

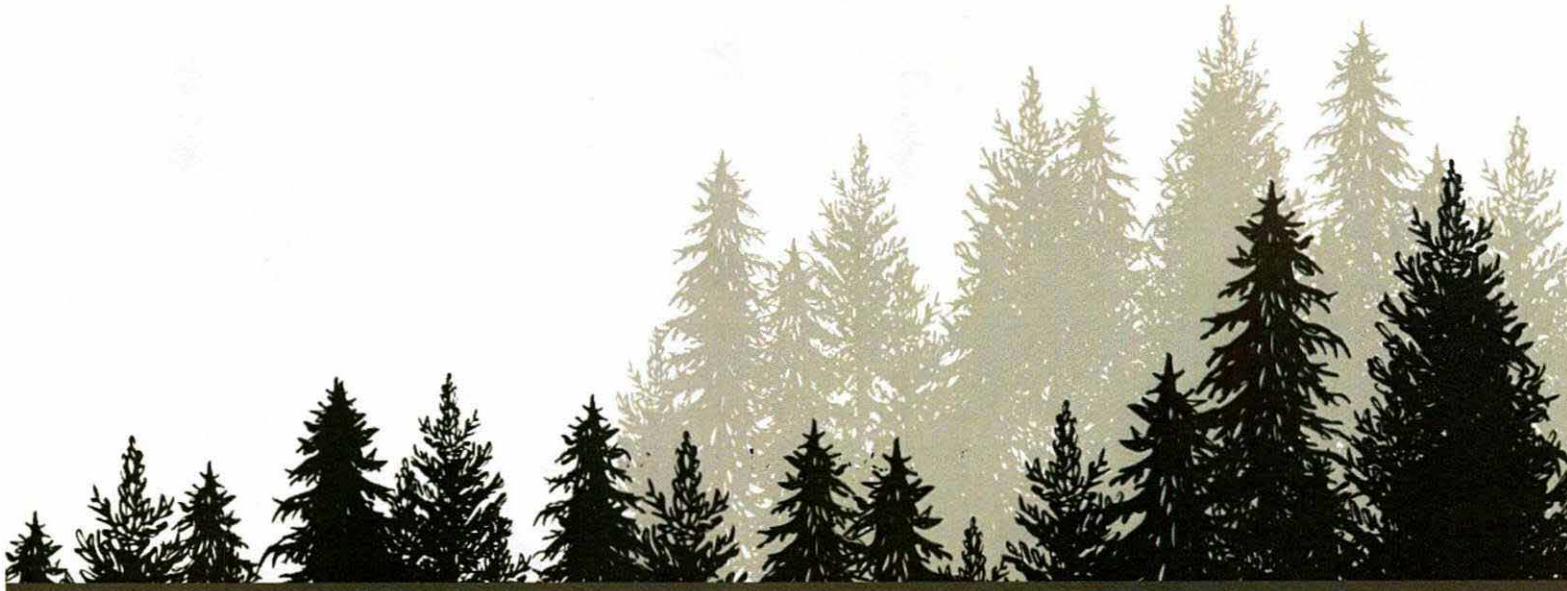


LABRADOR CITY

DEVELOPMENT REGULATIONS, 2018-2028

AMENDMENT No. 07-2020

'Building Separation & Yard Distances'

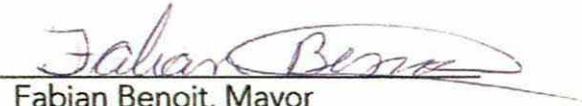


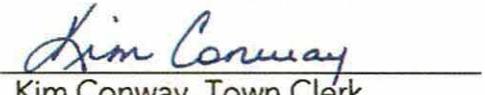
URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF LABRADOR CITY
DEVELOPMENT REGULATION AMENDMENT No. 07-2020

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Labrador City adopts Development Regulation Amendment No. 07-2020.

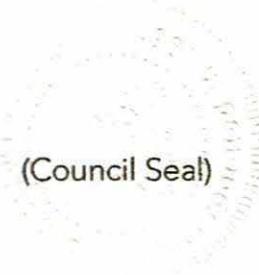
Adopted by the Town Council of Labrador City on the 10th day of November, 2020.

SIGNED AND SEALED this 18th day of November, 2020.


