



**TOWN OF PARADISE
DEVELOPMENT REGULATIONS 2016**

DEVELOPMENT REGULATIONS AMENDMENT No. 20, 2023


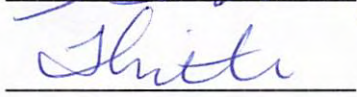
NOVEMBER 2023

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT No. 20, 2023

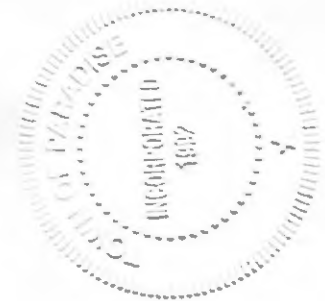
Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise adopts the Town of Paradise Development Regulations Amendment No. 20, 2023.

Adopted by the Town Council of Paradise on the 23 day of January 2024.

Signed and sealed this 24 day of Jan, 2024.

Mayor: 
Clerk: 

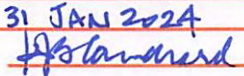
(Council Seal)

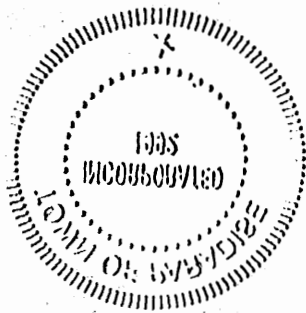


CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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	
REGISTERED	
Number	<u>3655-2024-017</u>
Date	<u>31 JAN 2024</u>
Signature	<u></u>



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TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT No. 20, 2023

Background

The issue related to greenhouse regulations was brought to the Town’s attention when a resident sent a letter, outlining their concerns about these regulations. This matter arose when the resident's application to construct a greenhouse was refused due to it exceeding the maximum square footage allowed for accessory buildings on their residential property.

Greenhouse is considered an Accessory Building (provincial definition, Reg. 4(1)(b)). The relevant guideline for constructing greenhouses is outlined in Section 4.2.1(g) of the Town of Paradise Development Regulations. This section specifies that greenhouses must conform to the calculations for accessory building footprint, as detailed in the table below.

Lot Size (m ²)	Building Footprint of all Accessory Buildings	Maximum Height
Less than 1860 m ²	7% of the Lot Area or 70 m ² , whichever is less.	4.0 m
1860 m ² or greater, but less than 3600 m ²	70 m ²	4.5 m
3600 m ² or greater, but equal or less than 4050 m ²	90 m ² Greater than 90 m ² to 150 m ² subject to public notice and Council review and approval.	4.5 m
Greater than 4050 m ²	90 m ² Greater than 90 m ² subject to public notice and Council review and approval.	4.5 m Greater than 4.5 m subject to public notice and Council review and approval.

Incorporating greenhouses into the calculation of accessory building footprints appears to limit the potential for local food production and consumption.

Purpose

The Town of Paradise is proposing this amendment to its Development Regulations to encourage a healthier diet and lifestyle for its residents, focusing on facilitating the production of healthy and affordable locally produced food on residential lots.

2016 Paradise Municipal Plan

The changes to the 2016 Paradise Development Regulations do not require an amendment to the 2016 Paradise Municipal Plan. It is a policy of Council to support local food production. This is outlined in Section 8.2.4 of the Paradise Municipal Plan. Section 8.2.4 of the Municipal Plan encourages local food production as there is a great interest in urban agriculture on residential lots. The intent of this amendment is to support local food production and help residents access healthy locally grown food.

St. John's Urban Region Regional Plan

The proposed changes to the 2016 Paradise Development Regulations do not conflict with the policies of the St. John's Urban Region Regional Plan. Therefore, an amendment to the St. John's Urban Region Regional Plan is not required.

Public Consultation

In accordance with Section 14 of Urban and Rural Planning Act, 2000, notices of the proposed amendment were published in The Shoreline newspaper on December 1, 2023 and December 8, 2023, as well as posted on the Town's website from December 1, 2023, to December 15, 2023. The proposed amendment was available for public review at the Town Hall during regular business hours and was available on the Town's website. The deadline for submitting reviews was December 15, 2023, by which time no comments were received.

Town of Paradise Development Regulations Amendment No. 20, 2023

This amendment makes changes to the "Section 4.2 Accessory Buildings" of the 2016 Paradise Development Regulations as follows:

1. The Amendment would introduce additional text to Section 4.2.1(a) to exempt greenhouses from Section 4.2(2) of the Development Regulations. This would result in greenhouses no longer being considered when calculating the accessory building footprint. The proposed change would revise Section 4.2.1(a) from

"a. Attached garages, carports, ramps and Swimming Pools shall not be subject to the requirements of Section 4.2(2)."

to

“a. Attached garages, carports, ramps, Swimming Pools, and Greenhouses shall not be subject to the requirements of Section 4.2(2).

2. A new subsection, 4.2.6 Residential Greenhouses, would be added to indicate the regulations for greenhouses as follows:

“4.2.6 Residential Greenhouses

For the purposes of providing food and plant exclusively for the personal use and consumption of the occupants of the subject dwelling. Greenhouses shall comply with the following conditions:

- a. Greenhouses under 10 m² in total floor area do not require a building permit. However, greenhouses with a combined total floor area of 10 m² and greater require a building permit;
- b. Greenhouses with the area of 10 m² or larger must conform to the National Building Code of Canada;
- c. Maximum one storey of greenhouse is permitted;
- d. The Accessory Building must be constructed in accordance with the following:

Lot Size	Maximum Total Floor Area	Maximum Height
Less than 3600 m ²	30 m ²	4.0 m
3600 m ² or greater, but equal or less than 4050 m ²	45 m ²	4.0 m
Greater than 4050 m ²	60 m ²	4.0 m

- e. Greenhouses shall not be located within 1.2 metres from any property boundary and 2.0 m from the Main Building;
- f. Greenhouses shall not be placed within any easement area unless the authority responsible for the easement provides written authorization;
- g. Greenhouses shall not be heated using a wood heat source (e.g., wood stove);
- h. Greenhouses shall not be placed in Front Yard and in front of the Building Line
- i. The installation of private or municipal water and/or sewer services to a greenhouse is prohibited.

3. Remove parts of the text in Section 4.2.2(e) since greenhouses will no longer be included in this Section. Section 4.2.2(e) would be amended from

“e. With the exception of greenhouses, the exterior cladding of the Accessory Building shall match or coordinate with the exterior siding of the main dwelling on the Lot and shall be residential in character.”

to

“e. The exterior cladding of the Accessory Building shall match or coordinate with the exterior siding of the main dwelling on the Lot and shall be residential in character.”