

THE URBAN AND RURAL PLANNING ACT
TOWN OF COW HEAD
DEVELOPMENT REGULATIONS
AMENDMENT NO. 6

Published by Authority

The Council of the Town of Cow Head hereby adopts the following **Land Use Zoning, Subdivision and Advertisement Regulations Amendment No. 6**, prepared pursuant to section 36 of the Urban and Rural Planning Act.

Made and adopted by the Council of the Town of Cow Head, on the *17* day of *July*, 1995.

Shonda Anderson
Clerk

Eva Martin
Mayor

Approved by me at St. John's this *16th* day of *August*, 1995.

Arthur D. Reid

ARTHUR D. REID, M.H.A.
Carbonear District
Minister of Municipal & Provincial Affairs

All persons are hereby requested to take notice that anyone who wishes to view these Regulations may do so at the Office of the Clerk of the Town Council of Cow Head.

PURPOSE OF AMENDMENT NO. 6

The purpose of this amendment is to add regulations to the Mixed Development and Residential Land Use Zone to enable the development of home based occupations in these zones.

AMENDMENT NO. 6

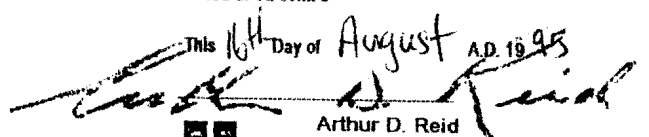
(a) Page 1, Residential Use Zone Table, and Page 4, Mixed Development Use Zone Table, Schedule C of the Cow Head Development Regulations are deleted and replaced with the attached pages 1 and 4. Several home occupation uses are added to these use zone tables.

(b) Pages 5.1, 5.2, 10.1, 10.2 are added to the Residential and Mixed Development Use Zone Tables, respectively. These additions add regulations pertaining to home occupations to these use zones.

MINISTER

Dated at St. John's

This 16th Day of August A.D. 1995



Arthur D. Reid
Minister Of Municipal and
Provincial Affairs



6. **Home Occupations**

(1) Home based occupations may be permitted in the Residential Zone on a developed residential lot or in an accessory building subsidiary to the residential use or the home occupation use, if the activity is carried out by a resident of the dwelling.

(2) The following use classes shall be restricted to the category of home occupation activities and may be permitted on a developed residential lot:

(a) **Light Industry Use Class**

The Light Industry use class shall be limited to the manufacture and ancillary retail sales of goods produced or repaired on the residential lot.

(b) **Medical and Professional Use Class**

Medical & Professional uses may be permitted as a discretionary use in the form of medical clinics, offices or similar uses if the use is clearly subsidiary to the residential use.

(c) **Retail Sales/ Office Use Class**

Retail sales on a residential lot may be permitted only if the sales are ancillary and subsidiary to a specified home occupation use class. The retail sales must be directly related to goods manufactured on the residential lot or to a service provided on the residential lot. The retailing of specialized goods not produced on the residential lot shall be ancillary to an activity carried out under the office use class.

(d) **Hazardous Industry Use Class**

Hazardous industrial uses shall be limited to those directly associated with auto body repair shops and spray painting. Auto body shops on residential lots shall be limited to 1 operating bay and a maximum floor area of 45 square metres.

(e) **General Industry Use Class**

(i) Contractors yards shall be limited to a minimum of 2 vehicles, and 1 transportation float. All vehicles shall be stored within the sideyards of the building lot.

- (ii) General Garages shall be limited to 1 operating bay and a maximum floor area of 45 square metres.
- (3) All Home Occupation uses shall be listed in the Discretionary Use Class section of the Use Zone Table.
- (4) Home occupation uses shall be compatible with adjacent uses, shall not constitute a nuisance or diminish the amenity of the surrounding area.
- (5) Home occupation uses shall not occupy more than 25 percent of the floor area of a dwelling and shall not exceed 45 m² total area in combination with the floor area of an accessory building.
- (6) The dwelling shall be the principal residence of the developer. If the developer is not the owner of the dwelling, the written permission of the owner shall be a condition of the development permit.
- (7) The wholesaling or storage of goods shall not be permitted, except of a minor nature in direct association with a primary retail use. Outdoor storage shall not be permitted.
- (8) A minimum of 1 off-street parking space shall be provided for the use, in addition to the parking required for residential uses.
- (9) Manufacturing activities shall be limited to those commonly associated with the small scale production of speciality goods or foods.

7. Convenience Store Use Class

The Convenience Store Use Class may be permitted as a discretionary use under the following conditions:

- (a) The store shall not be permitted on a developed residential lot.
- (b) The retail use shall be subsidiary to the residential character of the area and shall not affect the amenities of adjoining residential lots.

11. Home Occupations

(1) Home based occupations may be permitted in the Mixed Development Zone on a developed residential lot or in an accessory building subsidiary to the residential use or the home occupation use, if the activity is carried out by a resident of the dwelling.

(2) The following use classes shall be restricted to the category of home occupation activities and may be permitted on a developed residential lot:

(a) Light Industry Use Class

The Light Industry use class shall be limited to the manufacture and ancillary retail sales of goods produced or repaired on the residential lot.

