

*Registered - May 27 2005*

**TOWN OF DEER LAKE  
DEVELOPMENT REGULATIONS 2004 – 2014**

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**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF DEER LAKE DEVELOPMENT REGULATIONS**

Under Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Deer Lake adopts the Town of Deer Lake Development Regulations.

Adopted by the Town Council of Deer Lake on the \_\_\_\_ day of \_\_\_\_\_, 2005.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Mayor: \_\_\_\_\_  
Harold Ball

Clerk: \_\_\_\_\_  
Maxine Hayden

**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: \_\_\_\_\_  
Arvo McMillan, MCIP

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF DEER LAKE DEVELOPMENT REGULATIONS**

Under the authority of Section 16, Section 17 and Section 18 of *the Urban and Rural Planning Act 2000*, the Town Council of Deer Lake

- a) adopted the Town of Deer Lake Development Regulations on the \_\_\_\_\_ day of \_\_\_\_\_, 2005.
- b) gave notice of the adoption of the Town of Deer Lake Development Regulations by advertisement inserted on the \_\_\_\_\_ day and the \_\_\_\_\_ day of \_\_\_\_\_, 2005 in the Western Star newspaper.
- c) set the \_\_\_\_\_ day of \_\_\_\_\_, 2005 at \_\_\_\_\_ p.m. at the Town Hall, Deer Lake 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 Deer Lake approves the Town of Deer Lake Development Regulations as adopted.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 2005

Mayor: \_\_\_\_\_  
Harold Ball

Clerk: \_\_\_\_\_  
Maxine Hayden

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Land Use Zoning Maps 1, 2, 3, and 4

**TOWN OF DEER LAKE MUNICIPAL PLAN  
DEVELOPMENT REGULATIONS**

**APPLICATION**

**1. Short Title**

These Regulations may be cited as the Deer Lake Development Regulations.

**2. Interpretation**

- (1) Words and phrases used in these Regulations shall have the meanings ascribed to them in Schedule A.
- (2) Words and phrases not defined in Schedule A shall have the meanings that are commonly assigned to them in the context in which they are used in the Regulations.

**3. Commencement**

These Regulations come into effect throughout the Deer Lake Municipal Planning Area, hereinafter referred to as the Planning Area, on the date of publication of a notice to that effect in the Newfoundland Gazette.

**4. Urban and Rural Planning Act 2000 - Ministerial Development Regulations**

The Ministerial Development Regulations (Ministerial Regulations), enacted under Section 36 of the Act, shall apply to development within the Planning Area. Where there is conflict between these and the Deer Lake Development Regulations, the Ministerial Regulations shall prevail. The Ministerial Development Regulations are included with the Deer Lake Development Regulations.

**5. Municipal Code and Regulations**

The Building Code including the Plumbing Code, the Fire Code, the Electrical Code, and any other ancillary code and any Building Regulations, Waste Disposal Regulation and/or any other municipal regulations regulating or controlling the development, conservation and use of land in force in the Town of Deer Lake, shall, under these Regulations apply to the entire Planning Area.

**6. Town**

In these Regulations, "Town" means the Council of the Town of Deer Lake.

## **PART I - GENERAL REGULATIONS**

### **7. Compliance with Regulations**

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

### **8. Permit Required**

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 the Town.

### **9. Permit to be Issued**

Subject to Regulations 10 and 11, a permit shall be issued for development within the Planning Area that conforms to the requirements of these regulations.

### **10. Permit not to be Issued in Certain Cases**

Neither a permit nor approval in principle shall be issued for development within the Planning Area when, in the opinion of the Town, 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 the Town and such cost shall attach to and upon the property in respect of which it is imposed.

### **11. Discretionary Powers of Town**

In considering an application for a permit or for approval in principle to carry out development, the Town 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 opinion, material, and notwithstanding



the conformity of the application with the requirements of these Regulations, the Town 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.

## **12. Variances by Town**

(see Ministerial Development Regulations, Section 12)

## **13. Service Levy**

- (1) The Town may require a developer to pay a service levy where development is made possible or where the density of potential development is increased, or where the value of property is enhanced by the carrying out of public works either on or off the site of the development.
- (2) A service levy shall not exceed the cost, or estimated cost, including finance charges to the Town of constructing or improving the public works referred to in Regulation 13(1) that are necessary for the real property to be developed in accordance with the standards required by the Town and for uses that are permitted on that real property.
- (3) A service levy shall be assessed on the real property based on:
  - (a) the amount of real property benefited by the public works related to all the real property so benefited; and,
  - (b) the density of development made capable or increased by the public work.
- (4) The Town may require a service levy to be paid by the owner of the real property at:
  - (a) the time the levy is imposed;
  - (b) the time development of the real property commences;
  - (c) the time development of the real property is completed; or,
  - (d) such other time as the Town may decide.

#### **14. Financial Guarantees by Developer**

- (1) The Town may require a developer before commencing a development to make such financial provisions and/or enter into such agreements as may be required to guarantee the payment of service levies, ensure site reinstatement, and to enforce the carrying out of any other condition attached to a permit or licence.
- (2) The financial provisions pursuant to Regulation 14(1) may be made in the form of:
  - (a) a cash deposit from the developer, to be held by the Town, or;
  - (b) a guarantee by a bank, or other institution acceptable to the Town, for expenditures by the developer, or;
  - (c) a performance bond provided by an insurance company or a bank, or;
  - (d) an annual contribution to a sinking fund held by the Town.
- (3) Financial Guarantees – Mineral Workings
  - (a) The developer shall provide a financial guarantee in the form of a performance bond or unconditional and irrevocable letter of credit or other form acceptable to the Town for an amount to cover the cost of restoring or landscaping the site after the quarry operations have ended or the site is abandoned by the applicant.
  - (b) The financial guarantee shall be returned when the Reclamation Plan has been carried out or the development terminated and any conditions attached to the development permit have been met to the satisfaction of the Town.

#### **15. Dedication of Land for Public Use**

In addition to the requirements for the dedication of land for public open space under Part III - Subdivisions, the Town may require the dedication of a percentage of the land area of any subdivision or other development for public use in accordance with the provisions of Section 37 of the Act.

However, this section shall not enable the Town to obtain more than 10% of the land or its value for public open space, except as otherwise required for buffers

and conservation areas along watercourses and selected trails. Examples of the public uses to which this section can typically apply are: buffers and conservation areas, streets, public rights of way and service easements.

In larger scale subdivisions, where it is warranted by need, the public uses to which the dedication of land would apply could be broadened to include sites for schools.

#### **16. Reinstatement of Land**

Where the use of land is discontinued or the intensity of its use is decreased, the Town may order the developer, the occupier of the site, or the owner or all of them to reinstate the site, to remove all or any buildings or erections, to cover or fill all wells or excavations, and to close all or any accesses, or to do any of these things or all of them, as the case may be, and the developer, occupier or owner shall carry out the order of the Town and shall put the site in a clean and sanitary condition to the satisfaction of the Town.

#### **17. Form of Application**

- (1) An application for a development permit or for approval in principle shall be made only by the owner or by a person authorized by the owner to the Town on such form as may be prescribed by the Town, and every application shall include such plans, specifications and drawings as the Town may require, and be accompanied by the permit fee required by the Town.
- (2) The Town shall, on request, supply to every applicant a copy of the application forms referred to in Regulation 17(1) and a description of the plans, specifications and drawings required to be provided with the application.

#### **18. Register of Application**

The Town shall keep a public register of all applications for development, and shall enter therein the Town's decision upon each application and the result of any appeal from that decision.

**19. Deferment of Application**

- (1) The Town may, with the written agreement of the applicant, defer consideration of an application.
- (2) Applications properly submitted in accordance with these Regulations which have not been determined by the Town and on which a decision has not been communicated to the applicant within eight weeks of the receipt thereof by the Town, and on which consideration has not been deferred in accordance with Regulation 19(1), shall be deemed to be refused.

**20. Approval in Principle**

- (1) The Town may grant approval in principle for the erection, alteration or conversion of a building if, after considering an application for approval in principle made under these Regulations, it is satisfied that the proposed development is, subject to the approval of detailed plans, in compliance with these Regulations.
- (2) Where approval in principle is granted under this Regulation, it shall be subject to the subsequent approval by the Town of such details as may be listed in the approval in principle, which shall also specify that further application for approval of these details shall be received not later than two years from the grant of approval in principle.

**21. Development Permit**

- (1) A plan or drawing which has been approved by the Town and which bears a mark and/or signature indicating such approval together with a permit shall be deemed to be permission to develop land in accordance with these Regulations but such permission shall not relieve the applicant from full responsibility for obtaining permits or approvals under any other regulation or statute prior to commencing the development; from having the work carried out in accordance with these Regulations or any other regulations or statutes; and from compliance with all conditions imposed there under.

- (2) The Town may attach to a permit or to approval in principle such conditions as it deems fit in order to ensure that the proposed development will be in accordance with the purposes and intent of these Regulations.
- (3) Where the Town deems necessary, permits may be issued on a temporary basis for a period not exceeding two years, which may be extended in writing by the Town for further periods not exceeding two years.
- (4) A permit is valid for such period, not in excess of two years, as may be stated therein, and if the development has not commenced, the permit may be renewed for a further period not in excess of one year, but a permit shall not be renewed more than once, except in the case of a permit for an advertisement, which may be renewed in accordance with Regulation 30 of these Regulations.
- (5) The approval of any application and plans or drawings or the issue of a permit shall not prevent the Town from thereafter requiring the correction of errors, or from ordering the cessation, removal of, or remedial work on any development being carried out in the event that the same is in violation of this or any other regulations or statute.
- (6) The Town may revoke a permit for failure by the holder of it to comply with these Regulations or any condition attached to the permit or where the permit was issued in error or was issued on the basis of incorrect information.
- (7) No person shall erase, alter or modify any drawing or specifications upon which a permit to develop has been issued by the Town.
- (8) There shall be kept available on the premises where any work, matter or thing is being done for which a permit has been issued, a copy of the permit and any plans, drawings or specifications on which the issue of the permit was based during the whole progress of the work, or the doing of the matter or thing until completion.

## **22. Reasons for Refusing Permit**

The Town shall, when refusing to issue a permit or attaching conditions to a permit, state the reasons for so doing.

**23. Notice of Application**

When a change in nonconforming use is to be considered (see also Ministerial Regulations), or when the development proposed is listed as a discretionary use in Schedule C of the Regulations the Town shall, at the expense of the applicant, give notice of an application for a permit or for approval in principle, by public advertisement in a newspaper circulating in the area or by any other means deemed necessary.

When a variance is necessary under Regulation 12 (see also Ministerial Regulations), the Town shall, at the expense of the applicant, give written notice to the property owners in the immediate vicinity of the proposed variance.

**24. Right of Entry**

Any official authorized by the Town may enter upon any public or private land and may at all reasonable times enter any development or building upon the land for the purpose of making surveys or examinations or obtaining information relative to the carrying out of any development, construction, alteration, repair, or any other works whatsoever which the Town is empowered to regulate.

**25. Record of Violations**

Every inspector shall keep a record of any violation of these Regulations, which comes to his knowledge, and report that violation to the Town.

**26. Stop Work Order and Prosecution**

- (1) Where a person begins a development contrary or apparently contrary to these Regulations, the Town may order that person to stop the development or work connected therewith pending final adjudication in any prosecution arising out of the development.
- (2) A person who does not comply with an order made under Regulation 26(1) is guilty of an offence under the provisions of the Act.

**27. Appeals**

See Ministerial Regulations- Sections 5 to 11.

Where an appeal lodged under Section 42 of the Urban and Rural Planning Act has been successful, the fee paid by the appellant shall be reimbursed by the Town.

## **PART II - GENERAL DEVELOPMENT STANDARDS**

### **28. Accesses and Service Streets**

- (1) Access shall be located to the specification of the Town so as to ensure the greatest possible convenience and safety of the street system. The Town may prescribe the construction of service streets to reduce the number of accesses to collector and arterial streets.
- (2) Any access to a Provincial Highway must be approved by the Department Transportation and Works.
- (3) No vehicular access shall be closer than 10 metres to the street line of any street intersection.

### **29. Accessory Uses**

See also Schedule A.

Subject to Schedule C, uses accessory to a permitted or discretionary use can be permitted in any zone, for example:

- (a) facilities for the serving of food and alcoholic beverages in an arena or other place of assembly, marina, or hotel (commercial - residential);
- (b) a gift or souvenir shop in a museum, hotel or other establishment;
- (c) office and/or a small convenience store or catering establishment in a campground;
- (d) a dock or wharf in a residential or other zone; and;
- (e) an accessory dwelling.

These accessory uses shall be clearly subsidiary to and controlled so as to be compatible with the primary use and the use of nearby properties.



### **30. Advertisements and Signs**

Note: The terms “advertisement” and “sign” are interchangeable.

(1) Permit Required

Unless specifically exempted, no advertisement shall be erected or displayed in the Planning Area unless a permit for the advertisement is first obtained from the Town, and, where necessary, from the Department of Government Services.

