

TOWN OF PASADENA



DEVELOPMENT REGULATIONS, 2019-2029

AMENDMENT No. 11, 2024

(Non-Residential Child Care - Text amendment only)

JULY 2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE AMENDMENT No. 11, 2024

TO THE TOWN OF PASADENA DEVELOPMENT REGULATIONS, 2019-2029

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Pasadena:

- a) adopted the Amendment No. 11, 2024 to the Town of Pasadena Development Regulations on February 24, 2025.
- b) gave notice of the adoption of the Amendment No. 11, 2024 to the Town of Pasadena Development Regulations by posting the notice at Town Hall and at the Pasadena Place recreation centre on March 4, 2025 and posting the notice on the Town Facebook site and a notice on the Town webpage on March 6, 2025
- c) set April 2, 2025 at 7:30 p.m. at Pasadena Place for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Pasadena approves the Amendment No. 11, 2024 to the Town of Pasadena Development Regulations Plan as adopted.

SIGNED AND SEALED this 21 day of May 2025.

Mayor:

Chief Administrative Officer:

Development Regulations/Amendment	
REGISTERED	
Number	<u>3685-0011-2025</u>
Date	<u>July 8, 2025</u>
Signature	<u>Doris Way</u>

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

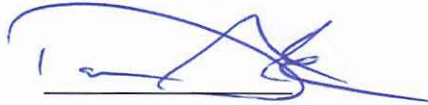
**TOWN OF PASADENA
DEVELOPMENT REGULATIONS, 2019-2029
AMENDMENT No. 11, 2024**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Pasadena adopts the Amendment No. 11, 2024 to the Pasadena Development Regulations, 2019-2029.

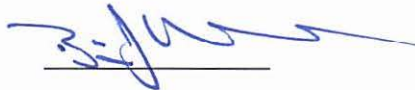
Adopted by the Town Council of Pasadena on February 24, 2025.

Signed and sealed this 21 day of May, 2025.

Mayor:



Chief Administrative Officer:



(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Amendment No. 11, 2024 to the Town of Pasadena Development Regulations, 2019-2029, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Anna Myers, MCIP
Member of Institute of Planners (MCIP)



TOWN OF PASADENA DEVELOPMENT REGULATIONS AMENDMENT No. 11, 2024

BACKGROUND

The Town Council of Pasadena wishes to amend its Development Regulations, 2019-2029. The proposed amendment seeks to change the 2019-2029 Development Regulations text.

In May, 2024 the Fraser Institute published a report confirming what many parents knew, that Newfoundland and Labrador was experiencing a child care crisis. The Town of Pasadena acknowledges that it has a critical shortage of child care services and that this shortage must be addressed to support the needs of the community. As recent as July 26, 2024, a CBC report expressed the urgent need for authorities to create opportunities for potential child care providers to develop the facilities essential to address this need.

Therefore, In order to facilitate the opportunity for prospective child care operations in the community, the Town wishes to expand opportunities by allowing non-residential child care facilities as a Discretionary Use in the Residential Medium Density zone, Residential Rural zone, Downtown Commercial zone, Neighbourhood Commercial zone and the Mixed Use zone. Public consultation will be undertaken as part of the application process to ensure that residents have an opportunity to comment on the potential development. The policies in the Municipal Plan and the requirements in the Development Regulations will be amended to allow for these opportunities.

PUBLIC CONSULTATION

During the preparation of this proposed amendment, Council undertook the following initiatives so that individuals could provide input.

A Notice was placed in the local newspaper, the West Coast Wire, on August 21, 2024 to inform and to invite the public for input to the proposed changes.

No submissions were received by the Town.

DEVELOPMENT REGULATIONS AMENDMENT No. 11, 2024.

