

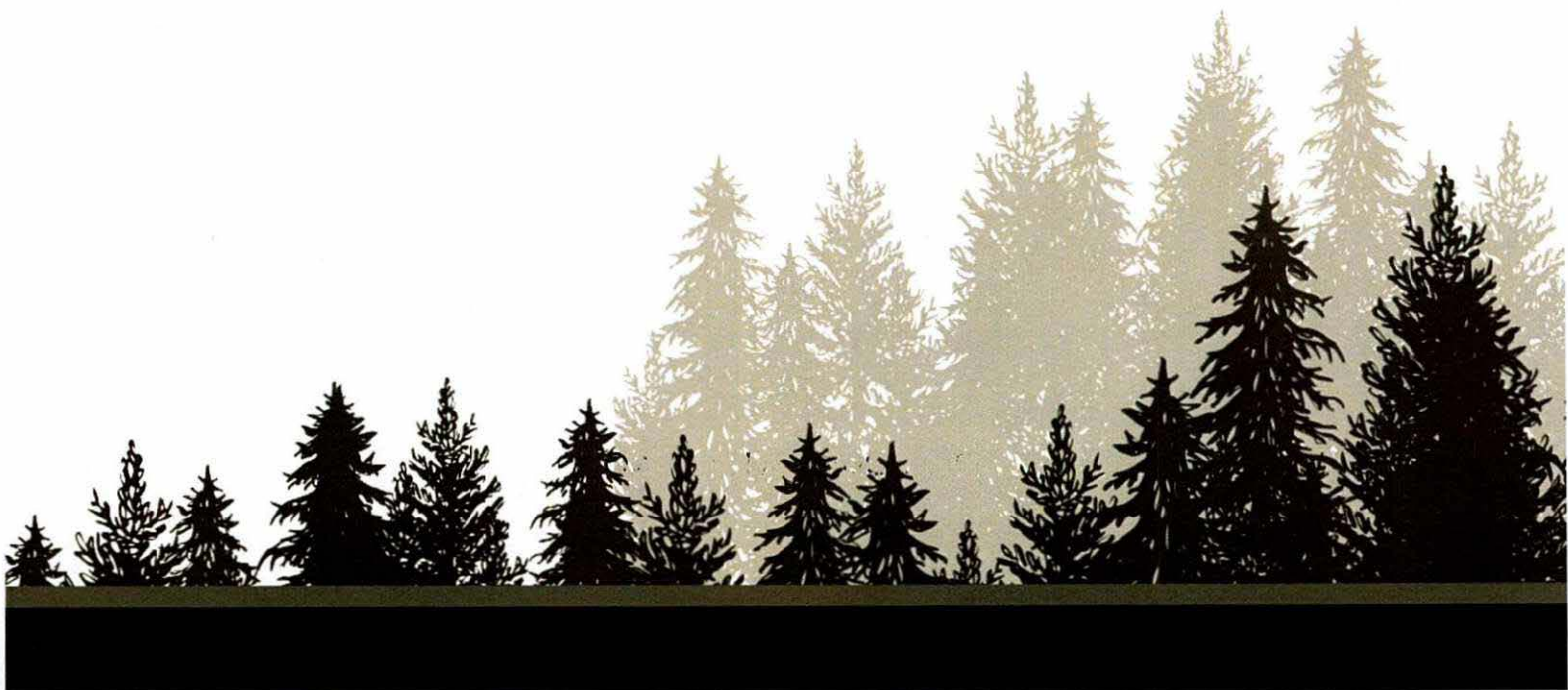


# LABRADORCITY

DEVELOPMENT REGULATIONS, 2018-2028

AMENDMENT No. 05-2020

*'Accessory Buildings'*



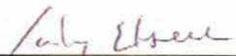
**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF LABRADOR CITY**  
**DEVELOPMENT REGULATION AMENDMENT No. 05-2020**

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. 05-2020.

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

SIGNED AND SEALED this 21 day of September, 2020.

  
Fabian Benoit, Mayor

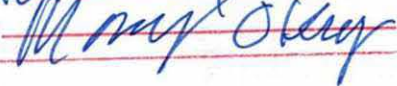
  
Kim Conway, Town Clerk



**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	
<b>REGISTERED</b>	
Number	2638-2020-006
Date	October 19, 2020
Signature	

## DEVELOPMENT REGULATIONS AMENDMENT No. 05-2020

### PURPOSE

The Town of Labrador City Development Regulations standardize the construction and placement of accessory buildings. Currently, the regulations administer both attached and detached accessory buildings with similar criteria. This method of administration is inconsistent with the definition of 'Accessory Building', which specifically defines that an accessory structure is 'detached' from the main building. Accordingly, the purpose of this Amendment is to introduce criteria for attached accessory buildings that will differentiate administration from detached buildings.