(2) Form of Application

Application for a permit to erect or display an advertisement shall be made to the Town in accordance with Regulation 17.

(3) Advertisements in Street Reservation

No advertisement shall be permitted to be erected or displayed within, on or over any highway or street reservation unless it is a premises sign (advertisement relating to onsite uses) and where applicable unless this sign has been approved by the Town and the Department of Government Services.

(4) Permit Valid for Limited Period

(a) The advertisement must be constructed within one year of the issuance of the permit, failing which a new permit must be applied for.

(b) Depending upon the nature of the advertisement, the Town may issue a permit for a limited or indefinite period. However, a permit may be withdrawn and the owner requested to remove or fix the sign under Clause (5) of this Regulation.

(5) Removal of Advertisements

Notwithstanding the provisions of these Regulations, the Town may require the removal of any advertisement which, in its opinion, is:

- (a) hazardous to road traffic by reason of its siting, colour, illumination, maintenance or structural condition, or;
- (b) has not been properly maintained and/or is detrimental to the amenities of the surrounding area.

(6) Signs - Non-Conforming Uses

A permit may be used for the erection or display of advertisements on a building or within the courtyard of a building or on a parcel of land, the use of which is a non conforming use, provided that the advertisement does not exceed the size and type of advertisement which could be permitted if the development was in a Use Zone appropriate to its use, and subject to any other conditions deemed appropriate by the Town.

(7) Prohibition

A sign shall not be erected, posted or placed:

- (a) where in the opinion of the Town, that sign would be hazardous to road traffic by reason of its siting, illumination or structural condition;
- (b) where in the opinion of the Town, that sign would be detrimental to the amenities of surrounding areas or length of highway or road;
- (c) where that sign is not maintained to the satisfaction of the Town;
- (d) within or over a highway or street intersection unless otherwise approved by the Town for Town roads, or by the Department of Transportation and Works for roads under Provincial jurisdiction;
- (e) with the exception of premises advertisements, within 300 metres, or a distance specified by the Department of Transportation and Works, or the Town of the intersection of two or more highways and/or for Town roads, or from the crossing of a public road;
- (f) at a location that is objectionable to residents of the immediate area; and
- (g) on a sign erected by the Department of Transportation and Works.

(8) Signs or Advertisements Not Specifically Covered

If for some reason an application is received for a sign or advertisement that does not fall into one of the categories set out under these Regulations, then subject to the other applicable requirements of these Regulations the Town may approve, approve with conditions, or refuse to approve the sign or advertisement.

(9) Advertisements - Designated Areas

The Town may establish the design, location and type of signs and advertisements for designated areas within the Planning Area.

In order for these requirements to take effect, the designated areas and the standards for advertisement and signage design shall be set out in these Regulations.

(10) Advertisements Exempt from Control

The following advertisements may be erected or displayed in the Planning Area without application to the Town:

- (a) a posting of a candidate in a federal, provincial or municipal election or a regional school board election;
- (b) a temporary sign relating to federal, provincial or municipal public works;
- (c) a notice required by law to be posted;
- (d) a regulatory, warning, directional, guide or informational sign erected by the Department of Transportation and Works;
- (e) a sign placed by a telephone, telegraph or electric power company to indicate danger;
- (f) a sign, not exceeding 0.5 square metres, advertising the sale or rental of a building or lot upon which the sign is located;
- (g) a flag, emblem or insignia of a nation, country or province;
- (h) one temporary sign related to building construction located on a site on which the work is being carried out;
- (i) on a dwelling or within the courtyard of a dwelling, one nameplate not exceeding 0.28 m<sup>2</sup> in area;
- (j) on an agricultural holding or farm, a notice board not exceeding 1.5 m<sup>2</sup> in area and relating to the operations being conducted on the land;
- (k) on land used for forestry purposes, signs or notices not exceeding 1 m<sup>2</sup> in area and relating to forestry operations or the location of logging operations conducted on the land;
- (l) on land used for mining or quarrying operations, a notice board not exceeding 1 m<sup>2</sup> in area relating to the operation conducted on the land;

- (m) on a dwelling or within the courtyard of a dwelling, one nameplate not exceeding 0.28 m<sup>2</sup> in area in connection with the practice of a business carried on in the premises;
- (n) on any site occupied by a church, school, library, art gallery, museum, institution or cemetery, one notice board placed no closer than 3 metres from a street line;
- (o) on the principal facade of any commercial, industrial or public building, the name of the building or the name of the occupants of the building, in letters not exceeding one-tenth of the height of that facade or 3 m, whichever is the lesser;
- (p) on any parking lot directional signs and one sign not exceeding 1 m<sup>2</sup> in size, identifying the parking lot; and,
- (q) a sign indicating the location of a municipal or municipal planning area boundary, located beyond the back slope of a highway ditching.

(11) Advertisements - Temporary and/or Portable Signs

A temporary and/or portable sign may be permitted in any zone for a period not exceeding 30 consecutive days, provided the sign:

- (a) does not exceed 4 square metres in area;
- (b) does not create or aggravate a traffic hazard, such as by blocking a sight-line;
- (c) does not interfere with other lawful signs, including directional signs;
- (d) is of location, materials, design and colour in keeping with the character and appearance of the area;
- (e) if necessary, is approved by the Department of Government Services, together with the Town.

The sign shall be immediately removed upon expiry of the permit.

A renewal permit for a temporary and/or portable sign may only be issued thirty days after the expiry of the original permit.

(12) Advertisements and Signs near Highways

The Provincial Government has designated “control lines” alongside each provincially maintained route. These control lines are established pursuant to the Highway Sign Regulations 1999, and in some instances the Protected Road Zoning Regulations.

Advertisements and signs falling within the designated control lines of any highway must be referred to and approved or exempted by the Government Services office serving the area.

(13) Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone shall be as follows:

- (a) the size, shape, illumination and material construction of the advertisement shall meet the requirements of the Town, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area;
- (b) unless it is a sign affixed to the wall or canopy of a building the advertisement shall not exceed 5 square metres in area on any side.

These requirements also apply to premises signs.

(14) Advertisements Relating to Offsite Uses

The conditions to be applied to the erection or display of an advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (a) the advertisement shall not exceed three square metres in area;
- (b) when the advertisements relate to a specific land use, they shall be located within a reasonable distance of, and only show thereon the name and nature of the distance or direction to the premises to which they relate;
- (c) the location, siting and illumination of each advertisement shall be to the satisfaction of the Town, 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.

**31. Archaeological Sites**

- (1) If an archaeological site or historical artefacts are discovered during construction, development shall stop and the Provincial Archaeology

Office of the Department of Tourism, Culture and Recreation consulted. Development shall not proceed until the Provincial Archaeology Office has evaluated the site.

- (2) Before approval is granted for a major development, such as a subdivision, or a new commercial or public building, the application shall be referred to the Provincial Archaeology Office for investigation.

### **32. Buffers and Screening**

- (1) General

Buffering and screening of

- (a) agricultural livestock operations;
- (b) mineral exploration;
- (c) mineral workings;
- (d) scrap yards;
- (e) seismic station
- (f) solid waste disposal sites;
- (g) trails;
- (h) waterways and wetlands;

and between residential and certain other uses, are designed to enable these uses and activities to function efficiently and without undue disturbance. Buffers and screens also provide certain environmental and visual benefits.

The provision of adequate and suitable landscaping or screening may be made a condition of any development permit where, in the opinion of the Town, the landscaping or screening is desirable to preserve amenity, or protect the environment.

Where any non-residential use abuts a residential use or area, the owner of the site of the non-residential development may be required to provide a buffer strip between any non-residential building or activity and the residential use. The buffer shall include the provision of grass strips, hedges, trees or shrubs, or structural barriers as may be required by the Town, and shall be maintained by the owner or occupier to the satisfaction of the Town.

(2) Agricultural Livestock Operation, Residential Development and Roads

- (a) Except for infill development any residential development within 600 metres of structure containing more than five animal units must be referred to the Land Resource Stewardship Division of the Department of Natural Resources for a recommendation. The Town shall not issue a permit contrary to the recommendation.
- (b) Any livestock structure (barn) containing five or more animal units must be located at least 600 metres from a non-farm dwelling, unless otherwise determined after referral to, and upon recommendation of, the Land Resource Stewardship Division of the Department of Natural Resources. The structure shall be at least 60 m from the boundary of the property on which it is to be erected and shall be at least 90 m from the centre line of a street. The erection of the structure shall be approved by the Department of Natural Resources before a permit is issued by the Town.

(3) Mineral Exploration and Residential Development

Where mineral exploration entails development, then a separation distance of 300 metres is required between that and residential development.

(4) Mineral Workings and Residential Development

A buffer of 300 metres is established around approved mineral workings. No new dwelling may be permitted within the buffer of a Mineral Working unless it has been approved by the Department of Natural Resources.

The minimum separation between new mineral workings and residential development is 300 metres, 1,000 metres when blasting is involved.

(5) Scrapyards and Residential Development

The minimum separation between residential development and a new scrap yard is 300 metres.

(6) Seismic Station Buffer

The Canada Department of Natural Resources shall be advised when a development involving major soil disturbance is being approved within the Seismic Station Buffer as shown on the zoning maps.

(7) Solid Waste Disposal Site Buffer

Residential development within the Solid Waste Disposal Site Buffer as shown on the zoning maps shall be referred to the Department of Environment and Conservation for approval before a permit is issued by the Town.

(8) Trails

Along selected trails the Town may require that a buffer of fifteen (15) metres be provided by the developer between a development permitted under a zone and a trail as may be set out on the Zoning Maps or is otherwise deemed to be significant, well-established and clearly demarcated.

(9) Waterways and Wetlands Buffers

(a) Waterways and wetlands designated on the Zoning Maps and below are protected by a buffer of 30 metres as measured from the ordinary high water mark of the river, stream, pond, lake or other body of water and wetland. If the embankment is steep, then the buffer is measured from the top of the embankment.

The designated waterways and wetlands are:

- (i) Deer Lake
- (ii) Grand Lake
- (iii) Upper Humber River
- (iv) Junction Brook
- (v) Glide Brook
- (vi) Humber Canal and Spillway Brook
- (vii) Nichols Brook
- (viii) Lanes Brook (St. Jude's).

(b) Where a waterway or wetland is deemed to be significant, but is not specifically designated in this section and/or on the Zoning Maps,



then the minimum buffer shall be 15 metres as measured in the previous paragraph.

- (c) If a waterway or wetland is deemed to be minor, wherever possible such waterways and wetlands shall remain undeveloped and protected by a buffer. If a site is to be developed, alternatives to covering over or eliminating such waterways and wetlands shall be explored, including relocation of the waterway or wetland and/or redesign of the development.
- (d) The only uses that may be permitted within the buffer of a waterway or wetland are trails and accessory uses and uses requiring direct access to a body of water such as wharves and marinas. However, one accessory building may be permitted in the 30 metre buffer of a designated waterway or wetland, provided that the accessory building is located at least 15 metres from the ordinary high water mark as determined under clause 9 (a) and provided that this building will not interfere with a trail or increase the likelihood of soil erosion.

These uses are subject to the approval of the Water Resources Division of the Department of Environment and Conservation, Department of Fisheries and Oceans Canada and where applicable, the Government Service Centre of the Department of Government Services for Crown Lands and referrals.

- (e) The Town or the Provincial Government may subject development within the buffer area of a watercourse to an environmental review, and may approve, approve subject to conditions, or refuse such development. The matter of adequate and usable legal public access to the waterway shall be a consideration in the review of an application for a structure within a buffer and/or waterway.
- (f) Any development within a body of water or involving the alteration of a body of water must be approved by or exempted by the following agencies:
  - (i) Government Service Centre of the Department of Government Services for Crown Lands and referrals;
  - (ii) Coast Guard Canada of the Department of Fisheries and Oceans – Navigable Waters Act;

- (iii) Fish Habitat Division of the Department of Fisheries and Oceans;
- (iv) Water Resources Division of the Department of Environment and Conservation.

### **33. Building Line and Setback**

- (1) The Town, by resolution, may establish building lines on an existing or proposed street and may require any new buildings to be located on those building lines, whether or not such building lines conform to the standards set out in the tables in Schedule C of these Regulations.
- (2) The building line setback is measured from the front property line.
- (3) The building line along Provincial highways shall not be less than that specified under the Building Near Highways Regulations under the Works Services and Transportation Act.

### **34. Buildings on a Lot**

More than one principal building may be permitted on a lot provided that the requirements of Schedule C are satisfied. Sufficient area shall be reserved to satisfy the yard and other allowances called for in the Use Zone in which the lot located and the allowances shall be retained when the adjacent land is developed.

### **35. Discretionary Use Classes**

The discretionary use classes listed in Schedule C may be permitted at the discretion of the Town provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.