The following text changes will be made to the Development Regulations, 2019-2029:

FROM:

USE ZONE TABLE: RESIDENTIAL MEDIUM DENSITY (RMD) ZONE		
PERMITTED USES	DISCRETIONARY USES	PROHIBITED USES
<ul style="list-style-type: none">-Detached Dwelling (4.7.1)-Semi-Detached Dwelling (4.7.2)-Cluster Residential (4.7.9)-Home Business – home office only (5.4)-Personal Care Home-Residential (4.7.7)-Conservation – All Uses categories (4.5)-Uses permitted in all zones (2.3.2.5)	<ul style="list-style-type: none">-Townhomes (4.7.3)-Apartments (4.7.5)-Home business (5.4) other than home office which is listed as permitted-Urban agriculture (4.2.2)	<ul style="list-style-type: none">-Mobile homes/mini-homes

TO:

USE ZONE TABLE: RESIDENTIAL MEDIUM DENSITY (RMD) ZONE		
PERMITTED USES	DISCRETIONARY USES	PROHIBITED USES
<ul style="list-style-type: none">-Detached Dwelling (4.7.1)-Semi-Detached Dwelling (4.7.2)-Cluster Residential (4.7.9)-Home Business – home office only (5.4)-Personal Care Home-Residential (4.7.7)-Conservation – All Uses categories (4.5)-Uses permitted in all zones (2.3.2.5)	<ul style="list-style-type: none">-Townhomes (4.7.3)-Apartments (4.7.5)-Home business (5.4) other than home office which is listed as permitted-Urban agriculture (4.2.2)-Child Care-non-residential (4.3.10)	<ul style="list-style-type: none">-Mobile homes/mini-homes

FROM:

USE ZONE TABLE: RESIDENTIAL RURAL	
PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">- <i>Detached Dwelling (4.7.1)</i>- <i>Personal Care Home-Residential Care (4.7.7)</i>- <i>Conservation – All Uses categories (4.5)</i>- <i>Home Business – home office only (5.4)</i>- <i>Uses permitted in all zones (2.3.2.5)</i>- <i>Urban agriculture (4.2.2)</i>	<ul style="list-style-type: none">- <i>Home business (5.4) other than home office which is listed as permitted</i>- <i>Public Gathering Places-Indoor (4.6.4)</i>

TO:

USE ZONE TABLE: RESIDENTIAL RURAL	
PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">- <i>Detached Dwelling (4.7.1)</i>- <i>Personal Care Home-Residential Care (4.7.7)</i>- <i>Conservation – All Uses categories (4.5)</i>- <i>Home Business – home office only (5.4)</i>- <i>Uses permitted in all zones (2.3.2.5)</i>- <i>Urban agriculture (4.2.2)</i>	<ul style="list-style-type: none">- <i>Home business (5.4) other than home office which is listed as permitted</i>- <i>Public Gathering Places-Indoor (4.6.4)</i>- <i>Child Care-non-residential (4.3.10)</i>

FROM:

USE ZONE TABLE DOWNTOWN COMMERCIAL ZONE	
PERMITTED USES	DISCRETIONARY USES
<i>- Commercial Land Use Class (4.3): All Uses, EXCEPT Amusement Park/Attraction, Campgrounds, Resort</i>	<i>-Apartment building (4.7.5) with commercial on main floor</i>
<i>-Institutional (4.6) EXCEPT Cemetery and Protective and Emergency Services</i>	<i>-Townhouse (4.7.3)</i>
<i>-Uses permitted in all zones (2.3.2.5)</i>	<i>-Public Gathering – Indoor (4.6.4)</i>
	<i>-Light industrial (4.4.10)</i>
	<i>-Personal Care Home-Residential (4.7.7)</i>

TO:

USE ZONE TABLE DOWNTOWN COMMERCIAL ZONE	
PERMITTED USES	DISCRETIONARY USES
<i>- Commercial Land Use Class (4.3): All Uses, EXCEPT Amusement Park/Attraction, Campgrounds, Resort</i>	<i>-Apartment building (4.7.5) with commercial on main floor</i>
<i>-Institutional (4.6) EXCEPT Cemetery and Protective and Emergency Services</i>	<i>-Townhouse (4.7.3)</i>
<i>-Uses permitted in all zones (2.3.2.5)</i>	<i>-Public Gathering – Indoor (4.6.4)</i>
	<i>-Light industrial (4.4.10)</i>
	<i>-Personal Care Home-Residential (4.7.7)</i>
	<i>-Child Care-non-residential (4.3.10)</i>

FROM:

USE ZONE TABLE NEIGHBOURHOOD COMMERCIAL ZONE	
PERMITTED USES	DISCRETIONARY USES
<i>-Convenience Store (4.3.13)</i> <i>-General Service/repair (4.3.16)</i> <i>-Retail (4.3.27)</i> <i>-Personal service (4.2.23)</i> <i>-Uses permitted in all zones (2.3.2.5)</i>	<i>-Public Gathering Place-Indoor (4.6.4)</i>

