwise approved by the Town;
 - b) shall not be structurally modified except as required for the safety of the building, structure or development;
 - c) shall not be reconstructed or repaired for use in the same non-conforming manner where 50% or more of the value of that building, structure or development has been destroyed;
 - d) may have the existing use for that building, structure or development varied by the Town to a use that is, in their opinion more compatible with a plan and regulations applicable to it;
 - e) may have the existing building extended by the Town where, in its opinion that extension is not more than 50% of the existing building;
 - f) where the non-conformance is with respect to the standards included in the Development Regulations, the building, structure or development shall not be expanded if the expansion would increase the non-conformity – and an expansion must comply with the development standards applicable to that building, structure or development.
 - g) where the building or structure is primarily zoned and used for residential purposes, may, in accordance with the appropriate plan

- and regulations, be repaired or rebuilt where 50% or more of the value of that building or structure is destroyed; and
- h). a residential building or structure referred to in the above paragraph must, where being repaired or rebuilt, be repaired or rebuilt in accordance with the plan and development regulations applicable to that building or structure.
- (5) Notice and hearings on change of use – Where considering a non conforming building, structure or development under clause 3 d) of this Regulation and before making a decision to vary an existing use of that non-conforming building, structure or development, the Town, at the applicant's expense, shall publish a notice in a newspaper circulating in the area or by other means give public notice of an application to vary the existing use of a non-conforming building, structure or development and shall consider any representations or submissions received in response to that advertisement.

61. 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 Town and any other authority having jurisdiction.

62. Parks and Playgrounds and Conservation Areas

- (1) Parks and playgrounds can only be allowed in areas which are not hazardous to their use and, they cannot be operated for commercial purposes.
- (2) Nothing in these Regulations shall prevent the designation of conservation areas in any zone.

63. Public Services and Public Utilities

Within any zone the Town can 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. Such facilities are subject to the approval of relevant provincial and federal departments and agencies.

The design and location of such public services and public utilities shall take into consideration their impact on nearby land uses and persons, the environment and archaeological resources within the Town, along with other matters that the Town may deem to be significant.

64. Screening and Landscaping

The provision of adequate and suitable landscaping or screening may be made a condition of any development permit where, in the opinion of the Town, the landscaping or screening is desirable to preserve amenity, or protect the environment.

65. 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.

66. Site Development

Before approving any major development, the Town shall take into consideration the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent development and lands and bodies of water receiving drainage from the site, along with other similar matters.

67. Site Development Quarry and Soil Removal

- (1) If, as part of another development, quarry material is to be removed and sold or otherwise disposed of, then a separate quarry permit shall be issued once development approval is granted by the Town. A copy of this permit must be forwarded to the Department of Natural Resources, Mineral Lands Division.
- (2) A site development quarry under this section is permitted wherever the use that the quarry is associated with is permitted.
- (3) A quarry permit issued under this section shall only be valid for the term of the site development.
- (4) When the work is completed, the area affected shall be suitably landscaped and drained in accordance with a plan approved by the Town.
- (5) If the site work is extensive, the Town may require the deposit of a surety in the amount of \$500.00 which shall be returned to the developer upon satisfactory completion of the work.

68. Solid Waste Disposal Site Buffer

A 1.6 kilometre radius buffer set out around the solid waste disposal site – “municipal land fill” – off North West River Road. Any development within this buffer area must be assessed and approved by the Government Service Centre of the Department of Government Services before it is approved by the Town.

69. Street Construction Standards

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

70. Subsidiary Apartments

Subsidiary apartments shall 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.

71. Unserviced Development

Development lacking municipal services shall be approved by the Department of Government Services before a permit is issued by the Town.

72. 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.

73. Utilities - Wind and Small Hydro, Solar, Other Energy Forms

(1) The design and location of wind mills, wind turbines and other energy forms shall take into consideration relevant impacts on nearby land uses and persons, the environment and archaeological resources within the Town, along with other matters that the Town and other authorities may deem to be significant.

(2) Wind Mills, Wind Turbines, Wind Farms

a) Subject to specific area characteristics, such as proximity of other developments that may be sensitive to the aural, visual (aesthetic) and environmental impacts, wind mills, wind turbines and wind farms can be allowed in certain zones.

b) Such facilities (utilities use class under the Development Regulations) must be approved by all relevant Provincial and Federal departments and agencies and public utilities before a permit is issued by the Town.

c) Wind farms, which are grouped wind mills and wind turbines, and other large scale facilities, can only be allowed away from developed areas and after full review by other agencies, particularly, in light of the military and civilian aviation activity in the area – the Department of National Defence and Transportation Canada.

(3) Other Energy Sources and Forms

a) In addition, the Town can consider for approval small hydro projects, solar energy systems, fuel fired generators and other alternate energy forms for approval – subject to the necessary approvals.

b) Unless the use is purely accessory to a development, for example, a solar panel on a dwelling roof, these uses fall within the utility use class under the Development Regulations.

74. Waterways and Wetlands

- (1) Except as otherwise shown on the Land Use Zoning Maps, the minimum width of a buffer along a waterway or wetland shall be 15 m from the highwater mark of the stream, river, pond or other body of water. If the embankment is steep, then the buffer shall be measured from the top of the embankment.
- (2) The only uses that may be permitted in the buffer area of a waterway or wetland are roads, public utilities, trails, trail related accessory uses, and uses requiring direct access to a body of water.

These uses are subject to the approval of the Water Resources Division of the Department of Environment and Conservation, Department of Fisheries and Oceans Canada and where applicable, the Government Service Centre of the Department of Government Services for Crown Lands and referrals.

- (3) The Town or the Provincial Government may subject development within the buffer area of a waterway or wetland to an environmental review, and may approve, approve subject to conditions, or refuse such development. The matter of adequate and usable legal public access to the waterway shall be a consideration in the review of an application for a structure within a buffer and/or waterway.
- (4) Any development within a waterway or involving the alteration of a waterway must be approved by or exempted by the following agencies:
 - Department of Environment and Conservation for Crown Lands and referrals;
 - Coast Guard Canada of the Department of Fisheries and Oceans - Navigable Waters Act;
 - Fish Habitat Division of the Department of Fisheries and Oceans;
 - Water Resources Division of the Department of Environment and Conservation.
- (5) If a waterway or wetland is deemed to be minor (intermittent and/or a drainage course and/or no evidence of fish and/or not apparently significant for flood control or water management), such waterways and wetlands shall wherever possible remain undeveloped and protected by a buffer. If a site

is to be developed, alternatives to covering over or eliminating such waterways and wetlands shall be explored, including relocation of the waterway or wetland and/or redesign of the development.

- (6) **“Stewardship Area” - Municipal Stewardship Agreement Program - Management Units - Protected Wetlands** are identified on the Land Use Zoning Maps as Environmental Protection - Management Units (EP- MU). The basic requirements are the same as that for the Environmental Protection Area. However, the Eastern Habitat Joint Venture must be consulted before work is carried out in the Management Units.

75. Well-Field Protection Area and Potential Water Supply Protection Area

- (1) Notwithstanding the use zone, within a Well-Field Protection Area and Potential Water Supply Protection Area, any development except renovations to an existing structure, fences and minor landscaping shall be referred to the Department of Environment and Conservation for approval before a permit is issued by the Town.
- (2) Notwithstanding the use zone or zones underlying the Well-Field Protection Area, and Potential Water Supply Protection Area, the following chemicals/activities are prohibited unless it has been proven to the satisfaction of the Minister of Environment and Conservation that such uses will not cause deterioration of the quality of the water supply over the long term and that measures satisfactory to the Minister have been undertaken to prevent leaks or contamination from tanks and other storage facilities into the aquifer of the well or wells:
- a) petroleum fuels in excess of 25 L;
 - b) petroleum solvents in excess of 10 L;
 - c) chlorinated solvents in excess of 10 L;
 - d) pesticides and preservatives in excess of 10 L;
 - e) new sewerage systems
 - f) manure storage;
 - g) manure application;
 - h) mining and aggregate removal;
 - i) inorganic fertilizers (no bulk storage);

- j) forestry (salvage cutting permitted);
 - k) sawmill operations;
 - l) groundwater extraction(non private wells);
 - m) groundwater heat pumps;
 - n) road salt (no bulk storage);
 - o) waste disposal.
- (3) Tanks and other material containment facilities shall be inspected at least once a year to ensure their soundness in accordance with the standards established by the Minister of Environment and Conservation.

