

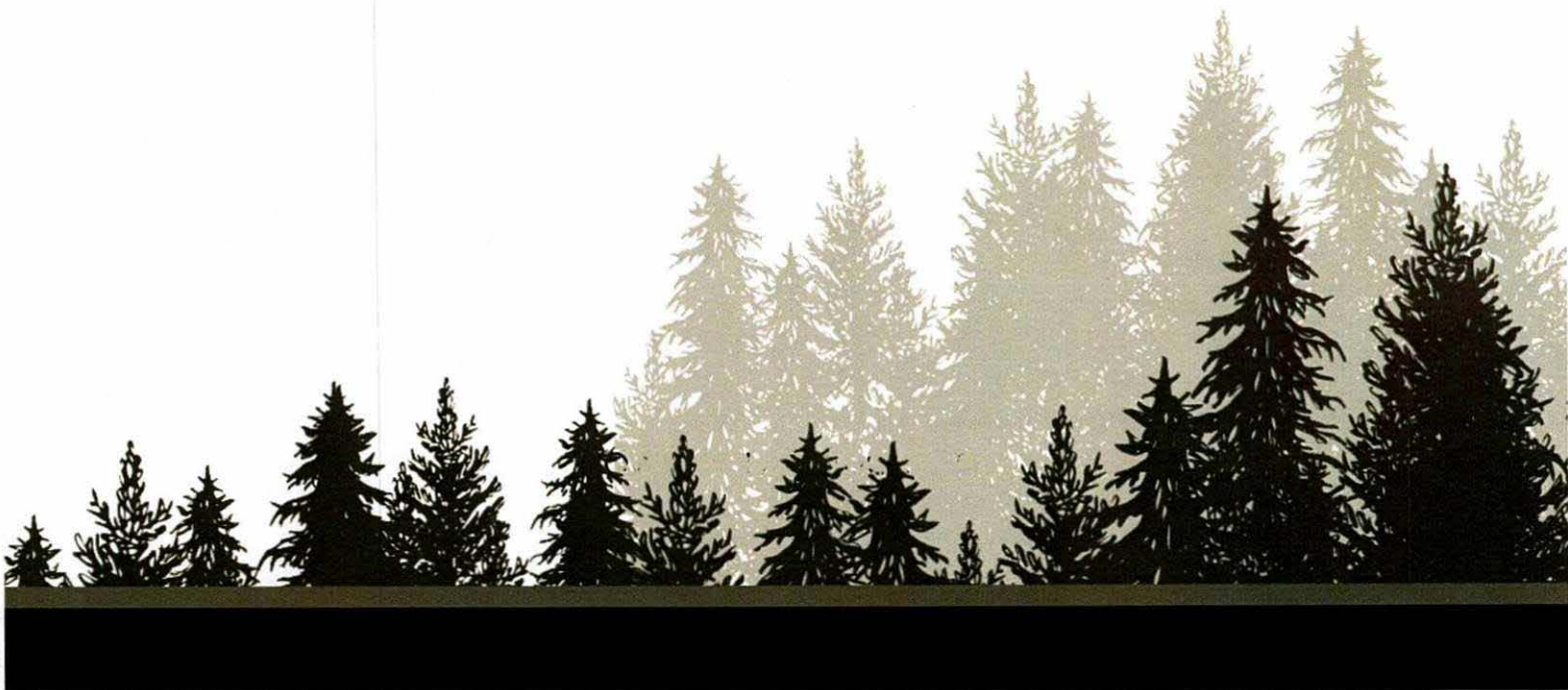


LABRADORCITY

DEVELOPMENT REGULATIONS, 2018-2028

AMENDMENT No. 01-2020

'Accessibility Ramps'

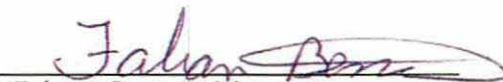



URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF LABRADOR CITY
DEVELOPMENT REGULATION AMENDMENT No. 01-2020

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. 01-2020.

Adopted by the Town Council of Labrador City on the 15th day of September, 2020.

SIGNED AND SEALED this 21 day of September, 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	<u>2638-2020-002</u>
Date	<u>October 19, 2020</u>
Signature	<u>[Signature]</u>

DEVELOPMENT REGULATIONS AMENDMENT No. 01-2020

PURPOSE

The Town of Labrador City Development Regulations have specific development criteria that address the construction and placement of decks, patios and other enclosures. Absent from the development regulations are definitions of the foregoing as well as clear application of how associated deck features, such as pergola's and accessibility ramps are administered. The purpose of this Amendment is to distinguish by means of definition, the description of a deck and other correlated structures and to all for the erection of accessibility ramps within restricted development areas.