Additionally, development standards for accessory buildings are not specifically detailed in non-residential zones. This Amendment proposes to introduce criteria in zones where standards are otherwise absent.

This Amendment proposes to introduce a new **Section 4.3 ATTACHED ACCESSORY BUILDINGS**, which will provide provisions for the administration of attached garages. In addition to the foregoing, this Amendment removes reference to 'attached accessory buildings' in **Section 4.2 ACCESSORY BUILDINGS**.

New standards for the Commercial General (CG), Commercial Highway (CH), Commercial-Core (CC), Industrial-General (IG), Industrial-Light (IL) and Public Use (PU) zones are also proposed.

### 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 18<sup>th</sup>, 2020 until July 2<sup>nd</sup>, 2020. The Town also provided notice on public access television, which ran from June 22<sup>nd</sup>, 2020 to July 3<sup>rd</sup>, 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. 05-2020

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

1. In **Section 4.2 ACCESSORY BUILDINGS**, the text shall be amended by **adding** (bold) and ~~deleting~~ (strikethrough) the text as follows:

#### **4.2 ACCESSORY BUILDINGS**



1. Accessory buildings shall be clearly incidental and complementary to the use of the main building in character, use and size, and shall be contained on the same lot as the main building.
2. No accessory building or part thereof shall project in front of any established building line. ~~An accessory building that is fully attached (greater than 50%) to the main building, may establish a new building line for the developed lot provided the building line is in accordance with the minimum setback as specified in Section 6 of these Regulations.~~
3. Notwithstanding Regulation 4.2(2), Council, in its discretion, may approve an accessory building closer to the front street line than the established building line **on a flanking street**, where it determined that one or more of the following conditions exist:
  - a. the location as required under Regulation 4.2(2) would adversely affect the view from the rear of neighbouring properties;
  - b. the main building itself is located an appreciable distance to the rear of other dwellings in the area;
  - c. the location, size, and appearance of the accessory building will be compatible with the character of the neighbourhood; ~~and~~
  - d. Council has notified neighbours and duly considered any comments or objections;
  - e. *the location of the accessory building does not create a visual obstruction to sight lines or may hinder snow clearing operations; or,*
  - f. *the corner lot abuts upon two parts of the same street and is situated within a crescent street or cul-de-sac.*
4. The side yard requirements set out in the use zones in these Regulations shall apply to accessory buildings wherever they are located on the lot but accessory buildings on two (2) adjoining properties may be built to property boundaries provided they shall be of fire resistant construction and have a common firewall.
5. An accessory building that is attached to the main building:
  - a. shall adhere to the side yard and rear yard standards of the main building as specified in Section 6 (Use Zones) of these Regulations; and
  - b. any separation from the main building shall meet with the minimum separation distance as outlined in Section 6 (Use Zones) of these Regulations – accessory buildings.'

2. Immediately following Section 4.2 ACCESSORY BUILDINGS, the new Section 4.3 ATTACHED ACCESSORY BUILDINGS, which reads as follows shall be added:

#### **'4.3 ATTACHED ACCESSORY BUILDINGS**

1. Where an accessory building or garage is attached to the main building by way of a continuous foundation, shared wall (greater than 50% of the attachment wall) and roof, it shall be considered as part of the principal building and in addition to the regulations this Section, shall comply in all respects with the development criteria of the main building.
2. An attached accessory building or garage, may establish a new building line for the developed lot provided the building line is in accordance with the minimum setback as specified in Section 6 (Use Zones) of these Regulations.
3. An attached garage fronting a street shall not comprise more than 50% of the resulting front façade of the main building, as measured along the building line that faces the street.

4. Windows, doors, and roof treatments of that part of the garage facing the street shall incorporate architectural detail expressive of a residence.'

In addition to the foregoing text amendment, successive sections of the existing list shall be sequentially renumbered and all cross-references throughout the Regulations shall be updated.

