

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
MUNICIPAL PLAN 2014 - 2024**



DEVELOPMENT REGULATIONS AMENDMENT No. 39, 2025

**Amendment Regarding Discretionary Increase in Maximum
Front Yard in the Residential Rural (RR) Zone**

JUNE 2024

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT No. 39, 2025**

Under the authority of Section 16 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 39, 2025.

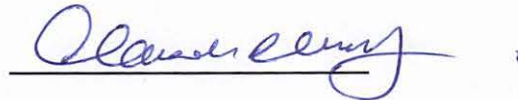
Adopted by the Town Council of Portugal Cove-St. Philip's on the 8 day of July, 2025.

Signed and sealed this 8 day of July, 2025.

Mayor:

 (Council Seal)

Clerk:





CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I, Anna Myers, MCIP, certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 39, 2025, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



Development Regulations/Amendment

REGISTERED

Number 4000 - 6076 - 2025

Date 9/16/2025

Signature 



TOWN OF PORTUGAL COVE-ST. PHILIP'S DEVELOPMENT REGULATIONS AMENDMENT No. 39, 2025

BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. The Town received a request from a property owner to construct an infill single dwelling within the Agriculture land use zone at a front yard setback greater than 32 metres.

Schedule C: Agriculture Condition 5 (C) of the Town's Development Regulations allows development of a single dwelling not subsidiary to a main use at Council's discretion under the following conditions:

- (a) Only if Council is satisfied that it will not have an adverse impact on existing agricultural operations or future agricultural development of the surrounding area,
- (b) Only if the proposed lot fronts directly on an existing public street, and;
- (c) Only if it meets the same standards for single dwellings as specified for the Residential Rural zone.

The maximum front yard for a single dwelling in the Residential Rural zone is 32 metres. The purpose of this amendment is to include conditions within the Residential Rural land use zone to allow development of a single dwelling at a maximum front yard greater than 32 metres at Council's discretion. The large lot sizes in this zone are 4000 m² to 8000 m² (one to two acres) primarily for the development of a single detached dwelling on lots with no municipal services. The length of driveway would not compromise the provision of municipal services as garbage pickup would still occur at the public road and the location of septic fields and backup locations are the responsibility of the owner in consultation with the Department of Government Modernization and Service Delivery. The property owner would be responsible for maintaining the driveway in a manner suitable for access by emergency service vehicles; however, a hard surface requirement will facilitate such access and prevent damage to these vehicles.

PUBLIC CONSULTATION

During the preparation of this amendment Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Portugal Cove-St. Philip's posted notice of the proposed amendment on the Town's digital signage on Thorburn Road and Portugal Cove Road and at the Town Office and Recreation Centre (two conspicuous places) between June 13, 2025 and June 27, 2025 advertising the proposed amendment. Notice was also posted on the Town's website and social media platforms and sent out via the Town's PCSP Connects system. Residents were invited to view the document at the Town Hall during normal business hours, and to provide any comments or concerns in writing to Council by June 27, 2025. Five submissions were received in

response to the consultation. Four submissions were in support of the amendment and one was in opposition expressing concerns regarding dwellings being permitted at a setback greater than 32 metres without requiring construction of a publicly maintained street and landlocking backland from future development. Council considered the submissions received at their public meeting on July 8, 2025.

St. John's Urban Region Regional Plan

The proposed Development Regulations Amendment No. 39, 2025 consists of text changes to Town of Portugal Cove-St. Philip's 2014-2024 Development Regulations only and conforms to the St. John's Urban Region Regional Plan.

It is concluded that no Regional Plan Amendment is required.

DEVELOPMENT REGULATIONS AMENDMENT No. 39, 2025

CHANGES TO SCHEDULE C: RESIDENTIAL RURAL

FROM:

RR Un-Serviced Lots (on-site water & on-site sewer)			
STANDARDS	Single Dwelling		Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	4,000	8,000	4,000
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	30	30	30
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	9	15	9
Max. Front Yard (m)	32	See General Provision 10	32
Min. Side Yard (m)	3	6	5
Min. Rear Yard (m)	15	15	15
Max. Lot Coverage (%)	20	20	20
Max. Height (m)	10	10	10

TO:

RR Un-Serviced Lots (on-site water & on-site sewer)			
STANDARDS	Single Dwelling		Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	4,000	8,000	4,000
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	30	30	30
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	9	15	9
Max. Front Yard (m)	32*	See General Provision 10	32
Min. Side Yard (m)	3	6	5
Min. Rear Yard (m)	15	15	15
Max. Lot Coverage (%)	20	20	20
Max. Height (m)	10	10	10
*See Condition 10			

ADD:

(10) Front Yard

Council may, at their discretion, allow a single dwelling to be developed at a front yard greater than the maximum front yard identified in the development standards table subject to the following:

- (a) The single dwelling must comply with all other development standards identified in the development standards table (ex. minimum frontage, lot area, and side and rear yards);
- (b) A vegetative screen, structural barrier or separation distance, or any combination of these, may be required by Council in order to maintain privacy with existing adjacent residential properties;
- (c) The driveway access to the dwelling must be developed in accordance with the following standards:
 - a. The driveway must be a solid surface, preferably asphalt or concrete but at a minimum class 'A' road gravel, with a minimum driving surface width of 3 metres and capable of bearing 50,000 lbs of weight;
 - b. A turnaround able to accommodate a minimum vehicle length of 10.7 metres must be constructed in either a circular or hammerhead style arrangement, and;
 - c. Vegetation must remain trimmed along the driveway so that there is no obstruction from overhanging trees or branches.
- (d) Development of the single dwelling at the increased front yard will not prejudice future access and/or development of backlands, and;
- (e) Where there are adjacent lands which may require road access for future development, the driveway and/or road access must be designed such that when the future access is developed, the lot under consideration will not become non-conforming with the development standards of the Residential Rural zone.