Fabian Benoit, Mayor


Kim Conway, Town Clerk

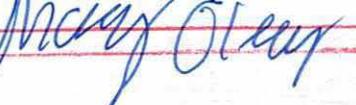
(Council Seal)



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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



Development Regulations/Amendment REGISTERED	
Number	2638-2020-009
Date	December 11, 2020
Signature	

DEVELOPMENT REGULATIONS AMENDMENT No. 07-2020

PURPOSE

The Town of Labrador City Development Regulations describe the minimum building separation distances that structures are required to observe when constructed. Administratively, these distances are taken from the nearest points of the buildings and have previously been measured between eaves of the structures. This system of measurement is problematic for development staff, who carry out pre-construction site inspections and base initial approval of building placement upon the location of the foundation or footings.

The purpose of this Amendment is to define a consistent point of measurement that building separation distances will be measured, utilizing the nearest point of exterior walls as the new point of reference. In addition, this Amendment will increase the current metrics for building separation distances to accommodate the proposed change.

A general adjustment of the building line setbacks and side yard measurements in the Residential Medium Density zone will be introduced; the differentiation of major and minor side yards in the Residential Medium Density (RMD) zone will be removed and the metric for obstruction of yards in all zones will be increased.

PUBLIC CONSULTATION

In accordance with s.14 of the *Urban & Rural Planning Act, 2000*, notices seeking feedback on the proposed amendment were posted on the Town's website and social media outlets on October 1st, 2020 until October 15th, 2020. The Town also provided notice on public access television during the same timeframe.

Circulation of the notice in a locally available newspaper was not possible.

As a result of the Town's consultation efforts, no written submissions were received.

DEVELOPMENT REGULATIONS AMENDMENT No. 07-2020

Consists of the following amendments to the text of the Development Regulations:

1. In **Section 2.0 DEFINITIONS – BUILDING SEPARATION**, following the phrase '...distance between two buildings', the phrase '...measured from the nearest points of the exterior walls.', shall be added such that the section now reads:

'BUILDING SEPARATION means the minimum distance between two buildings measured from the nearest points of the exterior walls.'

2. In **Section 6.6 STANDARD CONDITIONS FOR ALL ZONES**

- in clause **6.6.3(1)c Obstruction of Yards**, immediately following the words 'required yard', the phrase 'setback or building separation distance' shall be added; and, the phrase '...or more than 1.0 metre into any required front yard, building line set back or rear yard' shall be deleted such that the section now reads:

*'c. chimney breasts, eaves, sills, or cornices not projecting more than 0.5 metres into any required yard, **setback or building separation distance**.*

2. In Section 6.7 RESIDENTIAL MEDIUM DENSITY ZONE:

- in clause **6.7.3 Lot Standards**, an asterisk shall be added following the minimum frontage metric of 10 m for a Row Dwelling; and,
- in clause **6.7.3 Lot Standards**, the metric of '7.5 m' for Frontage (min) of a Row Dwelling shall be deleted and replaced with '5 m'.
- in clause **6.7.3 Lot Standards**, the metric of 'Major 2 m; Minor 0.6 m' for Side Yard Width (min) of a Single Dwelling shall be deleted and replaced with '1.8 m'; and,
- in clause **6.7.3 Lot Standards**, the metric of '1 m' for the Side Yard Width (min) of a Double Dwelling shall be deleted and replaced with '2 m' such that the table now reads as follows:

Standard	Single Dwelling	Double Dwelling	Row Dwelling
Lot Area (min)	560 m ²	360 m ² *	350 m ² *
Floor Area (min)	90 m ²	60 m ² *	65 m ² *
Frontage (min)	20 m	27 m	10 m*
Building Line Set Back (min) (Regulation 4.6)	5 m**	5 m**	5 m**
Building Line Set Back (max) (Regulation 4.6)	15 m	15 m	15 m
Side Yard Width (min)	1.8 m	2 m	2 m (on end of unit)
Rear Yard (min)	6 m	6 m	6 m
Lot Coverage (max)	40%	40%	40%
Height (max)	8 m	8 m	8 m

3. In Section 6.7 RESIDENTIAL MEDIUM DENSITY ZONE:

- in clause **6.7.4.5(b) Development Standards**, the phrase 'Min Separation Distance Between Buildings' shall be deleted from the table and replaced with 'Min Building Separation'; and,
- in clause **6.7.4.5(b) Development Standards**, the metric of '1.2 metres' shall be deleted and replaced with '1.8 metres' for Min. Building Separation, such that the table now reads as follows:

