

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



DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2021

**Amendment To
Residential Medium Density (RMD), Residential Low Density
(RLD), Residential Rural (RR), Traditional Community (TC)
and Mixed Use (MIX) Land Use Zones, Schedule C**

MARCH 2021

PLAN-TECH



ENVIRONMENT

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2021**

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. 18, 2021.

Adopted by the Town Council of Portugal Cove-St. Philip's on the 22nd day of June, 2021.

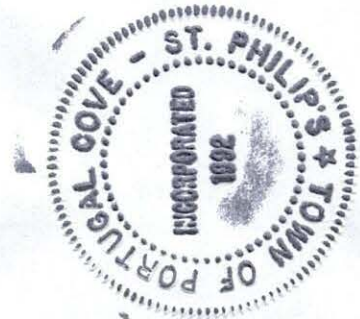
Signed and sealed this 22 day of June, 2021.

Mayor:

Paul M. Smith (Council Seal)

Clerk:

Claudia Munn



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 18, 2021, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

Development Regulations/Amendment	
REGISTERED	
Number	4000-2021-055
Date	August 19, 2021
Signature	<u>Michael O'Leary</u>



TOWN OF PORTUGAL COVE-ST. PHILIP'S DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2021

BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. The Residential Medium Density (RMD), Residential Low Density (RLD), Residential Rural (RR), Traditional Community (TC) and Mixed Use (MIX) Land Use Zone Tables list standards for residential development. Other non-residential discretionary uses may be permitted. Unfortunately, there are no standards listed for non-residential discretionary uses.

The purpose of this amendment is to add development standards to the Residential Medium Density (RMD), Residential Low Density (RLD), Residential Rural (RR), Traditional Community (TC) and Mixed Use (MIX) Land Use Zones listing standards for non-residential discretionary uses.

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 Regulation Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in *The Telegram* newspaper on May 29, 2021, advertising the proposed amendment seeking comments or representations from the public. A copy of the public notice and draft amendment documents were posted on the Town's website. Residents were invited to view the documents between May 29, 2021 and June 11, 2021 and to provide any comments or concerns in writing to Council by the June 11, 2021 deadline. One submission was received.

St. John's Urban Region Regional Plan

The proposed Development Regulations Amendment No. 18, 2021 consists of text changes to 2014-2024 Development Regulations and conforms to the St. John's Urban Region Regional Plan. It is concluded that a Regional Plan Amendment is not required.

DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2021

The Town of Portugal Cove-St. Philip's Development Regulations is amended by:

- A) **Adding** a column for *Non-Residential Building* to all Development Standards tables in the Residential Medium Density (RMD) Land Use Zone Table, Schedule C, as shown below:

RMD DEVELOPMENT STANDARDS

RMD Fully-Serviced Lots (municipal water & municipal sewer)									
STANDARDS	Single Dwellings		Multiple Dwellings		Apartment Buildings				Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	Row Dwelling	One Bdrm	Two Bdrm	Three Bdrm	Four Bdrm	
Min. Lot Area (m ²)	470	3,000	390*	350*	200*	200*	250*	300*	500
Min. Floor Area (m ²)	80	80	80*	65*	40*	40*	50*	60*	80
Min. Frontage (m)	15	30	13*	12*	36				15
Min. Pond Frontage (m)		30							
Min. Front Yard (m)	6	6	6	6	8				8
Max. Front Yard (m)	32	See General Provision 10	32	32	32				32
Min. Side Yard (m)	2.5 & 1	6	2.5	2.5	5				5
Min. Distance Between Dwellings (m)	3.5								
Min. Rear Yard (m)	9	9	9	9	14				9
Max. Lot Coverage (%)	33	33	33	33	33				33
Max. Height (m)	10	10	10	10	10				10
* per unit									

RMD Semi-Serviced Lots (municipal water and on-site sewer)			
STANDARDS	Single Dwelling		Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	1,860	3,000	1,860
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	23	30	23
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	6	9	8
Max. Front Yard (m)	32	See General Provision 10	32
Min. Side Yard (m)	2.5	6	5
Min. Rear Yard (m)	9	9	9
Max. Lot Coverage (%)	33	33	33
Max. Height (m)	10	10	10

RMD Semi-Serviced Lots (on-site water and municipal sewer)			
STANDARDS	Single Dwelling		Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	1,400	3,000	1400
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	23	30	23
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	6	9	8
Max. Front Yard (m)	32	See General Provision 10	32
Min. Side Yard (m)	2.5	6	5
Min. Rear Yard (m)	9	9	9
Max. Lot Coverage (%)	33	33	33
Max. Height (m)	10	10	10

