



# **Town of Labrador City Development Regulations**

**LABRADOR CITY**



**Prepared for:  
Town of Labrador City**

**Prepared by:  
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URBAN AND RURAL PLANNING ACT, 2000  
RESOLUTION TO ADOPT  
TOWN OF LABRADOR CITY DEVELOPMENT  
REGULATIONS

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Labrador City adopts the Town of Labrador City Development Regulations, 2018-2028.

Adopted by the Town Council of Labrador City on the 12 day of June, 2018.

SIGNED AND SEALED this 12 day of June, 2018.

Mayor: Wayne Button  
Wayne Button, Mayor

Clerk: Cathy Etsell  
Cathy Etsell, Town Clerk

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations have been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: \_\_\_\_\_ [name and signature]

Lesley Cabott

(MCIP Stamp or Seal)

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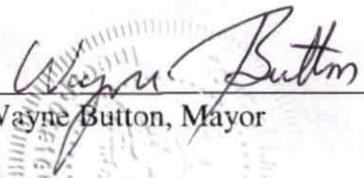
**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO APPROVE**  
**TOWN OF LABRADOR DEVELOPMENT REGULATIONS**

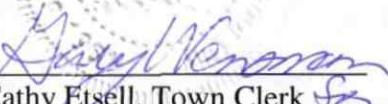
Under the authority of Sections 16, 17, and 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Labrador City:

- a) Adopted the Town of Labrador City Development Regulations on the 12 day of June, 2018;
- b) Gave notice of the adoption of the Town of Labrador City Development Regulations by advertisement inserted on the 18<sup>th</sup> day and the 25<sup>th</sup> day of June, 2018 in *The Aurora* newspaper;
- c) Set the 12<sup>th</sup> day of July, 2018 at 7:00p.m. at the Labrador City Town Hall, for the holding of a public hearing to consider objections and submissions.

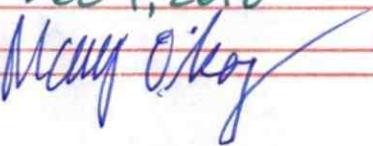
Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Labrador City approves the Town of Labrador City Development Regulations as adopted as follows.

SIGNED AND SEALED this 7 day of Aug, 2018.

  
Wayne Button, Mayor

  
Cathy Etzell, Town Clerk 

(Council Seal)

Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	2638-2018-001
Date	DEC 7, 2018
Signature	

(Provincial Registration Stamp)

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

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

APPLICATION  
April 19, 2018

### **1.0 APPLICATION**

#### **1.1 SHORT TITLE**

1. These Regulations may be cited as the Labrador City Development Regulations, 2017. Where there is conflict between the Town's Development Regulations and the Minister's Development Regulations (See Schedule C), the latter shall take precedence.

#### **1.2 INTERPRETATION**

1. Words and phrases used in these Regulations shall have the meanings ascribed to them in Section 2.
2. Words and phrases not defined in Section 2 shall have the meanings which are commonly assigned to them in the context in which they are used in the Regulations.

#### **1.3 COMMENCEMENT**

1. These Regulations come into effect throughout the Labrador City Municipal Planning Area, referred to as the Planning Area, on the date of publication of a notice of registration to that effect in the Newfoundland Gazette.

#### **1.4 MUNICIPAL REGULATIONS**

1. The building regulations, the fire regulations and any other municipal regulations controlling development shall, under these Regulations, apply to the Labrador City Municipal Planning Area. The National Building Code of Canada, Fire Code of Canada, and all ancillary codes and regulations, shall also apply to the entire Planning Area.

## 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.

**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

**AMUSEMENT USE** means the use of land or buildings equipped for the playing of electronic, mechanical, or other games and amusements including electronic games, pinball games and slot machine arcades and billiard and pool halls.

**ANIMAL UNIT** means one of the following animals or groups:

380 Pullets (less than 1.2 kg)  
300 Broiler Chickens (less than 1.5 kg)  
90 Broiler Turkeys (less than 5.0 kg)  
60 Heavy Hen Turkeys (5.0-7.5 kg)  
40 Heavy Tom Turkeys (5.0-12.0 kg)  
200 Rabbits (includes litter)  
6 Ewe sheep (plus lambs) 200 Layer Hens (less than 2.3 kg)  
1 Dairy Cow (plus calves)  
2 Beef Cow (plus calves)  
1 Bull  
1 Horse (plus foal)  
1 Sow (farrow to finish)  
3 Sows (Breed Sow, litter 1-15 kg.)  
6 Hogs (operation based on 15-90 kg.)  
3 Boars  
40 Foxes (including breed females, male and litter)  
150 Mink (including breed females, males, and litter)

**ANTENNA** means a system that involves the transmission or receiving of data through radio waves, air monitoring, weather collection devices or other sources, typically forming part of a mast or tower that may be several hundred metres tall, either guyed or freestanding. Small monitoring structures are typically located near the base.

**APARTMENT BUILDING** means a building containing four (4) or more separate dwelling units each having an independent entrance either directly from outside the building or through a common vestibule, but does not include a single dwelling, a row dwelling, or a residential dwelling with a subsidiary apartment.

**APPLICANT** means a person who has applied to the authority for an approval to carry out a development.

**APPEAL BOARD** means the appropriate Appeal Board established under the Act.

**ARTERIAL STREET** means the streets in the Planning Area constituting the main traffic arteries of the area and defined as arterial streets or highways in the Municipal Plan or on the Zoning Map.

**APPROVAL IN PRINCIPLE** means the preliminary approval of an application relating to the development subject to the later submission to Council, for consideration and approval, which does not permit development of details not stated in the application.

**AUTHORITY** means a council, authorized administrator, or regional authority.

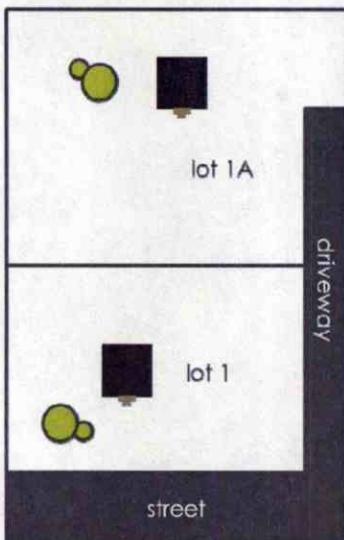
## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### DEFINITIONS

April 19, 2018

**AUTOMOTIVE SALES** means a building or part of a building or space on a lot used for retail sale or rental of motor vehicles and motor vehicle accessories, and includes a public garage and repair shop.

**BACKLOT** means any lot which gains highway frontage using a narrow strip of land which is an integral part of the lot.



**BASEMENT** means a habitable portion of a building that is wholly or partly underground, and has not more than half of the distance between the floor level and the underside of the ceiling joists above the adjacent finished grade elevation.

**BED AND BREAKFAST** means either a single, double or row dwelling in which overnight accommodation and a breakfast meal are offered to registered guests for a fee and which is occupied by the property owner or the bed and breakfast host as a primary residence.

**BOARDING HOUSE/ LODGING HOUSE** means a dwelling where individual accommodations provided for rent or other valuable consideration to five (5) or more rooms or units commonly referred to as a "boarding house" where meals may be included, and in which the kitchen and/or bathroom facilities are used in common by some or all the occupants. A dwelling with two or fewer tenants shall not be considered a Boarding House provided the owner also resides in the dwelling. The dwelling in which the boarding house residential use is carried out is similar in exterior finish, design, height, and scale to a private residential building.

**BUFFER** means an area of natural lands or water, or a developed area of land that acts as a separation between two land uses. A buffer can be an area of open land, or a berm, screen, or similar physical improvement that lessens or mitigates the adverse impacts of an adjoining land use or property onto another land use or property.

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

## DEFINITIONS

April 19, 2018

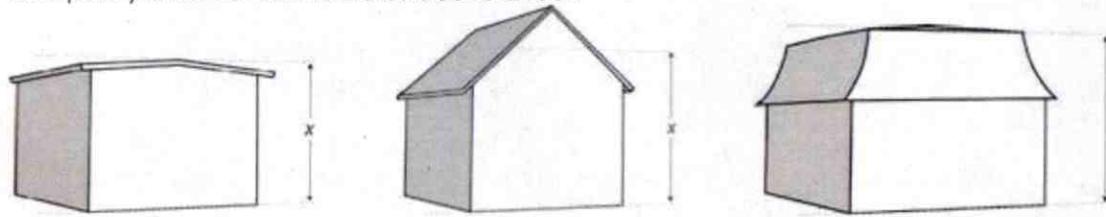
## **BUILDING** means:

- a. a structure, erection, excavation, alteration, or improvement placed on, over or under land, or attached, anchored or moored to land; mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other similar uses;
- b. a part of and fixtures on buildings referred to in (a), and
- c. an excavation of land whether that excavation is associated with the intended or actual construction of a building or thing referred to in subparagraphs (a) to (b).

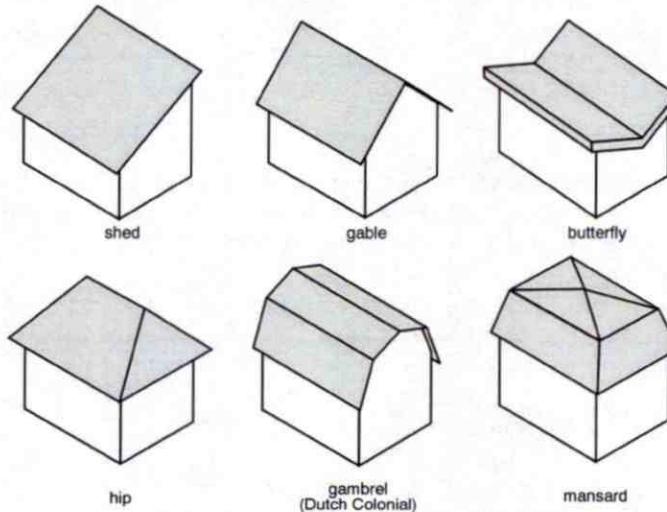
**BUILDING HEIGHT** means the vertical distance, in metres, from established grade (not finished floor) to the:

- a. highest point of the roof surface of a flat and butterfly roof;
- b. deck line of a mansard roof; and
- c. mean height level between the eave and ridge of a gable, hip or gambrel roof.

In any case, a Building Height shall not include mechanical structures, smokestacks, steeples, and purely ornamental structures above a roof.



## Sloped roof shapes



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

### **DEFINITIONS**

April 19, 2018

**BUILDING LINE** means a line established by Council that runs parallel to the street line and is set at the closest point to a street that a building may be placed. A corner lot is deemed to have a building line setback on both the primary and flanking streets.

**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.

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

### **DEFINITIONS**

April 19, 2018

**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:

- a. making of an access onto a highway, road, or way;
- b. erection of an advertisement or sign;
- c. construction of a building; and
- d. the parking of a trailer, or vehicle used for the sale of refreshments or merchandise, or as an office, or for living accommodation, and excludes:
  - i. the carrying out of works for the maintenance, improvement, or other alteration of a building, being works which affect only the interior of the building or which do not materially affect the external appearance or use of the building;
  - ii. the carrying out by a highway authority of works required for the maintenance or improvement of a road, being works carried out on land within the boundaries of the road reservation;
  - iii. the carrying out by a local authority or statutory undertaker of works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of streets or other land for that purpose; or
  - iv. the use of a building or land within the courtyard of a dwelling house for a purpose incidental to the enjoyment of a dwelling house as a dwelling.

**DEVELOPMENT AGREEMENT** means a written agreement between the Town and a developer that establishes circumstances and conditions under which a development may be carried out.

**DEVELOPMENT OFFICER** means the person appointed by a resolution of Council to the office established by these Regulations.

**DEVELOPMENT PERMIT** means a document authorizing a development issued pursuant to these Regulations.

**DISCRETIONARY USE** means a use that is listed within the discretionary use classes established in the use zones of Council's Development Regulations.

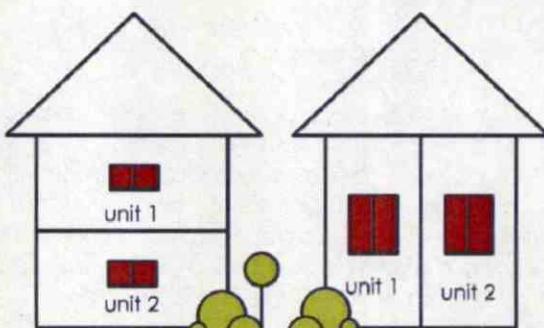
**DIRECTOR** means the Director of Engineering and Land Use Planning, Department of Municipal Affairs and Environment.

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### DEFINITIONS

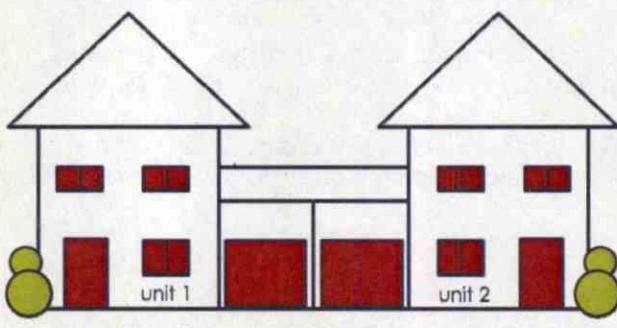
April 19, 2018

**DOUBLE DWELLING** means one building containing two dwelling units, placed one above the other, side by side, or joined by a carport with separate lot areas dedicated to each unit, but does not include a single dwelling containing a subsidiary or basement apartment.



example 1

example 2



example 3

**DRIVEWAY** means that portion of a lot used to provide access from the street to a parking space or spaces and which has been graded and graveled or surfaced with concrete, asphalt, crushed stone or other hard surface and dustless materials.

**DWELLING UNIT** means a self-contained unit consisting of one or more habitable rooms used or designed as the living quarters for one or more persons.

**ENGINEER** means an engineer who is a member of the Association of Professional Engineers and Geoscientists of Newfoundland, employed or retained by Council.

**ESTABLISHED GRADE** means

- a. where used in reference to a building, the average elevations of the finished surface of the ground where it meets the exterior of the front of that building exclusive of any artificial embankment or entrenchment, or
- b. where used in reference to a structure that is not a building, the average elevation of the finished grade of the ground immediately surrounding the structure exclusive of any artificial embankment or entrenchment.

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

### **DEFINITIONS**

April 19, 2018

**EXISTING** means in existence on the effective dates of this Regulation.

**FLANKING STREET** means the secondary street bordering a corner lot.

**FLOOR AREA** means the maximum area contained within the outside walls excluding in the case of a dwelling; any uncovered porch, deck or verandah; unfinished attic or basement and cellar or other room(s) not habitable at all seasons of the year. Floor area includes the total area of all floors measured to the outside face of exterior walls.

**FORESTRY** means the use of land for the purpose of forest and woodland management including the felling, cutting, trimming and thinning of forest or woodland for the extraction of timber, and includes reforestation, afforestation and silviculture.

**FRONTAGE** means the horizontal distance between side lot lines measured at the building line.

**GARAGE** means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles.

**GARDEN SUITE (GRANNY FLAT)** means a small independent building, physically separate from the principal dwelling unit with which it is associated that is wholly used as a dwelling unit or for activities accessory to those permitted in the principal dwelling unit such as Home Occupation.

**GENERAL GARAGE** means land or buildings other than a private garage used for the repair, maintenance and storage of motor vehicles and may include the sale of petroleum products.