### **36. Fences**

- (1) Except as otherwise set out in Schedule C or in a Fence Regulation adopted under the Municipalities Act, the requirements of this Section shall apply to all fences.
- (2) For the purpose of this Regulation a fence includes a vertical physical barrier constructed out of typical fencing materials, and includes hedges, shrubs and landscaping features used for these purposes, and, that portion of a retaining wall which projects above the surface of the ground which it supports.

#### Sight Lines

- (3) Except as otherwise provided in these Regulations, no fence shall be erected with a height of greater than 0.75 metres above the grade of the street line within the triangle formed by two street lines and a line connecting two points on the two street lines located 15 metres from the point of intersection of the two street lines where one of the streets is an arterial or collector street, or 8 metres from the point of intersection of the two street lines where the two streets are local streets.
- (4) Except as otherwise provided in these Regulations, no fence shall be erected with a height of greater than 0.75 metres above the grade of the street line at the intersection of a driveway and a road where in the opinion of the Town it impedes sight lines.

#### Maximum Height between the Building Line and the Street Line

- (5) Except as otherwise provided in these Regulations, unless required for screening, no fence shall be greater than 0.75 metres in height between the building line and the street line.

#### Maximum Height

- (6) The maximum height of a fence shall not exceed 1.8 metres in height in the Residential, Rural Community, and Town Centre Zones. However, in all other zones the maximum allowable fence height shall be 3 metres.

#### Fence Materials

- (7) The material or materials used in the erection and repair of a fence shall only be of a type that meets the approval of the Town.

#### Fence Maintenance

- (8) Every person who owns a fence shall maintain such fence in a good state of repair. For the purpose of this section, “good state of repair” shall mean:
- (a) the fence is complete and in a structurally sound condition and plumb and securely anchored;
  - (b) protected by weather resistant materials;
  - (c) fence components are not broken, rusted, rotten or in a hazardous condition;
  - (d) all stained or painted fences are maintained free of peeling; and
  - (e) that the fence does not present an unsightly appearance deleterious to abutting land or to the neighbourhood.

#### Electrical Fence and Barbed Wire Fence

- (9) No person shall erect an electrical fence on any land, unless required for the containment of livestock or the protection of crops from marauding animals.
- (10) No person shall erect a fence consisting wholly or partly of barbed wire or other barbed material, except as noted in Clause (9) or except along the top of any fence in excess of 2.1 metres enclosing a lot used for commercial or industrial purposes provided the industrial or commercial lot does not abut a residential lot or residential use zone.

#### Panel Fence

- (11) Panel fences are to be constructed so that fence railings and posts are not exposed to adjacent properties.

#### Snow Fence

- (12) No person shall erect or maintain a snow fence for the period May 1<sup>st</sup> to October 31<sup>st</sup> in any year on land used for residential or commercial purposes.

#### Swimming Pool Fence

- (13) A fence with a minimum height of 1.8 metres shall be erected and maintained around an open swimming pool.

#### Order to Remove Fence

- (14) When in the opinion of the Town, a fence creates a safety hazard or obstruction or impedes snow-clearing due to its location, height or construction material, the Town may issue an order to the property owner stating that the fence or portions thereof be removed, reconstructed or repaired within a specified time in order to correct the safety hazard or obstruction and that the cost to remove, construct or repair said fence or part thereof will be at the owner's expense. In the event that the property owner does not remove the fence within the specified time as ordered, the Town may remove the fence and the cost to remove, reconstruct or repair said fence will be at the owner's expense.

#### Public Authorities

- (15) The provisions of these Regulations shall apply to all public authorities except in those cases where an exception from the Regulations is required to respond to an emergency or for a public purpose.

#### Responsibility for Damage

- (16) The Town shall not be liable for any damages for the repair of any fence whatsoever where the Town, its employees or agents or otherwise have acted without negligence. In particular, the Town shall not be liable for any damages or repairs of any fence whatsoever during the normal operation of snow clearing on streets or sidewalks.

### **37. 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 any part of a lot is required by these Regulations 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 the purpose of computing the area thereof available for building purposes.

### **38. Lot Area and Size Exceptions**

Where, at the time of coming into effect of these Regulations, one or more lots already exist in any 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 the Town 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.

### **39. Lot Frontage**

Except where specifically provided for in the Use Zone Tables in Schedule C of these Regulations, no residential or commercial building shall be erected unless the lot on which it is situated fronts directly onto a street or forms part of a Comprehensive Development.

### **40. Mineral Exploration**

- (1) No permit shall be issued by the Town for mineral exploration until the necessary permits and approvals have been obtained from the Departments of Natural Resources, Government Services, and Environment and Conservation, together with any other relevant Provincial agencies.
- (2) Subject to the other provisions of the Development Regulations, mineral exploration which is not classed as development by virtue of appreciable ground disturbance, construction of access roads, noise, odour and appearance can be permitted anywhere in the Planning Area, provided that adequate notification is provided to the Town.
- (3) Mineral exploration which is classed as development shall be permitted in the Agriculture, Forestry, Mineral Workings and Rural zones, provided that adequate provision is made for buffering/and or other mitigations of

impacts of existing or future urban residential, commercial, industrial, institutional and recreational areas and provided that all necessary approvals are obtained. Also, mineral exploration under this clause may be permitted as a discretionary use in the Transportation, Public Utility and Water Supply zones.

- (4) Higher impact mineral exploration shall be subject to conditions that control noise, appearance, duration of the drilling or excavating program and the control of other impacts that may arise. The precise nature of these controls will depend upon the location of the mineral exploration in respect to built-up areas.
- (5) Where there is to be ground disturbance, the developer shall provide a site restoration surety and/or other satisfactory guarantees of site landscaping to the Town.

#### **41. Non-Conforming Uses**

- (1) See the Urban and Rural Planning Act and Sections 14, 15, and 16 of the Ministerial Development Regulations.
- (2) Pursuant to Section 17 of the Ministerial Development Regulations and Section 108 (2) of the Urban and Rural Planning Act a non-conforming use of land may be resumed within one year of its discontinuance.
- (3) Discontinuance of a non-conforming use begins when either:
  - (a) the building or use of land is clearly vacated or the building is demolished; or,
  - (b) the owner or tenant has ceased paying taxes for that use; or,
  - (c) the owner or tenant has stated in writing that the use has ceased.

#### **42. Offensive and Dangerous Uses**

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 the Town and any other authority having jurisdiction.

**43. Parks and Playgrounds, and Conservation Uses**

- (1) While non-commercial parks and playgrounds are allowed as either permitted or discretionary uses in all zones, they shall not be located in areas that may be hazardous to their use.
- (2) Nothing in these Regulations shall prevent the designation of conservation areas in any zone.

**44. Side Yards**

A side yard, which shall be kept clear of obstruction, shall be provided on the exposed sides of every building in order to provide access for the maintenance of that building. An exception may be made for an access ramp as noted in Schedule C.

**45. Site Development**

- (1) Before approving development of a site having a slope greater than 15 percent, the Town may require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional. The review shall evaluate the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent development and lands and bodies of water receiving run-off from the site, and other similar matters.
- (2) The Town shall ensure that the proposal is not inappropriate by reason of:
  - (a) precipitating or contributing to a pollution problem in the area; or
  - (b) creation of erosion and/or sedimentation.
- (3) The Town shall consider the suitability of the site in terms of steepness of grades, soil and geographic conditions, location of watercourses, marshes, swamps, or bogs when reviewing a development proposal.

**46. Site Development Quarry and Soil Removal**

- (1) If, as part of another development, quarry material is to be removed and sold or otherwise disposed of, then a separate permit shall be obtained



from the Department of Natural Resources, Mineral Lands Division, for the removal of quarry materials. A copy of the Town's permit must be forwarded to the Mineral Lands Division.

- (2) A site development quarry under this section is permitted wherever the use that this quarry is associated with is permitted.
- (3) A quarry permit issued under this section shall only be valid for a period of one year or the term of the site development, whichever is the lesser. However, if the Town feels that it is warranted, the permit may be renewed for additional one-year periods up to a maximum of three years from the date of the issuance of the first permit.
- (4) When the work is completed, the area affected shall be suitably landscaped and drained in accordance with a plan approved by the Town.
- (5) If the site work is extensive, the Town may require the deposit of surety in accordance with Regulation 14(3) that shall be returned to the developer upon satisfactory completion of the work.

#### **47. Trans Canada Highway and Great Northern Peninsula Highway**

Both the Trans Canada Highway (Highway 1) and the Great Northern Peninsula Highway (Highway 430) are designated as Protected Roads under the Urban and Rural Planning Act. Within the Town boundary any development within 100 metres of either side of either highway within the Town requires the approval of the Department of Government Services. Outside the Town boundary, but within the Municipal Planning Area, namely St. Judes, approval of the Department of Government Services is required for any development within 150 metres of either side of the Trans Canada Highway.

Signage within these Protected Road corridors is subject to the approval of the Department of Government Services.

Any building, fence, shrub or hedge within 45 metres of the centre-line(s) of the Trans Canada Highway cannot be approved until permission is given by the Department of Transportation and Works. This requirement is reduced to 20 metres for the Great Northern Peninsula Highway. Access to both highways is subject to the approval of the Department of Transportation and Works.

### **PART III SUBDIVISION OF LAND**

#### **48. Permit Required**

No land in the Planning Area shall be subdivided unless a permit for the development of the subdivision is first obtained from the Town.

#### **49. Services to be Provided**

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

#### **50. Payment of Service Levies and Other Charges**

No permit shall be issued for the development of a subdivision until agreement has been reached for the payment of all fees levied by the Town for connection to services, utilities and streets deemed necessary for the proper development of the subdivision, and all service levies and other charges imposed under these Regulations.

#### **51. Issue of Permit Subject to Considerations**

A permit shall not be issued when, in the opinion of the Town, the development of a subdivision does not contribute to the orderly growth of the municipality and does not demonstrate sound design principles. In considering an application, the Town shall, without limiting the generality of the foregoing, consider:

- (a) the location of the land;
- (b) the availability of and the demand created for schools, services, and 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;

- (i) natural features such as lakes, streams, topsoil, trees and shrubs;
- (j) prevailing winds;
- (k) visual quality;
- (l) community facilities;
- (m) energy conservation;
- (n) such other matters as may affect the proposed development.

**52. Building Permits Required**

Notwithstanding the approval of a subdivision by the Town, a separate building permit shall be obtained for each building proposed to be erected in the area of the subdivision, and no building permit for any building in the area shall be issued until the developer has complied with all the provisions of these Regulations with respect to the development of the subdivision.

**53. Form of Application**

Application for a permit to develop a subdivision shall be made to the Town.

**54. Subdivision Subject to Zoning**

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

**55. Building Lines**

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

**56. Land for Public Open Space**

- (1) Before a development commences, the developer shall, if required, dedicate to the Town, at no cost to the Town, an area of land equivalent to not more than 10% of the gross area of the subdivision for public open space, provided that:
  - (a) where land is subdivided for any purpose other than residential use, the Town shall determine the percentage of land to be dedicated;

- (b) if, in the opinion of the Town, no public open space is required, the land may be used for such other public use as the Town may determine;
  - (c) the location and suitability of any land dedicated under the provisions of this Regulation shall be subject to the approval of the Town but in any case, the Town shall not accept land which, in its opinion is incapable of development for any purpose;
  - (d) the Town may accept from the developer in lieu of such area or areas of land the payment of a sum of money equal to the value of the land that would otherwise be required to be dedicated;
  - (e) money received by the Town in accordance with this Regulation shall be reserved by the Town for the purpose of the acquisition or development of land for public open space or other public purpose.
- (2) Land dedicated for public use in accordance with this Regulation shall be conveyed to the Town and may be sold or leased by the Town for the purposes of any development that conforms with the requirements of these Regulations, and the proceeds of any sale or other disposition of land shall be applied against the cost of acquisition or development of any other land for the purposes of public open space or other public purposes.
- (3) The Town may require a strip of land to be reserved and remain undeveloped along the banks of any river, brook or pond, and this land may, at the discretion of the Town, constitute the requirement of land for public use under Regulation 56(1).

#### **57. Structure in Street Reservation**

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

#### **58. Subdivision Design Standards**

- (1) The standard for the design and construction of all work related to Subdivision development shall be the Government of Newfoundland and Labrador Municipal Water, Sewer, and Roads Specifications.

- (2) No permit shall be issued for the development of a subdivision under these Regulations unless the design of the subdivision conforms to the standards below.
- (a) The Town may require that streets where there are municipal sewer and water services shall be provided with curb and gutter.
  - (b) The finished grade of streets shall be as determined by the Town.
  - (c) Every cul-de-sac shall be provided with a turning circle of a diameter of not less than 30 m.
  - (d) The maximum length of any cul-de-sac shall be:
    - (i) 200 m in areas served by or planned to be served by municipal piped water and sewer services, as shown in the map and letter of agreement signed by the Municipality and the Minister of Municipal and Provincial Affairs in connection with municipal five-year capital works program eligibility;
    - (ii) 300 m in areas not served by or planned to be served by municipal piped water and sewer services.
  - (e) However, maximum length of a cul-de-sac may be increased by the Town where the increase is temporary and is part of the overall phasing plan of the subdivision and the Town is satisfied that emergency vehicle access and servicing issues are adequately dealt with.
  - (f) No cul-de-sac shall be located so as to appear to terminate a collector street.
  - (g) New subdivisions shall have street connections with an existing street or streets.
  - (h) All street intersections shall be constructed within 5 degrees of a right angle and this alignment shall be maintained for 30 m from the intersection.
  - (i) No street intersection shall be closer than 60 m to any other street intersection.