RMD Un-Serviced Lots (on-site water AND on-site sewer)			
STANDARDS	Single Dwellings		Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	1,860	8,000	1860
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	23	30	23
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	9	9	9
Max. Front Yard (m)	32	See General Provision 10	32
Min. Side Yard (m)	3	6	5
Min. Rear Yard (m)	9	9	9
Max. Lot Coverage (%)	25	25	33
Max. Height (m)	10	10	10

B) Deleting Condition 4(b) (Convenience Stores and Take-out Food Services) from the Residential Medium Density (RMD) Land Use Zone, Schedule C, and **Replacing** with the following:

4(b) A freestanding convenience store or take-out food service on a separate lot shall comply with the development standards tables established for non-residential buildings.

- C) **Adding** a column for *Non-Residential Building* to all Development Standards tables in the Residential Low Density (RLD) Land Use Zone Table, Schedule C, as shown below:

RLD DEVELOPMENT STANDARDS

RLD Fully-Serviced Lots (municipal water & municipal sewer)				
STANDARDS	Single Dwellings		Multiple Dwellings	<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	690	3,000	1,400*	690
Min. Floor Area (m ²)	80	80	80*	80
Min. Frontage (m)	23	30	23*	23
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	9	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5	6	3	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	25	25	25	25
Max. Height (m)	10	10	10	10
* per unit				

RLD Semi-Serviced Lots (municipal water and on-site sewer OR municipal sewer and on-site water)			
STANDARDS	Single Dwellings		<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	1,860	8,000	1860
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	30	30	30
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	9	9	9
Max. Front Yard (m)	32	See General Provision 10	32
Min. Side Yard (m)	3	6	5
Min. Rear Yard (m)	9	9	9
Max. Lot Coverage (%)	25	25	25
Max. Height (m)	10	10	10

RLD Un-Serviced Lots (on-site water AND on-site sewer)			
STANDARDS	Single Dwellings		<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	1,860	8,000	1860
Min. Floor Area (m ²)	80	80	80
Min. Frontage (m)	30	30	30
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	9	9	9
Max. Front Yard (m)	32	See General Provision 10	32
Min. Side Yard (m)	3	6	5
Min. Rear Yard (m)	9	9	9
Max. Lot Coverage (%)	25	25	25
Max. Height (m)	10	10	10

- D) **Deleting** Condition 5(b) (Convenience Stores and Take-out Food Services) from the Residential Low Density (RLD) Land Use Zone, Schedule C, and **Replacing** with the following:

5(b) **A freestanding convenience store or take-out food service on a separate lot shall comply with the development standards tables established for non-residential buildings.**

- E) **Adding** a column for *Non-Residential Building* to the Development Standards table in the Residential Rural (RR) Land Use Zone Table, Schedule C, as shown below:

RR DEVELOPMENT STANDARDS

RR Un-Serviced Lots (on-site water & on-site sewer)			
STANDARDS	Single Dwelling		<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	
Min. Lot Area (m ²)	4,000	8,000	<i>4000</i>
Min. Floor Area (m ²)	80	80	<i>80</i>
Min. Frontage (m)	30	30	<i>30</i>
Min. Pond Frontage (m)		30	
Min. Front Yard (m)	9	15	<i>9</i>
Max. Front Yard (m)	32	See General Provision 10	<i>32</i>
Min. Side Yard (m)	3	6	<i>5</i>
Min. Rear Yard (m)	15	15	<i>15</i>
Max. Lot Coverage (%)	20	20	<i>20</i>
Max. Height (m)	10	10	<i>10</i>

- F) **Deleting** Condition 5(b) (Convenience Stores and Take-out Food Services) from the Residential Rural (RR) Land Use Zone, Schedule C, and **Replacing** with the following:

5(b) **A freestanding convenience store or take-out food service on a separate lot shall comply with the development standards tables established for non-residential buildings.**

- G) **Adding** a column for *Non-Residential Building* to the Development Standards table in the Traditional Community (TC) Land Use Zone Table, Schedule C, as shown below:

TC DEVELOPMENT STANDARDS

TC Fully-Serviced Lots (municipal water & municipal sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	470	3,000	390*	500
Min. Floor Area (m ²)	65	65	65*	65
Max. Floor Area (m ²)	see Condition 3			
Min. Frontage (m)	15	30	20*	15
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	6	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	1	6	1	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33%	33	33%	33
Max. Height (m)	8	8	8	8
* per unit				