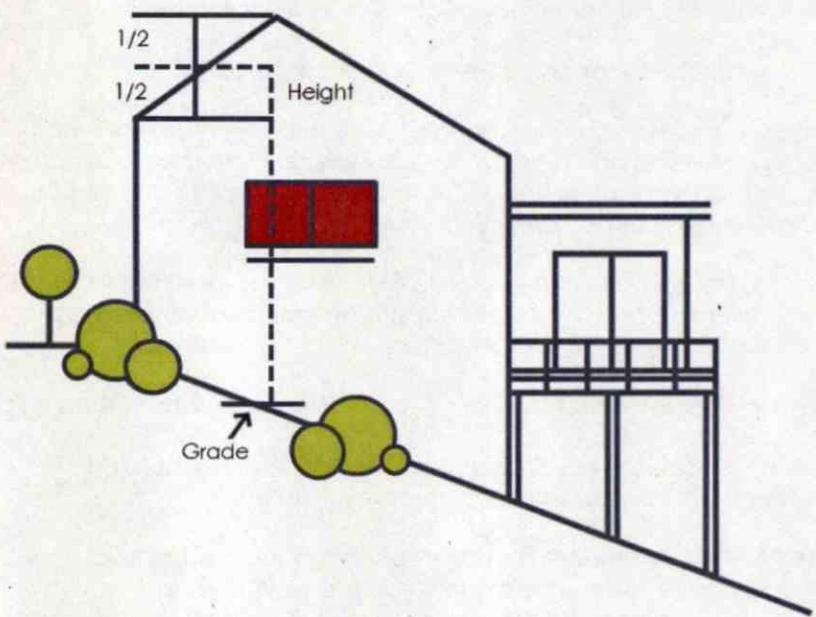
**GENERAL INDUSTRY** means the use of land or buildings for the purpose of storing, assembling, altering, repairing, manufacturing, fabricating, preparing, processing, testing, salvaging, breaking up, demolishing, or treating any article, commodity or substance, and "Industry" shall be construed accordingly.

**GRADE** means, as applicable

- a. the average elevation of the finished surface of the ground at ground level, excluding an artificial embankment or excavation at the perimeter of a building, measured on any side of a building;
- b. the elevation of the ground surface in its natural state, before man-made alterations; or
- c. on sloping or irregular sites, the angled plane determined by the Development Officer in relation to (a) or (b) above.

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

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**GROSS FLOOR AREA** means the total of the floor areas of a building(s), above or below grade, measured between the exterior faces of the exterior walls of the building at each floor level.

**GROUP HOME** means a dwelling unit accommodating not more than six (6) persons, exclusive of staff, in a home-like setting where staff provide care and supervision. This definition includes, but is not limited to, the facilities called "Transition House" and "Foster Home".

**HAZARDOUS INDUSTRY** means the use of land or buildings for industrial purposes involving the use of materials or processes, that because of their inherent characteristics constitute a special fire, explosion, radiation or other hazard.

**HOME BASED BUSINESS** means a for profit enterprise that is owned and/or operated by an employed entrepreneur working from their home. The Home Business must be wholly contained within the dwelling unit that is the principal residence of the operator of the Business and shall be a subsidiary to the residential use.

**HOME OCCUPATION** means a secondary use of a dwelling unit or its accessory building by at least one of the residents of such dwelling unit to conduct a gainful occupation or business activity, and subsidiary to a residential use. Also referred to as a "Home Based Business", and classified as an "Office" use.

**HOME OFFICE** means a secondary use of a dwelling unit by at least one of the residents of such dwelling unit to conduct a gainful occupation or business activity with such occupation or business activity being restricted to office uses which do not involve visitation by clients, customers, or the public to the site, nor the employment of nonresidents, and subsidiary to a residential use. Also referred to as a "Home Based Business", and classified as an "Office" use.

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

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**HOSTEL** means an inexpensive, short-term dormitory-style shared room that accepts individual travelers, typically backpackers or groups for short-term stays, and provides common areas and communal facilities.

**HOSPITALITY HOME** means a dwelling unit in which at least one room is regularly rented, and includes the uses commonly referred to as "Bed and Breakfast". Residency of the operator and licensing with a provincial authority is required.

**HOTEL** means premises providing sleeping accommodation for transient visitors by means of commercial accommodation units where each room has access to a common interior corridor. A hotel includes public facilities such as restaurant, banquet, beverage, meeting and convention rooms, recreational facilities, and commercial services for the convenience of guests.

**INSTITUTIONAL USE** means a building or part thereof occupied or used by persons who:

- a. are involuntarily detained, or detained for penal or correctional purposes, or whose liberty is restricted; or
- b. require special care or treatment because of age, mental or physical limitations or medical conditions.

**INSPECTOR** means a person appointed as an inspector by Council.

**ISO (International Organization for Standardization) CONTAINER** means a reusable shipping or freight container for moving products and raw materials between locations and may be used for additional warehousing and storage space.

**KENNEL** means an establishment for the keeping, breeding and raising of domesticated animals for personal or business interest.

**LAND** includes land covered by water, and buildings and structures on, over, or under the soil and fixtures that form part of those buildings and structures.

**LANDSCAPING** means the development of land by altering the topography and ground cover and may include the use of turf, plants, shrubs, trees, retaining walls and fences.

**LANDSCAPING PLAN** means a scaled drawing illustrating a design for a landscaped area which specifies the number, species, height and caliper of trees and shrubs, the size, colour and texture of hard landscaping, areas of grass, edging details, cross sections and details of any construction and details of any other features or horticultural elements.

**LIGHT INDUSTRY** means the use of land or buildings for industrial use that can be carried out without hazard or intrusion and without detriment to the amenity of the surrounding area by reason of noise, vibration, smell, fumes, smoke, grit, soot, ash, dust, glare or appearance.

**LIVESTOCK FACILITIES** means livestock/poultry barns where agricultural animals are housed and the associated manure storage.

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

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**LOCAL STREET** means a street designed primarily to provide access to adjoining land and which is not designated as a collector street or arterial street in the Municipal Plan, or on the Zoning Map.

**LOT** means a plot, tract or parcel of land that can be considered as a unit of land for a particular use or building thereto in relation to which the following definitions shall apply:

- a. **LOT AREA** means the total horizontal area within the lines of a lot.
- b. **LOT, CORNER:** means a lot deemed to have street frontages on both a primary and a flanking (secondary) street;
- c. **LOT COVERAGE** means the combined area of all buildings on a lot measured at the level of the lowest floor above the established grade and expressed as a percentage of the total area of the lot;
- d. **LOT DEPTH** means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line;
- e. **LOT LINE, FRONT** means the property line dividing the lot from an abutting road. In the case of a corner lot, the property lot line that is parallel to the front of the house shall be the front lot line;
- f. **LOT LINE, REAR** means the property line that is directly opposite to the front lot line at the rear of the property;
- g. **LOT LINE, SIDE** means the property line extending between the front lot line and the rear lot line that identifies the division between the lot and an abutting lot sharing said lot line; and
- h. **LOT WIDTH** means the distance between the side lot lines at a point midway between the front and rear of the lot and approximately parallel to the street line.

**LOUNGE (commonly referred to as CLUB)** means

- a. part of a licensed hotel or motel; or
- b. premises not part of a licensed hotel or motel, provided with special accommodations, facilities or equipment prescribed in the regulations, where in consideration of payment, beer, wine or spirits are served.

**MARKET INDOOR/MARKET OUTDOOR** means the sale of goods or products. Examples may include farmers markets, fish market, flea markets or other types of goods.

**MEDICAL CLINIC** means a building or part of a building where two or more practitioners provide human health services without overnight accommodation for the patients.

**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.

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

### **DEFINITIONS**

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**MOBILE HOME PARK** means a mobile home development under single or joint ownership, cared for and controlled by a mobile home park operator where individual mobile home lots are rented or leased with or without mobile home units placed on them and where ownership and responsibility for the maintenance and development of site facilities including underground services, access roads, communal areas, snow clearing and garbage collection, or any of them, are the responsibility of the mobile home park management, and where the mobile home development is classified as a mobile home park by the Authority.

**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 or 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.

**PERMIT TO DEVELOP** means the general term referring to all permits or licenses approved by Council and shall include all conditions, agreements or provisions attached thereto.

**PERMITTED USE** means a use that is listed within the permitted use classes set out in the use zones.

**PERSONAL SERVICE** means an establishment providing services for personal care and appearance or for the cleaning, servicing, altering, and maintenance of personal articles and accessories.

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

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**PLANNING AREA** means a municipal planning area established under section 6 and 11 of the Act.

**PRIMARY STREET** means the street on which a development fronts and is referenced in the civic address.

**PROHIBITED USE** means a use that is not listed in a use zone within the permitted use classes or discretionary use classes or a use that Council specifies as not permitted within a use zone.

**RETAIL STORE** means a building or part of a building in which goods, wares, merchandise, substance, articles, or things are offered for sale directly to the public at retail value.

**RESTAURANT** means a building where food and beverages are offered for sale to the public for consumption at tables or counters either inside or outside the building on the lot. As an accessory use, take-out service of food and beverages for off-site consumption may be provided.

**ROW DWELLING** means three or more dwelling units at ground level in one building, each unit separated vertically from the others.

**SCREENING** means a fence, berm, trees, hedge, wall, or building used to separate areas or functions which detract from the appearance of the streetscape and the view from the surrounding areas.

**SEASONAL RESIDENCE** means a dwelling, which is designed, or intended for seasonal or recreational use, and is not intended for use as permanent living quarters.

**SECONDARY USE** means any use, except those uses contained in the prohibited uses section of this Regulation, which is subordinate and incidental to the residential use and does not compromise the residential character of the property.

**SERVICE STATION** means a building, including gas pumps, used for the sale of petroleum products, and may include general merchandise, minor automotive repairs, and washing of vehicles.

**SERVICE STREET** means a street constructed parallel to or close to a public street for providing an alternative to direct access to that street.

**SETBACK** means the distance that a development or a specified portion of a development must be set back from a property line.

**SHOP** means a building or part thereof used for retail trade wherein the primary purpose is the selling or offering for sale of goods, wares or merchandise by retail or the selling or offering for sale of retail services but does not include an establishment wherein the primary purpose is the serving of meals or refreshments, an amusement use, a general garage, or a service station.

**SHOPPING CENTRE** means a group of retail stores with integrated parking, which is planned, developed, and designed as a unit containing a minimum of five (5) retail establishments.

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

### **DEFINITIONS**

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**SHOWROOM** means a building or part of a building in which samples or patterns are displayed and in which orders may be taken for goods, wares, or merchandise, including vehicles and equipment, for later delivery.

**SIGN** means a word, letter, model, placard, board, device, or representation, whether illuminated or not, or employed wholly or in part for advertisement, announcement, or direction and excludes those things employed wholly as a memorial, advertisements or local government, utilities and boarding or similar structures used for the display of advertisements.

**SINGLE DWELLING** means one (1) building containing a single dwelling unit for the use of one household, placed on its own lot, and can include a subsidiary apartment.

**STREET** means a street, road, highway, or other way designed for the passage of vehicles and pedestrians that is accessible by fire department and other emergency vehicles.

**STREET LINE** means the edge of the right of way of a street reservation as defined by the authority having authority.

**SUBDIVISION** means the dividing of land, whether in single or joint ownership, into two (2) or more pieces (including lots), for development.

**SUBSIDIARY APARTMENT** means a separate dwelling unit constructed within and subsidiary to a single, double, or row dwelling.

**TAKE-OUT** means a building in which the primary purpose is the preparation and sale of meals and refreshments for consumption off the premises.

**TAXI STAND** means an area for taxis to wait for fares and allows for a dispatch office. It does not allow for a garage or area for the servicing or storage of vehicles.

**TEMPORARY USE** means a use established for a fixed period with the intent to discontinue such use on the expiration of the time.

**TEMPORARY USE PERMIT** means a permit for certain uses, of a limited scope, duration and frequency that are allowed to operate on a short-term basis.

**TEMPORARY WORKERS RESIDENCE** means one (1) or more buildings used for sleeping accommodation, the preparation and serving of food and/or sport and recreation facilities, operated under single ownership and intended to be used on a temporary or seasonal basis. The units may be dismantled and removed from the site from time to time.

**TOWN** means the Town of Labrador City.

**THEATRE** means a building in which live performances are given, movies are shown, or similar types of entertainment are provided.

**USE** means a building or activity situated on a lot or a development permitted on a lot.

**USE ZONE or ZONE** means an area of land including buildings and water designated on the Zoning Map to which the uses, standards and conditions of a use applies.

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### DEFINITIONS

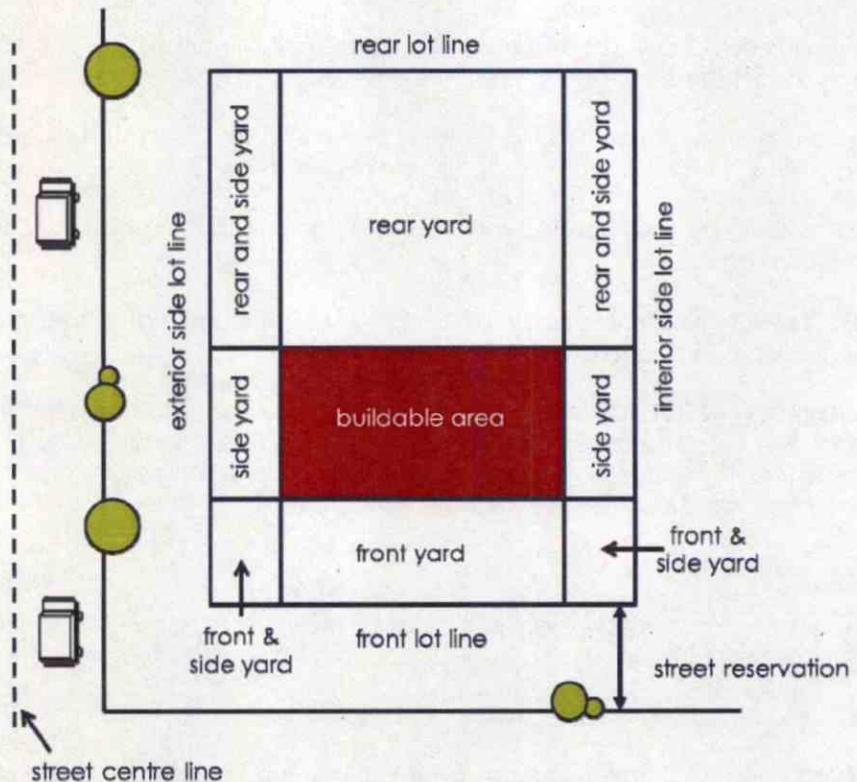
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**VARIANCE** means a departure, to a maximum of 10% from the yard, area, lot coverage, setback, size, height, frontage, or any other numeric requirement of the applicable use zones of Council's regulations.

**VETERINARY CLINIC** means a place where animals or pets are given medical or surgical treatment. Use as a kennel shall be limited to short-time boarding and shall only be incidental to such hospital use.

**YARD** means an open, uncovered space on a lot between a building or structure and a lot line in relation to which the following definitions shall apply:

- a. **YARD, FRONT** means a yard extending across the full width of a lot between the front lot line and the nearest main wall of any main building or main structure on the lot;
- b. **YARD, REAR** means a yard extending across the full width of a lot between the rear lot line and nearest main wall of any main building or main structure on the lot;
- c. **YARD, SIDE** means a yard extending between the front yard and the rear yard between a side lot line and the nearest main wall of any building on the lot; and includes:
  - i. **YARD, SIDE MINOR** means the narrower of two side yards in use zones where unequal side yards are permitted; and
  - ii. **YARD, SIDE MAJOR** means the wider of two side yards in use zones where unequal side yards are permitted.
- d. **YARD FLANKAGE** means side yard of a corner lot, which side yard abuts a street.



## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### DEFINITIONS

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**ZERO LOT LINE SUBDIVISION** means a form of residential development where buildings are permitted to be located on one or more lot lines with no yard between the building and the lot line.

**ZONING MAP** means the map or maps attached to and forming part of Council's regulations.

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

GENERAL REGULATIONS  
April 19, 2018

### **3.0 GENERAL REGULATIONS**

#### **3.1 COMPLIANCE WITH REGULATIONS**

1. No development shall be carried out within the Planning Area except in accordance with these Regulations.

#### **3.2 PERMIT TO DEVELOP REQUIRED**

1. No person shall carry out any development within the Planning Area except where otherwise provided in these Regulations unless a permit for the development has been issued by Council.

#### **3.3 PERMIT TO DEVELOP BE ISSUED**

Subject to Regulations 3.4 and 3.5, a permit shall be issued for development within the Planning Area that conforms to:

1. the general development standards set out in Section 4 of these Regulations, the requirements of Section 6 of these Regulations, and the use classes, standards, requirements, and conditions prescribed within for the use zone in which the proposed development is located;
2. the standards set out in the Building Code and/or other ancillary codes, and/or any other municipal regulation in force in the Planning Area regulating or controlling development, conservation and use of land and buildings;
3. the standards set out in Section 5 of these Regulations in the case of subdivision; and
4. design and appearance standards established by Council.

#### **3.4 PERMIT NOT TO BE ISSUED IN CERTAIN CASES**

1. Neither a permit nor approval in principle shall be issued for development within the Planning Area when, in the opinion of Council, it is premature by reason of the site lacking adequate road access, power, drainage, sanitary facilities, or domestic water supply, or being beyond the natural development of the area at the time of application unless the applicant contracts to pay the full cost of construction of the services deemed necessary by Council and such cost shall attach to and upon the property in respect of which it is imposed.

#### **3.5 DISCRETIONARY POWERS OF COUNCIL**

1. In considering an application for a permit or for approval in principle to carry out development, Council shall take into account the policies expressed in the Municipal Plan and any further scheme, plan or regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its

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

### **GENERAL REGULATIONS**

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opinion, material, and notwithstanding the conformity of the application with the requirements of these Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in this Regulation, conditionally approve or refuse the application.

2. Council may, in its discretion, determine the uses that may or may not be developed in a use zone and those uses shall be listed in Council's regulations as discretionary, permitted or prohibited uses for that area.

### **3.6 VARIANCES**

1. Where an approval or permit cannot be given by Council because a proposed development does not comply with development standards set out in these Regulations, Council may, in its discretion, vary the applicable development standards to a maximum of 10% if, in Council's opinion, compliance with the development standards would not prejudice the proper development of the land, building or structure in question or would be contrary to public interest.
2. Council shall not allow a variance from development standards set out in these Regulations if that variance, when considered together with other variances made or to be made with respect to the same land, building or structure, would have a cumulative effect that is greater than a 10% variance even though the individual variances are separately no more than 10%.
3. Council shall not permit a variance from the development standards where the proposed development would increase the non-conformity of a legal existing development.
4. See also Ministerial Development Regulations, section 12.

### **3.7 NOTICE OF VARIANCE**

1. Where Council is to consider a proposed variance, Council shall give written notice of the proposed variance from development standards to all persons whose land is in the immediate vicinity of the land that is the subject of the variance, and allow a minimum period of seven days for response.

### **3.8 SERVICE LEVY**

1. Council may require the payment of a service levy in accordance with Section 149 (2) of the *Municipalities Act, SN, 1999*.
2. A service levy shall not exceed the cost, including finance charges, to Council of improving or constructing the public works that are necessary for the real property to be developed in accordance with the standards required by Council and permitted by Council on that real property.
3. A service levy shall be assessed on:
  - a. the amount of property benefiting by the public work relative to all the property benefited; and
  - b. and the density of development made possible or increased by the public work.
4. Council may require a service levy be paid by the owner of the property benefited and may specify the time for payment. Council shall determine the amount of the service levy.

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

### **GENERAL REGULATIONS**

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### **3.9 FINANCIAL GUARANTEES AND INSURANCE**

1. Council may require a developer to provide financial provisions and/or to enter into a legal agreement(s), at the cost of the developer, to guarantee the payment of service levies, ensure site reinstatement and to enforce the carrying out of any condition attached to a permit or license.
2. Council may require a developer to have insurance sufficient to cover public liability relative to the development.
3. Council shall determine the form, amount and conditions of the financial agreement and the insurance, as outlined under Section 38 of the *Urban and Rural Planning Act* (Act).

### **3.10 DEDICATION OF LAND FOR PUBLIC USE**

1. In addition to the requirements for dedication of land under Regulation 5.10, Council may require the dedication of a percentage of the land area of any subdivision or other development for public use, and such land shall be conveyed to Council in accordance with the provisions of the Act.

### **3.11 RESTORATION OF LAND**

1. Council may order the developer, the site occupier, the owner, or any of them to restore the site to the satisfaction of Council where:
  - a. the use of land is discontinued;
  - b. a Permit to Develop has been revoked;
  - c. the intensity of the use has been decreased;
  - d. a temporary Permit to Develop has expired; or
  - e. a Permit to Develop has not been issued.

### **3.12 FORM OF APPLICATION**

1. An application for a Permit to Develop or an Approval in Principle shall be made by the owner or the owner's agent to Council on the application form referred to in Regulation 3.12(3), and will include plans and an application fee if required.
2. Council shall supply to each applicant a copy of the application form referred to in Regulation 3.12(1), and any available information required by the applicant applicable to the application.
3. The application forms to be used are available from the Town Council Office.

### **3.13 REGISTER OF APPLICATION**

1. Council shall keep a public register of all applications for development, which shall contain a record of Council's decision of each application and the result of any appeal from that decision.

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

### **GENERAL REGULATIONS**

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### **3.14 DEFERMENT AND DEEMED REFUSAL OF AN APPLICATION**

1. Council may defer consideration of an application with the written agreement of the applicant.
2. Applications which have not been determined or deferred by Council, and on which a decision has not been communicated in writing to the applicant within sixty (60) days of the application being received by Council, shall be deemed refused.

### **3.15 APPROVAL IN PRINCIPLE**

1. An application for Approval in Principle shall include:
  - a. a description of the proposed development;
  - b. a description of the limits of the land to be used with the proposed development, and may include a survey description of the subject lands;
  - c. submission of conceptual plans; and
  - d. any additional information that may be required by Council.
2. Council may issue an Approval in Principle if it determines the application conforms to the Municipal Plan and these Regulations.
3. An Approval in Principle shall be valid for a period of one (1) year, and may be extended one (1) year (must be requested by applicant), up to a total maximum period of two (2) years.
4. Council may revoke an Approval in Principle if it determines the applicant has changed the proposed development in a way that significantly alters the original intent of the applications.

### **3.16 DEVELOPMENT PERMIT**

1. A written Permit to Develop, including a temporary Permit to Develop, issued by Council or its staff and validated by its designated official, shall be permission to develop. This permission shall not relieve the applicant from full responsibility of obtaining all other approvals, prior to the commencement of development, and complying with the requirements of all other regulations and statutes during development.
2. Council may attach conditions to a Permit to Develop to ensure compliance with the Municipal Plan and these Regulations, including but not limited to restricting development over municipal service infrastructure and the permit holder shall be responsible for full compliance with the permit conditions.
3. A Permit to Develop is valid for a period of one (1) year and may be extended one (1) year (must be requested by applicant), up to a total maximum period of two (2) years.
4. When issuing a Permit to Develop for a major industrial/commercial development, and where it can be demonstrated that further extensions for a Permit to Develop are required, as described in Regulation 3.16(3), Council shall have discretion to extend the Permit to Develop (must be requested by the applicant yearly) for an additional year to a maximum of five (5) years total.
5. The issuance of a Permit to Develop shall not prevent Council from requiring the correction of errors, or ordering the cessation, removal of, or remedial work on any development being carried out that is in violation of the Municipal Plan and these Regulations.

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

### **GENERAL REGULATIONS**

April 19, 2018

6. Council may revoke a Permit to Develop for failure by the developer to comply with the Municipal Plan and these Regulations, or any condition attached to the Permit to Develop, or where it was issued in error or was issued based on incorrect information.
7. No person shall change the application for which a Permit to Develop has been issued unless the change has been approved by a resolution of Council, and written approval has been issued.
8. A copy of the Permit to Develop, and the plans and specifications, shall be kept on the site until completion of the development.

### **3.17 TEMPORARY USE PERMIT TO DEVELOP**

1. A Permit to Develop for a temporary use, which must comply with the Municipal Plan and these Regulations, may be issued for a period not exceeding one (1) year, and may be extended in writing for further one (1) year period, and shall not exceed maximum period of two (2) years.

### **3.18 PERMIT FEES**

1. A fee may be charged for a Permit to Develop in accordance with the annual schedule of fees as adopted by Council.

### **3.19 REASONS FOR CONDITIONS OR REFUSING A PERMIT**

1. Council shall, when refusing to issue a permit or attaching conditions to a permit, state the reasons in writing for so doing.

### **3.20 NOTIFICATION OF RIGHT TO APPEAL**

1. Where Council makes a decision that may be appealed under Section 42 of the Act, Council shall, in writing, at the time of making that decision, notify the person to whom the decision applies of the:
  - a. person's right to appeal the decision to the appeal board;
  - a. time by which an appeal is to be made;
  - b. right of other interested persons to appeal the decision; and
  - c. manner of making an appeal and the address for the filing of the appeal.

### **3.21 APPEALS**

1. Sections 6 to 11 of the Ministerial Regulations outline the regulations with respect to appeal requirements, appeal registration, prohibition of development that is subject to an appeal, notice of an appeal hearing, the appeal board's hearing of evidence, and appeal board decisions.

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

### **GENERAL REGULATIONS**

April 19, 2018

### **3.22 RETURN OF APPEAL FEE**

1. In accordance with Section 42(23) of the Act, where an appeal of a council decision is successful, an amount of money equal to the appeal fee paid by the appellant shall be paid to the appellant by Council.

### **3.23 NOTICE OF APPLICATION**

1. Notice of an application must be given when:
  - a variance is to be considered under Regulation 3.6;
  - a change in a non-conforming use is to be considered under Regulation 4.12(4);
  - the proposed development is listed as a discretionary use in Section 6; and/or
  - Council determines that the public should be notified of an application.
2. Subsequent to Regulation 3.23(1), Council shall give notice of an application for a Permit to Develop and for an Approval in Principle as follows:
  - for an application for a variance, a direct notification of persons that are affected by the application as specified under Regulation 3.6 (Variances), with a minimum seven-day response period, and in compliance with the provisions of the Act. Council may use the property tax roll where available, or other means to determine who is affected; and
  - for a change in a non-conforming use, any proposed development listed as a discretionary use, or if Council determines the public should be notified of an application, there shall be a public advertisement, with a minimum seven (7) day response period, to be specified in the notice, or as specified under, Regulation 4.12(4) (Non-conforming uses), and in compliance with the provisions of the Act.
3. Notice of an application shall be at the expense of the applicant.
4. Notice of an application shall contain enough information to properly inform the public of the location, the proposed type of development and other information deemed necessary to determine whether there is a concern about the application.

### **3.24 RIGHT OF ENTRY**

1. Council, and its designated official, may enter upon land and may, at all reasonable times, enter a building for making inspections relative to the development or building upon the land for making surveys or examinations or obtaining information relative to the carrying out of any development, 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.

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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 10 metres to the street line of a street intersection of a local road, or 20 metres to the street line of a street intersection in the case of a collector or arterial road.
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. 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 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.
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

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- 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.

### **4.3 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.
3. Council may require landscaping and screening for a proposed development to provide:
  - a. a screen or separation between different or incompatible uses, principally between residential and non-residential uses, which will consist of either a screen of a minimum height of 1.8 metres, or a buffer of 10 metres;
  - b. an acoustic barrier;
  - c. an attractive visual continuity and appearance between developments or on an individual site;
  - d. delineation of an area; and
  - e. protection for the natural environment.

### **4.4 BUILDING HEIGHT**

1. Council may, at its discretion, permit the erection of buildings of a height greater than that specified in Section 6 of these Regulations, but in such cases the building line setback and rear yard requirements shall be varied as follows:
  - a. the building line setback shall be increased on a pro-rated basis by 2 metres for every 1 metre increase in height; and
  - b. the rear yard shall not be less than the minimum building line setback calculated as described in Regulation 4.4(1) above plus 6 metres.

### **4.5 BUILDING LINE AND SETBACK**

1. Council, by resolution, may establish building lines on an existing street and may require any new buildings to be located on those building lines, whether such building lines conform to the standards set out in Section 6 (Use Zones) of these Regulations.
2. A building situated on a corner lot shall be required to observe the building line setback set out in Section 6 of these Regulations on both the primary and flanking (secondary) streets.

### **4.6 PERSONAL CARE HOME**

1. A personal care home use is permitted in a dwelling unit that is adequate in size to accommodate the number of persons living in the group, inclusive of staff. The use and

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appearance of the dwelling shall not materially differ from, nor adversely affect, the amenities of the adjacent residences or neighbourhood.

### **4.7 HEIGHT EXCEPTIONS**

1. The height requirements prescribed in Section 6 (Use Zones) of these Regulations may be waived in the case of communication masts and antennae, flagpoles, water towers, spires, belfries, or chimneys, but any such waiver which results in an increase of more than 10% of the permitted height of the structure shall only be authorized under the provisions of Regulation 3.6.

### **4.8 LIVESTOCK STRUCTURES AND USES**

1. No structure designed to contain more than five (5) animal units shall be erected or used unless it complies with the following requirements:
  - a. the structure shall be at least 600 metres from a residence, (except a farm residence or a residence, which is a non-conforming use in any zone in which agriculture is a permitted use class in Section 6 of these Regulations), and, from an area designated for residential use in an approved Plan, and, from a Provincial or Federal Park;
  - b. the structure shall be at least 60 metres from the boundary of the property on which it is to be erected;
  - c. the structure shall be at least 90 metres from the centre line of a street; and
  - d. the erection of the structure shall be approved by the Department of Natural Resources and the Department of Municipal Affairs and Environment.
2. No development for residential use shall be permitted within 600 metres of an existing structure designed to contain more than five animal units unless the Department of Forest, Resources and Agrifoods first approve the development.

### **4.9 LOT AREA**

1. No lot shall be reduced in area, either by the conveyance or alienation of any portion thereof or otherwise, so that any building or structure on such lot shall have a lot coverage that exceeds, or a front yard, rear yard, side yard, frontage or lot area that is less than that permitted by these Regulations for the zone in which such lot is located.
2. Where these Regulations require any part of a lot to be reserved as a yard, it shall continue to be so used regardless of any change in the ownership of the lot or any part thereof, and shall not be deemed to form part of an adjacent lot for computing the area thereof available for building purposes.