- (j) No more than four streets shall join at any street intersection.
- (k) No residential street block shall be longer than 490 m between street intersections.
- (l) Streets in residential subdivisions shall be designed with the objective of achieving the minimum standards specified in the table below. However, in exceptional circumstances, the Town may vary these standards after considering public safety, future development, and the effect of the varied standards on the overall development of the area.

Type of Street	Street Reservation	Pavement Width	Sidewalk Width	Sidewalk Number
Arterial Streets	30 m	15 m	1.5 m	discretion of Council
Collector Streets	20 m	9 m	1.5 m	discretion of Council
Local Streets	15 m or 12.5 m	6.5 m	1.5 m	discretion of Council

- (m) No lot intended for residential purposes shall have a depth exceeding four times the frontage.
- (n) Residential lots shall not be permitted which abut a local street at both front and rear lot lines.
- (o) The Town may require any existing natural, historical or architectural feature or part thereof to be retained when a subdivision is developed.
- (p) Land shall not be subdivided in such a manner as to prejudice the development of adjoining land.
- (q) Where there is potential for additional development, a road reserve of 15 metres (12.5 metres optional) shall be provided, and a reserve of 15 or 12.5 metres shall be provided along the entire length of a cul de sac.

**59. 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 the Town to service the area proposed to be developed or subdivided shall be designed and prepared by or approved by the Engineer. Such designs and specifications shall, upon approval by the Town, be incorporated in the plan of subdivision.
- (2) Upon approval by the Town 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 the Town to service the said area.

**60. Developer to Pay Engineer's Fees and Charges**

The developer shall pay to the Town all the Engineer's fees and charges for the preparation of designs and specifications and for the layout and supervision of construction; such fees and charges being percentages of the total cost of materials and labour for the construction and installation of all works calculated in accordance with the Schedule of Fees recommended by the Association of Professional Engineers of Newfoundland and in effect at the time the work is carried out.

**61. Street Works May Be Deferred**

The construction and installation of all curbs and gutters, catch basins, sidewalks and paving specified by the Town as being necessary, may, at the Town's discretion, be deferred until a later stage of the work on the development of the subdivision but the developer shall deposit with the Town before approval of his application, an amount estimated by the Engineer as reasonably sufficient to cover the cost of construction and installation of the works. In the later stage of the work of development, the Town shall call for tenders for the work of construction and installation of the works, and the amount so deposited by the developer shall be applied towards payment of the contract cost. If the contract

cost exceeds the deposit, the developer shall pay to the Town the amount of the excess. If the contract price is less than the deposit, the Town shall refund the amount by which the deposit exceeds the contract price. Any amount so deposited with the Town by the developer shall be placed in a separate savings account in a bank and all interest earned thereon shall be credited to the developer.

**62. Transfer of Streets and Utilities to Town**

- (1) The developer shall, following the approval of the subdivision of land and upon request of the Town, transfer to the Town, at no cost to the Town, and clear of all liens and encumbrances:
  - (a) all lands in the area proposed to be developed or subdivided which are approved and designated by the Town for public uses as streets, or other rights-of-way, or for other public use;
  - (b) all services or public works including streets, water supply and distribution and sanitary and storm drainage systems installed in the subdivision that are normally owned and operated by the Town.
- (2) Before the Town shall accept the transfer of lands, services or public works of any subdivision, the Engineer shall, at the cost to the developer, test the streets, services and public works installed in the subdivision and certify his satisfaction with their installation.
- (3) The Town shall not provide maintenance for any street, service or public work in any subdivision until such time as such street, service or public work has been transferred to and accepted by the Town.

**63. Restriction on Sale of Lots**

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 the Town 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.



**64. Grouping of Buildings and Landscaping**

- (1) Each plan of subdivision shall make provision for the grouping of building types and for landscaping in order to enhance the visual aspects of the completed development and to make the most use of existing topography and vegetation.
- (2) Building groupings, once approved by the Town, shall not be changed without written application to and subsequent approval of the Town.

## **PART IV - USE ZONES**

### **65. Use Zones**

- (1) For the purpose of these Regulations, the Planning Area is divided into Use Zones that are shown on the Zoning Map attached to and forming part of these Regulations.
- (2) Subject to Clause (3), the permitted use classes, discretionary use classes, standards, requirements and conditions applicable to each Use Zone are set out in the Use Zone Tables in Schedule C of these Regulations.
- (3) Where standards, requirements and conditions applicable in a Use Zone are not set out in the Use Zone Tables in Schedule C, the Town may in its discretion, determine the standards, requirements and conditions which shall apply.

### **66. Use Classes**

The specific uses to be included in each Use Class set out in the Use Zone Tables in Schedule C shall be determined by the Town in accordance with the classification and examples set out in Schedule B.

### **67. Permitted Uses**

Subject to these Regulations, the uses that fall within the Permitted Use Classes set out in the appropriate Use Zone Table in Schedule C shall be permitted by the Town in that Use Zone.

### **68. Discretionary Uses**

Subject to these Regulations, the uses that fall within the Discretionary Use Classes set out in the appropriate Use Zone Table in Schedule C may be permitted in that Use Zone if the Town 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 public interest, and if the Town has given notice of the application in accordance with Regulation 23 and has considered any objections or representations which may have been received on the matter.

**69. Uses Not Permitted - Prohibited Uses**

Uses that do not fall within the Permitted Use Classes or Discretionary Use Classes set out in the appropriate Use Zone Tables in Schedule C, shall not be permitted in that Use Zone and are deemed to be prohibited uses.

## SCHEDULE A - DEFINITIONS

### GENERAL NOTE:

**A definition marked with an asterisk is also included in the Ministerial Development Regulations. Where there is a conflict, the Ministerial Regulations prevail.**

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

**ACCESSORY BUILDING\*** includes:

- (i) a detached subordinate building not used as a dwelling, located on the same lot as the main building to which it is an accessory which has a use that is customarily incidental or complementary to the main use of the building or land,
- (ii) for the case of residential uses, domestic garages, carports, ramps, sheds, swimming pools, greenhouses, cold frames, fuel sheds, vegetable storage cellars, shelters for domestic pets, or radio and television antennae,
- (iii) for commercial uses, workshops, or garages, and
- (iv) in the case of industrial uses, garages, offices, raised ramps and docks.

**ACCESSORY USE\*** means the 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 2000.

**ADVERTISEMENT** means any word, 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 purposes of advertisement, announcement or direction; excluding such things employed wholly as a memorial, or functional advertisement of Councils, or other local authorities, public utilities and public transport undertakers, and including any boarding or similar structure used or adapted for use for the display of advertisements.

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**AGRICULTURE** means horticulture, fruit growing, grain growing, seed growing, dairy farming, the breeding or rearing of livestock, including any creature kept for the production of food, wool, skins, or fur, or for the purpose of its use in the farming of land, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of land for any other purpose. "Agricultural" shall be construed accordingly.

**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 any one of the following animals or groups of animals:

- 1 bull;
- 1000 broiler chickens or roosters (1.8 - 2.3 kg each);
- 1 cow (including calf);
- 100 female mink (including associated males and kits);
- 4 goats;
- X hogs (based on 453.6 kg = 1 unit);
- 1 horse (including foal);
- 125 laying hens;
- 4 sheep (including lambs);
- 1 sow or breed sow (including weaners and growers based on 453.6 kg = 1 unit);
- X turkeys, ducks, geese (based on 2,268 kg = 1 unit).

**APARTMENT BUILDING** means a building containing three or more dwelling units, but does not include a row dwelling.

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

**APPLICANT** means a person who has applied to a Town for an approval or permit to carry out a development.

**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.

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

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**BED AND BREAKFAST** means an owner-occupied or owner-managed establishment for paid temporary accommodation for up to sixteen (16) overnight guests that may include a dining room for the use of overnight guests and their invitees. The establishment must be registered with and receive a rating from Canada Select and also must be approved by the Provincial Department of Tourism, Culture and Recreation as a Bed and Breakfast operation.

**BOARDING HOUSE** means a dwelling in which at least 2 rooms are regularly rented to persons other than the immediate family of the owner or tenant.

**BUILDING** means

- (i) a structure, erection, alteration or improvement placed on, over or under land or attached, anchored or moored to land,
- (ii) mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other similar uses,
- (iii) a part of and fixtures on buildings referred to in subparagraphs (i) and (ii), and
- (iv) an excavation of land whether or not that excavation is associated with the intended or actual construction of a building or thing referred to in subparagraphs (i) to (ii).

**BUILDING HEIGHT\*** means the vertical distance, measured in metres, from the established grade to:

- (i) the highest point of the roof surface of a flat roof,
- (ii) the deck line of a mansard roof, and
- (iii) the mean height level between eave and ridge of a gable, hip or gambrel roof, and in any case, a building height shall not include mechanical structure, smokestacks, steeples and purely ornamental structures above a roof.

**BUILDING LINE\*** means a line established by an authority that runs parallel to a street line and is set at the closest point to a street that building may be placed.

**CAMPGROUND** means the use of land for the accommodation of travel trailers, recreational vehicles, and/or tents.

**COLLECTOR STREET** means a street that is designed to link local streets with arterial streets and which is designated as a collector street in the Municipal Plan, or on the Zoning Map.

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**DAYCARE CENTRE** or **DAY NURSERY** means a building or part of a building in which services and activities are regularly provided to children of pre-school age during the full daytime period as defined under the Day Nurseries Act, but does not include a school as defined by the Schools Act.

**DEVELOPMENT** means the carrying out of any building, engineering, mining or other operations in, on, over, or under land, or the making of any material change in the use, or the intensity of use of any land, buildings, or premise and without limiting the generality of the foregoing, shall specifically include:

- (i) the making of an access onto a highway, road or way;
- (ii) the erection of an advertisement or sign;
- (iii) the parking of a trailer, or vehicle of any description used for the sale of refreshments or merchandise, or as an office, or for living accommodation, for any period of time;

and shall exclude:

- (iv) the carrying out of works for the maintenance, improvement or other alteration or any 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;
- (v) the carrying out by a highway authority of any works required for the maintenance or improvement of a road, being works carried out on land within the boundaries of the road reservation;
- (vi) the carrying out by any local authority or statutory undertakers of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;
- (vii) the use of any building or land within the courtyard of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such.

**DEVELOPMENT REGULATIONS\*** means these regulations and regulations and by-laws respecting development that have been enacted by the relevant authority.

**DIRECTOR** means the Director of Urban and Rural Planning.

**DISCRETIONARY USE\*** means a use that is listed within the discretionary use classes established in the use zone tables of an authority's development regulations.

**DOUBLE DWELLING** means a building containing two dwelling units, placed one above the other, or side by side, but does not include a self-contained dwelling containing a subsidiary apartment.

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

**ENGINEER** means a professional engineer employed or retained by the Town.

**ESTABLISHED GRADE\*** means,

- (i) where used in reference to a building, the average elevation of the finished surface of the ground where it meets the exterior or the front of that building exclusive of any artificial embankment or entrenchment, or
- (ii) 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.

**FAMILY AND GROUP CARE CENTRE** means a dwelling accommodating up to but no more than six (6) persons exclusive of staff in a home-like setting. Subject to the size limitation, this definition includes, but is not limited to, the facilities called "Group Homes", "Halfway House", and "Foster Home".

**FLOOR AREA\*** means the total area of all floors in a building measured to the outside face of exterior walls.

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

**FRONT YARD DEPTH** means the distance between the front lot line of a lot and the front wall of the main building on the lot.

**GARAGE** means a building erected for the storage of motor vehicles as an ancillary use to a main building on the lot.

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

**GENERAL GARAGE** means land or buildings used exclusively for repair, maintenance and storage of motor vehicles and may include the sale of gasoline or diesel oil.

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



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**HOME BUSINESS** means a secondary use of a dwelling and/or its accessory building by at least one of the residents of the dwelling to conduct a gainful occupation or business activity.

**INSPECTOR** means any person appointed and engaged as an Inspector by the Town or by any federal or provincial authority or the agent thereof.

**INSTITUTION** 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.

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

**LIGHT INDUSTRY** means the use of any land or buildings for any general 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.

**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.

**LODGING HOUSE** means a dwelling in which at least 2 rooms are regularly rented to persons other than the immediate family of the owner or tenant.

**LOT\*** means a plot, tract or parcel of land which can be considered as a unit of land for a particular use or building.

**LOT AREA\*** means the total horizontal area within the lines of the lot.

**LOT COVERAGE\*** means the combined area of all buildings on the 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.

