



2012 Development Regulations

Development Regulations Amendment No. DR18-08

June, 2018

Prepared by:

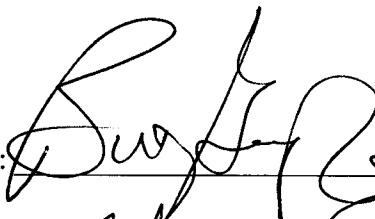



URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
DEVELOPMENT REGULATIONS AMENDMENT NO. DR18-08

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the City of Corner Brook adopts Development Regulations Amendment No. DR18-08 to the City of Corner Brook's 2012 Development Regulations.

Adopted by the City Council of Corner Brook on the 28th day of May, 2018.

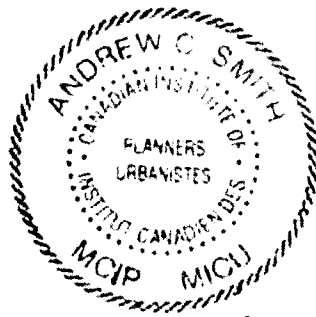
SIGNED AND SEALED this 29th day of June, 2018

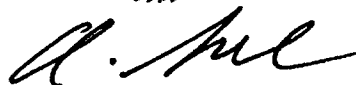
Depl. Mayor: 
City Clerk: 

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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





Development Regulations/Amendment	
REGISTERED	
Number	<u>1200-2018-057</u>
Date	<u>July 16, 2018</u>
Signature	<u>Mandy Clay</u>

Contents

1. Type	1
2. Purpose	1
3. Public Notification	2
4. Adoption by Council	2
5. Amendment Statement	2

1. Type

Development Regulations Amendment No. DR18-08 to the City of Corner Brook’s 2012 Development Regulations (henceforth the “Amendment”) is a text amendment. This Amendment is not a result of a change to the Integrated Municipal Sustainability Plan 2012 (i.e. a stand-alone Development Regulations amendment).

2. Purpose

The purpose of this Amendment is to add a definition for “licensed cannabis retail” use (to be regulated under the existing “shop” use class under “Schedule B”); and to restrict this use in specific use zones by adding a prohibitive condition under each zone (e.g. “Townsite Commercial (TC)”, “General Commercial (GC)”, “Residential/Commercial Mix (RCM)”, “Shopping Center (SC)”, “Waterfront Mixed (WMU)”, “General Industrial (GI)”, “Light Industrial (LI)”, and “Innovation District (ID)”).

A “licensed cannabis retail” use will thus be limited to the “Downtown Smithville (DTS)”, “Downtown Commercial (DTC)”, and “Large Scale Commercial (LSC)” use zones, wherein the “shop” use class is currently permitted with no prohibitive condition.

3. Public Notification

In accordance with subsection 35(5) of the *Urban and Rural Planning Act, 2000* (henceforth the “Act”), City staff gave notice of the Amendment by advertising in a locally circulated newspaper (Western Star) on May 16 and 19, 2018. City staff provided the public with opportunity to inspect and provide comments on the Amendment. No representations were received by Council.

4. Adoption by Council

Council adopted the Amendment on May 28, 2018. Pursuant to subsection 35(5) of the Act, this Amendment is not subject to the requirements of sections 14 to 23 and 25 of the Act (e.g. only one submission to the Department of Municipal Affairs and Environment is required, section 24 registration; and a public hearing with commissioner is not required).

5. Amendment Statement

As per the attached “Proposed” amending document, the City of Corner Brook’s 2012 Development Regulations are amended by:

- 1) Adding a definition for “licensed cannabis retail” under “Schedule A”; and
- 2) Adding a prohibitive condition that excludes “licensed cannabis retail” from the permitted “shop” use class of the following use zones: “Townsite Commercial”, “General Commercial”, “Residential/Commercial Mix”, “Shopping Center”, “Waterfront Mixed”, “General Industrial”, “Light Industrial”, and “Innovation District”.

LANDSCAPING PLAN: A scaled drawing illustrating a design for a landscaped area which specifies the number, species, height and calliper of trees and shrubs, the size, colour and texture of hard landscaping elements, areas of grass, edging details, cross sections and details of any construction and details of any other features or horticultural elements.

LAND USE ASSESSMENT REPORT: A report prepared by accredited professionals, or other suitably qualified persons as determined by the Authority, to assess the impacts a proposed use or development may have on the social, economic and environmental sustainability of the adjacent properties, the City or the region and is prepared when the compatibility of proposed uses has not been adequately evaluated.

LICENSED CANNABIS RETAIL: Means a cannabis store as defined under the Liquor Corporation Act, as amended from time to time.

LIGHT INDUSTRY: Use of any land or buildings for any general industrial use that can be carried out without hazard or intrusion and without detriment to the amenity of the surrounding area by reason of noise, vibration, smell, fumes, smoke, grit, soot, ash, dust, glare or appearance.