TO:

USE ZONE TABLE NEIGHBOURHOOD COMMERCIAL ZONE	
PERMITTED USES	DISCRETIONARY USES
<i>-Convenience Store (4.3.13)</i> <i>-General Service/repair (4.3.16)</i> <i>-Retail (4.3.27)</i> <i>-Personal service (4.2.23)</i> <i>-Uses permitted in all zones (2.3.2.5)</i>	<i>-Public Gathering Place-Indoor (4.6.4)</i> <i>-Child Care-non-residential (4.3.10)</i>

FROM:

USE ZONE TABLE MIXED USE ZONE	
PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> -Semi-detached Dwelling (4.7.2) -Apartment building (4.7.5) see Condition 4 -Business support service (4.3.8) -Club and Lodge (4.3.11) -Convenience store (4.3.13) -General Service/repair (4.3.16) -Medical or Dental Clinic (4.3.19) -Personal Service (4.3.23) -Offices (4.3.24) -Restaurant – full service (4.3.26.2) -Retail (4.3.27) -Public Gathering Place – Indoor (4.6.4) -Uses permitted in all zones (2.3.2.5) 	<ul style="list-style-type: none"> -Bar (4.3.6) -Institutional (4.6.2) EXCEPT Public Gathering Places-Outdoor (4.6.5) -Personal Care Facilities Non-Residential (4.6.2.1) -Detached Dwelling – (4.7.1) -Home business (5.4)

TO:

USE ZONE TABLE MIXED USE ZONE	
PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> -Semi-detached Dwelling (4.7.2) -Apartment building (4.7.5) see Condition 4 -Business support service (4.3.8) -Club and Lodge (4.3.11) -Convenience store (4.3.13) -General Service/repair (4.3.16) -Medical or Dental Clinic (4.3.19) -Personal Service (4.3.23) -Offices (4.3.24) -Restaurant – full service (4.3.26.2) -Retail (4.3.27) -Public Gathering Place – Indoor (4.6.4) -Uses permitted in all zones (2.3.2.5) 	<ul style="list-style-type: none"> -Bar (4.3.6) -Institutional (4.6.2) EXCEPT Public Gathering Places-Outdoor (4.6.5) -Personal Care Facilities Non-Residential (4.6.2.1) -Detached Dwelling – (4.7.1) -Home business (5.4) -Child Care-non-residential (4.3.10)

FROM:

4.3.10 Child Care – non-residential

Definition: Child Care – non-residential means a building or part of a building in which personal care services are regularly provided to children for group day care, family day care, pre-school, play school, out-of-school care, specialized day care, and emergency day care, all as licensed and regulated by the Province of Newfoundland and Labrador, but does not include a school as defined by the *Schools Act, 1997*.

Conditions:

1. A Child Care Centre shall be duly licensed and approved, staffed, equipped and operated in accordance with the requirements of the agencies having jurisdiction or authority;
2. The section of the street on which the use is located allows sufficient area and sight distance for the safe and convenient drop off and pick up of children without hindering the safety and convenience of vehicular and pedestrian traffic on the street, or the development provides adequate off-street drop off or pick up spaces satisfactory to Council;
3. Child care services shall be permitted as an accessory home-based business use at and within appropriately located detached homes within residential neighbourhoods, in accordance with the general provisions within Policy HB-2 that follows, and based upon a maximum of 6 children for day or after school care with any accessory child care use, and contingent upon the child care use operating hours being from 7 a.m. to 7p.m.
4. Larger facilities for child care day and after school use of more than six (6) are to be located within a Public Use zone.
5. All applicants for a home-based child care use shall provide to the Town documentation of support from adjacent residential neighbours, certification of any required approvals from the Province for health inspection and for food safety, engineering certification of the fire and life safety integrity of the subject residential dwelling, and shall apply for an operating annual license from the Town and payment of home-based business fee.

TO:

4.3.10 Child Care – non-residential

Definition: Child Care – non-residential means a building or part of a building in which personal care services are regularly provided to children for group day care, family day care, pre-school, play school, out-of-school care, specialized day care, and emergency day care, all as licensed and regulated by the Province of Newfoundland and Labrador, but does not include a school as defined by the *Schools Act, 1997*.