PART III - SUBDIVISION OF LAND

76. 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 Town.

77. Building Permits Required

Notwithstanding the approval of a subdivision by the Town, 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.

78. Subdivision Subject to Zoning

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

79. Issue of Permit Subject to Considerations

A permit shall not be issued when, in the opinion of the Town, 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 Town 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.

80. Concept Plan and Final Plan - Approval

- (1) Where there is a larger subdivision of land and/or subdivision of land entailing the construction of new roads, the Town must grant Approval in Principle (Part I, Regulation 20) for a concept plan and the arrangements for construction guarantees before the developer can proceed to the preparation of construction (final) drawings and a permit is issued for the subdivision.
- (2) The concept plan shall contain the following:
 - a) a legal survey of the land included within the subdivision;
 - b) a detailed description of the types and standards of development and services proposed for the subdivision;
 - c) the layout of roads, lots, open spaces and other pertinent features of the development;
 - d) the phasing of the development;
 - e) the estimated cost of the works in the development by phase as certified by a professional engineer and verified by the Town's Engineer.
- (2) Upon approval of the Concept Plan the Final Plan (construction drawings and final lot and road layout, costings for the design and construction of works, etc.) shall be prepared and approved by the Town and other relevant agencies before construction is allowed to proceed.

81. 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 Town for connection to public services, public utilities and streets deemed necessary for the proper development of the subdivision, and all service levies and other charges imposed under these Regulations.

82. Construction and Town Engineer Costs Guarantees

Construction Guarantees – The developer shall deposit with the Town a cash equivalent surety before the commencement of any phase of the development sufficient to cover:

- a) the estimated cost of the Town's Engineer for supervision and inspections, etc. before the commencement of each phase of the development;
- b) 40% of the cost of the completion of any phase of the development - which shall be returned to the developer with accrued interest upon satisfactory completion (full completion of roads and services, etc. to the Town's specifications as certified by the Town's Engineer) of the phase.

83. Services to be Provided

No permit shall be issued for the development of a subdivision unless provisions satisfactory to the Town 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.

84. Building Lines

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

85. Land for Public Open Space

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

- any case, the Town shall not accept land which, in its opinion is incapable of development for any purpose;
- d) the Town 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 Town in accordance with this Regulation shall be reserved by the Town 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 Town and may be sold or leased by the Town 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 Town 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 Town, constitute the requirement of land for public use under Clause (1) of this Regulation.

86. 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 Town which shall be satisfied on the question of safe construction and relationship to the adjoining buildings and other structures within the street reservation.

87. Subdivision Design Standards

- (1) The standard for the design and construction of all work related to Subdivision development shall be the Government of Newfoundland and Labrador Municipal Water, Sewer, and Roads Specifications.
- (2) Except as otherwise provided under Schedule C no permit shall be issued for the development of a subdivision under these Regulations unless the design of the subdivision conforms to the standards established by the Town.

88. 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 Town to service the area proposed to be developed or subdivided shall be designed and prepared by or approved by the Engineer. Such designs and specifications shall, upon approval by the Town, be incorporated in the plan of subdivision.
- (2) Upon approval by the Town 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 Town to service the said area.

89. Street Works May Be Deferred

The construction and installation of all curbs and gutters, catch basins, sidewalks and paving specified by the Town as being necessary, may, at the Town's discretion, be deferred until a later stage of the work on the development of the subdivision but the developer shall deposit with the Town 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 Town 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 Town the amount of the excess. If the contract price is less than the deposit, the Town shall refund the amount by which the deposit exceeds the contract price. Any amount so deposited with the Town 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.

90. Transfer of Streets and Utilities to Town

- (1) The developer shall, following the approval of the subdivision of land and upon request of the Town, transfer to the Town, at no cost to the Town, 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 Town 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 Town.
- (2) Before the Town 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 Town 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 Town.

91. 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 Town 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.

PART IV - USE ZONES

92. 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 92(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 Town may in its discretion, determine the standards, requirements and conditions which shall apply.

93. 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 Town in accordance with the classification and examples set out in Schedule B.

94. 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 Town in that Use Zone.

95. 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 Town 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 Town has given notice of the application in accordance with Regulation 23 and has considered any objections or representations which may have been received on the matter.

96. Uses Not Permitted - Prohibited Uses

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 and are deemed to be prohibited uses.

SCHEDULE A - DEFINITIONS

A definition marked with an asterisk is also included in the Urban and Rural Planning Act and/or in the Ministerial Development Regulations. Where there is a conflict, the Act or Ministerial Development Regulations prevail.

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

ACCESSORY BUILDING* includes:

- (i) a detached subordinate building not used as a dwelling, located on the same lot as the main building to which it is an accessory which has a use that is customarily incidental or complementary to the main use of the building or land,
- (ii) for the case of residential uses, domestic garages, carports, ramps, sheds, swimming pools, greenhouses, cold frames, fuel sheds, vegetables storage cellars, shelters for domestic pets, or radio and television antennae,
- (iii) for commercial uses, workshops or garages, and
- (iv) in the case of industrial uses, garages, offices, raised ramps and docks.

ACCESSORY USE* means the use that is subsidiary to a permitted or discretionary use and that is customarily expected to occur with the permitted or discretionary use.

ACT*, unless the context indicates otherwise, means the Urban and Rural Planning Act 2000.

ADVERTISEMENT means 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 means 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 means 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 means 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 means a building containing three or more dwelling units, but does not include a row dwelling.

APPEAL BOARD means the appropriate Appeal Board established under the Act.

APPLICANT* means a person who has applied to an authority for an approval or permit to carry out a development.

ARTERIAL STREET means 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.

AUTHORITY* means a council, authorized administrator or regional authority.

BED AND BREAKFAST means an owner-occupied or owner-managed establishment for paid temporary accommodation for up to sixteen (16) overnight guests that may include a dining room for the use of overnight guests and their invitees. The establishment must be registered with and receive a rating from Canada Select and also must be approved by the Provincial Department of Tourism, Culture and Recreation as a Bed and Breakfast operation.

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

BUILDING* means

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

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

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

and

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

and in any case, a building height shall not include mechanical structure, smokestacks, steeples and purely ornamental structures above a roof.

BUILDING LINE* means a line established by an authority that runs parallel to a street line and is set at the closest point to a street that building may be placed.

CAMPGROUND means the use of land for the accommodation of travel trailers, recreational vehicles, and/or tents.

COLLECTOR STREET means 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** means 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.

DECK means a raised structure that has a walking surface within one storey of the established grade at the ground level of that face of the building, that may or may not be attached to a main or principal building, and does not have a permanent roof.

DEVELOPMENT means 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:

- (i) the making of an access onto a highway, road or way;
- (ii) the erection of an advertisement or sign;
- (iii) 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:

- (iv) the carrying out of works for the maintenance, improvement or other alteration or 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;
- (v) 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;
- (vi) 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;
- (vii) the use of any building or land within the courtyard of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such.

DEVELOPMENT REGULATIONS* means these regulations and regulations and by-laws respecting development that have been enacted by the relevant authority.

DIRECTOR means the Director of Urban and Rural Planning.

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

DOUBLE DWELLING means 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 means a self-contained unit consisting of one or more habitable rooms used or designed as the living quarters for one household.

ENGINEER means a professional engineer employed or retained by the Town.