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

LODGING HOUSE: A dwelling in which at least 2 rooms, but not more than four, are regularly rented to persons other than the immediate family of the owner or tenant and the owner or tenant resides at the dwelling while the rooms are being rented.

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

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

LOT COVERAGE: The combined area of all buildings on a lot, measured at the level of the

USE ZONE TABLE

138. TOWNSITE COMMERCIAL

PERMITTED USE CLASSES (See Regulation 127)

Theatre, cultural and civic, general assembly, place of worship, club and lodge, child care, apartment building, commercial residential, office, medical and professional, personal service, general service, communications, ~~shop~~, indoor market, conservation, convenience store. ~~(See condition no. 15)~~

DISCRETIONARY USE CLASSES (See Regulations 26 and 128)

Educational, collective residential, indoor market, outdoor market, catering*, recreational open space, antenna, boarding house residential, single, double and row dwelling.

*(See condition no. 11)

CONDITIONS

1. Development Standards

(a) The development standards for this zone shall be as follows:

- (i) Minimum Building Line Setback 0 metres
- (ii) Maximum Building Line Setback 4 metres
- (ii) Minimum Side yard width, except where buildings are built with adjoining party walls. 2 & 5 metres
- (iii) Minimum Rear yard Dept 10 metres
- (iv) Maximum Height 16 metres

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements on any lot or site occupied by a use permitted or existing as a legal non-conforming use in

Proposed Regulation

14. 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.

[REDACTED]

[REDACTED]

[REDACTED]

USE ZONE TABLE

142. GENERAL COMMERCIAL

PERMITTED USE CLASSES - (see Regulation 127)

Theatre, cultural and civic, passenger assembly, catering, funeral home, child care, office, medical and professional, personal service, general service, communications, police station, taxi stand, veterinary, ~~shop~~, indoor market, service station, apartments - (attached to shops or other business), take-out food service and convenience store.

~~(see condition no. 9)~~

DISCRETIONARY USE CLASSES - (see Regulations 26 and 128)

General assembly, educational, place of worship, amusement, collective residential, commercial residential, apartment building*, outdoor market, recreational open space, antenna, club and lodge,

*(See condition no. 6)

CONDITIONS

1. Development Standards

(a) The development standards for this zone shall be as follows:

- (i) Minimum Building Line Setback 4 metres
- (ii) Minimum Side yard Width, except where buildings are built with adjoining party walls 2 & 5 metres
- (iii) Minimum Rear yard Depth 10 metres
- (iv) Maximum Height 15 metres

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements 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:

shall be as required for apartment buildings in Schedule D.

7. **Accessory Buildings**

Accessory buildings in this zone shall conform to the requirements of Regulation 61, Accessory Commercial and Industrial Buildings, in Part II of these Development Regulations.

8. **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.

[REDACTED]

[REDACTED]

[REDACTED]

USE ZONE TABLE

143. RESIDENTIAL/COMMERCIAL MIX

<p>PERMITTED USE CLASSES - (See Regulation 127)</p> <p>Child care, office, medical and professional, personal service, general service, taxi stand, shop, apartment building, take-out food service, convenience store, single dwelling* double dwelling*.</p> <p>*(See condition no. 12) ** (See condition no. 17)</p>
<p>DISCRETIONARY USE CLASSES - (See Regulations 26 and 128)</p> <p>Veterinary, educational, amusement, commercial residential, boarding house residential, communications, antenna, club and lodge, row dwelling, home based occupation*, catering**, service station***.</p> <p>*(See condition no.6) ** (See condition no. 10) *** (See condition no. 13)</p>

CONDITIONS

1. Development Standards

(a) The development standards for this Zone shall be as follows:

- | | | |
|-------|-------------------------------|--------------|
| (i) | Minimum Building Line Setback | 6 metres |
| (ii) | Minimum Sideyard Width | 2 & 3 metres |
| (iii) | Minimum Rearyard Depth | 10 metres |
| (iv) | Maximum Height | 8 metres |

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements 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 Authority, having regard to the safety and convenience of users of the adjacent streets and sidewalk and the general

depending on whether the accessory building is being developed on a residential or a commercial lot.

15. Intensification

The Authority reserves the right to reduce the front yard setback requirements for single and double dwellings to that of the Residential High Density standards subject to:

- (a) the proposed development includes no more than 3 single lots or 2 double lots in connection, and
- (b) the side yard width and rear yard depth requirements of the zone are maintained.
- (c) At the discretion of the Authority, the front setback distance may be increased where the new dwelling on the lot meets the minimum required frontage, side yard, and rear yard standards for an intensification development. If the setback is substantial due to an especially large or deep lot, adequate buffering in the form of fencing, vegetation or other screening, shall be provided by the developer of the intensification property in order to protect the aesthetics, amenity, privacy and function of the adjoining properties or neighbourhood.