TC Semi-Serviced Lots (municipal water and on-site sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,860	3,000	1,400*	1860
Min. Floor Area (m ²)	65	65	65*	65
Max. Floor Area (m ²)	see Condition 3			
Min. Frontage (m)	23	30	23*	23
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	9	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5	6	2.5	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	8	8	8	8
* per unit				

TC Semi-Serviced Lots (on-site water and municipal sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,400	3,000	1,400*	1400
Min. Floor Area (m ²)	65	65	65*	65
Max. Floor Area (m ²)	see Condition 3			
Min. Frontage (m)	23	30	23*	23
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	9	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5	6	2.5	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	8	8	8	8
* per unit				

TC Un-Serviced Lots (on-site sewer on-site water)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,860	8,000	1,500*	1860
Min. Floor Area (m ²)	65	65	65*	65
Max. Floor Area (m ²)	see Condition 3			
Min. Frontage (m)	30	30	30*	30
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	9	9	9	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	3	6	3	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	8	8	8	8
* per unit				

H) Deleting Condition 8(b) (Non-Residential Development) from the Traditional Community (TC) Land Use Zone, Schedule C, and **Replacing** with the following:

8(b) Non-Residential Development shall comply with the development standards tables established for non-residential buildings.

I) Adding a column for *Non-Residential Building* to the Development Standards table in the Mixed Use (MIX) Land Use Zone Table, Schedule C, as shown below:

MIX DEVELOPMENT STANDARDS

MIX Fully-Serviced Lots (municipal water & municipal sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	470	3,000	390*	500
Min. Floor Area (m ²)	65	65	65*	65
Min. Frontage (m)	15	30	20*	15
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	9	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5 & 1	6	2.5	5
Min. Distance Between Dwellings (m)	3.5			
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	10	10	10	10
* per unit				

MIX Semi-Serviced Lots (municipal water and on-site sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,860	3,000	1,400*	1860
Min. Floor Area (m ²)	65	65	65*	65
Min. Frontage (m)	23	30	23*	23
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	9	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5	6	2.5	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	10	10	10	10
* per unit				

MIX Semi-Serviced Lots (on-site water and municipal sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,400	3,000	1,400*	1400
Min. Floor Area (m ²)	65	65	65*	65
Min. Frontage (m)	23	30	23*	23
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	6	9	6	9
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5	6	2.5	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	10	10	10	10
* per unit				

MIX Un-Serviced Lots (on-site water and on-site sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	<i>Non-Residential Building</i>
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,860	8,000	1,500*	1860
Min. Floor Area (m ²)	65	65	65*	65
Min. Frontage (m)	30	30	30*	30
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	9	9	9	9
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	3	6	3	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	10	10	10	10
* per unit				

J) *Deleting* Condition 5(b) (Non-Residential Development) from the Mixed Use (MIX) Land Use Zone, Schedule C, and ***Replacing*** with the following:

5(b) *Non-Residential Development shall comply with the development standards tables established for non-residential buildings.*


Affidavit – Objections

**NEWFOUNDLAND AND LABRADOR
CANADA
TO WIT**

I, Claudine Murray, hereby make Oath and say that:

1. In accordance with Sections 24 and 35(5), the Town Council of Portugal Cove-St. Philip's gave notice of the intent of the proposed Portugal Cove-St. Philip's Development Regulations Amendment No. 18, 2021 by advertisement inserted on the 29 day of May, 2021 in *The Telegram* newspaper.
2. One piece of correspondence with respect to the Portugal Cove-St. Philip's Development Regulations Amendment No. 18, 2021 was received at the Portugal Cove-St. Philip's Town Office within the time stipulated in the notice and considered by Council at its regular meeting.
3. The Town of Portugal Cove-St. Philip's adopted the Portugal Cove-St. Philip's Development Regulations Amendment No. 18, 2021 on the 22nd day of June, 2021.
4. The attached Portugal Cove-St. Philip's Development Regulations Amendment No. 18, 2021 is a correct copy of the Portugal Cove-St. Philip's Development Regulations Amendment No. 18, 2021 adopted by the Town Council of Portugal Cove-St. Philip's.

SWORN to at Portugal Cove-St. Philip's this
23rd day of June, A.D. 2021 before me



Notary Public, Justice of the Peace,
Commissioner of Oaths



Town Clerk

Carol McDonald
Mayor
Town of Portugal Cove-St. Philip's