ESTABLISHED GRADE* means,

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

FAMILY AND GROUP CARE CENTRE means 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* means the total area of all floors in a building measured to the outside face of exterior walls.

FRONTAGE* means the horizontal distance between side lot lines measured at the building line.

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

GARAGE means a building erected for the storage of motor vehicles as an ancillary use to a main building on the lot.

GENERAL INDUSTRY means 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 means 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 means 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.

HOME BUSINESS means a secondary use of a dwelling and/or its accessory building by at least one of the residents of the dwelling to conduct a gainful occupation or business activity.

INSPECTOR means any person appointed and engaged as an Inspector by the Town or by any federal or provincial authority or the agent thereof.

INSTITUTION means 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 means the 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 means 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 means a dwelling in which at least 2 rooms are regularly rented to persons other than the immediate family of the owner or tenant.

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

LOT AREA* means the total horizontal area within the lines of the lot.

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

MARINA means a dock or basin together with associated facilities where slips, moorings, supplies, repairs, and other services that are typically available for boats and other watercraft, including storage, sales and rentals, with or without a club house and catering facilities. It can also include a fishing stage or shed associated with a dock or wharf.

MINERAL EXPLORATION means the activity of searching for minerals or mineral occurrences, including oil exploration, wherein, for the purposes of these Regulations it takes the form of development - that is visible and appreciable disturbance to soil.

MINERAL WORKING means land or buildings used for the working or extraction of construction aggregates.

MINING means land or buildings used for the extraction of ores, salts, oil and/or natural gas.

MOBILE HOME means 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 Town, 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 means 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 Town.

MOBILE HOME SUBDIVISION means 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 Town.

NON-CONFORMING USE* means a legally existing use that is not listed as a permitted or discretionary use for the use zone in which it is located or which does not meet the development standards for that use zone.

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

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

PIT AND QUARRY WORKING carries the same meaning as Mineral Working.

PRINCIPAL BUILDING(S) means the building or buildings in which the primary use of the lot on which the building is located is conducted. This term is interchangeable with the term Main Building.

PROHIBITED USE* means a use that is not listed within the permitted use classes set out in the use zone tables of an authority's development regulations.

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

RESTAURANT means 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 means a dwelling containing three or more dwelling units at ground level in one building, each unit separated vertically from the others.

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

SERVICE STATION means 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 means a street constructed parallel to or close to another street for the purpose of limiting direct access to that street.

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

SHOWROOM means 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.

SIDE YARD DEPTH* means the distance between the side lot line and the nearest side wall of a building on the lot. See also Building Line and Yards.

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

SPLIT LEVEL HOUSE, means a dwelling in which the floors of the several levels are less than a storey above or below the adjoining one. This also includes a split-entry dwelling.

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

STOREY FIRST means the storey having its first level not more than 1.2 m above the established grade.

STREET* means a street, road or highway or other way designed for the passage of vehicles and pedestrians and which is accessible by fire department and other emergency vehicles.

STREET LINE* means the edge of a street reservation as defined by the authority having jurisdiction.

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

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

TAKE-OUT FOOD SERVICE means 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* means a building or activity situated on a lot or a development permitted on a lot.

USE ZONE or **ZONE*** means an area of land including buildings and water designated on the Zoning Map to which the uses, standards and conditions of a particular use zone table in Schedule C of the Regulations relate.

VARIANCE* means a departure, to a maximum of 10% from the yard area, lot coverage, setback, size, height, frontage or any other numeric requirement of the applicable Use Zone Table of the authority's regulations.

WETLAND means an area which is saturated by surface or ground water sufficient to support, and which under normal circumstances supports a prevalence of vegetation typically adapted for life in the saturated soil conditions, and includes swamps, marshes, bogs, fens and similar areas.

YARD means an open uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in these Regulations.

ZONING MAP* means the map or maps attached to and forming part of the Regulations.

SCHEDULE B
CLASSIFICATION OF USES OF LAND AND BUILDINGS

GROUP	CLASS	EXAMPLES
ASSEMBLY USES	Theatre	Motion Picture Theatres, T.V. Studios admitting an audience.
ASSEMBLY USES	Cultural and Civic	Libraries, Museums, Art Galleries, Court Rooms, Meeting Rooms, Council Chambers
ASSEMBLY USES	Protection	Police and Fire Stations
ASSEMBLY USES	General Assembly	Community Halls, Lodge Halls, Dance Halls, Gymnasias, Auditoria, Bowling Alleys
ASSEMBLY USES	Educational	Schools, Colleges (non-residential)
ASSEMBLY USES	Place of Worship	Churches and similar places of worship, Church Halls
ASSEMBLY USES	Passenger Assembly	Passenger Terminals
ASSEMBLY USES	Club and Lodge	Private Clubs and Lodges (non-residential)
ASSEMBLY USES	Catering	Restaurants, Bars, Lounges
ASSEMBLY USES	Funeral Home	Funeral Homes and Chapels
ASSEMBLY USES	Child Care	Day Care Centres
ASSEMBLY USES	Amusement	Electronic Games Arcades, Pinball Parlours, Poolrooms
ASSEMBLY USES	Indoor Assembly	Arenas, Armouries, Ice Rinks, Indoor Swimming Pools

SCHEDULE B		
CLASSIFICATION OF USES OF LAND AND BUILDINGS		
GROUP	CLASS	EXAMPLES
ASSEMBLY USES	Outdoor Assembly	Bleachers, Grandstands, Outdoor Ice Rinks and Swimming Pools, Amusement Parks and Fairgrounds, Exhibition Grounds, Drive-in Theatres
ASSEMBLY USES	Campground	Campgrounds, Recreational Vehicle and Travel Trailer Campgrounds
INSTITUTIONAL USES	Penal and Correctional Detention	Jails, Penitentiaries, Police Stations (with detention quarters), Prisons, Psychiatric, Hospitals (with detention quarters), Reformatories
INSTITUTIONAL USES	Medical Treatment and Special Care	Children's Homes, Convalescent Homes Homes for Aged, Hospitals, Infirmarys
RESIDENTIAL USES	Single Dwelling	Single Detached Dwellings, Family & Group Homes
RESIDENTIAL USES	Double Dwelling	Semi-detached Dwelling, Duplex Dwellings, Family & Group Homes
RESIDENTIAL USES	Row Dwelling	Row Houses, Town Houses, Family & Group Homes
RESIDENTIAL USES	Apartment Building	Apartments, Family & Group Homes

SCHEDULE B		
CLASSIFICATION OF USES OF LAND AND BUILDINGS		
GROUP	CLASS	EXAMPLE
RESIDENTIAL	Collective Residential	Residential Colleges & Schools, University & College Halls of Residence, Convents & Monasteries, Nurses and Hospital Residences
RESIDENTIAL	Boarding House Residential and/or Bed and Breakfast	Boarding Houses, Lodging Houses, Bed and Breakfast
RESIDENTIAL	Commercial Residential	Hotels & Motels, Hostels, Residential Clubs
RESIDENTIAL	Seasonal Residential	Summer Homes & Cabins, Hunting & Fishing Cabins
RESIDENTIAL	Mobile Homes	Mobile Homes
BUSINESS & PERSONAL SERVICE	Office	Offices (including Government Offices), Banks
BUSINESS & PERSONAL SERVICE	Medical and Professional	Medical Offices and Consulting Rooms, Dental Offices & Surgeries, Legal Offices & Similar Professional Offices
BUSINESS & PERSONAL SERVICE	Personal Service	Barbers, Hairdressers, Beauty Parlours, Small Appliance Repairs
BUSINESS & PERSONAL SERVICE	General Service	Self-service Laundries, Dry Cleaners (not using flammable or explosive substances), Small Tool and Appliance Rentals, Travel Agents

