

**CITY OF CORNER BROOK**  
**2012 DEVELOPMENT REGULATIONS**

**DEVELOPMENT REGULATIONS AMENDMENT DR13-05**

**OCTOBER, 2013**

URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT

CITY OF CORNER BROOK  
DEVELOPMENT REGULATIONS AMENDMENT DR13-05

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the City of Corner Brook adopts the Corner Brook Development Regulations Amendment DR13-05.

Adopted by the City Council of Corner Brook on the 18<sup>th</sup> day of November, 2013.

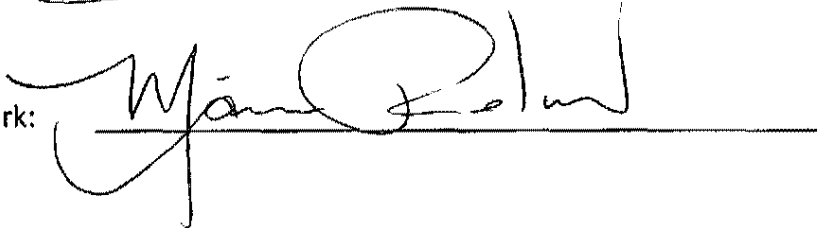
Signed and sealed this 9 day of December, 2013.

Mayor:



(Council Seal)

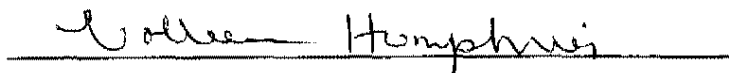
City Clerk:



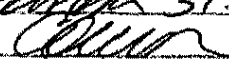
CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment DR13-05 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

MCIP:



(MCIP Seal)

Development Regulations/Amendment	
REGISTERED	
Number	<u>1200-2013-026</u>
Date	<u>December 31, 2013</u>
Signature	

## CITY OF CORNER BROOK

### DEVELOPMENT REGULATIONS AMENDMENT DR13-05

#### BACKGROUND:

The amendment is proposed in order to add new sections and change existing sections of Condition no. 10 Garden Suites, of the Residential Special Density Use Zone Table of the 2012 Development Regulations.

#### PUBLIC CONSULTATION:

During the preparation of this amendment, Council advertised the proposed amendments in the Western Star newspaper on August 24, 2013 and August 31, 2013 which advised of Council's intention to seek the said amendment to its 2012 Development Regulations. In addition to this, the proposed amendment was posted on the City's website and was available for viewing at City Hall. There were no submissions in response to the public notification within the specified time period.

#### AMENDMENT:

The 2012 Development Regulations Use Zone Table for the Residential Special Density zone is amended as per the following:

1. New wording to be added to section 10.(w) as per the following to permit increased size garden suites on very large lots located in Residential Special Density Zones:

**"10. (w) (i) Notwithstanding (w)\* above, on residential lots measuring 4045 square metres (approximately one acre) in area, or greater, the maximum size of a garden suite may be increased to 110 square metres.**

(\*Due to the removal of section 10(s), as per no. 3 below, the above "(w)" reference will change to "v" in order to maintain proper number sequencing.)

2. New wording to be added to section 10.(l) as per the following to permit garden suites to be developed as part of an accessory building use:

**10.(l)(i) Notwithstanding (l) above, a garden suite may be developed as part of an accessory building use on the lot such as a garage or shed, and the garden suite may be constructed above or directly adjacent to the accessory building use. Such accessory building use attached to the garden suite will not be construed as a basement area of the garden suite but as a separate use or building; however, the structure would be required to meet all Building, Fire and Life Safety Codes for construction of the building to ensure the safety of the building occupants.**

**10.(l)(ii) Notwithstanding 10.(w), the total floor area of a garden suite attached to an accessory building shall be calculated as the total of the habitable floor area, or living space, of the garden suite. The floor area of the accessory building portion of the development will be calculated separately as part of the total accessory residential building allowance permitted on the lot.**

3. Remove condition **10.(s)**, as it is not necessary that a garden suite, once approved by the Authority, would be relocated or removed from a property.

4. Add the following text to condition **10.(f)**:

**10.(f)(i) Notwithstanding (f) above, where the main dwelling is located at a greater and sufficient distance from the minimum building line setback, a garden suite may be permitted to be located in front of the main building on the lot, provided that it does not project into the minimum building line setback area and is in keeping with the building line of the surrounding residential properties. The garden suite may also be required to be screened if necessary, to the satisfaction of the Authority, to reduce any visual impact to the neighbouring properties.**

Amended pages are attached.

**SCHEDULE C: Use Zone Tables**

house, and are subject to the following conditions:

- (a) Each Bed and Breakfast shall comply with the National Building Code of Canada, the National Fire Code of Canada, the National Plumbing Code of Canada and the Life Safety Code as adopted by the Authority.
- (b) One parking space shall be required for each Bed and Breakfast guest room/suite. The minimum required parking for the dwelling use must continue to be met.

