

**TOWN OF PARADISE  
DEVELOPMENT REGULATIONS 2016**

**DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2022**

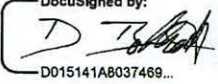
**JANUARY 2022**


**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF PARADISE**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2022**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise adopts the Town of Paradise Development Regulations Amendment No. 10, 2022.

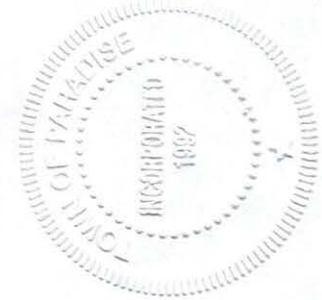
Adopted by the Town Council of Paradise on the 1<sup>st</sup> day of March, 2022.

Signed and sealed this 3<sup>rd</sup> day of March, 2022.

Mayor:   
DocuSigned by: D015141A8037469...

Clerk:   
DocuSigned by: Jennilyn Smith  
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(Council Seal)



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

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



Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>3655-2022-009</u>
Date	<u>March 17, 2022</u>
Signature	<u>[Signature]</u>

**TOWN OF PARADISE**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2022**

**Background**

This amendment includes changes to the 2016 Development Regulations regarding four (4) main topics:

1. development over easements
2. subdivision design standards for Local Streets
3. residential Watershed Use Zone standards
4. subsidiary apartments in existing developments

**1. Development Over Easements**

According to sections 4.2.2.b.ii and section 4.13 of the Town's Development Regulations, development is not permitted within any easement. The Town receives compliance requests on a regular basis. If a Building is discovered within a utility easement, current practise is to provide compliance subject to approval from the utility company. This is standard practice dating back to before the 2016 Development Regulations came into effect. However, this practise is contrary to section 4.2.2.b.ii and section 4.13 of the Town's Development Regulations. The Town is amending these two sections to enable current Town practices.

**2. Subdivision Design Standards**

The Town of Paradise is amending Section 6.11 Subdivision Design Standards of the 2016 Paradise Development Regulations. This amendment is intended to correct an inconsistency between the table found under section 6.11.i and the corresponding illustration of a Local Street that follows as well as the Town's Urban Design Guidelines.

**3. Residential Watershed (RWS)**

The Town of Paradise is amending Section 9.13.4 Residential Watershed (RWS) of the 2016 Paradise Development Regulations. Specifically, this amendment rectifies an error related to the Building Line Setback standard outlined in the RWS Zone Standards table.

**4. Subsidiary Apartments**

- a. The Town of Paradise is amending Section 9.14 Rural Residential (RR) of the 2016 Paradise Development Regulations by adding 'Subsidiary Apartment' to the list of Permitted Uses. All residential use zones in the Town, with exception to the RR zone and the Rural Residential Conservation (RRC) zone, allow subsidiary apartments within the main dwelling. The RRC zone regulates the number of lots and units per area within that zone and, as such, an additional apartment dwelling

cannot be considered on these lots as it would exceed the density standard. All other residential use zones permit the use with exception to the Residential Low Density (RLD) zone; subsidiary apartments are listed as discretionary in the RLD zone since the Lots typically have on-site well and septic.

Lots within the RR zone have a minimum area of 1 acre (4050 m<sup>2</sup>) and have on-site well and septic. The RR zone is not subject to development density standards and it seems appropriate that subsidiary apartments be permitted in dwellings within this zone where a private septic has the capacity to accommodate the subsidiary apartment.

- b. The Town of Paradise is amending Section 5.15 Subsidiary Apartments by adding a condition related to existing unserviced Developments. Currently, Section 5.15 addresses approval of on-site septic systems for subsidiary apartments related to new developments but is silent on approval of systems for apartments proposed in existing dwellings. As such, a new condition will be added.

The proposed changes to the 2016 Paradise Development Regulations do not require an amendment to the 2016 Paradise Municipal Plan or the St. John's Urban Region Regional Plan.

### **Public Consultation**

During the preparation of this amendment, the Town of Paradise published a notice in The Shoreline newspaper on January 27<sup>th</sup>, 2022 and February 3<sup>rd</sup>, 2022 and posted on the Town's website advertising Development Regulation Amendment No. 10, 2022. The amendment documents were available on the Town's website for the public to review from January 26<sup>th</sup>, 2022 to February 11<sup>th</sup>, 2022. The Town accepted comments and/or concerns on the proposed change in writing until 4:30pm, February 11<sup>th</sup>, 2022. No comments were received.

## Town of Paradise Development Regulations Amendment No. 10, 2022

The 2016 Paradise Development Regulations are amended as follows:

### 1. Development Over Easements

#### a. Section 4.2.2.b.ii

Section 4.2.2.b.ii states:

“Accessory Buildings greater than 5.2 m<sup>2</sup> require approval from Council and shall meet the following requirements:

- ii. They shall not be placed within any easement area.”

Section 4.2.2.b.ii is replaced with:

“Accessory Buildings greater than 5.2 m<sup>2</sup> require approval from Council and shall meet the following requirements:

- ii. They shall not be placed within any easement area ***unless the authority responsible for the easement provides written authorization.***”

#### b. Section 4.13

Section 4.13 states:

“No permanent Building shall be constructed over any known easement, whether that easement has been assigned to the Town of Paradise, a department of the provincial or federal government, or a utility company.”

Section 4.13 is replaced with:

“No permanent Building shall be constructed over any known easement, whether that easement has been assigned to the Town of Paradise, a department of the provincial or federal government, or a utility company, ***unless the authority responsible for the easement provides written authorization.***”

## 2. Section 6.11 Subdivision Design Standards

The Paradise Development Regulations are amended by changing the Local Residential Street Reservation from 16 metres to 15 metres, and changing the Local Residential Street Amenity Strip from 2.0 metres to 1.5 metres.