SCHEDULE B CLASSIFICATION OF USES OF LAND AND BUILDINGS		
GROUP	CLASS	EXAMPLES
BUSINESS & PERSONAL SERVICE	Communications	Radio Stations, Telephone Exchanges
BUSINESS & PERSONAL SERVICE	Police Station	Police Stations without detention quarters
BUSINESS & PERSONAL SERVICE	Taxi Stand	Taxi Stands
BUSINESS & PERSONAL SERVICE	Take-out Food Service	Take-out Food Service
BUSINESS & PERSONAL SERVICE	Veterinary	Veterinary Surgeries
MERCANTILE	Shopping Centre	Shopping Centres
MERCANTILE	Shop	Retail Shops and Stores and Showrooms, Department Stores
MERCANTILE	Indoor Market	Market Halls, Auction Halls
MERCANTILE	Outdoor Market	Market Grounds, Animal Markets, Produce and Fruit Stands, Fish Stalls
MERCANTILE	Convenience Store	Confectionary Stores, Corner Stores, Gift Shops, Specialty Shops

SCHEDULE B		
CLASSIFICATION OF USES OF LAND AND BUILDINGS		
GROUP	CLASS	EXAMPLES
INDUSTRIAL	Hazardous Industry	Bulk Storage of hazardous liquids and substances, Chemical Plants, Distilleries Feed Mills, & Lacquer, Mattress, Paint, Varnish, and Rubber Factories, Spray Painting
INDUSTRIAL	General Industry	Factories, Cold Storage Plants, Freight Depots General Garages, Warehouses, Workshops, Laboratories, Laundries, Planing Mills, Printing Plants, Contractors' Yards
INDUSTRIAL	Service Station	Gasoline Service Stations, Gas Bars, Car Wash
INDUSTRIAL	Light Industry	Light Industry, Parking Garages, Indoor Storage, Warehouses, Workshops
NON-BUILDING	Agriculture	Commercial Farms, Hobby Farms, Market Gardens & Nurseries
NON-BUILDING	Forestry	Tree Nurseries, Silviculture
NON-BUILDING	Mineral Exploration	Mineral Exploration
NON-BUILDING	Mineral Working	Quarries, Pits
NON-BUILDING	Mining	Mining, Oil Wells

SCHEDULE B CLASSIFICATION OF USES OF LAND AND BUILDINGS		
GROUP	CLASS	EXAMPLES
NON-BUILDING	Recreational Open Space	Playing Fields, Sports Grounds, Parks, Playgrounds, Recreational Trails
NON-BUILDING	Conservation	Watersheds, Buffer Strips, Flood Plains, Architectural, Historical and Scenic Sites, Steep Slopes, Wildlife Sanctuaries
NON-BUILDING	Cemetery	Cemeteries, Graveyards
NON-BUILDING	Scrap Yard	Car Wrecking Yards, Junk Yards, Scrap Dealers
NON-BUILDING	Solid Waste	Solid Waste Disposal, Sanitary Land Fill, Incinerators
NON-BUILDING	Animal	Animal Pounds, Kennels, Zoos
NON-BUILDING USES	Antenna	TV, Radio and Communications Transmitting and Receiving Masts and Antennae
NON-BUILDING	Utilities	Wind Mills, Wind Turbines, Wind Farms, & related facilities
NON-BUILDING	Transportation	Airfields, Docks and Harbours
NON-BUILDING	Marina	Marina, Yacht Club, Boating Club, Boat House, Fishing Stage

**SCHEDULE C
USE ZONE TABLES**

NOTE: This schedule contains tables showing the use classes which may be permitted or which may be treated as discretionary use classes for the purpose of these Regulations. The tables also indicate the required standards of development and may also include conditions affecting some or all of the use classes. Together with Schedule C, the requirements under the headings of: **Application; Parts I, II, III and IV and Schedules A, B, D and E** must be considered, along with other relevant matters, before a permit is issued by the Town.

The schedule contains tables for the following Use Zones:

Residential Low Density (RLD)
Residential Special (RS)
Residential Medium Density (RMD)
Residential Mobile Home (RMH)
Mixed Development (MD)
Commercial (COM)
Public (PUB)
Airport and Defence (AD)
Industrial - Commercial (IC)
Industrial Commercial - North Side (IC -NS)
Industrial (IND)
Rural (RU)
Seasonal Residential (SR)
Agriculture (A)
Recreational Open Space (ROS)
Environmental Protection (EP)
Environmental Protection Management Unit (EP-MU)
Public Utility (PU)

USE ZONE TABLE
RESIDENTIAL LOW DENSITY (RLD) ZONE

ZONE TITLE	RESIDENTIAL LOW DENSITY (RLD)
PERMITTED USE CLASSES - (see Regulation 94)	
Conservation, Public Services and Public Utilities and Single Dwelling.	
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	
Antenna, Bed and Breakfast, Child Care, Educational, Family and Group Care Centre, Home Business, Place of Worship, Recreational Open Space and Subsidiary Apartment.	

CONDITIONS FOR THE RESIDENTIAL LOW DENSITY ZONE

1. Development Standards

Lot area (minimum)	650 m ²
Floor Area (minimum).	110 m ²
Frontage (minimum)..	20 m
Building Line Setback (minimum)	8 m
Side Yard Width (minimum)..	3 m
Rear Yard Depth (minimum).	15 m
Maximum Lot Coverage (all buildings combined)	33 %
Maximum Building Height (maximum).	10 m

2. Municipal Services

All development shall be connected to the municipal water supply and sewer system.

3. Home Business - see Regulations 32 and 54.

4. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
RESIDENTIAL SPECIAL (RS) ZONE

ZONE TITLE	RESIDENTIAL SPECIAL (RS)
PERMITTED USE CLASSES - (see Regulation 94)	
Conservation, Public Services and Public Utilities, and Single Dwelling.	
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	
Antenna, Bed and Breakfast, Child Care, Family and Group Care Centre, Home Business, Recreational Open Space and Subsidiary Apartment.	

CONDITIONS FOR THE RESIDENTIAL SPECIAL ZONE

1. Development Standards

Lot area (minimum)	900 m ²
Floor Area (minimum).	120 m ²
Frontage (minimum)..	20 m
Building Line Setback (minimum/maximum)	8 m
Side Yard Width (minimum)..	3 and 1 m
Rear Yard Depth (minimum).	8 m
Maximum Lot Coverage (all buildings combined)	33 %
Maximum Building Height (maximum).	one storey

2. Municipal Services

All development shall be connected to the municipal water supply and sewer system.

3. Home Business - see Regulations 32 and 54.

4. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
RESIDENTIAL (RMD) ZONE

ZONE TITLE		RESIDENTIAL MEDIUM DENSITY (RMD)			
PERMITTED USE CLASSES - (see Regulation 94)					
Conservation, Double Dwelling, Office, Public Services and Public Utilities, Recreational Open Space and Trails, Row Dwelling, Single Dwelling and Subsidiary Apartment.					
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)					
Antenna, Apartment Building, Bed and Breakfast, Boarding House, Child Care, Educational, Family and Group Care Centre, Home Business, Medical Treatment and Special Care and Place of Worship.					
STANDARDS	WHERE PERMITTED				
	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building	
Lot Area (minimum)	450 m*	325 m *	180 m* (average)	600 m ²	
Frontage (minimum)	15 m	20 m	6 m per unit plus 9 for each end unit	25 m	
Building Line and Setback (minimum)	7m	7m	7m	8 m	
Side Yard Width (minimum)	3 m and 1 m	3 m	3 m	3 m	
Rear Yard Depth (maximum)	10 m	10 m	10 m	14 m	
Lot Coverage (maximum - all buildings combined)	33%	33%	33%	33%	
Building Height (maximum)	8 m	8 m	10 m	10 m	
NOTES:					
* per dwelling unit, except subsidiary apartment.					

CONDITIONS FOR THE RESIDENTIAL MEDIUM DENSITY ZONE

1. Municipal Services

All development shall be connected to municipal water and sewer services.