**MARINA** means a dock or basin together with associated facilities where slips, moorings, supplies, repairs, and other services that are typically available for boats and other watercraft, including storage, sales and rentals, with or without a club house and catering facilities. It can also include a boat-house or shed associated with a dock or wharf.

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**MINERAL EXPLORATION** means the activity of searching for minerals or mineral occurrences, including oil exploration, wherein, for the purposes of these Regulations it takes the form of development - that is visible and appreciable disturbance to soil.

**MINERAL WORKING** means land or buildings used for the working or extraction of construction aggregates.

**MINING** means land or buildings used for the extraction of ores, salts, oil and/or natural gas.

**MOBILE HOME** means a transportable factory-built single family dwelling unit:

- (a) which complies with space standards substantially equal to those laid down in the Canadian Code for Residential Construction and is in accordance with the construction standards laid down and all other applicable Provincial and Municipal Codes and;
- (b) which is designed to be:
  - (i) 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;
  - (ii) connected to exterior public utilities approved by the Town, namely, piped water, piped sewer, electricity and telephone, in order for such mobile home unit to be suitable for year round term occupancy.

**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 Town.

**MOBILE HOME SUBDIVISION** means a mobile home development requiring the subdivision of land whether in single or joint ownership into two or more pieces or parcels of land for the purpose of locating thereon mobile home units under either freehold or leasehold tenure and where the maintenance of streets and services is the responsibility of a municipality or public authority, and where the mobile home development is classified as a mobile home subdivision by the Town.

**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.

**OWNER\*** means a person or an organization of persons owning or having the legal right to use the land under consideration.

**PERMITTED USE\*** means a use that is listed within the permitted use classes set out in the use zone tables of an authority's development regulations.

**PIT AND QUARRY WORKING** carries the same meaning as Mineral Working.

**PROHIBITED USE\*** means a use that is not listed within the permitted use classes set out in the use zone tables of an authority's development regulations.

**REAR YARD DEPTH\*** means the distance between the rear lot line and the rear wall of the main building on the lot.

**RESTAURANT** means a building or part thereof, designed or intended to be used or occupied for the purpose of serving the general public with meals or refreshments for consumption on the premises.

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

**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.

**SERVICE STATION** means any land or building used exclusively for the sale of petroleum products, automotive parts and accessories, minor repairs, washing and polishing of motor vehicles.

**SERVICE STREET** means a street constructed parallel to or close to another street for the purpose of limiting direct access to that street.

**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 shops and complementary uses with integrated parking and which is planned, developed and designed as a unit containing a minimum of 5 retail establishments.

**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.

**SIDEYARD DEPTH\*** means the distance between the side lot line and the nearest side wall of a building on the lot.

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

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

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

**SUBDIVISION** means the dividing of any land, whether in single or joint ownership, into two or more pieces for the purpose of development.

**SUBSIDIARY APARTMENT** means a separate dwelling unit constructed within and subsidiary to a self-contained dwelling.

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

**TAVERN:** includes a nightclub and means a building licensed or licensable under the Liquor Control Act wherein meals and food may be served for consumption on the premises and in which entertainment may be 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 particular use zone table in Schedule C of the Regulations relate.

**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 Zone Table of the authority's regulations.

**ZONING MAP\*** means the map or maps attached to and forming part of the Regulations.

<b>SCHEDULE B - CLASSIFICATION OF USES OF LAND AND BUILDINGS</b>		
<b>GROUP</b>	<b>CLASS</b>	<b>EXAMPLES</b>
ASSEMBLY USES	Theatre	Motion Picture Theatres T.V. Studios admitting an audience.
ASSEMBLY USES	Cultural and Civic	Libraries, Museums, Art Galleries, Court Rooms, Meeting Rooms, Council Chambers
ASSEMBLY USES	General Assembly	Community Halls, Lodge Halls, Dance Halls, Gymnasias, Auditoria, Bowling Alleys
ASSEMBLY USES	Educational	Schools, Colleges (non-residential)
ASSEMBLY USES	Place of Worship	Churches and similar places of worship, Church Halls
ASSEMBLY USES	Passenger Assembly	Passenger Terminals
ASSEMBLY USES	Club and Lodge	Private Clubs and Lodges (non-residential)
ASSEMBLY USES	Catering	Restaurants, Bars, Lounges
ASSEMBLY USES	Funeral Home	Funeral Homes and Chapels
ASSEMBLY USES	Child Care	Day Care Centres
ASSEMBLY USES	Amusement	Electronic Games Arcades, Pinball Parlours, Poolrooms
ASSEMBLY USES	Indoor Assembly	Arenas, Armouries, Ice Rinks, Indoor Swimming Pools

<b>SCHEDULE B - CLASSIFICATION OF USES OF LAND AND BUILDINGS...cont'd</b>		
<b>GROUP</b>	<b>CLASS</b>	<b>EXAMPLES</b>
ASSEMBLY USES	Outdoor Assembly	Bleachers, Grandstands, Outdoor Ice Rinks and Swimming Pools, Amusement Parks and Fair-grounds, Exhibition Grounds, Drive-in Theatres
ASSEMBLY USES	Campground	Campgrounds, Recreational Vehicle and Travel Trailer Campgrounds
INSTITUTIONAL USES	Penal and Correctional Detention	Jails, Penitentiaries, Police Stations (with detention quarters), Prisons, Psychiatric, Hospitals (with detention quarters), Reformatories
INSTITUTIONAL USES	Medical Treatment and Special Care	Children's Homes, Convalescent Homes, Homes for Aged, Hospitals, Infirmaries
RESIDENTIAL USES	Single Dwelling	Single Detached Dwellings, Family & Group Homes
RESIDENTIAL USES	Double Dwelling	Semi-detached Dwelling, Duplex Dwellings, Family & Group Homes
RESIDENTIAL USES	Row Dwelling	Row Houses, Town Houses, Family & Group Homes
RESIDENTIAL USES	Apartment Building	Apartments, Family & Group Homes

<b>SCHEDULE B - CLASSIFICATION OF USES OF LAND AND BUILDINGS...cont'd</b>		
<b>GROUP</b>	<b>CLASS</b>	<b>EXAMPLES</b>
RESIDENTIAL USES	Collective Residential	Residential Colleges & Schools, University & College Halls of Residence, Convents & Monasteries, Nurses and Hospital Residences
RESIDENTIAL USES	Boarding House Residential and/or Bed and Breakfast	Boarding Houses, Lodging Houses, Bed and Breakfast
RESIDENTIAL USES	Commercial Residential	Hotels & Motels, Hostels, Residential Clubs
RESIDENTIAL USES	Seasonal Residential	Summer Homes & Cabins, Hunting & Fishing Cabins
RESIDENTIAL USES	Mobile Homes	Mobile Homes
BUSINESS & PERSONAL SERVICE USES	Office	Offices (including Government Offices), Banks
BUSINESS & PERSONAL SERVICE USES	Medical and Professional	Medical Offices and Consulting Rooms, Dental Offices & Surgeries, Legal Offices & Similar Professional Offices
BUSINESS & PERSONAL SERVICE USES	Personal Service	Barbers, Hairdressers, Beauty Parlours, Small Appliance Repairs
BUSINESS & PERSONAL SERVICE USES	General Service	Self-service Laundries, Dry Cleaners (not using flammable or explosive substances), Small Tool and Appliance Rentals, Travel Agents
BUSINESS & PERSONAL SERVICE USES	Communications	Radio Stations, Telephone Exchanges
BUSINESS & PERSONAL SERVICE USES	Police Station	Police Stations without detention quarters



<b>SCHEDULE B - CLASSIFICATION OF USES OF LAND AND BUILDINGS...cont'd</b>		
<b>GROUP</b>	<b>CLASS</b>	<b>EXAMPLES</b>
BUSINESS & PERSONAL SERVICE USES	Taxi Stand	Taxi Stands
BUSINESS & PERSONAL SERVICE USES	Take-out Food Service	Take-out Food Service
BUSINESS & PERSONAL SERVICE USES	Veterinary	Veterinary Surgeries
MERCANTILE USES	Shopping Centre	Shopping Centres
MERCANTILE USES	Shop	Retail Shops and Stores and Showrooms, Department Stores
MERCANTILE USES	Indoor Market	Market Halls, Auction Halls
MERCANTILE USES	Outdoor Market	Market Grounds, Animal Markets, Produce and Fruit Stands, Fish Stalls
MERCANTILE USES	Convenience Store	Confectionary Stores, Corner Stores, Gift Shops, Specialty Shops
INDUSTRIAL USES	Hazardous Industry	Bulk Storage of hazardous liquids and substances, Chemical Plants, Distilleries Feed Mills, & Lacquer, Mattress, Paint, Varnish, and Rubber Factories, Spray Painting
INDUSTRIAL USES	General Industry	Factories, Cold Storage Plants, Freight Depots General Garages, Warehouses, Workshops, Laboratories, Laundries, Planing Mills, Printing Plants, Contractors' Yards
INDUSTRIAL USES	Service Station	Gasoline Service Stations, Gas Bars

<b>SCHEDULE B - CLASSIFICATION OF USES OF LAND AND BUILDINGS...cont'd</b>		
<b>GROUP</b>	<b>CLASS</b>	<b>EXAMPLES</b>
INDUSTRIAL USES	Light Industry	Light Industry, Parking Garages, Indoor Storage, Warehouses, Workshops
NON-BUILDING USES	Agriculture	Commercial Farms, Hobby Farms, Market Gardens & Nurseries
NON-BUILDING USES	Forestry	Tree Nurseries, Silviculture
NON-BUILDING USES	Mineral Exploration	Mineral Exploration
NON-BUILDING USES	Mineral Working	Quarries, Pits
NON-BUILDING USES	Mining	Mining, Oil Wells
NON-BUILDING USES	Recreational Open Space	Playing Fields, Sports Grounds, Parks, Playgrounds
NON-BUILDING USES	Conservation	Watersheds, Buffer Strips, Flood Plains, Architectural, Historical and Scenic Sites, Steep Slopes, Wildlife Sanctuaries
NON-BUILDING USES	Cemetery	Cemeteries, Graveyards
NON-BUILDING USES	Scrap Yard	Car Wrecking Yards, Junk Yards, Scrap Dealers
NON-BUILDING USES	Solid Waste	Solid Waste Disposal, Sanitary Land Fill Incinerators
NON-BUILDING USES –	Animal	Animal Pounds, Kennels, Zoos
NON-BUILDING USES	Antenna	TV, Radio and Communications Transmitting and Receiving Masts and Antennae
NON-BUILDING USES	Transportation	Airfields, Docks and Harbours

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<b>SCHEDULE B - CLASSIFICATION OF USES OF LAND AND BUILDINGS...cont'd</b>		
<b>GROUP</b>	<b>CLASS</b>	<b>EXAMPLES</b>
NON-BUILDING USES	Marina	Marina, Yacht Club, Boating Club, Boat House

## SCHEDULE C – USE ZONE SCHEDULES

Schedule C contains tables showing the use classes which may be permitted or which may be treated as discretionary use classes for the purpose of these Regulations. The tables also indicate the required standards of development and may also include conditions affecting some or all of the use classes.

The schedule contains tables for the following Use Zones:

Residential	Page <u>55</u>
Rural Community	Page <u>65</u>
Town Centre	Page <u>73</u>
Resort	Page <u>78</u>
Public	Page <u>81</u>
Open Space	Page <u>83</u>
Commercial Highway	Page <u>86</u>
Commercial-Industrial	Page <u>89</u>
Transportation	Page <u>93</u>
Mineral Working	Page <u>96</u>
Public Utility	Page <u>104</u>
Rural	Page <u>106</u>
Agriculture	Page <u>116</u>
Forestry	Page <u>124</u>
Environmental Protection	Page <u>131</u>
Urban Reserve	Page <u>134</u>
Designated Floodway	Page <u>137</u>
Residential Floodway Fringe	Page <u>139</u>
Protected Water Supply	Page <u>149</u>

### NOTE:

Other sections or regulations of the Development Regulations are cross-referenced under the Schedule C Conditions for each of the Zones. This is for convenience purposes only. In reviewing an application for development, all relevant provisions of the Development Regulations should be reviewed before a permit is granted, whether or not the provision is cross-referenced under the Conditions for the applicable Zone.