Conditions:

1. Child Care Centre shall be duly licensed and approved, staffed, equipped and operated in accordance with the requirements of provincial legislation and municipal plans and regulations and the agencies having jurisdiction or authority;
2. The section of the street on which the use is located allows sufficient area and sight distance for the safe and convenient drop off and pick up of children without hindering the safety and convenience of vehicular and pedestrian traffic on the street, or the development provides adequate off-street drop off or pick up spaces satisfactory to Council;
3. Child care services shall be permitted as an accessory home-based business use at and within appropriately located detached homes within residential neighbourhoods, in accordance with the general provisions within Policy HB-2 that follows, and based upon a maximum of 6 children for day or after school care with any accessory child care use.
4. All applicants for a home-based child care use shall provide to the Town documentation of support from adjacent residential neighbours, certification of any required approvals from the Province for health inspection and for food safety, engineering certification of the fire and life safety integrity of the subject residential dwelling, and shall apply for an operating annual license from the Town and payment of home-based business fee.
5. The Child Care Centre in Non-Residential Use the use shall be clearly delineated and separated from any other occupancies in the dwelling; and shall meet the standards of the provincial legislation.

FROM:

4.7.9.3 Day Care: Residential

Definition: Day care or family and group care means a dwelling accommodating up to but no more than six (6) children or five (5) adult persons exclusive of family or staff receiving care in a home-like setting, for example, group homes, halfway house, child care, adult care (seniors) or disabled persons.

Conditions

1. The section of the street on which the use is located allows sufficient area and sight distance for the safe and convenient drop off and pick up of children without hindering the safety and convenience of vehicular and pedestrian traffic on the street, or the development provides adequate off-street drop off or pick up spaces satisfactory to Council;
2. the use is compatible with nearby uses; that is, the use of the dwelling does not materially differ from, nor adversely affect, the amenities of the adjacent residences, or the neighborhood in which it is located;
3. the use shall occupy a maximum of forty percent (40%) of the floor area of the dwelling unit;
4. the use shall have a maximum of six (6) adult day care users present at any time;
5. a minimum of five square metres (5 m²) of net floor space per person shall be provided for use by adult day care users, this aggregate floor space shall be utilized for the purpose of group amenity areas and individual rest areas;
6. the operator of the day care shall maintain the dwelling in which the use is located as his/her primary residence;
7. the use shall operate only during the full daytime period between 7:00 a.m. and 7:00 p.m.
8. A family group care centre use is permitted in any dwelling or apartment that is adequate in size to accommodate the number of persons living in the group, inclusive of staff, provided that, in the opinion of Council;
9. Council may require special access and safety features to be provided for the occupants before occupancy is permitted.

TO:

4.7.9.3 Day Care: Residential

Definition: Day care or family and group care means a dwelling accommodating up to but no more than six (6) children or five (5) adult persons exclusive of family or staff receiving care in a home-like setting, for example, group homes, halfway house, child care, adult care (seniors) or disabled persons.

Conditions

1. The section of the street on which the use is located allows sufficient area and sight distance for the safe and convenient drop off and pick up of children without hindering the safety and convenience of vehicular and pedestrian traffic on the street, or the development provides adequate off-street drop off or pick up spaces satisfactory to Council;
2. The use is compatible with nearby uses; that is, the use of the dwelling does not materially differ from, nor adversely affect, the amenities of the adjacent residences, or the neighborhood in which it is located;
3. The use shall occupy a maximum of forty percent (40%) of the floor area of the dwelling unit;
4. The use shall have a maximum of six (6) adult day care users present at any time;
5. A minimum of five square metres (5 m²) of net floor space per person shall be provided for use by adult day care users, this aggregate floor space shall be utilized for the purpose of group amenity areas and individual rest areas;
6. The operator of the residential day care shall maintain the dwelling in which the use is located as his/her primary residence;
7. A family group care centre use is permitted in any dwelling or apartment that is adequate in size to accommodate the number of persons living in the group, inclusive of staff, provided that, in the opinion of Council;
8. Council may require special access and safety features to be provided for the occupants before occupancy is permitted.
9. For Child Care Centres in Residential Use or in Non-Residential Use the use shall be clearly delineated and separated from any other occupancies in the dwelling; and shall meet the standards of the provincial legislation