2. Home Business - see Regulations 32 and 54

3. Medical Treatment and Special Care

- a) A Medical Treatment and Special Care Use shall be limited to a home for the aged.
- b) The Medical Treatment and Special Care Use shall be residential in character and shall not detract from the amenities of the surrounding uses.
- c) The Medical Treatment and Special Care Use shall meet the standards for a single dwelling in this Zone, or such higher standard as the Town may determine.

4. Offices

An office can be permitted on the ground floor of an apartment building provided that there is adequate safety and sound separation between an office and the apartments and offices, and the offices are considered by the Town to be compatible with the residential uses.

5. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
RESIDENTIAL MOBILE HOME (RMH) ZONE

ZONE TITLE	RESIDENTIAL MOBILE HOME (RMH)
PERMITTED USE CLASSES - (see Regulation 94)	
Mobile Home and Recreational Open Space and Trails.	
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	
Child Care.	

CONDITIONS FOR THE RESIDENTIAL MOBILE HOME ZONE

1. Development Standards

Lot area (minimum)	450 m ²
Frontage (minimum)	15 m
Building Line Setback (minimum)	4 m
Side Yard Width (minimum)	1.2 m
Rear Yard Depth (minimum)	6 m
Maximum Lot Coverage (all buildings combined)	33 %
Maximum Building Height (maximum)	one storey

2. Municipal Services

All development shall be connected to municipal water supply and sewer services.

3. Home Business - see Regulations 32 and 54

4. Application, Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
MIXED DEVELOPMENT (MD) ZONE

ZONE TITLE		MIXED DEVELOPMENT (MD)			
<p>PERMITTED USE CLASSES - (see Regulation 94) Apartment Building, Child Care, Commercial-Residential, Communications, Conservation, Convenience Store, Cultural and Civic, Double Dwelling, Educational, Family and Group Care Centre, Fire Station, General Service, Marina, Medical and Professional, Office, Personal Services Police Station, Public Services and Public Utilities, Recreational Open Space, Row Dwelling, Shop, Single Dwelling, Transportation.</p>					
<p>DISCRETIONARY USE CLASSES (see Regulations 23 and 95) Antenna, Bed and Breakfast and Boarding House, Light Industry, General Assembly, Indoor Assembly, Medical Treatment and Special Care, Outdoor Assembly, Place of Worship, Service Station Shopping Centre, Take-out Food Service and Taxi Stand.</p>					
STANDARDS	WHERE PERMITTED				
	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building	
Lot Area (minimum)	450 m*	300 m *	180 m* (average)	600 m ²	
Frontage (minimum)	15 m	20 m	6 m per unit plus 9 for each end unit	25 m	
Building Line and Setback (minimum)	6 m	6 m	6 m	6 m	
Side Yard Width (minimum)	1.5 m	1.5 m	3 m	3 m	
Rear Yard Depth (maximum)	6 m	6 m	6 m	9 m	
Building Height (maximum)	8 m	8 m	10 m	10 m	
<p>NOTES: * per dwelling unit, except subsidiary apartment.</p>					

OTHER CONDITIONS FOR THE MIXED DEVELOPMENT ZONE

1. Non-Residential Development

For non-residential development, the standards for single dwellings (except for minimum floor area) in this zone shall apply.

2. Municipal Services

All development shall be connected to municipal water and sewer services.

3. Home Business - see Regulations 32 and 54

4. Outdoor Storage

The Town can permit open storage of materials, goods and machinery associated with a permitted or discretionary use provided:

- a) the open storage is not located in the front yard; and
- b) is properly fenced screened.

5. Application, Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

**USE ZONE TABLE
 COMMERCIAL (COM) ZONE**

ZONE TITLE	COMMERCIAL (COM)
PERMITTED USE CLASSES - (see Regulation 94) Antenna, Campground, Catering, Child Care, Club and Lodge, Commercial-Residential, Communications, Conservation, Convenience Store, Cultural and Civic, Educational, Fire Station, General Assembly, General Service, Indoor Assembly, Light Industry, Medical and Professional, Medical Treatment and Special Care, Office, Outdoor Assembly, Personal Services, Place of Worship, Police Station, Public Services and Public Utilities, Recreational Open Space, Service Station, Shopping Centre, Shop, Take-out Food Service, Taxi Stand, Transportation and Veterinary.	
DISCRETIONARY USE CLASSES (see Regulations 23 and 95) General Industry and Mineral Exploration.	

CONDITIONS FOR THE COMMERCIAL ZONE

1. General Development Standards - Permitted Uses

Lot area (minimum)	600 m ²
Frontage (minimum).	20 m
Building Line Setback (minimum).	6 m
Sidyard Width (minimum).	5 and 1 m
Rearyard Depth (minimum).	5 m
Height (maximum).	as determined by the Town

2. Landscaping

The Town may require that a certain portion of a site be suitably landscaped in order to give a pleasant and uniform appearance to an area. A landscaping plan shall be included in an application for development.

3. Municipal Services

Development shall be connected to municipal water and sewer services.

4. Outdoor Storage

The Town can permit open storage of materials, goods and machinery associated with

a permitted or discretionary use provided:

- a) the open storage is not located in the front yard; and
- b) the Town may require open storage to be fenced or screened.

4. Application, Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
PUBLIC (PUB) ZONE

ZONE TITLE	PUBLIC (PUB)
PERMITTED USE CLASSES - (see Regulation 94)	Antenna, Cemetery, Child Care, Club and Lodge, Collective Residential, Communications, Cultural and Civic, Educational, Family and Group Care Centre, General Assembly, Indoor Assembly, Medical Treatment and Special Care, Office, Outdoor Assembly, Place of Worship, Police Station, Public Services and Public Utilities and Recreational Open Space.
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	Apartment Building and Utilities.

CONDITIONS FOR THE PUBLIC ZONE

1. General Development Standards

Lot area (minimum)	500 m ²
Frontage (minimum).	15 m
Building Line Setback (minimum).	10 m
Side Yard Width (minimum).	5 m
Side Yard Width Flanking Road (minimum).	10 m
Rear Yard Depth (minimum).	15 m

2. Municipal Services

All development shall be connected to municipal water and sewer services.

3. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
AIRPORT AND DEFENCE (AD) ZONE

ZONE TITLE	AIRPORT AND DEFENCE (AD)
PERMITTED USE CLASSES - (see Regulation 94) As determined by the Government of Canada.	
DISCRETIONARY USE CLASSES (see Regulations 23 and 95) As determined by the Government of Canada.	

CONDITIONS FOR THE AIRPORT AND DEFENCE ZONE

The conditions for development are as determined by the Government of Canada in consultation with the Town and the Government of Newfoundland and Labrador.

USE ZONE TABLE
INDUSTRIAL - COMMERCIAL (IC) ZONE

ZONE TITLE	INDUSTRIAL - COMMERCIAL (IC)
PERMITTED USE CLASSES - (see Regulation 94)	
Antenna, Catering, Club and Lodge, Communications, Conservation, Convenience Store, Fire Station, General Industry, General Service, Light Industry, Office, Personal Services, Police Station, Public Services and Public Utilities, Service Station, Shop, Taxi Stand, Transportation and Veterinary.	
DISCRETIONARY USE CLASSES (see Regulations 23 and 95)	
Hazardous Industry, Mineral Exploration, Recreational Open Space and Utilities.	

CONDITIONS FOR THE INDUSTRIAL - COMMERCIAL ZONE

1. General Development Standards

Frontage (minimum)	20 m
Building Line Setback (minimum)	8 m
Side Yard Width (minimum)	5 m
Side Yard Width Flanking Road (minimum)	10 m
Rear Yard Depth (minimum)	15 m
Height (maximum)	as determined by the Town

2. Landscaping

The Town may require that a certain portion of a site be suitably landscaped in order to give a pleasant and uniform appearance to an area. A landscaping plan shall be included in an application for development.

3. Municipal Services

Development shall be connected to municipal water and sewer services.

4. Recyclers

Facilities for the recycling of paper, metals and other products can only be allowed if there is no outdoor storage.

5. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
INDUSTRIAL - COMMERCIAL NORTH SIDE (IC-NS) ZONE

ZONE TITLE	INDUSTRIAL - COMMERCIAL (IC-NS)
PERMITTED USE CLASSES - (see Regulation 94) Antenna, Catering, Club and Lodge, Communications, Conservation, Convenience Store, Fire Station, General Industry, General Service, Light Industry, Mineral Exploration, Office, Personal Services, Police Station, Public Services and Public Utilities, Service Station, Shop, Taxi Stand, Transportation and Veterinary.	
DISCRETIONARY USE CLASSES (see Regulations 23 and 95) Hazardous Industry, Mineral Exploration, Mineral Working, Recreational Open Space and Utilities.	

CONDITIONS FOR THE INDUSTRIAL - COMMERCIAL NORTH SIDE ZONE

1. General Conditions and Development Standards - North Side

- (1) Development in the North Side Industrial Park as shown on Land Use Zoning Map 2 as Industrial-Commercial North Side (IC-NS) must comply with a comprehensive plan for all or part of the area that has been adopted by the Town, or, alternatively, with the requirements set out in Condition 2. This comprehensive plan will set out standards for roads and other services, landscaping, and building location and design, together with other such elements as the Town deems necessary.
- (2) Applications for new development in the North Side Industrial Park shall be referred to the Governments of Canada and Newfoundland and Labrador, the Department of National Defence and the Goose Bay Airport Authority for review before a permit is issued by the Town.

2. General Development Standards

Frontage (minimum)	20 m
Building Line Setback (minimum)	8 m
Side Yard Width (minimum)	5 m
Side Yard Width Flanking Road (minimum)	10 m
Rear Yard Depth (minimum)	15 m

Height (maximum)..... as determined by the Town

3. Landscaping

The Town shall require that the site be landscaped in accordance with the requirements set out by the Town in order to give a pleasant and uniform appearance to an area. A landscaping plan shall be included in an application for development.

4. Municipal Services

Development shall be connected to municipal water and sewer services.

5. Outdoor Storage

- (1) Outdoor storage or display areas shall be located to the rear of the principal building and screened from public view.
- (2) No garbage or refuse shall be stored outside except within a permanent refuse container, which container shall be completely enclosed in a material visually complementary to other lot structures and screened from public view.

6. Recyclers

Facilities for the recycling of paper, metals and other products can only be allowed if there is no outdoor storage.

6. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
INDUSTRIAL (IND) ZONE

ZONE TITLE	INDUSTRIAL (IND)
PERMITTED USE CLASSES - (see Regulation 94)	
Antenna, Conservation, Communications, Conservation, Convenience Store, Fire Station, General Industry, Light Industry, Office, Public Services and Public Utilities, Recreational Open Space, Service Station, and Transportation.	
DISCRETIONARY USE CLASSES (see Regulations 23 and 95)	
Hazardous Industry, Mineral Exploration, Mineral Working, Scrap Yard and Utilities.	

CONDITIONS FOR THE INDUSTRIAL ZONE

1. General Development Standards - All Uses

The Town can require that a comprehensive plan be prepared for any area in this zone, in which case, the standards in the comprehensive plan shall prevail. In the absence of a comprehensive plan that has been approved by the Town, the standards below shall apply.

Frontage (minimum).	20 m
Building Line Setback (minimum).	8 m
Side Yard Width (minimum).	5 m
Side Yard Width Flanking Road (minimum).	10 m
Rear Yard Depth (minimum).	15 m
Height (maximum).	as determined by the Town

2. Landscaping

The Town may require that a certain portion of a site be suitably landscaped in order to give a pleasant and uniform appearance to an industrial area.

3. Municipal Services

Development shall be connected to municipal water and sewer services where feasible.

4. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
RURAL (RU) ZONE

ZONE TITLE	Rural (RU)
PERMITTED USE CLASSES - (see Regulation 94)	Agriculture, Antenna, Cemetery, Conservation, Forestry, Public Services and Public Utilities, Recreational Open Space and Transportation.
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	Animal, Bed and Breakfast, Campground, Child Care, Family and Group Care Centre, General Industry, Home Business (Light Industry, Medical and Professional, Office and Personal Service classes), Mineral Exploration, Mineral Working, Scrap Yard, Seasonal Residential, Single Dwelling and Utilities.

CONDITIONS FOR THE RURAL ZONE

1. General Development Standards

The minimum lot area, frontage and front, rear and side yards shall be as determined by the Town, subject to the approvals of the Agrifoods, Forest Resources and Mines Divisions of the Department of Natural Resources and the Government Service Centre. Applications shall also be referred to other departments and agencies as required.

2. Municipal Services

No municipal services shall be provided. However, the Town may allow a connection where the development is immediately adjacent to the service, and the Town deems the connection necessary.

3. General Industry

- (1) General industry shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses.
- (2) Where deemed necessary, the Town shall require the provision of buffering by the developer to the satisfaction of the Town.

4. Recreational Open Space and Trails

Recreational Open Space and Trails may be permitted in this zone subject to the following conditions:

- a) the proposed use shall not interfere with adjacent agricultural and other natural resource uses by virtue of noise, increased traffic or other activities;
- b) the proposed use shall not prejudice the continuation of existing agricultural and other natural resource uses and operational practices which may not be compatible with the proposed use;
- c) applications for recreational open space uses shall be referred to the Department of Natural Resources before approval is granted by the Town.

5. Scrap Yard

A scrap yard may only be permitted subject to the following conditions:

- a) it does not abut a residential zone or development or open watercourse or wetland or a development or area used for ;
- b) a screen fence satisfactory to the Town of at least 1.8 metres height is erected around area used for open storage;
- c) where it is located within or adjacent a commercial, residential or institutional area or development, there is no outdoor storage.

6. Seasonal Residential

A seasonal residential dwelling shall be subject to the conditions set out in the Seasonal Residential (SR) Zone.

7. Single Dwelling

A single dwelling may be permitted only as accessory to a permitted use. A dwelling is subject to the approval of the Department of Natural Resources and the Government Service Centre before a permit is issued by the Town.

8. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
SEASONAL RESIDENTIAL (SR) ZONE

ZONE TITLE	SEASONAL RESIDENTIAL (SR)
PERMITTED USE CLASSES - (see Regulation 94)	
Antenna, Conservation, Convenience Store, Marina, Public Services and Public Utilities, Recreational Open Space and Trails, Seasonal Residential and Transportation.	

CONDITIONS FOR THE SEASONAL RESIDENTIAL ZONE

1. General

Development in this zone shall be subject to the approvals of the Agrifoods, Forest Resources and Mines Divisiones of the Department of Natural Resources and the Government Service Centre where applicable. Applications shall also be referred to other departments and agencies as required.

2. General Development Standards

Lot Area (minimum)	3,000 m ²
Floor Area (minimum)	20 m ²
Frontage (minimum)	30 m
Building Line (minimum)	15 m
Sideyards (minimum)	7.5 m
Rearyard (minimum)	15 m
Lot Coverage (maximum)	8%
Height (maximum)	8 m

3. Municipal Services

No municipal services shall be provided. However, the Town may allow a connection where the development is immediately adjacent to the service, and the Town deems the connection necessary.

4. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
AGRICULTURE (A) ZONE

ZONE TITLE	AGRICULTURE (A)
PERMITTED USE CLASSES - (see Regulation 94)	Agriculture, Antenna, Conservation, Forestry, Public Services and Public Utilities, Recreational Open Space and Transportation.
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	Animal, Mineral Exploration, Single Dwelling and Utilities.

CONDITIONS FOR THE AGRICULTURE ZONE

1. General Development Standards

The minimum lot area, frontage and front, rear and side yards shall be as determined by the Town, subject to the approvals of the Agrifoods, Forest Resources and Mines Divisions of the Department of Natural Resources and the Government Service Centre. Applications shall also be referred to other departments and agencies as required.