Description	Lot Size <557 m ²	Lot Size > 557 m ²
Maximum Lot Coverage* (primary + accessory buildings)	40%	40%
Maximum Cumulative Area * (all accessory buildings)	floor area primary dwelling	floor area primary dwelling
Maximum Area***	65 m ²	83.6 m ²
Domestic Green House Maximum one per lot	55.7 m ² (max)	55.7 m ² (max)
Height	6 m (max)	6 m (max)
Building Line Set back	see Use Zone	see Use Zone
<i>Min Building Separation</i> ****	1.8 m	1.8 m
Min distance from Side Lot Line (rear yard only)*****	1 m	1 m
Min distance from Rear Lot Line*****	1 m	1 m

* excluding structures without a roof
 ** not applicable to row dwellings on Tamarack Drive
 *** excluding greenhouses
 **** not applicable to patios and decks
 ***** an accessory building that is attached to the main building, the minimum side yard width and minimum rear yard for the main building shall apply

4. In Section 6.9 CABIN DEVELOPMENT:

- in clause **6.9.4.1(b) Development Standards**, the phrase 'Min Separation Distance Between Buildings' shall be deleted from the table and replaced with 'Min Building Separation'; and,
- in clause **6.9.4.1(b) Development Standards**, the metric of '1.2 metres' shall be deleted and replaced with '1.8 metres' for Min. Building Separation, such that the table now reads as follows:

Description	Lot Size <557 m ²	Lot Size > 557 m ²
Maximum Lot Coverage* (primary + accessory buildings)	40%	40%
Maximum Cumulative Area * (all accessory buildings)	floor area primary dwelling	floor area primary dwelling
Maximum Area***	65 m ²	83.6 m ²
Domestic Green House Maximum One Per Lot	55.7 m ² (max)	55.7 m ² (max)
Height	6 m (max)	6 m (max)
Building Line Set back	see Use Zone	see Use Zone
<i>Min Building Separation</i> ****	1.8 m	1.8 m
Min distance from Side Lot Line (rear yard only)*****	1 m	1 m
Min distance from Rear Lot Line*****	1 m	1 m

* excluding structures without a roof
 ** not applicable to row dwellings on Tamarack Drive
 *** excluding greenhouses
 **** not applicable to patios and decks
 ***** an accessory building that is attached to the main building, the minimum side yard width and minimum rear yard for the main

Description	Lot Size <557 m ²	Lot Size > 557 m ²
building shall apply		

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

DEFINITIONS

April 19, 2018

BUILDING PERMIT means a document authorizing the construction of a new building, demolition, and/or alteration of a building on an approved lot.

BUILDING SEPARATION means the minimum distance between two buildings measured from the nearest points of the exterior walls.

(DRA-07-2020)

CARRYING ON A BUSINESS: means activities that occupy the time, attention and labour of owners and employees for the purpose of a livelihood or profit, and involves incurring liabilities to other persons for the purpose of charging money for goods or services. For the purposes of these Regulations, a Home Based Business shall be considered to be engaged in the same.

CEMETERY means a use of land or a building for interment of the deceased.

CHILD CARE means a building or part of a building in which services and activities are regularly provided as defined in the *Child Care Services Act*, but do not include a school as defined by the *Schools Act*.

CLUB means a corporation, society or association of persons organized or carried on for purposes of a social, fraternal or athletic nature, but not for monetary gain, and includes the premises occupied or used for that purpose.

COLLECTOR STREET means a street that is designed to link local streets with arterial streets and which is designed as a collector street in the Municipal Plan.

CONDOMINIUM means an apartment building or townhouse complex containing individually owned units that share common parking areas, grounds or other amenities and are registered with the Registry of Condominiums, Government of Newfoundland and Labrador.

CONSTRUCT means to build, reconstruct, or relocate, and without limiting the generality of the word, includes:

- a. any preliminary operation such as excavation, filling or draining; and
- b. altering an existing building or structure by an addition, enlargement, extension, or other structural change such as shelving and changing modular units.

CONVENIENCE STORE means an establishment where food, tobacco, drugs, periodicals, or similar items of household convenience are kept for retail sale to residents of the immediate neighbourhood.

COUNCIL means the Municipal Council of Town of Labrador City.

DATA CENTRE means a building or structure that is used to house computer systems and associated components, such as telecommunications and storage systems.

DECK means a roofless outdoor space built as an above-ground platform projecting from the wall of a building and is connected by structural supports at grade or by the building structure. Includes structural features, 'Pergola' and 'Accessibility Ramp'.