This Amendment proposes to introduce new definitions for 'Deck', 'Patio', 'Pergola' and 'Accessibility Ramp'. In addition to the foregoing, the text of Section 6.6.3(a) of the development regulations, regarding *Obstruction of Yards*, will be amended.

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 July 18th, 2020 until July 2nd, 2020. The Town also provided notice on public access television, which ran from June 22nd, 2020 to July 3rd, 2020.

Due to the onset of the Covid-19 global pandemic, circulation of the notice in the local newspaper, *The Labrador Voice*, was not possible.

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

DEVELOPMENT REGULATIONS AMENDMENT No. 01-2020

The Town of Labrador City Development Regulations shall be amended as follows:

1. In **Section 2.0 DEFINITIONS**, the following definitions shall be added in alphabetical sequence of the existing list of definitions:

'ACCESSIBILITY RAMP means an outdoor patio or deck feature forming an inclined plane that is installed in addition to or instead of stairs which provides wheelchair or similar access to a building.'

'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'.'

'PATIO means a level surfaced area directly adjacent to a principal building which has

an average elevation of not more than 30 inches, and without walls or a roof. A patio may be constructed of any materials. Also referred to as a 'Deck'.

'PERGOLA means an outdoor patio or deck feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that support crossbeams and an open lattice. A pergola is fully detached from a building.'

2. In Section 6.6.3(1)a Obstruction of Yards, 'accessibility ramps' shall be added such that the clause now reads:

- '1. No person shall obstruct, by the erection of a building or accessory building, any yard requirements to be provided by these Regulations. This restriction shall not apply to:
 - a. steps, **accessibility ramps** or platforms not projecting more than 2 metres into any required front yard, building line set back;

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

DEFINITIONS

April 19, 2018

2.0 DEFINITIONS

ACCESS means a way used or intended to be used by vehicles, pedestrians, or animals in order to go from a street to adjacent land or to go from that land to the street.

ACCESSIBILITY RAMP means an outdoor patio or deck feature forming an inclined plane that is installed in addition to or instead of stairs which provides wheelchair or similar access to a building.

(DRA-01-2020)

ACCESSORY BUILDING includes:

- a. A detached subordinate building located on the same lot as the main building, having a use that is customarily incidental or complimentary to the main use of the building or land to which it is accessory.
- b. for residential uses: domestic garages, carports, ramps, sheds, temporary/canvas sheds, swimming pools, greenhouses, cold frames, fuel sheds, vegetable storage cellars, shelters for domestic pets, or radio and television antennae;
- c. for commercial uses: workshops, garages, ISO container; and
- d. for industrial uses: garages, offices, raised ramps and docks.

ACCESSORY DWELLING UNIT means a use, separate building, or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including a building or structure that is used as a dwelling unless specifically permitted.

ACCESSORY USE means a use that is subsidiary to a permitted or discretionary use and that is customarily expected to occur with the permitted or discretionary use.

ACT unless the context indicates otherwise, means the *Urban and Rural Planning Act*.

ADJACENT LAND means land that is contiguous to the parcel of land, is the subject of an application and includes land that would be contiguous if not for a highway, road, river, or stream.

ADJACENT USE means the use of adjacent land.

ADVERTISEMENT means any words, letter model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purpose of advertisement, announcement or direction; excluding such thing employed wholly as a memorial, or functional advertisement of councils, or other local authorities, public utilities and public transport undertakers, and including any hoarding or similar structure used or adapted for use for the display of advertisements.

AGRICULTURE means horticulture, fruit growing, grain growing, crop growing, seed growing, dairy farming, bee keeping, the breeding or keeping of animals for food, skins, or fur, the use of land, meadow land, market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of the land. Agriculture includes primary processing of onsite products. "Agricultural" shall be construed accordingly.

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.

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

DEFINITIONS

April 19, 2018

MINERAL WORKING means land or buildings used for the working, stockpiling or extraction of rock, mineral, peat or aggregate material, and will include a "quarry".

MINI HOME means a factory produced single dwelling complying with the National Building Code and having the appearance of a mobile home.

MOBILE HOME means a transportable factory-built single family dwelling unit compliant with the specifications of Regulation 4.26.