### **4.10 LOT AREA AND SIZE EXCEPTIONS**

1. Where, at the time of coming into effect of these Regulations, one or more lots already exist in any residential zone, with insufficient frontage or area to permit the owner or purchaser of such a lot or lots to comply with the provisions of these Regulations, then these Regulations shall not prevent the issuing of a permit by Council for the erection of a dwelling thereon, provided that the lot coverage and height are not greater than, and the yards and floor area are not less than the standards set out in these Regulations.

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#### **4.11 LOT FRONTAGE**

1. Except where specifically provided for in Section 6 (Use Zones) of these Regulations, no residential or commercial building shall be erected unless the lot on which it is situated fronts directly onto a publicly owned and maintained street.

#### **4.12 NON-CONFORMING USE**

1. Notwithstanding the Municipal Plan, scheme or regulations made under this *Urban and Rural Planning Act, 2000*, Council shall, in accordance with regulations made under this Act, allow a development or use of land to continue in a manner that does not conform with a regulation, scheme, or plan that applies to that land provided that the non-conforming use legally existed before the registration under section 24 of the Act, scheme or regulations made with respect to that kind of development or use.
2. Notwithstanding Regulation 4.12(1), a right to resume a discontinued non-conforming use of land shall not exceed twelve (12) months after that discontinuance.
3. A building, structure or development that does not conform to a scheme, plan or regulations made under the Act that is allowed to continue under Regulation 4.12(1):
  - a. shall not be internally or externally varied, extended or expanded unless otherwise approved by Council;
  - b. shall not be structurally modified except as required for the safety of the building, structure, or development;
  - c. shall not be reconstructed or repaired for use in the same non-conforming manner where 50% or more of the value of that building, structure or development has been destroyed;
  - d. may have the existing use for that building, structure or development varied by Council to a use that is, in Council's opinion, more compatible with the plan and regulations applicable to it;
  - e. may have the existing building extended by approval of Council where, in Council's opinion, the extension is not more than 50% of the existing building;
  - f. where the non-conformance is with respect to the standards included in these Regulations, shall not be expanded if the expansion would increase the non-conformity;
  - g. where a building, structure or development does not meet the development standards included in development regulations, the building, structure, or development shall not be expanded if the expansion would increase the non-conformity and an expansion must comply with the development standards applicable to that building, structure or development; and
  - h. where the building or structure is primarily zoned and used for residential purposes, may, in accordance with the Municipal Plan and these Regulations, be repaired or rebuilt where 50% or more of the value of that building or structure is destroyed.
4. Where considering a non-conforming building, structure or development under paragraph 108(3)(d) of the Act and before making a decision to vary an existing use of that non-conforming building, structure or development, Council, at the applicant's expense, shall publish a notice in a newspaper circulating in the area or by other means give public notice of an application to vary the existing use of a non-conforming building, structure or development and shall consider any representations or submissions received in response to that advertisement.

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## **4.13 OFFENSIVE AND DANGEROUS USES**

1. No building or land shall be used for any purpose which may be dangerous by causing or promoting fires or other hazards or which may emit noxious, offensive or dangerous fumes, smoke, gases, radiation, smells, ash, dust or grit, excessive noise or vibration, or create any nuisance that has an unpleasant effect on the senses unless its use is authorized by Council and any other Council having jurisdiction.

## **4.14 OFF-STREET PARKING REQUIREMENTS**

1. For every building, structure or use to be erected, enlarged or established, there shall be provided and maintained a quantity of off-street parking spaces sufficient to ensure that the flow of traffic on adjacent streets is not impeded by the on-street parking of vehicles associated with that building, structure or use.
2. Off-street parking shall be provided within the limits of the property on which the use is situated.
3. Parking areas shall be paved with a bituminous or concrete surface or other approved material, providing adequate drainage.
4. Each parking space, except in the case of one or two-family dwellings, shall be made accessible by means of a hard surface right-of-way at least 3 metres in width, unless otherwise approved by Council. Parking required in a Residential Zone shall be provided on the same lot as the dwelling or dwellings. Parking space for apartments shall be provided in the rear yard, unless otherwise approved by Council. In a Non-Residential Zone, parking spaces shall be provided within the limits of the zone in which the use is situated and not more than 200 metres distant from the use concerned.
5. The parking facilities required by this Regulation shall, except in the case of single or attached dwellings, be arranged so that it is not necessary for any vehicle to reverse onto or from a street.
6. Where, in these Regulations, parking facilities for more than four vehicles are required or permitted:
  - a. parking space shall mean an area of land, not less than 19 square metres in size, capable of being used for the parking of a vehicle without the need to move other vehicles on adjacent areas;
  - b. the parking area shall be constructed and maintained to the specifications of Council;
  - c. the lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent development;
  - d. a structure, not more than 3 metre in height and more than 5 square metre in area may be erected in the parking area for the use of attendants in the area;
  - e. except in zones in which a service station is a permitted use, no gasoline pump or other service station equipment shall be located or maintained on a parking area;
  - f. no part of any off-street parking area shall be closer than 1.5 metre to the front lot line in any zone, unless otherwise approved by Council, including any conditions that may be specified by Council;
  - g. access to parking areas in non-residential zones shall not be by way of residential zones;
  - h. where a parking area is in, or abuts, a residential zone, a natural or structural barrier a minimum of 1.8 metre in height shall be erected and maintained along all lot lines; and
  - i. where, in the opinion of Council, strict application of the above parking requirements is impractical or undesirable, Council may as a condition of a permit require the developer to pay a service levy in accordance with these Regulations in lieu of the provision of a

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parking area, and the full amount of the levy charged shall be used by Council for the provision and upkeep of alternative parking facilities within the general vicinity of the development.

7. Parking spaces, other than residential, for the physical challenged shall meet the requirements of the Department of Government Services and Lands or the appropriate agency in place at the time of application.
8. The off-street parking requirements for uses in the various use classes set out in Schedule A shall be set out in the following tables.
9. In the case of developments including uses in more than one use class, these standards shall be regarded as cumulative.
10. Adequate off-street provision for drop-off and pick-up of persons shall be provided in developments where required, such as uses within the educational, passenger assembly, child care, medical treatment and special care, commercial residential and take-out food services use classes.
11. General parking shall include:

Class	Requirements
<b>ASSEMBLY USES</b>	
(a) Theatre	Two spaces for every 5 seats.
(b) Cultural and Civic	One space for every 50 square metres of gross floor area.
(c) Educational	K - 12 - 3 spaces for every classroom. Other facilities - 1 space for every 5 persons using the facilities (students, faculty, and staff).
(d) Place of Worship	Two spaces for every 5 seats.
(e) Passenger Assembly	As specified by Council.
(f) Private Club	One space for every 3 persons that may be accommodated at one time.
(g) Catering	One space for every 3 persons that may be accommodated at one time.
(h) Lounges and Bars	One space for every 3 persons that may be accommodated at one time.
(i) Funeral Home	One space for every 10 square metres of gross floor area.
(j) Child Care	One space for every 20 square metres of gross floor area and a restricted, designated drop-off/pick-up zone.
(k) Amusement	One space for every 10 square metres of gross floor area.
(l) Indoor Assembly	One space for every 10 persons that may be accommodated at one time.
(m) Outdoor Assembly	As specified by Council.
(n) General Assembly	One space for every 3 persons that may be accommodated at one time.
<b>INSTITUTIONAL USES</b>	
(a) Detention Centre	As specified by Council.
(b) Medical Treatment and Special Care	One space for every 20 square metres of gross floor area.
(c) Special Care	One space for every bed.

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Class	Requirements
(d) Collective Residential	As specified by Council.
<b>CLASS RESIDENTIAL USES</b>	
(a) Single Dwelling	Two spaces for every dwelling unit.
(b) Double Dwelling	Two spaces for every dwelling unit.
(c) Row Dwelling	Two spaces for every dwelling unit.
(d) Apartment Building	Three spaces for every 2-dwelling units.
(e) Subsidiary Apartment	One space for every apartment unit.
(f) Hospitality Home	As specified by Council.
(g) Boarding House Residential	One space for every residential unit.
(h) Mobile Home	Two spaces for every residential unit.
(i) Seasonal Residential	One space for every residential unit.
<b>BUSINESS AND PERSONAL SERVICES</b>	
(a) Office	One space for every 20 square metres of gross floor area.
(b) Professional Service	One space for every 20 square metres of gross floor area.
(c) Personal Service	One space for every 20 square metres of gross floor area.
(d) General Service	One space for every 20 square metres of gross floor area.
(e) Communications	As specified by Council.
(f) Home Occupation	Minimum of 1 space per non-resident employee.
(g) Taxi Stand	As specified by Council.
(h) Veterinary	As specified by Council.
<b>COMMERCIAL USES</b>	
(a) Shopping Centre	One space for every 20 square metres of gross floor area.
(b) Shop	Minimum of 2 spaces plus one space for every 20 square metres of gross floor area.
(c) Convenience Store	Minimum of 2 spaces plus one space for every 20 square metres of gross floor area.
(d) Take-Out Food	Minimum of 2 spaces plus one space for every 15 square metres of gross floor area.
(e) Vending Stand	Minimum of 2 spaces plus additional as specified by Council.
(f) Indoor Market	As specified by Council.
(g) Outdoor Market	As specified by Council.
(h) Service Station	One space for every 20 square metres of gross floor area.
(i) Commercial Residential	One space for every rental room.
(a) Shopping Centre	One space for every 20 square metres of gross floor area.

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Class	Requirements
<b>INDUSTRIAL USES</b>	
(a) Hazardous Industry	One space for every employee, plus 3.
(b) General Industry	One space for every employee, plus 3.
(c) Light Industry	One space for every employee, plus 3.
<b>NON-BUILDING USES</b>	
(a) Outdoor Recreation	As specified by Council.
(b) Conservation	As specified by Council.
(c) Cemetery	As specified by Council.
(d) Scrap Yard	As specified by Council.
(e) Animal	Minimum of 2 spaces plus one space for every 20 square metres of gross floor area.
(f) Transportation	As specified by Council.

12. Residential parking requirements shall include:

Type of Dwelling	Maximum No. of Driveways	Standard
Single Dwelling	2*	50% front yard coverage to a maximum width of 12 metres (cumulative)
Double Dwelling or end unit of Row House – no rear access	1	40% front yard coverage to a maximum width of 7.5 metres
Centre unit of Row House - no rear access	1	Width of front property line up to a maximum of 7.3 metres
Row House - rear access	1	Width of rear property line up to a maximum of 12 metres
Corner Lots (single dwelling & double dwelling)	2*	Minimum of 6 metres from intersection primary and flanking street and Standard as prescribed for the type of dwelling indicated above

\* A second driveway shall be required to have a concrete or asphalt surface or other surface as approved by Council.

13. Typical driveway standards shall include:

- a. minimum 3 metres width;
- b. minimum size 15 square metres;
- c. when constructing or widening a driveway, the developer is responsible for the installation of low back curb and/or sidewalk as determined by the Town of Labrador City at each driveway entrance. All work shall comply with municipal standards and specifications. Concrete must be obtained from a batch plant approved by the Town of Labrador City;
- d. shall be contained on the same lot as the main dwelling;

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- e. must be graded and surfaced with concrete, asphalt, crushed stone or other hard surface, dustless material as approved by Council;
- f. driveway surface shall not conceal or alter municipal infrastructure;
- g. retaining walls shall taper down flush with the sidewalk or curb; and
- h. not adversely affect adjacent properties.

### **4.15 OFF-STREET LOADING REQUIREMENTS**

1. For every building, structure or use to be erected, enlarged or established requiring the shipping, loading or unloading of animals, goods, wares or merchandise, there shall be provided and maintained for the premises loading facilities on land that is not part of a street comprised of one or more loading spaces, 15 metres long, 4 metres wide, and having a vertical clearance of at least 4 metres with direct access to a street or with access by a driveway of a minimum width of 6 metres to a street.
2. The number of loading spaces to be provided shall be determined by Council.
3. The loading facilities required by this Regulation shall be so arranged that vehicles can maneuver clear of any street and so that it is not necessary for any vehicle to reverse onto or from a street.
4. Loading space shall be provided and maintained on land that is not part of the street with direct unobstructed access to a street.

### **4.16 PARKS, PLAYGROUNDS AND OPEN SPACES**

1. Council may permit the establishment of recreational spaces (public parks, playgrounds, and open spaces) in any use zone if the location of the development is not adjacent to a hazardous or incompatible use, or in an area not compatible for such a recreational use.

### **4.17 SCREENING AND LANDSCAPING**

1. Council may, in the case of existing unsightly development, order the owner or occupier to provide adequate and suitable landscaping or screening; and for this purpose, may require the submission of an application giving details of the landscaping or screening, and these Regulations shall then apply to that application. The provision of adequate and suitable landscaping or screening may be made a condition of any development permit where, in the opinion of Council, the landscaping or screening is desirable to preserve amenity, or protect the environment.

### **4.18 RECYCLING, COMPOST AND GARBAGE BINS**

1. All recycling, compost and refuse bins in a commercial zone, public/institutional zone, industrial zone, or multiple-housing zone shall be screened from view from any street, and from adjacent sites in a residential zone by fences, berms, landscape materials or a combination of these to the satisfaction of the Development Officer.

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## **4.19 SECURITY DEPOSITS**

1. The Development Officer may recommend to Council that, as a condition of issuing a Development Permit, the owner enter into a Development Agreement with Council to provide a guaranteed security deposit to ensure:
  - a. landscaping requirements are met;
  - b. the removal of permitted temporary structures;
  - c. municipal services are protected and/or built to Town standards;
  - d. hard surfacing requirements are met; and/or
  - e. other requirements as recommended by the Development Officer and determined by Council.
2. If taken for landscaping purposes, the security deposit shall be 125% of the estimated cost of all landscaping associated with the development. The applicant shall calculate the cost. If, in the opinion of the Development Officer the estimated cost is too low the Development Officer may recalculate and the Development Officer's cost shall be determinative.
3. If taken for the purposes of ensuring the removal of a temporary structure, the security deposit shall be the estimated cost of removal of the temporary structure and any site rehabilitation. The applicant shall calculate the estimated cost. If, in the opinion of the Development Officer the estimated cost is too low the Development Officer may recalculate and the Development Officer's cost shall be determinative.
4. If taken for the installation and/or protection of municipal services, the Development Officer with the assistance of the Manager of Public Works shall determine an appropriate figure in consultation with the applicant. The Development Officer's cost shall be determinative.
5. If taken for the purposes of hard surfacing, the security deposit shall be 125% of the estimated cost of hard surfacing. The applicant shall calculate the cost. If, in the opinion of the Development Officer the estimated cost is too low the Development Officer may recalculate and the Development Officer's cost shall be determinative.
6. If taken for other purpose the Development Officer shall work with the applicant to determine an appropriate and fair cost for the security deposit.
7. If cash is offered as the security, it shall be held by the Town in a non-interest bearing account until the Development Officer is satisfied the conditions of the Development Agreement in which the security deposit was taken to ensure have been met.
8. If a Letter of Credit is offered as the security, it shall be in a form satisfactory to the Development Officer. The Letter of Credit shall be held by the Town until the Development Officer is satisfied the conditions of the Development Agreement, in which the security deposit was taken to ensure, have been met.
9. If the owner does not complete the required work as detailed in the Development Agreement the Town shall complete the work and issue an accounting of how the proceeds of the Letter of Credit or cash were applied within sixty (60) days of the Town applying the security deposit. If the Letter of Credit or the cash do not cover the total costs of the work the Town may issue an invoice to the applicant for the additional costs which is payable within sixty (60) days.