2. Municipal Services

Development in this zone shall not be connected to municipal water and sewer services. However, the Town may allow a connection where the development is immediately adjacent to the service, and the Town deems the connection necessary.

3. General Industry

- (1) General industry shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses.
- (2) Where deemed necessary, the Town shall require the provision of buffering by the developer to the satisfaction of the Town.

4. Recreational Open Space and Trails

Recreational Open Space and Trails may be permitted in this zone subject to the following conditions:

- a) the proposed use shall not interfere with adjacent agricultural and other natural resource uses by virtue of noise, increased traffic or other activities;
- b) the proposed use shall not prejudice the continuation of existing agricultural and other natural resource uses and operational practices which may not be compatible with the proposed use;
- c) applications for recreational open space uses shall be referred to the Department of Natural Resources before approval is granted by the Town.

5. Single Dwelling

A single dwelling may be permitted only as accessory to a permitted use. A dwelling is subject to the approval of the Department of Natural Resources and the Government Service Centre before a permit is issued by the Town.

6. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
RECREATIONAL OPEN SPACE (ROS) ZONE

ZONE TITLE	RECREATIONAL OPEN SPACE (ROS)
PERMITTED USE CLASSES - (see Regulation 94)	Antenna, Campground, Conservation, Outdoor Assembly, Public Services and Public Utilities and Recreational Open Space.
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	Marina, Mineral Exploration, Indoor Assembly and Utilities.

CONDITIONS FOR THE RECREATIONAL OPEN SPACE ZONE

- 1. Development Standards and Municipal Services**
As determined by the Town.
- 2. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations**

USE ZONE TABLE
ENVIRONMENTAL PROTECTION (EP) ZONE

ZONE TITLE	ENVIRONMENTAL PROTECTION
PERMITTED USE CLASSES - (see Regulation 94)	Conservation and Forestry (Condition 3)
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95)	Public Services and Public Utilities, Recreational Open Space and Trails and Utilities.

CONDITIONS FOR THE ENVIRONMENTAL PROTECTION ZONE

1. General Development Standards - Minister of Environment and Conservation

All development in this zone is subject to the approval of the Minister of Environment and Conservation before a permit is issued by the Town.

2. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

3. Forestry

Forestry use in this zone is limited to domestic cutting in domestic cutting areas as approved by the Department of Natural Resources.

USE ZONE TABLE

ENVIRONMENTAL PROTECTION MANAGEMENT UNIT (EP-MU) ZONE

ZONE TITLE ENVIRONMENTAL PROTECTION MANAGEMENT UNIT (EP-MU)
PERMITTED USE CLASSES - (see Regulation 94) Conservation.
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95) Public Services and Public Utilities, Recreational Open Space and Trails and Utilities.

CONDITIONS

FOR

ENVIRONMENTAL PROTECTION MANAGEMENT UNIT ZONE

1. General Conditions

No development may be approved until it has been reviewed under the requirements of the Municipal Stewardship Agreement as described under Regulation 74 (6) and the Municipal Plan.

All development is subject to the approval of the Minister of Environment and Conservation before a permit is issued by the Town.

2. Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations

USE ZONE TABLE
PUBLIC UTILITY (PU) ZONE

ZONE TITLE	PUBLIC UTILITY (PU) ZONE
PERMITTED USE CLASSES - (see Regulation 94) Antenna, Conservation, Public Services and Public Utilities	
DISCRETIONARY USE CLASSES - (see Regulations 23 and 95) Recreational Open Space and Trails and Utilities.	

CONDITIONS FOR THE PUBLIC UTILITY ZONE

The requirements for this Zone are as determined by the Town, and where applicable, after consultation with and the approval of Newfoundland Hydro and Newfoundland Power and other applicable provincial and federal agencies.

The Application and Parts I, II, III and IV and Schedules A, B, D and E of the Development Regulations may apply.

SCHEDULE D

PARKING AND OFFSTREET LOADING REQUIREMENTS

1. General

- (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 this Schedule.
- (3) Each parking space, except in the case of single or double-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 double 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, with parking perpendicular to the curb the minimum dimensions shall be as follows:
 - a) parking stall width - 2.75 metres
 - b) parking stall length or depth - 5.80 metres
 - c) aisle width, parking stalls across from each other - 7.30 metres
 - d) aisle width, other obstruction - 7.30 metres
 - e) driveway width 7.00 metres.

Where the parking stall is horizontal to the curb, the minimum length of the stall shall be 7.00 metres, and the minimum aisle width (if applicable) shall be at least 4 metres, more if deemed necessary by the Town.

For any other parking lot configuration, the requirements shall as be as specified by the Town, but in no instance shall the requirements be less than that specified for perpendicular parking spaces.

- (6) Other requirements for parking areas are as follows:
- a) the parking area shall be constructed and maintained to the specifications of the Town;
 - b) the lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent development;
 - c) 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;
 - d) 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;
 - e) no part of any off-street parking area shall be closer than 1.5 m to the front lot line in any zone;
 - f) access to parking areas in non-residential zones shall not be by way of residential zones;
 - g) 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;
 - h) where, in the opinion of the Town, strict application of the above parking requirements is impractical or undesirable, the Town 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 Town for the provision and upkeep of alternative parking facilities within the general vicinity of the development.

2. Offstreet Parking Spaces

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.

In case of developments including uses in more than one class, these standards shall be regarded as cumulative.

Adequate offstreet provision for drop-off and pick-up of persons shall be provided in developments where required, such as uses within the education, passenger assembly, child care, medical treatment and special care, commercial-residential and take-out food service classes.

CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
Theatre	One space for every 5 seats.
Cultural and Civic	One space for every 50 square metres of gross floor areas.
General Assembly	One space for every 10 square metres of gross floor area.
Educational	Schools - 2 spaces for every class-room. Further education - 1 space for every 5 persons using the facilities (students, faculty and staff).
Place of Worship	One space for every 5 seats.
Passenger Assembly	As specified by the Town.
Club and Lodge	One space for every 3 persons that may be accommodated at one time.
Catering	One space for every 3 customers that may be accommodated at one time.
Funeral Home	.One space for every 10 square metres of gross floor area.
Child Care	One space for every 20 square metres of gross floor area
Amusement	One space for every 10 square metres of gross floor area.
Indoor Assembly	One space for every 10 spectators that may be accommodated at one time.
Outdoor Assembly	As specified by the Town.
Campground	As specified by the Town.
Penal and Correctional Detention	As specified by the Town.

CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
Medical Treatment and Special Care	One space per 20 m ² of suite or ward area.
Single Dwelling	Two spaces for every dwelling unit.
Double Dwelling	Two spaces for every dwelling unit.
Row Dwelling	Two spaces for every dwelling unit.
Apartment Building	Three spaces for every two dwelling units.
Collective Residential	As specified by the Town.
Boarding House Residential and/or Bed and Breakfast	As specified by the Town.
Commercial Residential	One space for every guest room.
Seasonal Residential	One space per dwelling unit.
Mobile Homes	Two spaces for every dwelling unit.
Office	One space for every 20 m ² of gross floor area.
Medical and Professional	One space for every 20 m ² of gross floor area.
Personal Service	One space for every 20 m ² of gross floor area.
General Service	One space for every 20 m ² of gross floor area.
Communications	As specified by the Town.
Police Station	As specified by the Town.
Taxi Stand	As specified by the Town.
Take-out Food Service	One space for every 20 m ² of gross floor area.
Veterinary	One space for every 20 m ² of gross floor area.
Shopping Centre	One space for every 15 m ² of gross floor area.
Shop	One space for every 20 m ² of gross floor area.
Indoor Market	As specified by the Town.
Outdoor Market	As specified by the Town.

CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
Convenience Store	One space for every 20 m ² of gross floor area.
Hazardous Industry	As specified by the Town, but not less than one space per 100 m ² of gross floor area or 10 parking spaces, whichever is greater.
General Industry	As specified by the Town, but not less than one space per 100 m ² of gross floor area or 10 parking spaces, whichever is greater.
Service Station	One space for every 20 m ² of gross floor area.
Light Industry	As specified by the Town, but not less than one space per 50 m ² of gross floor area or 5 parking spaces, whichever is greater.
Agriculture	Not specified.
Forestry	Not specified.
Mineral Working	Not specified.
Mining	Not specified.
Recreational Open Space	Not specified.
Conservation	Not specified.
Cemetery	Not specified.
Scrap Yard	Not specified.
Solid Waste	Not specified.
Animal	Not specified.
Antenna	Not specified.
Transportation	As determined by the Town, taking into consideration associated uses.
Marina	As determined by the Town, taking into consideration associated uses.

3. Off-street Loading Requirements

For every building or structure hereafter erected for a Commercial or Industrial Use involving shipping, there shall be provided and maintained minimum loading facilities on land that is not part of a street, comprised of one or more loading spaces, each 10 m long, 3.5 m wide and having a vertical clearance of at least 4.5 m, with access to a lane or a street and in accordance with the floor area of the building or structure in a manner determined by the Town.

SCHEDULE E – GOOSE BAY AIRPORT ZONING REGULATIONS

AERONAUTICS ACT CANADA

Goose Bay Airport Zoning Regulations

REGULATIONS RESPECTING ZONING AT GOOSE BAY AIRPORT

Short Title

1. These Regulations may be cited as the Goose Bay Airport Zoning Regulations.

Interpretation

2. (1) In these Regulations,

"airport" means the Goose Bay Airport in the electoral district of Labrador North, in the Province of Newfoundland; (aéroport)

"airport reference point" means the point described in Part I of the schedule; (point de repère de l'aéroport)

"approach surface" means an imaginary inclined plane that extends upward and outward from each end of a strip, which approach surface is more particularly described in Part III of the schedule; (surface d'approche)

"Minister" means the Minister of Transport; (Ministre)

"outer surface" means an imaginary surface located above and in the immediate vicinity of the airport, which outer surface is more particularly described in Part IV of the schedule; (surface extérieure)

"strip" means the rectangular portion of the landing area of the airport, including the runway, prepared for the take-off and landing of aircraft in a particular direction, which strip is more particularly described in Part V of the schedule; (bande)

"transitional surface" means an imaginary inclined plane that extends upward and outward from the lateral limits of a strip and its approach surfaces, which transitional surface is more particularly described in Part VI of the schedule. (surface de transition)

3. For the purposes of these Regulations, the assigned elevation of the airport reference point is deemed to be 45.4 metres above sea level.

Application

4. These Regulations apply to all the lands, including public road allowances, adjacent to or in the vicinity of the airport, that consist of

- (a) the lands within, and
- (b) the lands directly under that portion of an approach surface that extends beyond the outer limits described in Part II of the schedule.

General

5. No person shall erect or construct on any land to which these Regulations apply, any building, structure or object or any addition to any existing building, structure or object the highest point of which will exceed in elevation at the location of that point

- (a) the approach surface;
- (b) the outer surface; or
- (c) the transitional surface.

Natural Growth

6. Where an object of natural growth on any land to which these Regulations apply exceeds in elevation any of the surfaces referred to in paragraphs 5(a) to (c), the Minister may direct the owner or occupier of the land on which the object is growing to remove the excessive growth.

Disposal of Waste

7. No owner or occupier of any land to which these Regulations apply shall permit that land or any part of it to be used for the disposal of any waste edible by or attractive to birds.

SCHEDULE

PART I

Description of the Airport Reference Point

The airport reference point, shown on Public Works Canada Goose Bay Airport Zoning Plans S-1110-3 and S-1110-4 dated May 31, 1982, is a point determined by measuring 1371.6 m southwesterly along the centre line of runway 09-27 from the intersection of the centre lines of runways 09-27 and 16-34 and thence measuring 457.2 m perpendicularly distant from the centre line of runway 09-27; the said point having co-ordinate values of N 5 909 497.721 m and E 375 984.862 m.

PART II

Description of the Outer Limits of Lands

The boundary of the outer limits of lands, shown on Public Works Canada Goose Bay Airport Zoning Plans S-1110-3, S-1110-4, S-1110-5 and S-1110-6 dated May 31, 1982, is a circular area having a radius of 3 962.400 m from the airport reference point.

PART III

Description of the Approach Surfaces

The approach surfaces, shown on Public Works Canada Goose Bay Airport Zoning Plans S-1110-1, S-1110-2, S-1110-3, S-1110-4, S-1110-5, S-1110-6, S-1110-7, S-1110-8 and S-1110-10 dated May 31, 1982, are surfaces abutting each end of the strips associated with the runways designated as 09-27 and 16-34 and are described as follows:

(a) a surface abutting the end of the strip associated with runway approach 09 consisting of an inclined plane having a ratio of 1 m measured vertically to 50 m measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip 304.8 m measured vertically above the elevation at the end of the strip and 15 240 m measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being 2 438.40 m from the projected centre line;

(b) a surface abutting the end of the strip associated with runway approach 27 consisting of an inclined plane having a ratio of 1 m measured vertically to 50 m measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip 304.8 m measured vertically above the elevation at the end of the strip and 15 240 m measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being 2 438.40 m from the projected centre line;

(c) a surface abutting the end of the strip associated with runway approach 16 consisting of an inclined plane having a ratio of 1 m measured vertically to 50 m measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip 60.96 m measured vertically above the elevation at the end of the strip and 3 048 m measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being 609.60 m from the projected centre line; and

(d) a surface abutting the end of the strip associated with runway approach 34 consisting of an inclined plane having a ratio of 1 m measured vertically to 50 m measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip 60.96 m measured vertically above the elevation at the end of the strip and 3 048 m measured horizontally from the end of the strip, the outer ends of the imaginary horizontal line being 609.60 m from the projected centre line.

PART IV

Description of the Outer Surface

The outer surface, shown on Public Works Canada Goose Bay Airport Zoning Plans S-1110-3, S-1110-4, S-1110-5, S-1110-6, S-1110-7, S-1110-8, S-1110-9 and S-1110-10 dated May 31, 1982 is an imaginary surface located at a common plane established at a constant elevation of 45.72 m above the assigned elevation of the airport reference point, except that, where that common plane is less than 9 m above the surface of the ground, the imaginary surface is located at 9 m above the surface of the ground.

PART V

Description of the Strips

The strips, shown on Public Works Canada Goose Bay Airport Zoning Plans S-1110-3, S-1110-7, S-1110-8, S-1110-9, and S-1110-10 dated May 31, 1982 are described as follows:

- (a) the strip associated with runway 09-27, being 304.8 m in width, 152.4 m on each side of the centre line of the runway, and 3 489.96 m in length; and
- (b) the strip associated with runway 16-34 being 304.8 m in width, 152.4 m on each side of the centre line of the runway, and 3 038.55 m in length.

PART VI

Description of each Transitional Surface

Each transitional surface, shown on Public Works Canada Goose Bay Airport Zoning Plans S-1110-3, S-1110-4, S-1110-5, S-1110-6, S-1110-7, S-1110-8, S-1110-9 and S-1110-10 dated May 31, 1982, is a surface consisting of an inclined plane rising at a ratio of 1 m measured vertically to 7 m measured horizontally at right angles to the centre line and centre line produced of each strip extending upward and outward from the lateral limits of each strip and its approach surfaces to an intersection with the outer surface or another transitional surface of an adjoining strip.

Established by

SOR/83-888 21 November, 1983 pursuant to section 6 of the Aeronautics Act.

amended by

SOR/85-1137 5 December, 1985 pursuant to subsection 4.4(2) of the Aeronautics Act

Paragraphs (a) to (d) of Part III of the Schedule.