3. In Section **6.7 RESIDENTIAL MEDIUM DENSITY ZONE**, subsection **6.7.4.5(a)i Accessory Buildings** shall be deleted and, the successive clauses of the existing list shall be sequentially renumbered so that the text reads as follows:

**'6.7.4.5 Accessory Buildings**

a. General

- i. ~~All construction of attached or detached buildings that are accessory to the main use of the primary dwelling are considered accessory buildings.~~
- i. Accessory buildings are to be used strictly for ancillary purposes to the permitted uses listed in this use zone. Accessory buildings for residential properties shall not be used for non-residential uses without permission of Council.
- ii. Accessory buildings except for canvas sheds, shall be constructed in a similar nature, in terms of architectural design and aesthetics to the main building.
- iii. Aside from minor vehicle maintenance, no person shall use an accessory building for performing major repairs, painting, dismantling, or scrapping of vehicles or machinery.

4. In Section **6.10 COMMERCIAL GENERAL**, the new subsection **6.10.4.11 Accessory Building Development Standards** and associated table shall be added as follows:

**'6.10.4.11 Accessory Building Development Standards'**

<i>Regulation 4.2 - General Standards for Accessory Buildings</i>	
<i>Maximum Lot Coverage</i>	5% of lot area
<i>Maximum Cumulative Area (all accessory buildings)</i>	floor area of primary building
<i>Height</i>	6 m (max)
<i>Building Line Set Back (min)</i>	see Use Zone
<i>Building Separation Distance (min)</i>	5 m
<i>Minimum Distance from Rear &amp; Side Lot Line</i>	4.5 m

5. In Section **6.11 COMMERCIAL-HIGHWAY**, immediately following subsection 6.11.4.10, the new subsection **6.11.4.11 Accessory Building Development Standards** shall be added as follows:



***'6.11.4.11 Accessory Building Development Standards***

*As described in Condition 6.10.4.11 in the Commercial-General Zone.'*

In addition to the foregoing text amendment, the successive sections shall be sequentially renumbered in order to incorporate this addition.

6. In Section 6.12 COMMERCIAL – CORE, immediately following subsection 6.11.4.10, the new subsection **6.12.4.12 Accessory Building Development Standards** shall be added as follows:

***'6.12.4.12 Accessory Building Development Standards***

*As described in Condition 6.10.4.11 in the Commercial-General Zone.'*

7. In Section 6.13 INDUSTRIAL - GENERAL, immediately following subsection 6.13.4.8, the new subsection **6.13.4.9 Accessory Building Development Standards** and associated table shall be added as follows:

***'6.13.4.9 Accessory Building Development Standards'***

Regulation 4.2 - General Standards for Accessory Buildings	
Maximum Lot Coverage	10% of lot area
Maximum Cumulative Area (all accessory buildings)	floor area of primary building
Height	15 m (max)
Building Line Set Back (min)	see Use Zone
Building Separation Distance (min)	5 m
Minimum Distance from Rear & Side Lot Line	see Use Zone

8. In Section 6.14 INDUSTRIAL LIGHT, immediately following subsection 6.14.4.11, the new subsection **6.14.4.12 Accessory Building Development Standards** shall be added follows:

***'6.14.4.12 Accessory Building Development Standards***

*As described in Condition 6.13.4.9 in the Industrial-General Zone.'*

9. In Section 6.15 PUBLIC USE, immediately following subsection 6.15.4.2, the new subsection **6.15.4.3 Accessory Building Development Standards** shall be added as follows:

***'6.15.4.3 Accessory Building Development Standards***

*As described in Condition 6.10.4.11 in the Commercial-General Zone.'*

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### GENERAL DEVELOPMENT STANDARDS

April 19, 2018

construction, alteration, repair, or any other works whatsoever which Council is empowered to regulate.

### 3.25 RECORD OF VIOLATIONS

1. A designated official shall keep a record of each violation of these Regulations and report that violation to Council.

### 3.26 STOP WORK ORDER AND PROSECUTION

1. Where a person begins or continues a development contrary, or apparently contrary, to the Municipal Plan and these Regulations, Council may order that person to stop the development, and any work connected with it, pending the submission and approval of an application or a final decision in a prosecution arising out of the development.
2. A person who does not comply with an order made under Regulation 3.26(1) is guilty of an offence under Sections 102-107 of the Act.

### 3.27 DELEGATION OF POWERS

1. Council shall, where designating employees to whom a power is to be delegated under Subsection 109(3) of the Act, make that designation in writing.