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## **4.20 SERVICES AND PUBLIC UTILITIES**

1. Council may within any zone permit land to be used in conjunction with the provision of public services and public utilities if the use of that land is necessary to the proper operation of the public service or public utility concerned if the design and landscaping of any development of any land so used is, in the opinion of Council, adequate to protect the character and appearance of the area.

## **4.21 PETROLEUM DISPENSING FACILITIES/SERVICE STATIONS**

1. The following requirements shall apply to lots on which petroleum-dispensing pumps are located:
  - a. petroleum dispensing pumps must be located on pump islands which vehicles may access on either side, except for propane, diesel, and kerosene pumps which may have access on one side;
  - b. pump islands shall be set back a minimum of 4 metres from the front lot line;
  - c. accesses to the lot shall have a minimum width of 7 metres, and shall be clearly defined;
  - d. when a dispensing pump is located on a corner lot, the minimum distance between an access to the lot and the intersection of street lines shall be 10 metres; and
  - e. Surface run-off shall be directed to an oil/water separator before discharging into any storm sewer or any other surface or sub-surface drainage system.

## **4.22 SIDE YARDS**

1. A side yard, which shall be kept clear of obstruction, shall be provided on the exposed sides of every building to provide access for the maintenance of that building.
2. In use zones where minor side yards are defined, minor side yards shall not be permitted to abut each other.
3. Double and row dwellings sharing a common property boundary shall be exempt from Regulation 4.22(2).

## **4.23 STREET CONSTRUCTION STANDARDS**

1. A street shall be constructed in accordance with the design standards of Council. These are outlined in the Town of Labrador City Municipal Development Standards; a copy can be requested from the Town.

## **4.24 SUBSIDIARY APARTMENTS**

1. Subsidiary apartments may be permitted in single, double and row dwellings only, and for the purposes of calculating lot area and yard requirements, shall be considered part of the self-contained dwelling.

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## **4.25 DRAINAGE SYSTEM OF DEVELOPMENTS**

1. A development may not be constructed or maintained so that it alters the natural flow of water causing damage to other properties.
2. Each development shall be provided with a drainage system that is adequate to prevent the retention of surface water on the development site.
3. Council may require the provision of an off-site drainage system to dispose of on-site drainage.
4. The drainage system of a development shall connect to other drainage systems on surrounding properties and streets.

## **4.26 MOBILE HOMES**

A mobile home shall:

1. comply with space standards substantially equal to those laid down in the National Building Code of Canada and is in accordance with the construction standards laid down and all other applicable Provincial and Municipal Codes and;
2. be designed to be:
  - a. transported on its own wheels and chassis to a mobile home lot, and subsequently supported on its own wheels, jacks, posts, or piers, or on a permanent foundation and;
  - b. connected to exterior public utilities approved by the Authority, namely, piped water, piped sewer, electricity, and telephone, for such mobile home unit to be suitable for year-round occupancy.
3. be supported and secured to a foundation sufficient to support its weight and prevent movement;
4. be anchored to the ground with a minimum tension of 2,180 kilograms at each required anchor point, including each corner, and have skirting extending to the ground; and
5. abide by the conditions listed in the applicable use zones found in Section 6 of these Regulations.

## **4.27 UNSUBDIVIDED LAND**

1. Development is not permitted on unsubdivided land unless sufficient area is reserved to satisfy the yard and other allowances called for in the Use Zone in which it is located and the allowances shall be retained when the adjacent land is developed.

## **4.28 ZERO LOT LINE AND COMPREHENSIVE DEVELOPMENT**

1. Council may approve the development of dwellings, which are designed to form part of a zero lot line development or other comprehensive development design if the minimum floor area of each dwelling conforms to the standards set out for the use zone in which the development is proposed.

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#### **4.29 SERVICES REQUIRED**

1. A development that is required or proposed to contain a plumbing system, must include provisions satisfactory to Council for the supply of water and disposal of sewage.
2. A development may be required to connect to a system for the supply of electricity.
3. A development may be required to include a fire fighting system in accordance with the requirements of the municipal and/or provincial fire regulations.

#### **4.30 MULTIPLE USES ON A LOT**

1. A multiple use occurs when two or more different use classes exist in the same building or on the same lot.
2. Council shall not permit a multiple use where it determines the proposed use is not compatible with existing uses on or adjacent to the lot because of amenity, safety, appearance, design, or nuisance.
3. Where the requirements of these Regulations are different for each component use of the multiple use(s), then the requirements will be cumulative or the more stringent will apply as determined by Council.

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### **SUBDIVISION OF LAND**

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## **5.0 SUBDIVISION OF LAND**

### **5.1 APPLICATION OF SECTION 5**

1. This Section of the Regulations applies where the subdividing of land is proposed to include, or is required by Council to include, one of the following:
  - a. new street construction, street upgrading, or street extension;
  - b. extension and upgrading of the municipal water and sewer system;
  - c. infilling of two or more lots on an existing public street; and
  - d. Subdivision, or assembly, of all lands within the Town's Municipal Boundary must have Council's approval.

### **5.2 PERMIT REQUIRED**

1. Where Regulation 5.1 applies, land shall not be subdivided or assembled unless Council first issues a Permit to Develop.

### **5.3 SERVICES TO BE PROVIDED**

1. No permit shall be issued for the development of a subdivision unless provisions satisfactory to Council have been made in the application for an access road, supply of drinking water, a properly designed sewage disposal system, and a properly designed storm drainage system.

### **5.4 PAYMENT OF SERVICE LEVIES AND OTHER CHARGES**

1. No permit shall be issued for the development of a subdivision, or the subdivision / assembly of land, until agreement has been reached for the payment of all fees levied by Council for connection to services, utilities and streets deemed necessary for the development and all service levies and other charges including but not limited to engineering, surveys and real property reports and other charges imposed under Regulations 3.8 and 3.9.

### **5.5 ISSUE OF A PERMIT TO DEVELOP SUBJECT TO CONSIDERATIONS**

1. A Permit to Develop shall not be issued when the development of a Comprehensive Subdivision does not contribute to the orderly growth of the municipality and does not demonstrate sound design principles. In determining an application, Council shall consider:
  - a. the location of the land;
  - b. the availability of and the demand created for public services, and public utilities;
  - c. the provisions of the Plan and Regulations affecting the site;
  - d. the land use, physical form, and character of adjacent developments;
  - e. the transportation network and traffic densities affecting the site;
  - f. the relationship of the project to existing or potential sources of nuisance;
  - g. soil and subsoil characteristics;
  - h. the topography of the site and its drainage;

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- i. natural features such as lakes, streams, trees, and shrubs;
- j. prevailing winds;
- k. visual quality;
- l. community facilities;
- m. energy conservation;
- n. winter city design considerations as outlined in the Development Standards; and
- o. any other factor(s) that Council may deem material.

### **5.6 PERMIT TO DEVELOP REQUIRED FOR EACH LOT**

1. A separate Permit to Develop is required for each lot proposed to be developed in a Comprehensive Subdivision, and shall not be issued until the developer has complied with all the provisions of these Regulations, and conditions attached to the Permit to Develop for the Comprehensive Subdivision. This section may apply to each phase of a Comprehensive Subdivision.

### **5.7 FORM OF APPLICATION**

1. Application for a Permit to Develop a subdivision shall be made to Council in accordance with Regulation 3.12.

### **5.8 SUBDIVISION SUBJECT TO ZONING**

1. The subdivision of land shall be permitted only in conformity with the Use Zones delineated on the Zoning Maps.

### **5.9 BUILDING LINES**

1. Council may establish building lines for any subdivision street and require any new building to be located on such building lines.

### **5.10 LAND FOR PUBLIC OPEN SPACE**

1. Subject to section 37 of the Act, Council may require the developer to convey to Council title to an area of land for public use equal to 10% or more of the gross land area to be developed, if:
  - a. the location and suitability of the land conveyed is acceptable to Council; and
  - b. in lieu of the conveyance of land, Council may accept a sum of money equal to the value of the land. The money shall be reserved for the acquisition and development of land for public use.
2. Land conveyed for public use may be sold or leased and the proceeds of any sale shall be applied against the cost of acquisition and development of land for public uses.

### **5.11 STRUCTURE IN STREET RESERVATION**

1. The placing within any street reservation of any structure (for example, a hydro pole, telegraph or telephone pole, fire hydrant, mail box, fire alarm, sign post) shall receive the

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prior approval of Council, which shall be satisfied on the question of safe construction and relationship to the adjoining buildings and other structures within the street reservation.

### **5.12 SUBDIVISION DESIGN STANDARDS**

1. No permit shall be issued for the development of a subdivision under these Regulations unless the design of the subdivision conforms to the Town of Labrador City's Municipal Development Standards.

### **5.13 ENGINEER TO DESIGN WORKS AND CERTIFY CONSTRUCTION LAYOUT**

1. Plans and specifications for all water mains, hydrants, sanitary sewers, storm sewers and all appurtenances thereto and all streets, paving, curbs, gutters and catch basins and all other utilities deemed necessary by Council to service the area proposed to be developed or subdivided shall be designed and prepared by or approved by the Engineer as outlined in Labrador City's Municipal Development Standards. Such designs and specifications shall, upon approval by Council, be incorporated in the plan of subdivision.
2. Upon approval by Council of the proposed subdivision, the Engineer shall certify all work of construction layout preliminary to the construction of the works and thereupon the developer shall proceed to the construction and installation, at his own cost and in accordance with the approved designs and specifications and the construction layout certified by the Engineer, of all such water mains, hydrants, sanitary sewers and all appurtenances and of all such streets and other works deemed necessary by Council to service the said area and as outlined in Labrador City's Municipal Development Standards.

### **5.14 RESTRICTION ON SALE OF LOTS**

1. The developer shall not develop or dispose of any lot within a subdivision for the purposes of development and no building permit shall be issued until Council is satisfied that:
  - a. the lot can be served with satisfactory water supply and sewage disposal systems; and
  - b. satisfactory access to a street is provided for the lots.

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## **6.0 USE ZONES**

### **6.1 USE ZONES**

1. For these Regulations, the Planning Area is divided into Use Zones, which are shown on the Zoning Map attached to and forming part of these Regulations (Schedule B).
2. Where standards, requirements, and conditions applicable in a Use Zone are not set out in the use zone, Council may in its discretion, determine the standards, requirements and conditions which shall apply.

Zone	Abbreviation
Residential Medium Density	RMD
Residential Small Lot	RSL
Cabin Development	CD
Commercial - General	CG
Commercial - Highway	CH
Commercial - Core	CC
Industrial - General	IG
Industrial - Light	IL
Public Use	PU
Open Space	OS
Conservation	CON
Protected Watershed	PW
Mineral Workings	MW
Mining Reserve - Rural	MRR

### **6.2 USE CLASSES**

1. The uses to be included in each Use Class set out in the use zone shall be determined by Council in accordance with the classification and examples set out in Schedule A.

### **6.3 PERMITTED USES**

1. Subject to these Regulations, the uses that fall within the Permitted Use Classes set out in the appropriate Use Zones shall be permitted by Council in that Use Zone.

### **6.4 DISCRETIONARY USES**

1. Subject to these Regulations, the uses that fall within the Discretionary Use Classes set out in the appropriate Use Zones may be permitted in that Use Zone if Council is satisfied that the development would not be contrary to the general intent and purpose of these Regulations, the Municipal Plan, or any further scheme or plan or regulation pursuant thereto, and to the

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public interest, and if Council has given notice of the application in accordance with Regulation 3.23 and has considered any objections or representations which may have been received on the matter.

### **6.5 USES NOT PERMITTED**

1. Uses that do not fall within the Permitted Use Classes or Discretionary Use Classes shall not be permitted in that Use Zone.

### **6.6 STANDARD CONDITIONS FOR ALL ZONES**

1. The following conditions shall apply to all use zones listed under these Regulations.

#### **6.6.1 Referrals- General Approvals by Provincial and Federal Government Agencies and Departments**

Prior to the issuance of a development permit for the foregoing developments, approvals must be obtained from the various agencies noted below:

##### **6.6.1.1 Advertisements and other Developments fronting onto Provincial Highways**

1. The province has designated "control lines" alongside each provincially maintained route, extending to 400 metres from the highway centre lines. The control area is reduced to 100 metres within municipal boundaries, unless otherwise noted.
2. Off-site Promotional Signs falling within the designated control lines must be referred to the Government Service Centre.
3. The Department of Transportation and Works should be notified of any other proposed developments within a highway control area, and must approve any new access off a provincial highway.

##### **6.6.1.2 Agriculture and Farming**

1. Approvals must be granted from the Department of Natural Resources for any commercial farming operation. The Department of Government Services must approve manure systems.

##### **6.6.1.3 Crown Lands**

1. Approvals for the use of Crown Land must be obtained from the Crown Lands Division, Department of Fisheries and Land Resources.

##### **6.6.1.4 Forestry**

1. Permits for commercial woodcutting or other forestry related activities must be obtained from the Department of Natural Resources, Forest Management Unit, Goose Bay.

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#### **6.6.1.5 Mineral Workings, Mining, and Mineral Exploration**

1. Approvals and permits must be obtained from the Department of Natural Resources, Mineral Lands Division.

#### **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.



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### **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 or platforms not projecting more than 2 metres into any required front yard, building line set back;
  - b. steps, excluding sunken or below grade entrance wells, not projecting more than 50% into any side yard; and
  - c. chimney breasts, eaves, sills, or cornices not projecting more than 0.5 metres into any required side yard, or more than 1.0 metre into any required front yard, building line set back or rear yard.

### **6.6.4 Conservation of Natural Environment and Aesthetic Areas**

1. Council may require agreements with developers and property owners aimed at preserving sensitive environmental areas and natural scenic areas. These areas may include sensitive vegetation, fish habitat, or water quality. Such agreements may include provisions such as designating of local conservation areas, maintenance of tree cover and maintenance of tree cover along rear yards, rivers, streams, and shorelines.

### **6.6.5 Shoreline Buffers**

1. Generally, no development will be permitted within 15 metres of rivers or streams, or shoreline of lakes and ponds. Certain public works and passive recreational open space uses may be permitted if they will not be detrimental to the environmental and aesthetic quality of the area.
2. Development of these areas will be subject to the approval of the federal Department of Fisheries and Oceans, and/or the provincial Department of Municipal Affairs and Environment.

### **6.6.6 Advertisements Relating to On-site Uses**

1. The conditions, which shall apply to the erection or display of a sign on any lot or site, occupied by a use permitted or existing as a legal non-conforming use in a use zone shall be as follows:
  - a. the size, shape, illumination, and material construction of the sign shall meet the requirements of Council, having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area; and
  - b. no sign shall exceed five (5) square metres in area.

### **6.6.7 Advertisements Relating to Off-site Uses**

1. The conditions to be applied to the erection or display of a sign on any site, relating to a use permitted in a zone, or not relating to a land use, shall be as follows:
  - a. each sign shall not exceed three (3) square metres in area;
  - b. when the signage relates to a land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of and the distance or direction to the premises to which they relate; and

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- c. the location, siting and illumination of each sign shall be to the satisfaction of Council, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.

### **6.6.8 Habitat Management Unit**

1. The Labrador City Zoning maps show nine (9) defined areas that are designated Habitat Management Units (or Area).
2. Any proposal for development shall be sent to Wildlife Division, Department of Municipal Affairs and Environment for review and comments.
3. Passive recreation uses may be permitted provided no motorized recreation vehicles are used.
4. During winter months, snowmobiles are permitted.
5. Any application for development on lands adjacent to Habitat Management Unit that may have negative impact on the sensitive wetlands or waterfowl habitat may also be referred to Wildlife Division for review and comments before the Council issues any permits for development.