**10. Garden Suites**

A garden suite may be permitted as a discretionary residential use subject to the following conditions:

- (a) A garden suite shall only be permitted on a residential single dwelling lot having a minimum lot area of 1500 square metres.
- (b) Garden suites are not permitted on double dwelling lots.
- (c) A garden suite must be subsidiary in size to the primary single family dwelling on the lot.
- (d) Only one (1) garden suite shall be permitted per lot.
- (e) A garden suite may not contain a subsidiary apartment unit.
- (f) A garden suite shall not project beyond the building line of the main single family dwelling nor the building line of the immediate adjacent properties.
  - (i) Notwithstanding (f) above, where the main dwelling is located at a greater and sufficient distance from the minimum building line setback, a garden suite may be permitted to be located in front of the main building on the lot, provided that it does not project into the minimum building line

## **SCHEDULE C: Use Zone Tables**

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- (a) Each Bed and Breakfast shall comply with the National Building Code of Canada, the National Fire Code of Canada, the National Plumbing Code of Canada and the Life Safety Code as adopted by the Authority.
- (b) One parking space shall be required for each Bed and Breakfast guest room/suite. The minimum required parking for the dwelling use must continue to be met.

### **10. Garden Suites**

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- (e) A garden suite may not contain a subsidiary apartment unit.
- (f) A garden suite shall not project beyond the building line of the main single family dwelling nor the building line of the immediate adjacent properties.
  - (i) Notwithstanding (f) above, where the main dwelling is located at a greater and sufficient distance from the minimum building line setback, a garden suite may be permitted to be located in front of the main building on the lot, provided that it does not project into the minimum building line

## **SCHEDULE C: Use Zone Tables**

setback area and is in keeping with the building line of the surrounding residential properties. The garden suite may also be required to be screened if necessary, to the satisfaction of the Authority, to reduce any visual impact to the neighbouring properties.

- (g) A garden suite shall have a minimum separation distance of 4.2 metres between it and the single family dwelling.
- (h) A garden suite shall have a minimum rear yard setback of 8 metres.
- (i) A garden suite may not be subdivided from the original lot unless it is to be subdivided from the original lot in order to change the use to a single dwelling unit and meet all development standards and requirements for a single dwelling unit and lot of the zone, including minimum floor area, minimum lot area, side yard, setback and rear yard standards, parking, access and independent municipal services, connected to the main municipal service infrastructure.
- (j) A garden suite must have a separate water and sewer service, which may be provided from the main dwelling unit on the lot. If the garden suite is capable of being subdivided from the original lot and single dwelling, in accordance with 11(g), new water and sewer lines must be installed and connected to the main municipal service infrastructure.
- (k) All applicable Building, Fire, and Life Safety Codes must be adhered to for garden suites when constructed plus all other codes or bylaws in effect by the Authority.
- (l) A garden suite may not contain a basement.
  - (i) Notwithstanding (l) above, a garden suite may be developed as part of an accessory building use on the lot such as a garage or shed, and the garden suite may be constructed above or directly adjacent to the accessory building

## **SCHEDULE C: Use Zone Tables**

- (s) The minimum side yard, front setback, and rear yard development standards as the main dwelling unit on the lot must also be maintained for a garden suite.
- (t) In addition to that required for the primary dwelling, a minimum of one (1) additional parking space shall be provided for the garden suite.
- (u) Electrical service to the garden suite shall be located underground, whenever possible to avoid additional overhead wires or poles within a residential lot and to improve the aesthetics of the development.
- (v) A garden suite shall have a maximum total floor area of 70 square metres.
  - (i) Notwithstanding (v) above, on residential lots measuring 4045 square metres (approximately one acre) in area, or greater, the maximum size of a garden suite may be increased to 110 square metres.
- (w) The combined total lot coverage of all accessory buildings on the lot, including the garden suite, shall not exceed 7%.
- (x) The finished structure of a garden suite must be undifferentiated from on-site and adjacent existing structures in terms of quality of construction and the appearance of permanence in addition to meeting the National Building Code of Canada and other applicable guidelines and codes deemed appropriate by the Authority.
- (y) A garden suite should relate to the primary single dwelling on the lot in terms of materials, roof form, and general architectural style. The intent, however, is not to create a "miniature version" of the primary dwelling.
- (z) A garden suite must be assigned an individual address to ensure identification and location in the event of an emergency and such address



## **SCHEDULE C: Use Zone Tables**

must be clearly indicated and visible from the street frontage. This identification may include a sign, maximum size .2 square metres, within the front setback area of the lot, indicating the presence of the garden suite at the rear of the main dwelling unit.

- (aa) On a corner lot, a garden suite shall be set back equal to the front setback and flanking side yard standards of the primary single dwelling.

### **11. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of the Authority 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.