**USE ZONE TABLE  
RESIDENTIAL (RES) ZONE**

ZONE TITLE		RESIDENTIAL (RES)			(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)					
Conservation, Double Dwelling, Mobile Home, Recreational Open Space and Trails and Single Dwelling – also Subsidiary Apartment and Subsidiary Dwelling.					
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)					
Antenna, Apartment Building, Bed and Breakfast, Boarding House, Child Care, Convenience Store, Educational, Family and Group Care Centre, Home Occupation (Light Industry, Medical and Professional, Office and Personal Service classes) Marina, Marina, Medical Treatment and Special Care, Mobile Home Park, Office, Place of Worship, Public Utility, Row Dwelling and Tourist Cabins (Commercial Residential class).					
STANDARDS	WHERE PERMITTED				
	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building	
Lot area (m <sup>2</sup> ) minimum	450*	390*	180* (average)	280*	
Floor Area (m <sup>2</sup> ) minimum	80	80	65		
Frontage (m) minimum	15	20	20* 6m/unit	20 m for first three; 6.6m per unit, four and more up to 36 m maximum	
Building Line and Setback (m) (minimum)	9	9	10	10	
Side yard Width (m) (minimum)	2 and 1	3	3	5	
Side yard Width (m) Corner Lot Flanking Road (minimum)	6	6	6	6	

STANDARDS	WHERE PERMITTED			
	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building
Rear yard Depth (m) (minimum)	9	9	9	9
Lot Coverage (%) maximum	33	33	33	33
Height (m) maximum	8	8	10	10
NOTES: * per dwelling unit.				

### CONDITIONS FOR THE RESIDENTIAL ZONE

- 1. Accesses and Service Streets (see Regulation 28)**
- 2. Accessory Buildings, Decks and Access Ramps**
  - (1) Accessory buildings shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
  - (2) Accessory buildings shall not be erected upon or placed upon any easements.
  - (3) Exclusive of cold frames, decks, gazebos, greenhouses, subsidiary dwellings (Condition 33), swimming pools and temporary repair shelters, accessory buildings shall have a:
    - (a) combined lot coverage no greater than 7 percent of the lot area, up to a combined total floor area of no greater than 67 square metres;
    - (b) height of no more than 4 metres.
  - (4) Radio and television antennae shall have a maximum height of 15 metres.

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- (5) Accessory buildings shall not be closer the front lot line than the main building, 1 metre to the side lot line, 6 metres to the flanking road and 1 metre to the rear lot line. Accessory buildings shall maintain a minimum separation distance of 3 metres from a dwelling.
  - (6) An open or partially enclosed deck attached to the dwelling shall not extend into the minimum permissible front and side yards and flanking road setback and shall not be closer to the rear lot line than 1 metre.
  - (7) An access ramp for a wheel chair, may, at the discretion of the Town after consultation with abutting property owners, be erected in a minimum front, rear or side yard if:
    - there is no alternative means of providing the access ramp;
    - it does not create a safety hazard or block sight lines;
    - it is attached to an existing dwelling.

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Bed and Breakfast, Boarding House**

Bed and breakfast and boarding house may be permitted as discretionary uses provided:

- (a) the proposed building has an exterior design which is sensitive to the residential character of the surrounding area and respects the scale and density of adjacent dwellings; and
- (b) the development is landscaped in a manner compatible with the surrounding residential area.

**7. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**8. Building Line and Setback (see Regulation 33)**

**9. Child Care**

Child Care uses may only be permitted if they are compatible with neighbouring residential uses.

**10. Comprehensive Development**

At its discretion the Town may approve a comprehensive residential development that only in its overall density and minimum dwelling unit floor area complies with the development standards of this zone. Provided that the comprehensive development itself fronts on a public road and there is adequate access, dwellings within the Comprehensive Development need not directly front on a public road.

Except for those noted above, all other regulations and conditions of the Development Regulations as they pertain to this development and zone must be adhered to.

**11. Convenience Stores**

Convenience stores may only be permitted as a discretionary use under the following conditions:

- (a) the store shall form part of or be attached to a dwelling unit or stand on a separate lot;
- (b) the retail use shall be subsidiary to the residential character of the area and shall not affect residential amenities of adjoining properties;
- (c) a minimum of three off-street parking spaces shall be provided;
- (d) the maximum floor area of a convenience store shall be 65 m<sup>2</sup>;
- (e) a convenience store on a separate lot shall conform to the standards of a single dwelling except as otherwise required in this Condition;
- (f) the floor area of a convenience store forming part of or attached to a single dwelling shall be a maximum of 25% of the total floor area of the dwelling and convenience store together.

**12. Discretionary Uses**

- (1) See Regulation 35.
- (2) Except as otherwise specified, discretionary uses shall conform to the frontage, building line setback, side yard, rear yard, and lot coverage specified for a single dwelling.



**13. Family and Group Care Centres**

Family group care centre use may be permitted in any dwelling or apartment that is adequate in size to accommodate the number of persons living in the group, inclusive of staff, provided that in the opinion of the Town, the use of the dwelling does not materially differ from, nor adversely affect, the amenities of the adjacent residences, or the neighbourhood in which it is located. The Town may require special access and safety features to be provided for the occupants before occupancy is permitted.

**14. Fences (see Regulation 36)**

**15. Home Occupation**

A Home Occupation may only be permitted if:

- (a) the primary use of the property remains residential and the scope and intensity of the use classes is entirely compatible with the residential uses of the property and neighbourhood;
- (b) the floor area of the home occupation does not exceed 67 square metres;
- (c) there is no more than one (1) non-resident employee employed on the site in addition to residents of the dwelling;
- (d) one off-street parking space, other than that required for the dwelling, is provided for every twenty (20) square metres of floor space occupied by the home occupation;
- (e) no mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- (f) no wholesale or retail sale of goods is externally apparent - for example, if sale of crafts occurs it does not occur through walk-in or drive-in trade;
- (g) there is no outdoor storage or display;
- (h) a non-illuminated identification sign not exceeding 0.28 m<sup>2</sup> in area shall be permitted on the dwelling provided that the sign is consistent with residential character of the neighbourhood;
- (i) no change in the type, class or extent of the home occupation shall be permitted except with the approval of the Town.

**16. Lot Area, Lot Area and Size Exceptions, Lot Frontage (see Regulations 37, 38 and 39)**

**17. Marina**

A marina in this zone shall be restricted to a marina associated with a nearby residential use, and shall be restricted to a boat haul out, wharf, shed and/or boat house that is compatible with nearby residential uses in character and usage.

**18. Medical Treatment and Special Care**

- (1) A Medical Treatment and Special Care Use shall be limited to a home for the aged.
- (2) The Medical Treatment and Special Care Use shall be residential in character and shall not detract from the amenities of the surrounding uses.
- (3) The Medical Treatment and Special Care Use shall meet the standards for a single dwelling in this Zone, or such higher standard as the Town may determine.

**19. Mobile Home**

A mobile home can only be located in an approved mobile home park containing ten or more mobile home lots.

**20. Mobile Home Park**

A mobile home park may only be approved as a discretionary use if it meets the standards set out under this Condition.

- (1) A mobile home park shall contain at least ten (10) mobile home lots.
- (2) The mobile home lot requirements are as follows:
  - (a) Lot area minimum per dwelling unit - 360 m<sup>2</sup>
  - (b) Lot Frontage minimum per dwelling unit - 12.2 m
  - (c) Building line setback minimum – 6 m
  - (d) Side yard width minimum - one side – 1.2 m and the other side – 3.7 m
  - (e) Rear yard depth minimum – 3.6 m
  - (f) Lot coverage total all buildings maximum – 33%

- (3) A mobile home park shall be fully serviced with water and sewer connected to the municipal water and sewer system. The cost of installing water and sewer and connecting them to the municipal water and sewer system and their ongoing maintenance shall be the responsibility of the developer. Each mobile home shall be serviced with water and sewer.
- (4) The development and maintenance of site facilities including underground services, communal areas and garbage collection are the responsibility of the mobile home park developer and/or operator.
- (5) The maximum density of the mobile home park shall be 20 mobile homes per gross hectare.
- (6) The maximum number of mobile home lots in a park shall not exceed fifty.
- (7) No more than one mobile home shall be placed on each mobile home lot.
- (8) Vacant lots shall be maintained so as not to become derelict or otherwise deteriorate.
- (9) A mobile home lot must be provided with a mobile home stand capable of supporting the maximum anticipated load of the mobile home throughout all seasons of the year without settlement or other movement.
- (10) A mobile home stand must be designed to fit the dimensions of the particular mobile home positioned on the mobile home stand and must be paved or provided with some other hard surface.
- (11) A mobile home stand shall be required to be supported and secured by foundation walls, piers, posts or other means, carried to a depth sufficient to prevent movement by frost and sufficient to support the anticipated load at such points on its chassis frame as required.
- (12) Anchors in the form of eyelets embedded in concrete, screw augers or arrow head anchors, or alternative devices acceptable to the Authority must be provided at all corners of the mobile home stand and at additional points where necessary to secure the mobile home against the forces exerted by wind or other naturally occurring forces.
- (13) Anchors or devices must be connected to each anchor point of the mobile home chassis frame by a cable or other device approved by the Authority.

- (14) Anchors and connections must be made capable of withstanding a tension of at least 2,180 kilograms.
- (15) A mobile home shall be placed on an approved mobile home lot, and in a manner allowing it to be placed and removed from the lot without interfering with other lots.
- (16) Mobile homes will be blocked with approved materials so that there will be a minimum clearance of 0.6 metres from the underside of the steel beam frame to the ground. The maximum clearance will be 1.2 metres from the underside of the frame to the ground.
- (17) When a mobile home is in the correct position and secured in place, the open space beneath it will be skirted with minimum 1.25 centimetre plywood or equivalent, secured to a minimum 5 centimetre by 5 centimetre framing on 60 centimetre centres. The skirting must be acceptable to the Authority and have an accessible, removable panel to give access to service connections.
- (18) A mobile home shall have a minimum of 40 square metres for an outdoor living area. This area will be located at the rear or side (or combination of both) of the mobile home. The purpose of the living area is to provide an area for privacy, recreation and amenity.
- (19) Attached Structures
  - (a) No attached structure shall have a floor area greater than 10 percent of the area of the lot upon which the mobile home is located or 70 square metres, whichever is the lesser.
  - (b) The minimum lot clearances outlined in the Zone Table shall apply to an attached structure.
  - (c) Every attached structure shall be designed to be architecturally similar in appearance to the mobile home.
- (20) Accessory Buildings
  - (a) The maximum floor area of all accessory buildings shall not exceed a lot coverage of 7% and a floor area of 56m<sup>2</sup>, and a height of 4 metres;

- (b) An accessory building will only be permitted in the rear yard of the mobile home. It shall be no closer than 1.5 metres to another building and 1 metre from any property line.

**21. Municipal Services**

All development in this zone shall be connected to municipal water and sewer services.

**22. Non-Conforming Uses (see Regulation 41)**

**23. Offices**

An office may be permitted on the ground floor of an apartment building provided that there is adequate safety and sound separation between an office and the apartments and offices, and the offices are considered by the Town to be compatible with the residential uses, and provided the Town is satisfied that the neighbourhood will not be unduly affected by the development.

**24. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**25. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**26. Road Frontage**

All use classes except marinas, must front onto an existing public road or a subdivision road built in conformity with the standards in these Regulations.

**27. Side Yards (see Regulation 44)**

**28. Site Development (see Regulation 45)**

**29. Site Development, Quarry and Soil Removal (see Regulation 46)**

**30. Streets (see Regulation 58)**

**31. Subdivision of Land (see Part III)**

**32. Subsidiary Apartments**

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

**33. Subsidiary Dwelling**

A subsidiary dwelling is permitted in the rear yard of a single dwelling in a building separate from the single dwelling, subject to the following requirements:

- (a) the subsidiary dwelling is located in the rear yard of the single dwelling;
- (b) fire and other safety issues are properly addressed in the location, access and design of the subsidiary dwelling, and this may entail the provision of a sideyard wide enough to provide access for emergencies which is greater than the minimum sideyard for single dwellings in this zone;
- (c) unless it is only used as a separate sleeping quarters, the subsidiary dwelling shall be connected to municipal water and sewer services;
- (d) the maximum floor area shall be 45 square metres;
- (e) the minimum distance from the side and rear property boundaries is 3 metres;
- (f) maximum height is 4 metres.

**34. Tourist Cabins**

Tourist cabins may be permitted as a discretionary use, subject to the following conditions:

- (a) the development is compatible with other developments in the area;
- (b) minimum lot area is one hectare;
- (c) maximum density is five tourist cabins per hectare;
- (d) minimum floor area per tourist cabin is 45 square metres;
- (e) minimum building line setback, side yard and rear yard requirements are the same as that for single dwellings in this zone;
- (f) 100 m separation is provided between the tourist cabins and associated facilities and dwellings situated on nearby properties.

**35. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**36. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
RURAL COMMUNITY (RC) ZONE**

ZONE TITLE	RURAL COMMUNITY (RC)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Conservation, Recreational Open Space and Trails and Single Dwelling – also Subsidiary Apartment and Subsidiary Dwelling.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Agriculture, Antenna, Bed and Breakfast, Boarding House, Campground, Child Care, Convenience Store, Educational, Family and Group Care Centre, Home Occupation (Light Industry, Medical and Professional, Office and Personal Service classes), Marina, Mobile Home, Outdoor Market, Place of Worship, Public Utility and Tourist Cabins (Commercial – Residential class).		