### **6.6.9 Corner Lots**

1. Properties situated on existing or proposed corner lots shall be deemed to have two street frontages and shall be required to maintain the minimum building line setback on both the primary and flanking streets as prescribed in the use zone table.

### **6.6.10 Development on Multiple Lots**

1. Development on multiple lots, including rear yard property extensions, shall be prohibited in all zones except for the leased lots on Tamarack Drive South.
2. Application will be accepted for the assembly (consolidation) of lots in keeping with the Municipal Plan and these Regulations.

### **6.6.11 Site Plan**

1. The development of land is subject to a site development plan.
2. The developer shall submit to Council an acceptable development plan, where applicable, including the following:
  - a. the number and location of parking spaces;
  - b. ingress and egress of the parking lot;
  - c. motor vehicle circulation pattern around the lot;
  - d. location of buildings on the lot;
  - e. area to be landscaped and screened and the type of landscaping to be used;
  - f. location of onsite snow storage;
  - g. outdoor living space;
  - h. site grading;
  - i. waste receptacle locations; and
  - j. compliance with the Use Zones' development criteria.

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### **6.7 RESIDENTIAL MEDIUM DENSITY ZONE**

#### **6.7.1 Permitted Uses**

- Single Dwellings
- Double Dwellings
- Recreation Open Space
- Conservation

#### **6.7.2 Discretionary Uses**

- Row Dwelling
- Apartment Building
- Garden Suite (Granny Flat)
- Child Care
- Boarding House Residential
- Office (home only)
- Personal Service
- Medical and Professional
- Convenience Store
- Place of Worship
- Educational
- Medical Treatment and Special Care (personal and long term care and children's home only)
- General Service (upholstery, small tool, and appliance repair only)
- Antenna
- Catering
- Commercial Residential (Temporary Worker's Residence only, see condition)

#### **6.7.3 Lot Standards**

Standard	Single Dwelling	Double Dwelling	Row Dwelling
<b>Lot Area (min)</b>	560 m <sup>2</sup>	360 m <sup>2</sup> *	350 m <sup>2</sup> *
<b>Floor Area (min)</b>	90 m <sup>2</sup>	60 m <sup>2</sup> *	65 m <sup>2</sup> *
<b>Frontage (min)</b>	20 m	27 m	10 m
<b>Building Line Set Back (min) (Regulation 4.5)</b>	5 m**	5 m**	7.5 m**
<b>Building Line Set Back (max) (Regulation 4.5)</b>	15 m	15 m	15 m
<b>Side Yard Width (min)</b>	Major 2 m Minor 0.6 m	1 m	2 m (on end of unit)
<b>Rear Yard (min)</b>	6 m	6 m	6 m
<b>Lot Coverage (max)</b>	40%	40%	40%
<b>Height (max)</b>	8 m	8 m	8 m

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Standard	Apartment Buildings (including condominiums)			
	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
<b>Lot Area Per Unit (min)***</b>	120 m <sup>2</sup> (exterior parking) 90 m <sup>2</sup> (interior parking)			
<b>Floor Area Per Unit (min)</b>	40 m <sup>2</sup> *	50 m <sup>2</sup> *	60 m <sup>2</sup> *	70 m <sup>2</sup> *
<b>Frontage (min)</b>	36 m			
<b>Building Line Set Back (min) (Regulation 4.5)</b>	8 m			
<b>Side Yard (min)</b>	Greater of: 5 m or 1 m per storey			
<b>Rear Yard (min)</b>	6 m			
<b>Lot Coverage (max)</b>	40%			
<b>Height (max) (Regulation 4.4)</b>	18 m			
<b>Outdoor Living Area (min) (side or rear yard only)</b>	7.5 m <sup>2</sup> per dwelling unit (see Condition 6.7.4.12(a))			

\* per dwelling unit.  
\*\* Where multiple infrastructure easements exist to the front of a property, which may prejudice the development of the lot, Council may, at its discretion, consider a building line setback up to a maximum of 25 metres.  
\*\*\* Subject to development meeting standards, parking requirements and provision of adequate green space.

### 6.7.4 Conditions

#### 6.7.4.1 Residential Density

There shall be not more than 50% apartment units, row housing units or a combination of apartment and row housing units, the remainder being either single or double dwellings or a combination thereof.

#### 6.7.4.2 Backlot Development

1. Backlot development application will be assessed to ensure that the proposed lot:
  - a. be for single dwelling residential purposes;
  - b. not be an extension to an existing Town road;
  - c. be an efficient use of land; and
  - d. where required by the Department of Government Services or Municipal Affairs and Environment be integrated with the Town's water and sewer. The cost of connecting with the Town's services or provision of private services shall be borne by the developer.
2. The driveway must:
  - a. be at least 3 metres in width with a driving width 2.5 metres (8.2 feet);
  - b. be no greater than 152 metres in length;
  - c. have a slope of no more than 6%;
  - d. consider stormwater management so that stormwater does not negatively affect adjacent properties;
  - e. be properly maintained to a standard maintained by the Town; and
  - f. be approved by the Town.

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### **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. All construction of attached or detached buildings that are accessory to the main use of the primary dwelling are considered accessory buildings.
  - ii. 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.
  - iii. Accessory buildings except for canvas sheds, shall be constructed in a similar nature, in terms of architectural design and aesthetics to the main building.
  - iv. Aside from minor vehicle maintenance, no person shall use an accessory building for performing major repairs, painting, dismantling, or scrapping of vehicles or machinery.

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v. ISO shipping or freight containers shall be prohibited for use as an accessory building in the Residential Medium Density (RMD) Land Use Zone.

b. Development Standards

Description	Lot Size <557 m <sup>2</sup>	Lot Size > 557 m <sup>2</sup>
<b>Maximum Lot Coverage*</b> (primary + accessory buildings)	40%	40%
<b>Maximum Cumulative Area *</b> (all accessory buildings)	floor area primary dwelling	floor area primary dwelling
<b>Maximum Area***</b>	65 m <sup>2</sup>	83.6 m <sup>2</sup>
<b>Domestic Green House Maximum one per lot</b>	55.7 m <sup>2</sup> (max)	55.7 m <sup>2</sup> (max)
<b>Height</b>	6 m (max)	6 m (max)
<b>Building Line Set back</b>	see Use Zone	see Use Zone
<b>Min Separation Distance Between Buildings****</b>	1.2 m	1.2 m
<b>Min distance from Side Lot Line (rear yard only)*****</b>	1 m	1 m
<b>Min distance from Rear Lot Line*****</b>	1 m	1 m

\* excluding structures without a roof  
\*\* not applicable to row dwellings on Tamarack Drive  
\*\*\* excluding greenhouses  
\*\*\*\* not applicable to patios and decks  
\*\*\*\*\* an accessory building that is attached to the main building, the minimum side yard width and minimum rear yard for the main building shall apply

c. TAMARACK DRIVE – Row Dwellings

In addition to the general standards outlined in Condition 6.7.4.5(a) and standards applicable to lot size outlined in Condition 6.7.4.5(b), dwellings bordering an entranceway connecting Tamarack Drive to the rear "Access Lane" the following standards shall apply:

- i. accessory buildings located in the rear yard adjacent to the entrance way, shall be minimum of 2 metres from the adjacent and rear lot lines; and
- ii. accessory buildings located in the rear yard not bordering the entranceway, shall be a minimum of 0.6 metres from the lot lines.

d. TAMARACK DRIVE SOUTH – Leased Lots

- i. The area shown as RMD on the Land Use Zone Map which is located south of the lane to the rear of the row dwellings on the south side of Tamarack Drive is for accessory buildings.
- ii. Accessory buildings are limited to domestic garages, domestic sheds, and domestic greenhouses.
- iii. For this area only, it is not necessary for an accessory building to be located on the same lot as the main building as is required by Regulation 4.2 (Accessory Buildings).
- iv. In accordance with (iii) consideration of floor area of the primary dwelling, calculation of percentage of lot coverage and cumulative area of all accessory

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buildings, shall take into consideration both the lot on which the main dwelling is situated and the leased lot.

- v. In addition to the general standards outlined in Condition 6.7.4.5(a) and standards applicable to lot size outlined in Condition 6.7.4.5(b), the following standards shall apply to the development of the leased lot:
  - a. Lot Frontage 8 metres;
  - b. Minimum Floor Area 18 square metres;
  - c. Maximum Floor Area 65 square metres;
  - d. Minimum Building Line Setback 9.15 metres;
  - a. Minimum Side Yard 1 metre;
  - b. Minimum Rear Yard 1 metre; and
  - c. Maximum Height 4.5 metres.
- vi. Buildings shall have a ridge roof with the ridge running perpendicular to the front wall.
- vii. Exterior walls shall be clapboard in appearance and the roof shall be covered with asphalt shingles.
- viii. Outdoor storage shall not be permitted. This does not apply to licensed vehicles.
- ix. Land filling and buildings shall be a minimum of 15 metres from the high water line of Little Wabush Lake.

### **6.7.4.6 Home Based Business, Office, Personal Service, General Service, Catering, Medical and Professional Uses**

- a. Any Home Based Business, Office, Personal Service, General Service, Catering, Medical and Professional Uses must be wholly contained within the dwelling unit which is the principal residence of the operator of the business and shall be subsidiary to the residential use. Catering shall be restricted to food preparation and the serving of food away from the premises.
- b. The use may occupy a subsidiary building on the residential lot of the operator if it complies with Condition 6.7.4.6(c) and any regulations in the Labrador City Development Regulations regarding accessory buildings.
- c. The use shall not occupy more than 25% of the gross floor area of the principal residence or 54 metres, whichever the lesser.
- d. The use shall not alter the principal character or exterior appearance of the dwelling unless these changes are consistent with permitted home renovations.
- e. One non-resident employee (paid or volunteer) is permitted, if the resident is the principal operator of the business.
- f. Parking
  - i. one off-street parking space must be provided for the non-resident employee;
  - ii. if the use involves clients visiting the dwelling, off-street parking must be provided; and
  - iii. parking or storage of vehicles in the front yard or side yard shall be prohibited except on a driveway.
- g. Any use involving instructional activity shall be limited to a maximum of four (4) students at a time.
- h. There shall be no outdoor storage or display of goods, materials or equipment associated with the business allowed on site. Indoor storage, related to the business activity, shall be allowed either in the dwelling or accessory building.
- i. Noise and Disturbance

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- i. the use shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside the dwelling unit and which exceeds limits established by town regulations and provincial legislation;
- ii. the use shall not generate vehicular traffic or parking in excess of that which is characteristic of the district in which it is located; and
- iii. there shall be no mechanical or electrical equipment used which creates external noise or visible and audible interference with home electronics equipment in an adjacent dwelling.
- j. No more than one sign shall be permitted for any home business and no such sign shall exceed 0.2 metres in area. No illumination of the sign shall be permitted.
- k. No change shall be made in the type, class or extent of service provided without a permit.
- l. Approval is subject to a mandatory Fire and Life Safety Inspection and the development meeting all requirements. Where the type of business requires clients to visit the residence, application to and approval from the Government Service Centre shall be part of the municipal permitting process.
- m. Approval shall be restricted to one business operating from any one residential property or unit.

### **6.7.4.7 Child Care**

A day care or day nursery is subject to the following conditions:

- a. the operation is in accordance with all applicable provincial laws and regulations; and
- b. the use will not occupy more than 70 square metres or 40% of the floor area, whichever is less.

### **6.7.4.8 Boarding House Residential**

- a. A parking area shall be screened by a fence, or hedge.
- b. The maximum number of guest rooms shall be five (5) which shall be in accordance with any requirements as prescribed by the Government Service Centre.
- c. The use is carried out by a resident of a single, double or row dwelling.
- d. Occupancy is subject to annual approval in accordance with but not limited to:
  - i. annual life safety inspections; and
  - ii. Compliance with the Town of Labrador City Occupancy and Maintenance Regulations.
- e. Failure to meet life safety requirements shall result in the immediate termination of the occupancy permit.
- f. A Hospitality Home may be permitted provided:
  - i. The use is carried out by the owner of a single, double or row dwelling. In the event the applicant is not the owner of the dwelling, the applicant must provide the Town with a copy of the rental accommodation agreement with the owner. Residency of the operator and licensing with a provincial authority is required; and
  - ii. The establishment is licensed under the Provincial Authority.

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### 6.7.4.9 Decks and Patios in Front of a Building Line

- a. A deck may be permitted to project in front of the building line of a dwelling subject to the following conditions:
  - i. a deck shall be no closer than 3.6 metres to the street line;
  - ii. the maximum depth of a deck shall be 3.6 metres;
  - iii. the maximum floor height of a deck shall be equal to the floor level of the dwelling. Construction of a deck from the second storey of a dwelling shall only be permitted as part of an attached structure;
  - iv. the maximum height of any part of the deck (i.e., railings, side walls, etc.) shall not exceed 1.2 metres above the deck's floor level;
  - v. the Authority may require the area beneath the floor of the deck to be enclosed to maintain a neat and tidy appearance;
  - vi. a deck may be constructed with a roof or awning but in such instances will be treated as an attachment to the main building and governed by the applicable regulations; and
  - vii. decks shall be 1 metre from the side property lines. The minimum sideyard requirement does not apply to the shared property line of double dwellings and row housing.
- b. A deck may be permitted in the rear and side yards of a dwelling subject to the following conditions:
  - i. decks shall be 1 metre from the rear and side property lines. The minimum sideyard requirement does not apply to the shared property line of double dwellings and row housing;
  - ii. a deck shall be constructed at a height equal to the level of the main or second floor of the dwelling
  - iii. the maximum height of any part of the deck (i.e., railings, side walls, etc.) shall not exceed 1.2 metres above the deck's floor level. For double dwellings and row housing, screening to a maximum height of .61 metres may be attached to the top of the rails of the deck along the shared property line. Screening is defined as material such as lattice board or any other material the Authority may consider appropriate:
    - a. the Authority may require the area beneath the floor of the deck to be enclosed in order to maintain a neat appearance;
    - b. the Authority may require all decks permitted under this condition, or all decks on a particular street or in a neighbourhood to be constructed with specified materials and be of a specific colour or finish in order to maintain amenity; and
    - c. a deck may be constructed with a roof but in such instances will be treated as an attachment to the main building and governed by the applicable regulations.

### 6.7.4.10 General Service

General Service uses shall be limited to small tool and appliance repair type uses within the Residential zone.

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### **6.7.4.11 Temporary Workers Residence**

Temporary Worker's Residence in a residential zone shall be at the discretion of Council, and applications shall be exclusively limited to development of new residential units 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.

### **6.7.4.12 Apartment Buildings (including Condominiums)**

- a. If the proposed development complies with all development standards excepting provision for outdoor living area, and the standard cannot otherwise be accommodated by way of a variance under Regulation 3.6 (Variances), Council may at its sole discretion, accept a sum of money up to a maximum of 10% of the value of the gross lot area, post development. This compensation shall be held in reserve for the development or enhancement of land or property designated for public use as may be determined by Council and the development shall be in full compliance with the standard for the provision of outdoor living space. Value of land shall be determined by the greater of: purchase price, assessed value and market value.
- b. No outdoor parking, garbage collection, common amenity areas, or outdoor storage areas shall be developed within 3.0 metres of the building and industrial dumpsters shall be a minimum of 7.6 metres from any building. Unless otherwise approved by Council, uses as described shall be limited to the rear and side yards with provision for screening and shall be shown on the site plan.
- c. Design techniques including but not limited to, the use of slope roofs, variations in building setbacks and articulation of building facades, shall be employed to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways.
- d. Buildings shall be compatible with the exterior finishing materials and colour typical of adjacent buildings.