MOTEL means a building or a group of buildings on a parcel of land designed and operated to provide temporary sleeping accommodation for transient travelers and contains separate sleeping units, each of which is provided with an adjoining or conveniently located parking space.

MOTOR VEHICLE REPAIR GARAGE means a building or structure where the service performed or executed on motor vehicles for compensation shall include the installation, rust proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use.

MUNICIPAL PLAN means a plan adopted by Council as a Municipal Plan pursuant to the *Urban and Rural Planning Act, 2000*.

NON-CONFORMING USE means a legally existing use that is not listed as a permitted or discretionary use for the use zone in which it is located or which does not meet the development standards for that use zone.

OFFICE means a room or rooms where business may be transacted, service performed or a consultation given but shall not include the manufacturing of any product or the retail selling of goods.

OUTDOOR LIVING AREA means an outside space immediately adjacent to and accessible from a dwelling such as a patio, deck, balcony, or roof deck, which shall be available to occupants of such dwelling for leisure activities.

OUTDOOR MARKET means an outside space for sale of goods that may include the sale of produce, crafts, fruits and vegetables.

OUTDOOR STORAGE means the storage of merchandise, goods, inventory, material, or equipment which are not intended for immediate sale, by locating them on a lot exterior to a building.

OWNER means a person or entity owning or having the legal right to use the land under consideration.

PATIO means a level surfaced area which has an average elevation of not more than 30 inches, and without walls or a roof. A patio may be constructed of any materials. Also referred to as a 'Deck'.

(DRA-01-2020)

PERGOLA means an outdoor patio or deck feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that support crossbeams and an open lattice. A pergola is fully detached from a building.

(DRA-01-2020)

TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES

April 19, 2018

6.6.1.6 Archaeology Discovery

1. During site excavation works any artefacts or physical structures found of a historical nature shall be reported to the Provincial Archaeology Office, Department of Tourism, Culture, Industry and Innovation.

6.6.1.7 Waterways

2. Any development within a body of water involving alteration of a body of water must be approved or exempted by the following agencies:

Provincial

Department of Government Services - for Crown Lands referrals

Department of Municipal Affairs and Environment, Water Resources Division

Any development within 15 metres of a body of water or the defined high water mark of a body of water must be approved by Crown Lands on crown owned land.

Federal

Fisheries and Oceans Canada

Coast Guard Canada – *Navigable Waters Act*

Fish Habitat Division

6.6.1.8 Department of Municipal Affairs and Environment

1. Any proposed development within 1.6 km of a landfill site shall be referred to the Department of Municipal Affairs and Environment for review.
2. Any proposed development within a Protected Watershed shall be referred to the Water Resources Management Division, Department of Municipal Affairs and Environment for review.

6.6.1.9 Department of Tourism, Culture, Industry and Innovation

1. Any proposed development of a hotel, motel, bed and breakfast, etc. (excluding hostel) shall be referred to the Department of Tourism, Culture, Industry and Innovation.

6.6.2 Development Over Easements

1. No development shall be permitted over any known easement, whether that easement has been assigned to the Town of Labrador City, a department of the provincial or federal government, or any utility company (i.e., Newfoundland Power, telephone, cable television, Crown Land) without prior written approval from the easement holder.

6.6.3 Obstruction of Yards

1. No person shall obstruct, by the erection of a building or accessory building, any yard requirements to be provided by these Regulations. This restriction shall not apply to:
 - a. steps, **accessibility ramps** or platforms not projecting more than 2 metres into any required front yard, building line set back;

(DRA-01-2020)



LABRADORCITY

PUBLIC CONSULTATION Development Regulations Amendment #01-2020

The general public is invited to view a draft copy of the Town of Labrador City Development Regulations Amendment #01-2020. In general terms, the proposed amendment will introduce new definitions for 'Deck', 'Patio', 'Pergola' and 'Accessibility Ramp'. In addition to the foregoing, the amendment proposes criteria to allow 'accessibility ramps' to project into restricted development areas.

The public may provide any comments or concerns on the proposed change to the Town in writing before Council proceeds with adopting the proposed amendment.

The Town of Labrador City Development Regulations Amendment #01-2020, shall be on display June 18th to July 2nd, 2020 on the Town of Labrador City's website – www.labradorwest.com.

The deadline for written comments shall be 4:00 pm., July 2nd, 2020.

More information may be obtained by contacting:

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Labrador City, NL
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