## 4.0 GENERAL DEVELOPMENT STANDARDS

### 4.1 ACCESS AND SERVICE STREETS

1. An access shall be located as specified by Council to ensure the greatest possible convenience and safety of the street system and Council may prescribe the construction of service streets to reduce the number of accesses to collector and arterial streets.
2. No vehicular access shall be closer than 6 metres to a street intersection of a local street, or 15 metres to the intersection in the case of a collector or arterial street, unless otherwise approved by Council.

(DRA-04-2020)

3. Council may require the provision of service streets to reduce the number of individual accesses to an adjacent street.

### 4.2 ACCESSORY BUILDINGS

1. Accessory buildings shall be clearly incidental and complementary to the use of the main building in character, use and size, and shall be contained on the same lot as the main building.
2. No accessory building or part thereof shall project in front of any established building line.
3. Notwithstanding Regulation 4.2(2), Council, in its discretion, may approve an accessory building closer to the front street line than the established building line on a flanking street, where it is determined that one or more of the following conditions exist::



## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### GENERAL DEVELOPMENT STANDARDS

April 19, 2018

- a. the location of the accessory building is in accordance with the minimum building line setback of the primary building, as specified in Section 6 of these Regulations and would not adversely affect the view from the rear of neighbouring properties;
  - b. the main building itself is located an appreciable distance to the rear of other dwellings in the area;
  - c. the location, size, and appearance of the accessory building will be compatible with the character of the neighbourhood;
  - d. Council has notified neighbours and duly considered any comments or objections;
  - e. **the location of the accessory building does not create a visual obstruction to sight lines or may hinder snow clearing operations; or,**
  - f. **the corner lot abuts upon two parts of the same street and is situated within a crescent street or cul-de-sac.**
4. The side yard requirements set out in the use zones in these Regulations shall apply to accessory buildings wherever they are located on the lot but accessory buildings on two (2) adjoining properties may be built to property boundaries provided they shall be of fire resistant construction and have a common firewall.
5. An accessory building that is attached to the main building **by means of a carport:**
  - a. shall adhere to the side yard and rear yard standards of the main building as specified in Section 6 (Use Zones) of these Regulations; and
  - b. any separation from the main building shall meet with the minimum separation distance as outlined in Section 6 (Use Zones) of these Regulations – accessory buildings.

(DRA-05-2020)

### 4.3 ATTACHED ACCESSORY BUILDINGS

1. Where an accessory building or garage is attached to the main building by way of a continuous foundation, shared wall (greater than 50% of the attachment wall) and roof, it shall be considered as part of the principal building and in addition to the regulations this Section, shall comply in all respects with the development criteria of the main building.
2. An attached accessory building or garage, may establish a new building line for the developed lot provided the building line is in accordance with the minimum setback as specified in Section 6 (Use Zones) of these Regulations.
3. An attached garage fronting a street shall not comprise more than 50% of the resulting front façade of the main building, as measured along the building line that faces the street.
4. Windows, doors, and roof treatments of that part of the garage facing the street shall incorporate architectural detail expressive of a residence.

(DRA-05-2020)

### 4.4 BUFFERS

1. Where any industrial development permitted in any Use Zone abuts an existing or proposed residential area, or is separated from it by a road only, the owner of the site of the industrial development shall provide a buffer strip not less than 10 metres wide between any residential activity and the industrial area. The buffer shall include the provision of such natural or structural barrier as may be required by Council and shall be maintained by the owner or occupier to the satisfaction of Council.
2. Where any commercial development permitted in any Use Zone abuts an existing or proposed residential area the owner of the site of commercial development shall provide a buffer strip between the two areas. The buffer shall include the provision of such natural or structural barrier as may be required by Council and shall be maintained by the owner or occupier to the satisfaction of Council.



## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### USE ZONES

April 19, 2018

#### 6.7.4.3 Garden Suite (Granny Flat)

Granny flat shall:

- a. established in conjunction with another single unit dwelling (the main building);
- b. the owner of the lot shall reside in either the one-unit main building or the granny flat;
- c. be located on the same lot of land as the main building;
- d. may be within, attached to, or separate from the main building;
- e. the maximum lot coverage does not exceed 9%, up to a maximum floor area of 82 square metres, whichever is less;
- f. not exceed a maximum of 6 metres in height;
- g. be located a minimum of 1 metre from rear lot line;
- h. a granny flat located in rear yard shall be located a minimum of 1.5 metres from main residence on the lot;
- i. be serviced with municipal sewer and water, but such servicing shall be from the same laterals as the main building on the lot;
- j. have driveway access to the street that is common to both the one-unit dwelling and the granny flat;
- k. not be separated by subdivision, condominium or any other means from the lot containing the one-unit dwelling; and
- l. a bed and breakfast, child care, home occupation, or supportive housing is not permitted in any building on the lot.