16. 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.

Shop

In this zone, the shop classification of use specifically excludes all licensed Cannabis Retail use.

USE ZONE TABLE

145. SHOPPING CENTER

PERMITTED USE CLASSES - (see Regulation 127)

Shopping centre, ~~shop~~ *~~(see condition no. 6)~~

DISCRETIONARY USE CLASSES - (see Regulations 26 and 128)

Service station, antenna, taxi stand, catering

CONDITIONS

1. Advertisements Relating to Onsite Uses

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

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of the Authority, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) Building advertisement coverage shall not exceed eight (8) percent of the building facade area. (This includes name/occupant of the building plus additional advertisements that may be on the lot and/or building, however, excludes a temporary sign).
- (c) Onsite advertisement would be at the discretion of the Authority, but is not to exceed ten (10) square metres in area. This ten (10) square metres is to be part of the eight (8) percent as described in Section (b) above.
- (d) Notwithstanding (b) and (c) above;

Advertisement on any lot may be permitted up to 3 square metres in area at the discretion of the Authority, regardless of building facade area.

pedestrians, motorists or to any neighbouring residential units.

- (c) The advertisement must be located within the lot boundary and each application will be assessed on its own merits based on the specific site conditions. Temporary advertisement shall be located a minimum distance of fifty (50) feet from any street intersection must be kept off public right-of-ways.
- (d) The advertisement is not to exceed a maximum of three (3) square metres in area.

4. Accessory Buildings

Accessory buildings in this zone shall conform to the requirements of Regulation 61, Accessory Commercial and Industrial Buildings, Part II of these Development Regulations.

5. 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.

6. Shop

In this zone, the shop classification of use specifically excludes a licensed Cannabis retail use.

PROPOSED REGULATION

USE ZONE TABLE

147. WATERFRONT MIXED USE

<p>PERMITTED USE CLASSES - (See Regulation no. 127)</p> <p>Theatre, cultural and civic, indoor assembly, outdoor assembly, place of worship, educational, passenger assembly, club and lodge, catering, child care, commercial residential, office, personal service, general service, police station, take-out food service, XXXXXX, indoor market, outdoor market, conservation, recreational open space, convenience store (accessory use only), light industry*, general industry*</p> <p>* (See condition no. 8) (See condition no. 12) (22 June 2017)</p>
<p>DISCRETIONARY USE CLASSES - (See Regulation no. 26 and 128)</p> <p>Medical and professional, communications, amusement, collective residential, apartment building*</p> <p>*(See condition no. 7) (22 June 2017)</p>

CONDITIONS

1. Development Standards

- | | | |
|-----|--|-----------|
| (a) | Maximum Height | 20 metres |
| (b) | Minimum Building Line Setback | 0 metres |
| (c) | Minimum Building Setback from the water's edge* | 10 metres |
| (d) | All other development standards to be determined through a Comprehensive Waterfront Development Plan | |

* as defined by the ordinary high water mark

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements 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:

The City of Corner Brook shall require dedication of a minimum of public open space as part of any Comprehensive waterfront Development Plan. Dedication of the public open space will be required prior to issuance of a building permit of any significant development in the area.

11. Parking

Above-grade or surface parking shall not be permitted between a public street or public open space and the Building Line.

12. Accessory Buildings

Accessory buildings in this zone shall conform to the requirements of Regulation 60, Accessory Buildings - General, in Part II of these Development Regulations.

13. 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.

14. Shop

In this zone, the shop classification of use specifically excludes a Licensed Carriable

Retail Use.

USE ZONE TABLE

148. GENERAL INDUSTRIAL

<p>PERMITTED USE CLASSES (see Regulation 127)</p> <p>General industry, service station, light industry, taxi stand, passenger assembly and animal.</p>
<p>DISCRETIONARY USE CLASSES (see Regulations 26 and 128)</p> <p>Transportation, catering, child care, all use classes in the business and personal service uses group, shop, recreational open space, antenna, convenience store, hazardous industry*, commercial residential**, amusement, general assembly***.</p> <p>*(See condition no. 6) ** (See condition no. 8) *** (See condition no. 9)</p> <p>(See condition no. 12)</p>

CONDITIONS

(13 May 2016)

1. Development Standards

(a) The development standards for this zone shall be as follows:

- | | | |
|-------|-------------------------------|----------------|
| (i) | Minimum Building Line Setback | 10 metres |
| (ii) | Minimum Side yard Width | 2 and 5 metres |
| (iii) | Minimum Rear yard Depth | 15 metres |
| (iv) | Maximum Height | 15 metres |

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements 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 Authority, having regard to the safety and convenience of users of the adjacent streets and sidewalk and the general

commercial residential use. Adequate buffering and/or screening may be required between commercial residential uses and existing industrial uses and such buffering shall be installed and maintained as the developer's (of the commercial residential lot) responsibility.