(b) Medical and Professional Use Class

Medical & Professional uses may be permitted as a discretionary use in the form of medical clinics, offices or similar uses if the use is clearly subsidiary to the residential use.

(c) Retail Sales/ Office Use Class

Retail sales on a residential lot may be permitted only if the sales are ancillary and subsidiary to a specified home occupation use class. The retail sales must be directly related to goods manufactured on the residential lot or to a service provided on the residential lot. The retailing of specialized goods not produced on the residential lot shall be ancillary to an activity carried out under the office use class.

(d) Hazardous Industry Use Class

Hazardous industrial uses shall be limited to those directly associated with auto body repair shops and spray painting. Auto body shops on residential lots shall be limited to 1 operating bay and a maximum floor area of 45 square metres.

(e) General Industry Use Class

(i) Contractors yards shall be limited to a minimum of 2 vehicles, and 1 transportation float. All vehicles shall be stored within the sideyards of the building lot.

- (ii) General Garages shall be limited to 1 operating bay and a maximum floor area of 45 square metres.
- (3) All Home Occupation uses shall be listed in the Discretionary Use Class section of the Use Zone Table.
- (4) Home occupation uses shall be compatible with adjacent uses, shall not constitute a nuisance or diminish the amenity of the surrounding area.
- (5) Home occupation uses shall not occupy more than 25 percent of the floor area of a dwelling and shall not exceed 45 m² total area in combination with the floor area of an accessory building.
- (6) The dwelling shall be the principal residence of the developer. If the developer is not the owner of the dwelling, the written permission of the owner shall be a condition of the development permit.
- (7) The wholesaling or storage of goods shall not be permitted, except of a minor nature in direct association with a primary retail use. Outdoor storage shall not be permitted.
- (8) A minimum of 1 off-street parking space shall be provided for the use, in addition to the parking required for residential uses.
- (9) Manufacturing activities shall be limited to those commonly associated with the small scale production of speciality goods or foods.

12. Convenience Store Use Class

The Convenience Store Use Class may be permitted as a discretionary use under the following conditions:

- (a) The store shall not be permitted on a developed residential lot.
- (b) The retail use shall be subsidiary to the residential character of the area and shall not affect the amenities of adjoining residential lots.

USE ZONE TABLE

| | | |
|--|-----------------|------------|
| ZONE TITLE | RESIDENTIAL (R) | (COW HEAD) |
| PERMITTED USE CLASSES - (see Regulation 85) Single dwelling, recreational open space. | | |
| DISCRETIONARY USE CLASSES - (see Regulation 22 and 86) Double dwelling, place of worship, antenna, personal service, cultural and civic, seasonal residence, educational, mobile home, child care, club and lodge. (Light industry, general industry, hazardous industry, medical and professional, office - See Condition 6) (Convenience store - See Condition 7) | | |

| STANDARDS | WHERE PERMITTED | | | | | |
|--|-----------------|-----------------|-----------------|--|--|--|
| | Single Dwelling | Double Dwelling | | | | |
| Lot area (m ²) (minimum) | 650 | 550 | | | | |
| Floor area (m ²) (minimum) | 56 | 110 | 60 * | | | |
| Frontage (m) (minimum) | 20 | 35 | 14 * Average | | | |
| Building Line Setback (m) (minimum) | 8 | 8 | 7.5 | | | |
| Sidyard Width (m) (minimum) | 1 | 1 | 2 | | | |
| Rearyard Depth (m) (minimum) | 15 | 15 | 15 | | | |
| Lot Coverage (%) (maximum) | 33 | 33 | 33 | | | |
| Height (m) (maximum) | 8 | 8 | 10 | | | |
| (See Conditions) | | | | | | |
| * Per dwelling unit | | | | | | |

USE ZONE TABLE

| ZONE TITLE | MIXED DEVELOPMENT (MD) | (COW HEAD) |
|---|------------------------|------------|
| PERMITTED USE CLASSES - (see Regulation 85) Theatre, cultural and civic, passenger assembly, club and lodge, catering, funeral home, child care, personal service, general service, communications, police station, taxi stand, veterinary, shop, indoor market. Single dwelling. | | |
| DISCRETIONARY USE CLASSES - (see Regulations 22 and 86) General assembly, place of worship, amusement, commercial-residential, take-out food service, outdoor market, service station, recreational open space, antenna. (Convenience Store - See Condition 12). (Light industry, general industry, hazardous industry, medical and professional, office - See Condition 11). | | |

CONDITIONS

1. Development Standards

- a) The development standards for this zone for all uses other than residential shall be as follows:
- | | | |
|------|--|----------------|
| i) | Minimum Building Line Setback | 4 metres |
| ii) | Minimum Sideyards Width, except where buildings are built with adjoining party walls | 5 metres |
| iii) | Minimum Rearyard | 10 metres |
| iv) | Maximum Height | 15 metres |
| v) | Minimum Floor Area | 56 sq. metres |
| vi) | Minimum Frontage | 20 metres |
| vii) | Minimum lot size | 650 sq. metres |
- b) Residential development shall conform to the standards of the Residential Zone.

2. 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:

- (i) 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.
- (ii) No advertisement shall exceed 5 square metres in area.