#### 6.7.4.4 Subsidiary Apartments

Subsidiary apartments may be permitted in self-contained dwelling, subject to the following conditions:

- a. the cumulative floor area of the subsidiary apartment(s) shall not exceed 50% of the gross floor area of the self-contained dwelling, or 80 square metres, whichever is less;
- b. the number of additional off-street parking spaces required shall be determined by Council; and
- c. no more than two (2) subsidiary apartments shall be permitted within a dwelling.

#### 6.7.4.5 Accessory Buildings

- a. General
  - i. Accessory buildings are to be used strictly for ancillary purposes to the permitted uses listed in this use zone. Accessory buildings for residential properties shall not be used for non-residential uses without permission of Council.
  - ii. Accessory buildings except for canvas sheds, shall be constructed in a similar nature, in terms of architectural design and aesthetics to the main building.
  - iii. Aside from minor vehicle maintenance, no person shall use an accessory building for performing major repairs, painting, dismantling, or scrapping of vehicles or machinery.
  - iv. ISO shipping or freight containers shall be prohibited for use as an accessory building in the Residential Medium Density (RMD) Land Use Zone.

(DRA-05-2020)

- b. Development Standards

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### USE ZONES

April 19, 2018

#### 6.10.4.10 Accessory Buildings - ISO Containers

ISO shipping or freight containers may be permitted as an accessory building at the discretion of Council subject to floor area, location, and screening (fencing). ISO containers shall be kept in a good general appearance.

#### 6.10.4.11 Accessory Building Development Standards

Regulation 4.2 - General Standards for Accessory Buildings	
Maximum Lot Coverage	5% of lot area
Maximum Cumulative Area (all accessory buildings)	floor area of primary building
Height	6 m (max)
Building Line Set Back (min)	see Use Zone
Building Separation Distance (min)	5 m
Minimum Distance from Rear & Side Lot Line	4.5 m

(DRA-05-2020)



## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### USE ZONES

April 19, 2018

#### 6.11.4.3 Outdoor Storage

(DRA-02-2020)

As described in Condition 6.10.4.6 in the Commercial-General Zone.

#### 6.11.4.4 Refuse Collection

As described in Condition 6.10.4.3 in the Commercial-General Zone.

#### 6.11.4.5 Automotive Sales

As described in Condition 6.10.4.7 in the Commercial-General Zone.

#### 6.11.4.6 General and Light Industry

General and Light Industry uses may be permitted within the zone, however, their use shall be non-hazardous and non-intrusive on other permitted uses.

#### 6.11.4.7 Buffer

As described in Condition 6.10.4.8 in the Commercial-General Zone.

#### 6.11.4.8 Agriculture

Agricultural uses shall be limited to Market Gardens and Nurseries.

#### 6.11.4.9 Temporary Worker's Residence

As described in Condition 6.10.4.9 in the Commercial-General Zone.

#### 6.11.4.10 Accessory Buildings - ISO Containers

As described in Condition 6.10.4.10 in the Commercial-General Zone.

#### 6.11.4.11 Accessory Building Development Standards

As described in Condition 6.10.4.11 in the Commercial-General Zone.

(DRA-05-2020)

#### 6.11.4.12 Apartment Buildings

- a. Apartment buildings shall be limited to the Commercial Highway (CH) Land Use Zone area only, extending from Bartlett Drive, along Circular Road including the Harrie Lake Business District, as shown on the Land Use Zone Map.
- b. Where approved by Council, the development standards for apartment buildings shall be in accordance with the Residential Medium Density Zone.

## **TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

### **USE ZONES**

April 19, 2018

#### **6.12.4.10 Temporary Worker's Residence**

As described in Condition 6.10.4.9 in the Commercial-General Zone.

#### **6.12.4.11 Accessory Buildings - ISO Containers**

As described in Condition 6.10.4.10 in the Commercial-General Zone.

#### **6.12.4.12 Accessory Building Development Standards**

As described in Condition 6.10.4.11 in the Commercial-General Zone.