The table found under section 6.11.i of the Paradise Development Regulations states:

Street Type	Street Reservation	Pavement Width	Sidewalk Width	Sidewalk Number	Amenity Strip
Arterial	30 m	4 - 3.5 m driving lanes, 2 -1.5 m Bike lanes	4 m boulevard pathway and 2 m	2 Less than 2 at Discretion of Council	2-2.75 m strips between sidewalk and curb, 1-3.5 m strip at Street centreline.
Collector Streets	20 m	10.5 m with on-street parking  9.0 m (no on-street parking)	4 m boulevard pathway and 2.0 m (separated bikes lanes may be considered)	2	2.0 m between curb and Sidewalk; 0.5 m between sidewalk and edge of Street Reservation.
Local Residential Streets	16 m	9 m	1.5 m	2	2.0 m between curb and Sidewalk.
Rural, Unserviced Streets	15 m	9 m	1.5 m walkable shoulder	1	

The table found under section 6.11.i of the Paradise Development Regulations is replaced with:

Street Type	Street Reservation	Pavement Width	Sidewalk Width	Sidewalk Number	Amenity Strip
Arterial	30 m	4 - 3.5 m driving lanes, 2 -1.5 m Bike lanes	4 m boulevard pathway and 2 m	2 Less than 2 at Discretion of Council	2-2.75 m strips between sidewalk and curb, 1-3.5 m strip at Street centreline.
Collector Streets	20 m	10.5 m with on-street parking  9.0 m (no on-street parking)	4 m boulevard pathway and 2.0 m (separated bikes lanes may be considered)	2	2.0 m between curb and Sidewalk; 0.5 m between sidewalk and edge of Street Reservation.
Local Residential Streets	<b>15 m</b>	9 m	1.5 m	2	<b>1.5 m</b> between curb and Sidewalk.
Rural, Unserviced Streets	15 m	9 m	1.5 m walkable shoulder	1	

### 3. Section 9.13 Residential Watershed (RWS)

The Paradise Development Regulations are amended by changing the Minimum Building Line Setback (m) to **Maximum** Building Line Setback (m), and Minimum Lot Development Area (m<sup>2</sup>) to **Maximum** Lot Development Area (m<sup>2</sup>).

The Residential Watershed (RWS) zone table found in section 9.13.4 of the Paradise Development Regulations states:

Standard		Standard	
Minimum Lot Area (m <sup>2</sup> )	580	Minimum Building Line Setback (m)	15.0
Minimum Corner Lot Area (m <sup>2</sup> )	700	Minimum Side Yard (m)	1.2 and 2.4
Minimum Frontage (m)	18.0	Minimum Flanking Road Side Yard (m)	7.6
Minimum Frontage Corner Lot (m)	23.0	Minimum Rear Yard (m)	9.0
Minimum Lot Depth (m)	32.0	Maximum Lot Coverage	33%
Minimum Lot Development Area (m <sup>2</sup> )	700	Maximum Height (m)	8.0

The Residential Watershed (RWS) zone table found in section 9.13.4 of the Paradise Development Regulations is replaced with:

Standard		Standard	
Minimum Lot Area (m <sup>2</sup> )	580	<b>Maximum</b> Building Line Setback (m)	15.0
Minimum Corner Lot Area (m <sup>2</sup> )	700	Minimum Side Yard (m)	1.2 and 2.4
Minimum Frontage (m)	18.0	Minimum Flanking Road Side Yard (m)	7.6
Minimum Frontage Corner Lot (m)	23.0	Minimum Rear Yard (m)	9.0
Minimum Lot Depth (m)	32.0	Maximum Lot Coverage	33%
<b>Maximum</b> Lot Development Area (m <sup>2</sup> )	700	Maximum Height (m)	8.0



#### 4. Subsidiary Apartments

##### a. Section 9.14 Rural Residential (RR)

The list of Permitted Uses in Section 9.14.2 of the Rural Residential (RR) Use Zone of the Paradise Development Regulations states:

##### 2. Permitted Uses

- Home Office
- Family Child Care
- Single-detached Dwelling
- Urban Agriculture

The list of Permitted Uses in Section 9.14.2 of the Rural Residential (RR) Use Zone of the Paradise Development Regulations is replaced with:

##### 2. Permitted Uses

- Home Office
- Family Child Care
- Single-detached Dwelling
- Urban Agriculture
- ***Subsidiary Apartment***

##### b. 5.15 Subsidiary Apartments

Section 5.15 of the Paradise Development Regulations states:

##### 5.15 Subsidiary Apartments

Where permitted, a Subsidiary Apartment shall meet the following requirements:

- a. It shall occupy less than 50% of the Gross Floor Area of the dwelling in which it is situated.
- b. The appearance of the main dwelling is maintained.
- c. One (1) off-street parking space is provided in addition to that required for the main dwelling.
- d. In new unserviced Developments, the single dwelling and apartment shall require the approval for on-site septic system by the applicable provincial authority.

Section 5.15 of the Paradise Development Regulations is replaced with:

##### 5.15 Subsidiary Apartments

Where permitted, a Subsidiary Apartment shall meet the following requirements:

- a. It shall occupy less than 50% of the Gross Floor Area of the dwelling in which it is situated.
- b. The appearance of the main dwelling is maintained.
- c. One (1) off-street parking space is provided in addition to that required for the main dwelling.
- d. In new unserviced Developments, the single dwelling and apartment shall require the approval for on-site septic system by the applicable provincial authority.
- e. ***In existing Developments, a Subsidiary Apartment shall require the approval for on-site septic system by the applicable provincial authority.***