**CONDITIONS FOR THE RURAL COMMUNITY ZONE**

**1. General Development Standards**

Lot Area	As determined by the Department of Government of Services or 1860 m <sup>2</sup> , whichever is greater
Floor Area (minimum)	80 m <sup>2</sup>
Lot Frontage	As determined by the Department of Government Services or 30 metres minimum, whichever is greater.
Building Line and Setback:	The minimum setback from a public road shall be 6 metres, and the maximum – 32 metres.
Side yards, including flanking road setback (minimum):	6 metres
Rear yard (minimum):	15 metres
Lot Coverage (maximum)	15%

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Buildings, Decks and Access Ramps**

- (1) Accessory buildings shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
- (2) Accessory buildings shall not be erected upon or placed upon any easements.
- (3) Exclusive of cold frames, decks, gazebos, greenhouses, swimming pools subsidiary dwellings (Condition 32) and temporary repair shelters, accessory buildings shall have a:
  - (a) combined lot coverage no greater than 7 percent of the lot area, up to a combined total floor area of no greater than 67 square metres;
  - (b) height of no more than 4 metres.
- (4) Radio and television antennae shall have a maximum height of 15 metres.
- (5) Accessory buildings shall not be closer the front lot line than the main building, 1 metre to the side lot line, 6 metres to the flanking road lot line and 1 metre to the rear lot line. Accessory buildings shall maintain a minimum separation distance of 3 metres from a dwelling.
- (6) An open or partially enclosed deck attached to the dwelling shall not extend into the minimum permissible front and side yards and flanking road setback, and shall not be closer to the rear lot line than 1 metre.
- (7) An access ramp for a wheel chair, may, at the discretion of the Town after consultation with abutting property owners, be erected in a minimum front, rear or side yard if:
  - there is no alternative means of providing the access ramp;
  - it does not create a safety hazard or block sight lines;
  - it is attached to an existing dwelling.

**4. Accessory Uses (see Regulation 29)**

**5. Advertisements (see Regulation 30)**



**6. Agriculture and Forestry**

Agricultural and Forestry activities are subject to the approval of the Department of Natural Resources. Also, see Regulation 32 regarding agricultural buffers.

**7. Archaeological Sites (see Regulation 31)**

**8. Bed and Breakfast, Boarding House**

Bed and breakfast and boarding house may be permitted as discretionary uses provided:

- (a) the proposed building has an exterior design which is sensitive to the residential character of the surrounding area and respects the scale and density of adjacent dwellings; and
- (b) the development is landscaped in a manner compatible with the surrounding residential area.

**9. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**10. Building Line and Setback (see Regulation 33)**

**11. Campground**

- (1) A campground may only be permitted as a discretionary use, provided a plan of the development is submitted in a format satisfactory to the Town, showing and specifying:
  - (a) camping sites - location and sizes;
  - (b) roads and accesses;
  - (c) parking areas;
  - (d) accessory uses, such as laundry facilities, storage areas, showers, snack-bar, and convenience stores and the caretaker residence, and any other building or facility accessory to the campground facility;
  - (e) water supply and waste disposal services;
  - (f) landscaping;
  - (g) buffers, and screening between the campground and existing and future residential development;

- (h) the land to be developed on a legal survey prepared by a Newfoundland Land Surveyor;
  - (i) where deemed, necessary by the Town, a phasing plan of the campground.
- (2) Commercial uses, washroom facilities, laundromats and similar facilities, and parking areas and recreational areas shall not be located adjacent residential areas.
- (3) All sites and facilities shall only be accessed by the internal road network of the campground.
- (4) A suitable buffer located on the property that is landscaped and planted with materials approved by the Town and/or a privacy fence of a design approved by the Town, shall be provided where the development is abuts a public road, right of way, and/or a present or future residential neighbourhood.  
  
Any buffering or screening shall be properly maintained by the owner, and not allowed to fall into disrepair or become unsightly.
- (5) The permit for a campground shall specify the maximum number of units and sites - in the form of tents, recreational vehicles, and so forth - that may be accommodated on the site at any one time. This number shall not be exceeded.
- (6) Any expansion or alteration to a campground shall be subject to review by the Town, and except for repairs and maintenance, shall be treated as a discretionary use application.
- (7) The owner and/or the operator shall ensure that all bylaws and regulations of the Town pertaining to noise, rowdy behaviour, and litter are complied with.
- (8) Where deemed necessary by the Town, a deposit sufficient to cover the cost the buffer and screening shall be deposited with the Town, and then subsequently returned by the Town upon satisfactory completion of the work, or, used by the Town to complete the work in accordance with the approved plan.

**12. Child Care**

Child Care uses may only be permitted if they are compatible with neighbouring residential uses.

**13. Comprehensive Development**

At its discretion the Town may approve a comprehensive residential development that only in its overall density and minimum dwelling unit floor area complies with the development standards of this zone. Provided that the comprehensive development itself fronts on a public road and there is adequate access, dwellings within the Comprehensive Development need not directly front on a public road.

Except for those noted above, all other regulations and conditions of the Development Regulations as they pertain to this development and zone must be adhered to.

**14. Convenience Stores**

Convenience stores may only be permitted as a discretionary use under the following conditions:

- (a) the store shall form part of, or be attached to a single dwelling unit or stand on a separate lot;
- (b) the retail use shall be subsidiary to the residential character of the area, and shall not detract from residential amenities of adjoining properties;
- (c) off-street parking for a minimum of three automobiles shall be provided for the use of customers;
- (d) the maximum floor area of a convenience store shall be 65m<sup>2</sup>;
- (e) a convenience store on a separate lot shall conform with the standards of a single dwelling except as otherwise required in this condition;
- (f) the floor area of a convenience store forming a part of or attached to a single dwelling shall be a maximum of 25% of the total floor area of the dwelling and convenience store together.

**15. Discretionary Uses**

- (1) See Regulation 35.
- (2) Discretionary uses shall conform to the frontage, building line setback, side yard, rear yard and lot coverage specified for a single dwelling.

**16. Family and Group Care Centres**

Family group care centre use may be permitted in any dwelling or apartment that is adequate in size to accommodate the number of persons living in the group, inclusive of staff, provided that in the opinion of the Town, the use of the dwelling does not materially differ from, nor adversely affect, the amenities of the adjacent residences, or the neighbourhood in which it is located. The Town may require special access and safety features to be provided for the occupants before occupancy is permitted.

**17. Fences (see Regulation 36)**

**18. Home Occupation**

A Home Occupation may only be permitted if:

- (a) the use is clearly subsidiary to a residential use, the primary use of the property remains residential and scope and intensity of the use classes is entirely compatible with the residential use of the property and neighbourhood;
- (b) the floor area of the home occupation does not exceed 67 square metres;
- (c) there is no more than one (1) non-resident employee employed on the site in addition to residents of the dwelling;
- (d) one off-street parking space, other than that required for the dwelling, is provided for every twenty (20) square metres of floor space occupied by the home occupation;
- (e) no mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- (f) no wholesale or retail sale of goods is externally apparent - for example, if sale of crafts occurs it does not occur through walk-in or drive-in trade;
- (g) there is no outdoor storage or display;
- (h) a non-illuminated identification sign not exceeding 0.28 m<sup>2</sup> in area shall be permitted on the dwelling provided that the sign is consistent with residential character of the neighbourhood;
- (i) no change in the type, class or extent of the home occupation shall be permitted except with the approval of the Town.

**19. Lot Area, Lot Area and Size Exceptions, Lot Frontage (see Regulations 37, 38 and 39)**

**20. Marina**

A marina in this zone shall be restricted to a marina associated with a nearby residential use, and shall be restricted to a boat haul out, wharf, shed and/or boat-house that is compatible with nearby residential uses in character and usage.

**21. Non-Conforming Uses (see Regulation 41)**

**22. Outdoor Market**

An outdoor market may be permitted provided:

- (a) the use is not intrusive and is compatible with the surrounding area in terms of building scale, site design and lay-out, and level of activity;
- (b) impact on adjacent dwellings is minimized through appropriate site design and provision of appropriate buffers and screening;
- (c) no outdoor storage associated with the use shall be permitted and no repairs to vehicles or heavy equipment shall be carried out;
- (d) activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust, fumes, inconvenience or nuisance to adjacent dwellings because of type of operation, traffic or hours of operation; and
- (e) adequate off-street parking and loading facilities are available on-site.

**23. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**24. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**25. Road Frontage & Development on Existing Road**

All use classes except marinas, must front onto an existing public road built in conformity with the standards in these Regulations.

**26. Side Yards (see Regulation 44)**

**27. Site Development (see Regulation 45)**

**28. Site Development Quarry and Soil Removal (see Regulation 46)**

**29. Streets (see Regulation 58)**

**30. Subdivision of Land (see Part III)**

**31. Subsidiary Apartments**

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

**32. Subsidiary Dwelling**

A subsidiary dwelling is permitted in the rear yard of a single dwelling in a building separate from the single dwelling, subject to the following requirements:

- (a) the subsidiary dwelling is located in the rear yard of the single dwelling;
- (b) fire and other safety issues are properly addressed in the location, access and design of the subsidiary dwelling, and this may entail the provision of a sideyard wide enough to provide access for emergencies which is greater than the minimum sideyard for single dwellings in this zone;
- (c) unless it is only used as a separate sleeping quarters, the subsidiary dwelling shall be connected to municipal water and sewer services;
- (d) the maximum floor area shall be 45 square metres;
- (e) the minimum distance from the side and rear property boundaries is 3 metres;
- (f) maximum height is 4 metres.

**33. Tourist Cabins**

Tourist cabins may be permitted as a discretionary use, subject to the following conditions:

- (a) the development is compatible with other developments in the area;
- (b) minimum lot area is one hectare;
- (c) maximum density is five tourist cabins per hectare;
- (d) minimum floor area per tourist cabin is 45 square metres;
- (e) minimum building line setback, side yard and rear yard standards are the same as those for single dwellings in this zone;
- (f) 100 metre separation is provided between the tourist cabins and associated facilities and dwellings situated on nearby properties.

**34. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**35. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
TOWN CENTRE (TC) ZONE**

ZONE TITLE	TOWN CENTRE (TC)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Apartment attached to a business, Apartment Building, Boarding House Residential and Bed and Breakfast, Catering (restaurants), Child Care, Commercial – Residential, Communications, Conservation, Convenience Store, Cultural and Civic, Double Dwelling, Educational, Family and Group Care Centre, Funeral Home, General Service, Indoor Market, Medical and Professional, Medical Treatment and Special Care, Office, Outdoor Market, Passenger Assembly, Personal Service, Place of Worship, Police Station, Public Utility, Recreational Open Space and Trails, Row Dwelling, Shop, Single Dwelling – also Subsidiary Apartment and Subsidiary Dwelling, Taxi Stand, Theatre and Veterinary.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Amusement, Antenna, Catering (bars and lounges), Club and Lodge, General Assembly, Light Industry, Service Station, and Take-out Food Service.		

**CONDITIONS FOR THE TOWN CENTRE ZONE**

**1. General Development Standards**

Building Line Setback (minimum):	4 metres
Side yards (minimum):	4 metres, except where there are adjoining party walls
Rear yard (minimum):	10 metres
Height (maximum)	15 metres.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Buildings, Decks and Access Ramps**

- (1) Accessory buildings shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
- (2) Accessory buildings shall not be erected upon or placed upon any easements.

- (3) Exclusive of cold frames, decks, gazebos, greenhouses, subsidiary dwellings (Condition 24), swimming pools and temporary repair shelters, accessory buildings shall have a:
    - (a) combined lot coverage no greater than 7 percent of the lot area, up to a combined total floor area of no greater than 67 square metres;
    - (b) height of no more than 4 metres.
  - (4) Radio and television antennae shall have a maximum height of 15 metres.
  - (5) Accessory buildings shall not be closer the front lot line than the main building, 1 metre to the side lot line, 4 metres to the flanking road lot line and 1 metre to the rear lot line. Accessory buildings shall maintain a minimum separation distance of 3 metres from a dwelling.
  - (6) An open or partially enclosed deck attached to the dwelling shall not extend into the minimum permissible front and side yards and flanking road setback, and shall not be closer to the rear lot line than 1 metre.
  - (7) An access ramp for a wheel chair, may, at the discretion of the Town after consultation with abutting property owners, be erected in a minimum front, rear or side yard if:
    - there is no alternative means of providing the access ramp;
    - it does not create a safety hazard or block sight lines;
    - it is attached to an existing dwelling.
- 4. Accessory Uses (see Regulation 29)**
  - 5. Advertisements (see Regulation 30)**
  - 6. Archaeological Sites (see Regulation 31)**
  - 7. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**
  - 8. Building Line and Setback (see Regulation 33)**



**9. Comprehensive Development**

At its discretion the Town may approve a comprehensive residential development that only in its overall density and minimum dwelling unit floor area complies with the development standards of this zone. Provided that the comprehensive development itself fronts on a public road and there is adequate access, dwellings within the Comprehensive Development need not directly front on a public road.

Except for those noted above, all other regulations and conditions of the Development Regulations as they pertain to this development and zone must be adhered to.