(DRA-05-2020)



## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### USE ZONES

April 19, 2018

#### 6.13.4.4 Separation from Adjacent Uses

A minimum separation distance shall be maintained between any General Industry zone and residential, commercial and public use zones as follows:

Residential Zones	400 m
Commercial Zones	300 m
Public Use Zones	300 m

#### 6.13.4.5 Outdoor Storage

Outdoor storage of unsightly goods and machinery shall not be in the front yard, storage shall be permitted at either side or rear yard and will be screened from the street and adjoining properties by a screen or fence, no less than 2 metres in height, and constructed to Council's specifications.

(DRA-02-2020)

#### 6.13.4.6 Storage of Flammable Materials

All uses and structures for the storage of bulk and flammable materials shall conform to the requirements of the provincial Fire Commissioner, and shall be surrounded by such buffers and landscaping as Council may require in order to prevent damage to adjacent uses by fire, explosion, or spillage.

#### 6.13.4.7 Temporary Worker's Residence

Temporary Worker's Residence shall be at the discretion of Council, and applications shall be limited to a project and the site or building(s) reclaimed to its original condition at the end of the temporary period as approved by Council. The developer shall be required to enter into a legal agreement with Council and to provide financial guarantees with respect to terms relating to temporary occupancy and reinstatement of said land or buildings upon expiration of approved temporary occupancy.

#### 6.13.4.8 Accessory Buildings - ISO Containers

As described in Condition 6.10.4.10 in the Commercial-General Zone.

#### 6.13.4.9 Accessory Building Development Standards

Regulation 4.2 - General Standards for Accessory Buildings	
Maximum Lot Coverage	10% of lot area
Maximum Cumulative Area (all accessory buildings)	floor area of primary building
Height	15 m (max)
Building Line Set Back (min)	see Use Zone
Building Separation Distance (min)	5 m
Minimum Distance from Rear & Side Lot Line	see Use Zone

(DRA-05-2020)

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

USE ZONES  
April 19, 2018

### 6.14.4.11 Accessory Buildings - ISO Containers

As described in Condition 6.10.4.10 in the Commercial-General Zone.

### 6.14.4.12 Accessory Building Development Standards

As described in Condition 6.13.4.9 in the Industrial-General Zone.

(DRA-05-2020)



## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### USE ZONES

April 19, 2018

## 6.15 PUBLIC USE

### 6.15.1 Permitted Uses

- Cultural and Civic
- Educational
- Police Station
- Office
- General Assembly
- Place of Worship
- Medical Treatment and Special Care
- Funeral Home
- Indoor Assembly
- Club and Lodge
- Outdoor Assembly
- Recreation Open Space
- Conservation

### 6.15.2 Discretionary Uses

- Child Care
- Collective Residential
- Taxi Stand
- Transportation
- Antenna
- Cemetery

### 6.15.3 Development Standards

Building Line Setback (min)**	10 m
Side Yard (min)	5 m
Rear Yard (min)	15 m
Height (max)*	15 m
* Refer to Regulation 4.5 Building Height.	
** Refer to Regulation 4.6 Building Line Setback.	

### 6.15.4 Conditions

#### 6.15.4.1 Child Care

As described in Condition 6.7.4.7 in the Residential Medium Density Zone.

#### 6.15.4.2 Accessory Buildings – ISO Containers

As described in Condition 6.10.4.10 in the Commercial-General Zone.

#### 6.15.4.3 Accessory Building Development Standards

As described in Condition 6.10.4.11 in the Commercial-General Zone.

(DRA-05-2020)



# LABRADORCITY

## PUBLIC CONSULTATION Development Regulations Amendment #05-2020

The general public is invited to view a draft copy of the Town of Labrador City Development Regulations Amendment #05-2020. In general terms, the purpose of this Amendment is to introduce criteria for attached accessory buildings that will differentiate administration from detached buildings.

Additionally, this Amendment proposes to introduce criteria for accessory buildings in zones where standards are otherwise absent.

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 #05-2020, shall be on display June 18<sup>th</sup> to July 2<sup>nd</sup>, 2020 on the Town of Labrador City's website – [www.labradorwest.com](http://www.labradorwest.com).

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

More information may be obtained by contacting:

Town of Labrador City  
P.O. Box 280  
317 Hudson Drive  
Labrador City, NL  
A2V 2K5  
E-mail: [permits@labradorcity.ca](mailto:permits@labradorcity.ca)