(DRA-01-2020)

DEVELOPMENT means the carrying out of building, engineering, mining, or other operations in, on, over, or under land, or the making of a material change in the use, or the intensity of use of land, buildings, or premises and the:

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

- b. steps, excluding sunken or below grade entrance wells, not projecting more than 50% into any side yard; and
- c. chimney breasts, eaves, sills, or cornices not projecting more than 0.5 metres into any required yard, **set back or building separation distance**.

(DRA-07-2020)

6.6.4 Conservation of Natural Environment and Aesthetic Areas

1. Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. These areas may include sensitive vegetation, fish habitat, or water quality. Such agreements may include provisions such as designating of local conservation areas, maintenance of tree cover and maintenance of tree cover along rear yards, rivers, streams, and shorelines.

6.6.5 Shoreline Buffers

1. Generally, no development will be permitted within 15 metres of rivers or streams, or shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted if they will not be detrimental to the environmental and aesthetic quality of the area.
2. Development of these areas will be subject to the approval of the federal Department of Fisheries and Oceans, and/or the provincial Department of Municipal Affairs and Environment.

6.6.6 Advertisements Relating to On-site Uses

1. The conditions, which shall apply to the erection or display of a sign on any lot or site, occupied by a use permitted or existing as a legal non-conforming use in a use zone shall be as follows:
 - a. the size, shape, illumination, and material construction of the sign shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area; and
 - b. no sign shall exceed five (5) square metres in area.

6.6.7 Advertisements Relating to Off-site Uses

1. The conditions to be applied to the erection or display of a sign on any site, relating to a use permitted in a zone, or not relating to a land use, shall be as follows:
 - a. each sign shall not exceed three (3) square metres in area;
 - b. when the signage relates to a land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of and the distance or direction to the premises to which they relate; and
 - c. the location, siting and illumination of each sign shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

6.6.8 Habitat Management Unit

1. The Labrador City Zoning maps show nine (9) defined areas that are designated Habitat Management Units (or Area).
2. Any proposal for development shall be sent to Wildlife Division, Department of Municipal Affairs and Environment for review and comments.

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES
April 19, 2018

6.7 RESIDENTIAL MEDIUM DENSITY ZONE

6.7.1 Permitted Uses

- Single Dwellings
- Double Dwellings
- Recreation Open Space
- Conservation

6.7.2 Discretionary Uses

- Row Dwelling
- Apartment Building
- Garden Suite (Granny Flat)
- Child Care
- Boarding House Residential
- Office (home only)
- Personal Service
- Medical and Professional
- Convenience Store
- Place of Worship
- Educational
- Medical Treatment and Special Care (personal and long term care and children's home only)
- General Service (upholstery, small tool, and appliance repair only)
- Antenna
- Catering
- Commercial Residential (Temporary Worker's Residence only, see condition)

6.7.3 Lot Standards

Standard	Single Dwelling	Double Dwelling	Row Dwelling
Lot Area (min)	560 m ²	360 m ² *	350 m ² *
Floor Area (min)	90 m ²	60 m ² *	65 m ² *
Frontage (min)	20 m	27 m	10 m*
Building Line Set Back (min) (Regulation 4.6)	5 m**	5 m**	5 m**
Building Line Set Back (max) (Regulation 4.6)	15 m	15 m	15 m
Side Yard Width (min)	1.8 m	2 m	2 m (on end of unit)
Rear Yard (min)	6 m	6 m	6 m
Lot Coverage (max)	40%	40%	40%
Height (max)	8 m	8 m	8 m

(DRA-07-2020)

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES
April 19, 2018

b. Development Standards

Description	Lot Size <557 m ²	Lot Size > 557 m ²
Maximum Lot Coverage* (primary + accessory buildings)	40%	40%
Maximum Cumulative Area * (all accessory buildings)	floor area primary dwelling	floor area primary dwelling
Maximum Area***	65 m ²	83.6 m ²
Domestic Green House Maximum One Per Lot	55.7 m ² (max)	55.7 m ² (max)
Height	6 m (max)	6 m (max)
Building Line Set back	see Use Zone	see Use Zone
Min Building Separation ****	1.8 m	1.8 m
Min distance from Side Lot Line (rear yard only)*****	1 m	1 m
Min distance from Rear Lot Line*****	1 m	1 m

* excluding structures without a roof
** not applicable to row dwellings on Tamarack Drive
*** excluding greenhouses
**** not applicable to patios and decks
***** an accessory building that is attached to the main building, the minimum side yard width and minimum rear yard for the main building shall apply

(DRA-07-2020)

6.9.4.2 Decks and Patios in Front of a Building Line

As described in Condition 6.7.4.9 in the Residential Medium Density Zone.