### **6.7.4.13 Accessory Buildings for Apartment Buildings**

Regulation 4.2 - General Standards for Accessory Buildings	
<b>Maximum Lot Coverage (primary + accessory)</b>	40%
<b>Maximum Area</b>	83.6 m <sup>2</sup>
<b>Height</b>	6 m
<b>Building Line Set Back</b>	8 m
<b>Building Separation Distance (min)</b>	5 m
<b>Minimum Distance from Rear &amp; Side Lot Line</b>	1 m
<b>Maximum Cumulative Area All Accessory Buildings</b>	area of primary building

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### 6.8 RESIDENTIAL SMALL LOT

#### 6.8.1 Permitted Uses

- Mobile Home
- Single Dwellings
- Recreation Open Space
- Conservation

#### 6.8.2 Discretionary Uses

- Double Dwelling
- Child Care
- Boarding House Residential
- Office (Home Only)
- General Service (Upholstery, Small Tool and Appliance Repair Only)
- Personal Service
- Medical and Professional
- Antenna
- Catering
- Commercial Residential (Temporary Worker's Residence Only) (see Condition)

#### 6.8.3 Lot Standards

Standards	Single Dwelling	Double Dwelling
<b>Lot Area (min)</b>	371.5 m <sup>2</sup>	743.2 m <sup>2</sup>
<b>Floor Area (min)</b>	60 m <sup>2</sup>	60 m <sup>2</sup>
<b>Frontage (min)</b>	12.2 m	12.2 m
<b>Building Line Set Back (min) ***</b>	*5 m	*5 m
<b>Building Line Set Back (max)***</b>		15 m
<b>Building Line Set Back, Flanking Yard (min)</b>		3.6 m
<b>Side Yard Width (min)</b>		Major 2 m Minor 1 m
<b>Rear Yard (min)</b>		3.5 m
<b>Lot Coverage (max)</b>		40%
<b>Height (max) **</b>	6 m	6 m
<b>Outdoor Living Area****</b>		80 m <sup>2</sup>

\* Where multiple infrastructure easements exist to the front of a property, which may prejudice the development of the lot, Council may, at its discretion, consider a building line setback up to a maximum of 25 metres.

\*\* Refer to Regulation 4.4 Building Height.

\*\*\* Refer to Regulation 4.5 Building Line Setback.

\*\*\*\* This area will be located at the rear or side (or a combination of both) of the mobile home.

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### **6.8.4 Conditions**

#### **6.8.4.1 Mobile Home Development Standards**

Development shall conform to the latest edition of the Nation Building Code.

#### **6.8.4.2 Accessory Buildings**

As described in Condition 6.7.4.5 in the Residential Medium Density Zone.

#### **6.8.4.3 Home Based Business, Office, Personal Service, Catering, Medical and Professional Uses**

As described in Condition 6.7.4.6 in the Residential Medium Density Zone.

#### **6.8.4.4 Child Care**

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

#### **6.8.4.5 Boarding House Residential**

As described in Condition 6.7.4.8 in the Residential Medium Density Zone.

#### **6.8.4.6 Decks & Patios in Front of a Building Line**

As described in Condition 6.7.4.9 in the Residential Medium Density Zone.

#### **6.8.4.7 Temporary Worker's Residence**

As described in Condition 6.7.4.11 in the Residential Medium Density Zone.

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### **6.9 CABIN DEVELOPMENT**

#### **6.9.1 Permitted Uses**

- Single Dwelling
- Recreation Open Space
- Conservation

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#### **6.9.2 Discretionary Uses**

- RV Park

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#### **6.9.3 Lot Standards**

Refer to lot standards for single dwelling in the Residential Medium Density Zone.

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#### **6.9.4 Conditions**

##### **6.9.4.1 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.
  - ii. 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.
  - iii. Accessory buildings except for canvas sheds, shall be constructed in a similar nature, in terms of architectural design and aesthetics to the main building.
  - iv. Aside from minor vehicle maintenance, no person shall use an accessory building for performing major repairs, painting, dismantling, or scrapping of vehicles or machinery.
  - v. ISO shipping or freight containers shall be prohibited for use as an accessory building in the Cabin Development Land Use Zone.

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### b. Development Standards

Description	Lot Size <557 m <sup>2</sup>	Lot Size > 557 m <sup>2</sup>
<b>Maximum Lot Coverage*</b> (primary + accessory buildings)	40%	40%
<b>Maximum Cumulative Area *</b> (all accessory buildings)	floor area primary dwelling	floor area primary dwelling
<b>Maximum Area***</b>	65 m <sup>2</sup>	83.6 m <sup>2</sup>
<b>Domestic Green House Maximum One Per Lot</b>	55.7 m <sup>2</sup> (max)	55.7 m <sup>2</sup> (max)
<b>Height</b>	6 m (max)	6 m (max)
<b>Building Line Set back</b>	see Use Zone	see Use Zone
<b>Min Separation Distance Between Buildings****</b>	1.2 m	1.2 m
<b>Min distance from Side Lot Line (rear yard only)*****</b>	1 m	1 m
<b>Min distance from Rear Lot Line*****</b>	1 m	1 m

\* excluding structures without a roof  
\*\* not applicable to row dwellings on Tamarack Drive  
\*\*\* excluding greenhouses  
\*\*\*\* not applicable to patios and decks  
\*\*\*\*\* an accessory building that is attached to the main building, the minimum side yard width and minimum rear yard for the main building shall apply

### 6.9.4.2 Decks and Patios in Front of a Building Line

As described in Condition 6.7.4.9 in the Residential Medium Density Zone.

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### **6.10 COMMERCIAL – GENERAL**

#### **6.10.1 Permitted Uses**

- Shopping Centre
- Theatre
- Convenience Store
- Office
- Communications
- Veterinary
- General Service
- Taxi Stand
- Passenger Assembly
- Personal Service
- Catering (Not Lounges)
- Medical and Professional
- Police Station
- Child Care
- Cultural and Civic
- Indoor Market

#### **6.10.2 Discretionary Uses**

- Outdoor Market
- Service Station
- Commercial Residential
- Collective Residential
- General Assembly
- Indoor Assembly
- Amusement
- Catering (Lounges)
- Educational
- Club and Lodge
- Place of Worship
- Funeral Home
- Light Industry
- Antenna

#### **6.10.3 Development Standard**

<b>Building Line Setback (min)**</b>	4 m
<b>Side Yard (min)</b>	5 m
<b>Rear Yard (min)</b>	6 m
<b>Height (max)*</b>	15 m

\* Refer to Regulation 4.4 Building Height.  
\*\* Refer to Regulation 4.5 Building Line Setback.

#### **6.10.4 Conditions**

##### **6.10.4.1 Parking and Access**

As described in Regulations 4.14 and 4.15.

##### **6.10.4.2 Landscaping**

Council shall specify landscaping requirements of the lot. Dumpster containers are required to be fenced in or screened.

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### **6.10.4.3 Refuse Collection**

Large commercial dumpster containers shall be required to be located to the rear of the building and accessible to collection contractors as described in Regulations 4.17 and 4.18.

### **6.10.4.4 Child Care**

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

### **6.10.4.5 Outdoor Market**

An outdoor market may, at the discretion of the Town, include a used car lot, provided consideration is given to the size and scale of the development relative to surrounding development and to the site itself. Consideration shall also be given to buffering where appropriate, off-street parking, and to the implications of traffic movement and/or congestion as well as safe access.

### **6.10.4.6 Open Storage**

Open 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.

### **6.10.4.7 Automotive Sales**

An automotive sales use may be permitted as a discretionary use subject to the following conditions:

- a. the automotive sales use shall have a main building on the lot in which the business is conducted. The main building will include washroom facilities; and
- b. the automotive sales use shall be licensed under the *Automotive Dealers Act* prior to the use commencing.

### **6.10.4.8 Buffer**

Council may require buffer or screening between non-compatible development and adjoining land uses.

### **6.10.4.9 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.

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### **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.

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### 6.11 COMMERCIAL - HIGHWAY

#### 6.11.1 Permitted Uses

- Shop
- Convenience Store
- Office
- Personal Service
- Medical and Professional
- Catering (Not Lounges)
- General Service
- Commercial Residential (Excluding Temporary Worker's Residence)
- Medical Treatment and Special Care
- Education
- Service Station
- Passenger Assembly
- Veterinary
- Communications

#### 6.11.2 Discretionary Uses

- Catering (Lounges)
- Taxi Stand
- Outdoor Market
- Indoor Market
- Amusement
- Automotive Sales
- Collective Residential
- Commercial Residential (Temporary Worker's Residence Only)
- General Industry
- Light Industry
- Recreation Open Space
- Antenna
- Agriculture
- Theatre
- Apartment Building(s)

#### 6.11.3 Development Standards

<b>Building Line Setback (min)**</b>	15 m
<b>Side Yard (min)</b>	5 m
<b>Rear Yard (min)</b>	10 m
<b>Height (max)*</b>	15 m

\* Refer to Regulation 4.4 Building Height.  
\*\* Refer to Regulation 4.5 Building Line Setback.

#### 6.11.4 Conditions

##### 6.11.4.1 Parking and Access

As described in Regulations 4.14 and 4.15.

##### 6.11.4.2 Landscaping

Council shall specify landscaping of the lot.

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### **6.11.4.3 Open Storage**

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 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.

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### 6.12 COMMERCIAL - CORE

#### 6.12.1 Permitted Uses

- Shop
- Convenience Store
- Shopping Centre
- Theatre
- Culture and Civic
- Passenger Assembly
- Office
- Catering (Not Lounges)
- Medical and Professional
- Personal Service
- General Service
- Taxi Stand
- Communications
- Veterinary

#### 6.12.2 Discretionary Uses

- Funeral Home
- Child care
- Apartment Building
- Commercial Residential
- Indoor Market
- Outdoor Market
- Amusement
- Recreation Open Space
- Light Industry
- Clubs and Lodges
- Catering (Lounges)
- Antenna

#### 6.12.3 Development Standards

<b>Building Line Setback (min)**</b>	4 m
<b>Side Yard (min)</b>	4 m
<b>Rear Yard (min)</b>	6 m
<b>Height (max)*</b>	15 m

\* Refer to Regulation 4.4 Building Height.  
\*\* Refer to Regulation 4.5 Building Line Setback.

#### 6.12.4 Conditions

##### 6.12.4.1 Parking and Access

As described in Regulations 4.14 and 4.15.

##### 6.12.4.2 Landscaping

Council shall specify landscaping of the lot.

##### 6.12.4.3 Open Storage

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

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### **6.12.4.4 Refuse Collection**

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

### **6.12.4.5 Apartment Buildings**

- a. Apartment buildings or apartments shall only be permitted above the main floor of a commercial use or other permitted use within the zone.
- b. Apartment building development standards shall conform to those as specified in the Residential Medium Density Zone.
- c. Each apartment shall meet the parking requirements as outline in Regulations 4.14 and 4.15.
- d. Where apartment buildings face each other without a street in between, they shall be no closer than 21 metres.

### **6.12.4.6 Outdoor Market**

Vehicle sales/car lots shall not be permitted within this use zone.

### **6.12.4.7 Development Criteria**

Any development in this zone will be subject to the following:

- a. Development shall be designed and maintained to a high standard regarding safety and appearance.
- b. Winter City Design Elements:
  - i. Incorporate design strategies to block wind, particularly prevailing winds and downdrafts.
  - ii. Maximize exposure to sunshine through orientation and design.
  - iii. Use colour to enliven the winterscape.
  - iv. Create visual interest with light, while being mindful of density, spread and colour.
- c. Design and provide infrastructure that supports desired winter life and improves comfort in cold weather
- d. Access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles.
- e. Where necessary, screening shall be required through the provision of trees, shrubs, berms, landscaping or fencing between uses that are deemed non-compatible by the Council.

### **6.12.4.8 Light Industry**

Light Industry uses shall be limited to fully enclosed operations which do not create excessive pollution of any kind and which do not detract from the commercial nature of the Core Commercial District. Outdoor storage may be permitted at the discretion of Council.

### **6.12.4.9 Buffer**

Council shall require a buffer between uses in this zone and residential zones. A buffer may take the form of landscaped area, planted area and make use of fencing. Council may specify the

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use of one or a combination of the foregoing. The purpose of a buffer shall be to provide separation, privacy and protection to a residence or residential zone.

#### **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.

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### **6.13 INDUSTRIAL – GENERAL**

#### **6.13.1 Permitted Uses**

- General Industry
- Light Industry
- Service Station
- Office
- Transportation

#### **6.13.2 Discretionary Uses**

- Hazardous Industry
- Commercial Residential (Temporary Workers Residence (Housing) and Industrial Training Residence Only)
- Scrap Yard
- Shop
- Education
- Antenna
- Data Centre

#### **6.13.3 Development Standards**

<b>Building Line Set back (min)**</b>	10 m
<b>Side Yard (min)</b>	5 m
<b>Rear Yard (min)</b>	10 m
<b>Height (max)*</b>	15 m 22 m***

\* Refer to Regulation 4.4 Building Height.  
\*\* Refer to Regulation 4.5 Building Line Setback.  
\*\*\* Refer to Condition 6.13.4.7

#### **6.13.4 Conditions**

##### **6.13.4.1 Light Industry**

Industrial development shall not be permitted in this zone unless, in the Council's opinion, adequate services, and firefighting capability able to meet the needs of the particular industrial use are available.

##### **6.13.4.2 Education**

The discretionary use class of education may be permitted only in conjunction with industrial training in relation to a permitted industrial use.

##### **6.13.4.3 Offensive Uses**

Industrial uses that are judged to be incompatible with the nearby communities through excessive emissions of noise, smell, chemicals, or other pollutants, shall be permitted at locations that are an appropriate distance from incompatible uses and from other existing development.

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### **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:

<b>Residential Zones</b>	400 m
<b>Commercial Zones</b>	300 m
<b>Public Use Zones</b>	300 m

### **6.13.4.5 Open Storage**

Open 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.

### **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 Maximum Height in General Industrial**

The maximum height for a building in the General Industrial zone shall be 22 metres. There may be instances where, in the opinion of Council, a building may require a height greater than the maximum building height. In conformity with Regulation 4.4 (Building Height), Council may, at its discretion, permit the erection of buildings in this land use zone to exceed the maximum building height provided it can be demonstrated that an excessive height is required.

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### **6.14 INDUSTRIAL – LIGHT**

#### **6.14.1 Permitted Uses**

- Light Industry
- Service Station
- Passenger Assembly
- Office
- Agriculture (Nursery Only)
- Transportation
- General Industry

#### **6.14.2 Discretionary Uses**

- Catering
- Taxi Stand
- Shopping Centre (Strip and Mini Mall Only)
- Shop
- Indoor Market
- Outdoor Market
- Convenience Store
- Education
- Commercial Residential
- Medical and Professional
- Personal Service
- General Services
- Communications
- Police Station
- Take-Out Food Service
- Veterinary
- Animal
- Recreation Open Space
- Antenna

#### **6.14.3 Development Standards**

<b>Building Line Setback (min)**</b>	10 m
<b>Side Yard (min)</b>	5 m
<b>Rear Yard (min)</b>	10 m
<b>Height (max)*</b>	15 m

\* Refer to Regulation 4.4 Building Height.  
\*\* Refer to Regulation 4.5 Building Line Setback.