9. General Assembly

Uses in this classification shall be limited to gymnasia, bowling alleys and other similar indoor recreational/fitness facilities.

(13 May 2016)

10. Accessory Buildings

Accessory buildings in this zone shall conform to the requirements of Regulation 61, Accessory Commercial and Industrial Buildings, in Part II of these Development Regulations.

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.

12. Shop

In this zone, the shop classification of use specifically excludes all forms of Cannabis
retail use.

USE ZONE TABLE

149. LIGHT INDUSTRIAL

PERMITTED USE CLASSES - (see Regulation 127)

Light industry, service station, animal, amusement, catering, taxi stand, general service, general industry*

*(See condition no. 7)

DISCRETIONARY USE CLASSES - (see Regulations 26 and 128)

Transportation, passenger assembly, child care, all use classes in the business and personal service uses group, ~~shop~~, recreational open space, convenience store, funeral home, antenna, hazardous industry*, general assembly**.

*(See condition no. 6) ** (See condition no. 9) ~~(See condition #12)~~

CONDITIONS

(13 May 2016)

1. Development Standards

(a) The development standards for this zone shall be as follows:

- | | | |
|-------|-------------------------------|----------------|
| (i) | Minimum Building Line Setback | 8 metres |
| (ii) | Minimum Side yard Width | 2 and 5 metres |
| (iii) | Minimum Rear yard Depth | 12 metres |
| (iv) | Maximum Height | 15 metres |

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements 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 Authority, having regard to the safety and convenience of users of the adjacent streets and sidewalk and the general

industrial building or exterior industrial activity and such residential area. The buffer shall include the provision of such natural or structural barrier as may be required and shall be maintained by the owner or occupier to the satisfaction of the Council.

The outdoor storage of goods, materials or equipment shall be conducted as neatly and orderly as possible giving consideration to the overall site appearance and visual or other impact upon adjoining industrial uses or nearby residential or other areas. Consideration will also be given as to the storage of materials and equipment with regard to the safety of authorized personnel and general public where applicable. Outdoor storage is prohibited in the building line setback.

9. General Assembly (13 May 2016)

Uses in this classification shall be limited to gymnasia, bowling alleys and other similar indoor recreational/fitness facilities.

10. Accessory Buildings

Accessory buildings in this zone shall conform to the requirements of Regulation 61, Accessory Commercial and Industrial Buildings, in Part II of these Development Regulations.

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.

12. Shop

In this zone, the Shop classification of use specifically excludes a Licensed Cannabis Retail Use.

USE ZONE TABLE

152. INNOVATION DISTRICT

<p>PERMITTED USE CLASSES – (see Regulation 127)</p> <p>Educational, cultural and civic, general assembly, theatre, place of worship, day care centre, recreational open space, office, indoor assembly, outdoor assembly, police station, medical treatment and special care, medical and professional, personal service, general service, catering*, shop (as an accessory use), convenience store (as an accessory use), recreational open space, conservation.</p> <p>*(See condition no. 8) ** (See condition no. 11)</p>
<p>DISCRETIONARY USE CLASSES – (see Regulations 26 and 128)</p> <p>Passenger assembly, club and lodge, communications, collective residential, taxi stand, convenience store, antenna, funeral home, amusement, veterinary, apartment building, commercial residential, take-out food service, shop, light industry, service station*.</p> <p>*(See condition no. 9) ** (See condition no. 11)</p>

CONDITIONS

1. Development Standards

The development standards for this zone shall be as follows:

- (i) Minimum Building Line setback 6 metres
- (ii) Minimum side yard width 4 metres
- (iii) Minimum rear yard depth 12 metres
- (iv) Maximum height 20 metres

2. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of advertisements 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

7. Accessory Building

Accessory buildings in this zone shall conform to the requirements of Regulation 60, Accessory Buildings – General, in Part II of these Development Regulations.

8. Drive-thru

When a drive-thru function of a catering use (or other type of drive-thru window service) is proposed in the Innovation District, it may be considered as an accessory use to a permitted or discretionary use when developed as part of a comprehensive development. Access to the drive-thru windows and all driving or parking lanes associated with the drive-thru function must be contained entirely on the private lot and may not be accessed directly from a street.

9. Service Station

When a service station use, limited to a gas bar, is proposed in the Innovation District, it may be considered as an accessory use to a permitted or discretionary use and when developed as part of a comprehensive development, located on the same private lot as the main permitted or discretionary use. Direct access to a gas bar or any parking or lanes associated with the gas bar function will not be permitted directly from a street.

10. 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.

Shop

~~In this zone, the shop classification of use specifically excludes a Licensed Cannabis~~

~~Retail Use~~