#### **6.14.4 Conditions**

##### **6.14.4.1 Light Industry**

As described in Condition 6.13.4.1 in the Industrial-General Zone.

##### **6.14.4.2 Education**

As described in Condition 6.13.4.2 in the Industrial-General Zone.

##### **6.14.4.3 Agricultural**

Agricultural uses shall be limited to retail nurseries and greenhouses.

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### **6.14.4.4 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.

### **6.14.4.5 Outdoor Markets**

Outdoor markets shall be limited to vehicle sales and automotive sales lots. Other commercial activity shall be subject to the discretionary authority of Council which shall take into consideration the intensity of use, traffic flow and parking.

### **6.14.4.6 Landscaping**

Council shall specify landscaping of the lot.

### **6.14.4.7 Refuse Collection**

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

### **6.14.4.8 Development Criteria**

Any development in this zone will be subject to the following:

- a. development shall be designed and maintained to a high standard regarding safety and appearance;
- b. access points to the street must be limited in number and designed for maximum safety of pedestrians and vehicles; and
- c. where necessary, screening shall be required through the provision of trees, shrubs, berms, landscaping or fencing between uses that are non-compatible.

### **6.14.4.9 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 and Emergency Services, and shall be surrounded by such buffers and landscaping as Council may require to prevent damage to adjacent uses by fire, explosion, or spillage.

### **6.14.4.10 Open Storage**

Open storage of unsightly goods and machinery shall not be located 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.

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### **6.14.4.11 Accessory Buildings - ISO Containers**

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

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### 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

<b>Building Line Setback (min)**</b>	10 m
<b>Side Yard (min)</b>	5 m
<b>Rear Yard (min)</b>	15 m
<b>Height (max)*</b>	15 m

\* Refer to Regulation 4.4 Building Height.  
\*\* Refer to Regulation 4.5 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.

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### **6.16 OPEN SPACE**

#### **6.16.1 Permitted Uses**

- Recreation Open Space
- Conservation

#### **6.16.2 Discretionary Uses**

- General Assembly
- Outdoor Assembly
- Indoor Assembly
- Office
- Shop
- Transportation
- Catering
- Antenna

#### **6.16.3 Development Standards**

As determined by Council.

#### **6.16.4 Conditions**

##### **6.16.4.1 Transportation Uses**

Transportation uses shall be limited to Float Plane Facilities located along Little Wabush Lake.

##### **6.16.4.2 Catering, Office and Shop Uses**

Catering, office and shop uses may be permitted by Council as discretionary uses. These uses must be associated with recreational uses. Council shall set conditions in any permit as required to restrict the development to only those that are associated with recreational uses.

##### **6.16.4.3 Accessory Buildings – ISO Containers**

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

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

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### **6.17 CONSERVATION**

#### **6.17.1 Permitted Uses**

- Conservation

#### **6.17.2 Discretionary Uses**

- Recreation Open Space
- Antenna

#### **6.17.3 Development Standards**

As determined by Council.

#### **6.17.4 Conditions**

##### **6.17.4.1 Shoreline Buffers, Boating and Water Recreation**

Generally, no development will be permitted within 15 metres of high water mark of rivers, streams, or the shoreline of lakes and ponds. Certain public works and passive recreational open space uses, such as walking and hiking trails, may be permitted by Council if they are not perceived as being detrimental to the environmental and aesthetic quality of the area. Development of these areas will be subject to the approval applicable federal and provincial departments.

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

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### **6.18 PROTECTED WATERSHED**

#### **Permitted Uses**

- Public Utilities (Water Treatment and Pump House)
- Conservation

#### **6.18.1 Discretionary Uses**

- Recreation Open Space
- Antenna
- Clubs and Lodges (Recreational)

#### **6.18.2 Development Standards**

As determined by Council.

#### **6.18.3 Conditions**

##### **6.18.3.1 Development within Protected Watershed Area**

Development within Protected Watershed Area shall be referred to the Water Resources Division of the Department of Municipal Affairs and Environment.

##### **6.18.3.2 Recreation**

Only passive recreational activities such as hiking and cross country skiing shall be permitted in the protected watershed area.

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

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### **6.19 MINERAL WORKINGS**

#### **6.19.1 Permitted Uses**

- Mineral Workings
- Conservation

#### **6.19.2 Discretionary Uses**

- General Industry
- Light Industry
- Antenna
- Commercial Residential (Temporary Worker's Residence Only)

#### **6.19.3 Development Standards**

As determined by Council.

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#### **6.19.4 Conditions**

##### **6.19.4.1 Separation from Adjacent Uses**

No mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature.

<b>Existing or Proposed Residential Development</b>	300 m
<b>Existing or Proposed Residential Development (if blasting)</b>	1,000 m
<b>Any Other Developed Area or Area Likely to be Developed During the Life of the Pit or Quarry Working</b>	150 m
<b>Public Highway or Street</b>	50 m
<b>Protected Road</b>	90 m
<b>Waterbody or Watercourse</b>	50 m

##### **6.19.4.2 Operating Plant and Associated Processing and Manufacturing**

Council may permit processing and manufacturing use associated with mineral workings if, in the opinion of Council, the use does not create a nuisance nor is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of fumes, dust, dirt, objectionable odour, or by reason of unsightly storage of materials.

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

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### **6.19.4.3 Buildings and Equipment, Site Maintenance**

Buildings, equipment, and plants will be erected and located in such a manner that, in the opinion of Council, may be easily dismantled and removed upon termination of the mineral working operation. No operating plant will be erected within 180 metres of the zone boundary. The mineral working operation will be kept clean of refuse, abandoned vehicles, and abandoned mineral working equipment.

### **6.19.4.4 Location of Temporary Facilities**

All permanent or temporary buildings, plants, and structures associated with processing and manufacturing will be located so as not to interfere with the present or future extraction of aggregate resources.

### **6.19.4.5 Separation Distances**

Council may specify a minimum separation distance between operating plant or associated processing and manufacturing structure or equipment and adjacent developed areas likely to be developed during the life of the mineral working.

### **6.19.4.6 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 to prevent damage to adjacent uses by fire, explosion, or spillage.

### **6.19.4.7 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.

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

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### **6.20 MINING RESERVE - RURAL**

#### **6.20.1 Permitted Uses**

- Mineral Workings
- Cemetery
- Agriculture
- Forestry
- Transportation (Mining Related Only)
- Conservation

#### **6.20.2 Discretionary Uses**

- Animal
- General Industry
- Hazardous Industry
- Recreation Open Space
- Antenna
- Commercial Residential (Temporary Worker's Residence Only)

#### **6.20.3 Development Standards**

As determined by Council.

#### **6.20.4 Conditions**

##### **6.20.4.1 General Industry**

General industry activities are restricted to maintenance and repair of equipment, processing and storage related to natural resource extraction.

##### **6.20.4.2 Buildings and Equipment, Site Maintenance for Mineral Workings or Forestry Operation**

Buildings, equipment, and plants will be erected and located in such a manner that, in the opinion of Council, may be easily dismantled and removed upon termination of the mineral working or forestry operation. No operating plant will be erected within 180 metres of the zone boundary. The mineral working or forestry operation will be kept clean of refuse, abandoned vehicles, and abandoned mineral working or forestry equipment.

##### **6.20.4.3 Solid Waste Uses**

Solid waste uses shall only be permitted following approval by all relevant departments and agencies of government, including but not limited to, the Department of Municipal Affairs and Environment, and the Department of Municipal.

##### **6.20.4.4 Transportation**

Transportation uses that are related to mining operations are permitted within the Mining Reserve – Rural zoned lands.

##### **6.20.4.5 Temporary Worker's Residence**

Temporary Worker's Residence shall be at the discretion of Council, and applications shall be limited to a specific project and the site or building(s) reclaimed to its original condition at the

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

### **USE ZONES**

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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.

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

**SCHEDULE A**

Classification of Uses of Land and Buildings

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

### Schedule A

#### CLASSIFICATION OF USES OF LAND AND BUILDINGS

Note: The classification of uses set out in the following table is based on the Classification of Typical Occupancies included as Table 3.1.2.A of the National Building Code of Canada, 1980. This classification is referred to in Regulation 6.2.

Division	Use Class	Examples
(A) ASSEMBLY USES		
1. Assembly uses intended for the production and viewing of the performing arts	(a) Theatre	Movie Theatre T.V. and Radio Studio admitting an audience Arts & Culture Centre Theatre (Live)
2. General Assembly uses	(a) Cultural and Civic	Library Museum Art Gallery Tourist Chalet Court Room Municipal Office Convention Centre Interpretation Centre
	(b) Educational	University School College Private School
	(c) General Assembly	Community Halls Lodge Halls Dance Halls Gymnasium Auditorium Bowling Alleys Fitness Gym Dance Studio
	(d) Place of Worship	Church and similar place of worship Church Hall
	(e) Passenger Assembly	Passenger Terminal Bus Terminal
	(f) Clubs and Lodges	Service Club Private Club Lodge (non-residential)
	(g) Catering	Restaurant/Snack Bar Take Out (no seating) Lounges (includes night clubs and bars)
	(h) Funeral Home	Funeral Home Crematorium
	(i) Child Care	Family child care or Day Nursery Group child care or Day care

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

Division	Use Class	Examples
		centre Preschool
	(j) Amusement	Electronic Games Arcade Poolroom Youth Centre Bingo Hall Paintball Establishment
3. Arena type uses	(a) Indoor Assembly	Arena Sports Stadium Rink Swimming Pool Shooting Range Auditorium Gymnasium
4. Open air type uses	(a) Outdoor Assembly	Sports Field Bleachers Grandstand Rink Swimming Pool Amusement Park Fairground Exhibition Ground Drive-in Theatre R.V. Camping Parks
<b>(B) INSTITUTIONAL USES</b>		
1. Penal and Correctional Detention	(a) Penal and Correctional Detention	Jail Penitentiary Police Station (with detention quarters) Prison Psychiatric Hospital (with Detention quarters) Reformatory
2. Special Care Institutional	(a) Medical Treatment and Special Care	Children's Homes Convalescent and Care Homes Personal care Home Hospitals Infirmaries Orphanages Psychiatric Hospitals Sanatorium
<b>(C) RESIDENTIAL USES</b>		
1. Residential Dwelling Uses	(a) Single Dwelling	Single Detached Dwelling Family and Group Homes
	(b) Double Dwelling	Semi-detached Dwelling Duplex Dwelling Family and Group Homes
	(c) Row Dwelling	Row House Town House
	(d) Apartment Building	Apartments
2. General Residential Uses	(a) Collective Residential	Residential Colleges and Schools

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

Division	Use Class	Examples
		University and College Halls of Residence Convents and Monasteries Nurses and Hospital Residences
	(b) Boarding House Residential	Lodging House Bed & Breakfast Home Hospitality Home
	(c) Commercial Residential	Hotels and Motels Hostels Residential Clubs Temporary Worker' Residence Industrial Training Student Accommodations
	(d) Mobile Homes	Mobile Home Mini Home
<b>(D) BUSINESS AND PERSONAL SERVICES USES</b>		
1. Business, Professional, and Personal Service Uses	(a) Office	Office Building Office Bank Financial Service Home Office Home Based Business
	(b) Medical & Professional	Professional Office Medical Office Dental/Denturist Legal Office Optometrist Travel Agency
	(c) Personal Service	Barber Hairdresser Beauty Salon Manicurist Health Spa Fitness Gym Tailor Arts & Crafts Instruction
	(d) General Service	Laundry Dry Cleaner Small Tool and Appliance Rentals/Repair Upholstery
	(e) Communications	TV Station Radio Station Telephone Exchange Telecommunication Facility
	(f) Police Station	Police Stations Without Detention quarters
	(g) Taxi Stand	Taxi Stands with Waiting Areas

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

Division	Use Class	Examples
	(h) Veterinary	Veterinary Surgeries Veterinary Clinic Animal Shelter Animal Pound
<b>(E) MERCANTILE USES</b>		
1. Retail Sales and Display Uses	(a) Shopping Centre	Shopping Mall Strip Mall (5 Units or more) Mini Mall (5 Units or less)
	(b) Shop	Outlet for retailing of a general range of Merchandise Retail Store Showroom Department Store Video Store Pharmacy Crafts Store Gift Store Confectionary Store Building Supply Store Convenience Store
	(c) Indoor Market	
	(d) Outdoor Market	Market Hall Auction Hall Flea Market
	(e) Convenience Store	Market Ground Animal Market Flea Market Vehicle Sales Lot & Automotive Sales Lots
<b>(F) INDUSTRIAL USES</b>		
1. Industrial uses involving highly combustible and hazardous substances and process.	(a) Hazardous Industry	Bulk Storage of hazardous liquids and substances. Chemical Plant Distillery Lacquer, Paint, Varnish, and Rubber Factory Fibreglass Fabrication Foundry Pulp & Paper Mill Auto Body Shop/Body Painting Recycling Plant
2. General Industrial Uses involving limited hazardous substances and processes)	(a) General Industry	Data Centre Factory Fish Processing Plant Marine Service Centre Cold Storage Plant Contractor Yards

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

Division	Use Class	Examples
		Freight Depot General Garage Laboratories Laundries Warehouse Welding Shop Workshops
	(b) Service Station	Gasoline Service and repair garage
3. Light Non-hazardous or non-intrusive industrial uses	(a) Light Industry	Light Industry Parking Garages Indoor Storage Warehouses Workshops
<b>(G) NON-BUILDING USES</b>		
1. Uses not directly related to Buildings	(a) Agriculture	Piggery Dairy Farm Fur Farm Bees Green House Poultry Farm Apiary Crop Farm Hobby Farm Orchards Fruit Farm Hydroponics Market Garden & Nursery Primary Processing Facility
	(b) Forestry	Tree Farming Tree Harvesting Tree Nursery Silviculture
	(c) Mineral Working	Quarry and Stockpiling Pit and Stockpiling Topsoil Extraction and Composting Mine Oil Well Mineral Exploration Peat Extraction Transportation (mining related only)

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

Division	Use Class	Examples
	(d) Recreational Open Space	Playing Field Sports Grounds Day Park Playground Recreational Trailer Park/ Camping Park Golf Course/Mini Golf Paint Ball Range/Shooting Range Amusement Park/ Theme Park Waterslide Go-Cart Track Bumper Boats Walkways and Trails Recreational Area (No Building) Play Area (No Building) Cross Country Skiing Down Hill Skiing
	(e) Conservation	Nature Park/ Sanctuary Watershed Architectural, Historical and Scenic Site Walking and Hiking Trails Cross Country Trail
	(f) Cemetery	Crematorium Cemetery Graveyard
	(g) Scrap Yard	Car Wrecking Yard Junk Yard Scrap Yard Automotive Recycle
	(h) Solid Waste	Solid Waste Transfer Station Solid Waste Recycling Centre Sewage Treatment Plant Compost Facility
	(i) Animal	Animal Pound Animal Shelter Commercial Kennel Riding/ Boarding Stable Veterinary Hospital
	(j) Antenna	TV, Radio & Communications Transmitting, Receiving Masts, Dishes & Antennae Air Monitoring Stations
	(k) Transportation	Car Park Airfield Helipad Wharf Dock Slipway

## TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS

Division	Use Class	Examples
		Breakwater Seaplane Hanger and docks Railway and railway marshalling yards

**TOWN OF LABRADOR CITY DEVELOPMENT REGULATIONS**

**SCHEDULE B**

Zoning Map