**10. Discretionary Uses**

- (1) See Regulation 35.
- (2) Discretionary uses shall conform to Condition 1.

**11. Family and Group Care Centres**

Family group care centre use is permitted in any dwelling or apartment that is adequate in size to accommodate the number of persons living in the group, inclusive of staff, provided that in the opinion of the Town, the use of the dwelling does not materially differ from, nor adversely affect, the amenities of the adjacent residences, or the neighbourhood in which it is located. The Town may require special access and safety features to be provided for the occupants before occupancy is permitted.

**12. Fences (see Regulation 36)**

**13. Lot Area, Lot Area and Size Exceptions, Lot Frontage (see Regulations 37, 38 and 39)**

**14. Non-Conforming Uses (see Regulation 41)**

**15. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**16. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**17. Road Frontage**

All use classes must front onto an existing public road built in conformity with the standards in these Regulations unless it forms part of a comprehensive development.

**18. Side Yards (see Regulation 44)**

**19. Site Development (see Regulation 45)**

**20. Site Development Quarry and Soil Removal (see Regulation 46)**

**21. Streets (see Regulation 58)**

**22. Subdivision of Land (see Part III)**

**23. Subsidiary Apartment**

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

**24. Subsidiary Dwelling**

A subsidiary dwelling is permitted in the rear yard of a single dwelling in a building separate from the single dwelling, subject to the following requirements:

- (a) the subsidiary dwelling is located in the rear yard of the single dwelling;
- (b) fire and other safety issues are properly addressed in the location, access and design of the subsidiary dwelling, and this may entail the provision of a sideyard wide enough to provide access for emergencies which is greater than the minimum sideyard for single dwellings in this zone;
- (c) unless it is only used as a separate sleeping quarters, the subsidiary dwelling shall be connected to municipal water and sewer services;
- (d) the maximum floor area shall be 45 square metres;
- (e) the minimum distance from the side and rear property boundaries is 3 metres;
- (f) maximum height is 4 metres.

**25. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**26. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
RESORT (RT) ZONE**

ZONE TITLE	RESORT (RT)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Catering, Club and Lodge, Commercial – Residential - including tourist cabins, Conservation, Double Dwelling, Marina, Public Utility, Office, Personal Service, Recreational Open Space and Trails, Shop and Single Dwelling.		

**CONDITIONS FOR THE RESORT ZONE**

**1. Development Requirements**

Only a resort development is permitted in this zone.

The resort development shall contain at least one or more residential uses together with appropriate commercial and commercial-recreational facilities.

In addition to any other requirements of this Zone and the Development Regulations, development of a resort within this Zone is subject to a comprehensive plan of the development on a site as set out in the Approval In Principle that is at least one hectare in area and which fronts on a public road.

Subject to the approval of the Town and in accordance with the Town's design standards, development within the resort may take place on public and/or private roads and services.

**2. Approval In Principle**

The purpose of the Approval In Principle in this zone is to ensure that development within the Resort Zone occurs in accordance with an approved plan. However, permits and/or specific approvals shall be required from the Town and other relevant agencies before construction of a building or other work is commenced.

The Approval In Principle shall set out:

- (a) the financial guarantees in respect of municipal water, sewer, road and related works to ensure that each phase of the work will be done in accordance with the Approval;

- (b) the financial and other obligations of the parties to the agreement;
- (c) the permitting requirements;
- (d) the legal survey of the property;
- (e) the development plan with phasing and costs, showing land use, public and private open spaces and buffers, roads, water and sewer services, and other relevant information and this development plan shall set out the general specifications of the roads, services and other relevant elements;
- (f) when construction drawings are to be required – in general, construction drawings may only be required prior to the start of a phase or element of the development plan;
- (g) the responsibility for the maintenance and upgrading of services, and the provision of other services, such as garbage collection and street lighting.

**3. Accesses and Service Streets (see Regulation 28)**

**4. Accessory Uses (see Regulation 29)**

**5. Advertisements (see Regulation 30)**

**6. Archaeological Sites (see Regulation 31)**

**7. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**8. Building Line and Setback**

In accordance with Regulation 33, the building line and setback shall be as determined by the Town and set out in the Approval In Principle.

**9. Fences (see Regulation 36)**

**10. Non-Conforming Uses (see Regulation 41)**

**11. Site Development (see Regulation 45)**

**12. Site Development, Quarry and Soil Removal (see Regulation 46)**

**13. Streets (see Regulation 58)**

**14. Subdivision of Land**

Except as otherwise provided in the Approval in Principle, Part III applies.

**15. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**16. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
PUBLIC (P) ZONE**

ZONE TITLE	PUBLIC (P)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Child Care, Collective Residential, Conservation, Cultural and Civic, Educational, Funeral Home, General Assembly, Indoor Assembly, Marina, Medical and Professional, Medical Treatment and Special Care, Office, Outdoor Assembly, Passenger Assembly, Place of Worship, Police Station, Public Utility, Recreational Open Space and Trails, Theatre.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Club or Lodge and Taxi Stand.		

**CONDITIONS FOR THE PUBLIC ZONE**

**1. Development Standards**

Minimum Building Line and Setback. See also Regulation 42.	10 metres
Minimum Side yard Width	5 metres
Minimum Side yard Width Flanking Road	10 metres
Minimum Rear yard Depth	15 metres
Maximum Height	15 metres

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Building Line and Setback (see Regulation 33)**

- 8. Discretionary Uses (see Regulation 35)**
- 9. Fences (see Regulation 36)**
- 10. Non-Conforming Uses (see Regulations 41 and 42)**
- 11. Parking Requirements and Off-street Loading Requirements (Schedule D)**
- 12. Parks and Playgrounds and Conservation Uses (see Regulation 43)**
- 13. Side Yards (see Regulation 44)**
- 14. Site Development (see Regulation 45)**
- 15. Site Development Quarry and Soil Removal (see Regulation 46)**
- 16. Streets (see Regulation 58)**
- 17. Subdivision (see Part III)**
- 18. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**
- 19. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**



**USE ZONE TABLE  
 OPEN SPACE (OS) ZONE**

ZONE TITLE	OPEN SPACE (OS)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Cemetery, Conservation, Marina, Public Utility, and Recreational Open Space and Trails.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Antenna, Campground, Cultural and Civic, Indoor Assembly, Outdoor Assembly, and Theatre.		

**CONDITIONS FOR THE OPEN SPACE ZONE**

**1. Development Standards**

The development standards for this zone are as determined by the Town.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**7. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**8. Building Line and Setback (see Regulation 33)**

**9. Campground**

- (1) A campground may only be permitted as a discretionary use, provided a plan of the development is submitted in a format satisfactory to the Town, showing and specifying:

- (a) camping sites - location and sizes;
  - (b) roads and accesses;
  - (c) parking areas;
  - (d) accessory uses, such as laundry facilities, storage areas, showers, snack-bar, and convenience stores and the caretaker residence, and any other building or facility accessory to the campground facility;
  - (e) water supply and waste disposal services;
  - (f) landscaping;
  - (g) buffers, and screening between the campground and existing and future residential development;
  - (h) the land to be developed on a legal survey prepared by a Newfoundland Land Surveyor;
  - (i) where deemed, necessary by the Town, a phasing plan of the campground.
- (2) Commercial uses, washroom facilities, laundromats and similar facilities, and parking areas and recreational areas shall not be located adjacent residential areas.
- (3) All sites and facilities shall only be accessed by the internal road network of the campground.
- (4) A suitable buffer located on the property and landscaped and planted with materials approved by the Town and/or a privacy fence of a design approved by the Town, shall be provided where the development abuts a public road, right of way, and/or a present or future residential neighbourhood.
- Any buffering or screening shall be properly maintained by the owner, and not allowed to fall into disrepair or become unsightly.
- (5) The permit for a campground shall specify the maximum number of units and sites - in the form of tents, recreational vehicles, and so forth - that may be accommodated on the site at any one time. This number shall not be exceeded.
- (6) Any expansion or alteration to a campground shall be subject to review by the Town, and except for repairs and maintenance, shall be treated as a discretionary use application.

- (7) The owner and/or the operator shall ensure that all bylaws and regulations of the Town pertaining to noise, rowdy behaviour, and litter are complied with.
  - (8) Where deemed necessary by the Town, a deposit sufficient to cover the cost the buffer and screening shall be deposited with the Town, and then subsequently returned by the Town upon satisfactory completion of the work, or, used by the Town to complete the work in accordance with the approved plan.
- 10. Discretionary Uses (see Regulation 35)**
  - 11. Fences (see Regulation 36)**
  - 12. Municipal Services**

Development shall be connected to municipal water and sewer services wherever feasible.
  - 13. Non-Conforming Uses (see Regulation 41)**
  - 14. Parking Requirements and Off-street Loading Requirements (see Schedule D)**
  - 15. Parks and Playgrounds and Conservation Uses (see Regulation 43)**
  - 16. Site Development (see Regulation 45)**
  - 17. Site Development Quarry and Soil Removal (see Regulation 46)**
  - 18. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**
  - 19. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
COMMERCIAL HIGHWAY (CH)**

ZONE TITLE:	COMMERCIALHIGHWAY (CH)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Catering, Civic and Cultural, Commercial Residential, Conservation, Funeral Home, General Industry (general garage only) Office, Passenger Assembly, Public Utility, Recreational Open Space and Trails, Service Station, Shop, Shopping Centre, Take-out Food Service and Taxi Stand.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Amusement.		

**CONDITIONS FOR THE COMMERCIAL HIGHWAY ZONE**

**1. Development Standards**

Minimum Building Line and Setback	15 metres
Minimum Side yard Width	5 metres
Minimum Side yard Width Flanking Road	15 metres
Minimum Rear yard Depth	10 metres
Maximum Height	10 metres
Minimum Lot Frontage	30 metres
Maximum Lot Coverage	33%.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Building Line and Setback (see Regulation 33)**

**8. Civic and Cultural**

The Civic and Cultural use class is limited to those uses serving the public, compatible and supportive of the permitted use classes.

**9. Discretionary Uses (see Regulation 35)**

**10. Fences (see Regulation 36)**

**11. Landscaping and Surfacing**

Non-residential lots shall be landscaped and provided with a stable surface to prevent raising or movement of dust, clay, mud or loose particles.

**12. Lot Area, Lot Area and Size Exceptions, Lot Frontage (see Regulations 37, 38 and 39)**

**13. Municipal Services**

Development shall be connected to municipal water and sewer services.

**14. Non-Conforming Uses (see Regulation 41)**

**15. Outdoor Storage**

The Town may permit open storage of materials, goods and machinery associated with a permitted or discretionary use provided:

- (a) the open storage is not located in the front yard; and
- (b) the Town may require open storage to be fenced or screened.

**16. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

The parking area shall be paved with asphalt or concrete or similar hard and dust-free surface approved by the Town.

**17. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**18. Road Frontage**

All use classes, must front onto an existing public road or a subdivision road built in conformity with the standards in these Regulations.

**19. Service Stations**

The following requirements shall apply to all proposed service stations:

- (a) all gasoline pumps shall be located on pump islands designed for such purpose, and to which automobiles may gain access from either side;
- (b) pump islands shall be set back at least 4 metres from the front lot line;
- (c) accesses shall not be less than 7 metres wide and shall be clearly marked, and where a service station is located on a corner lot, the minimum distance between an access and the intersection of street lines at the junction shall be 10 metres and the lot line between entrances shall be clearly indicated.

**20. Side Yards (see Regulation 44)**

**21. Site Development (see Regulation 45)**

**22. Site Development Quarry and Soil Removal (see Regulation 46)**

**23. Streets (see Regulation 58)**

**24. Subdivision of Land (see Part III)**

**25. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**26. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
COMMERCIAL-INDUSTRIAL (CI) ZONE**

ZONE TITLE	COMMERCIAL-INDUSTRIAL (CI)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Catering, Commercial-Residential, Communications, Conservation, Convenience Store, Funeral Home, General Industry (general garage only), General Service, Indoor Market, Light Industry, Marina, Medical and Professional, Office, Outdoor Market, Passenger Assembly, Personal Service, Police Station, Public Utility, Recreational Open Space and Trails, Service Station, Shop, Take-out Food Service, Taxi Stand, Transportation and Veterinary.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Amusement, Club and Lodge, General Assembly, General Industry and Outdoor Assembly.		

**CONDITIONS FOR THE COMMERCIAL-INDUSTRIAL ZONE**

**1. Development Standards**

Minimum Building Line and Setback	8 metres
Minimum Side yard Width	5 metres
Minimum Side yard Width Flanking Road	8 metres
Minimum Rear yard Depth	10 metres
Maximum Height	10 metres

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Amusement Use**

The Amusement use class may be permitted only when subsidiary to and in association with a gymnasium or youth centre.

**6. Archaeological Sites (see Regulation 31)**

**7. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**8. Building Line and Setback (see Regulation 33)**

**9. Catering Use Class**

Within the catering use class, bars and lounges are discretionary uses which may be permitted provided the Town is satisfied that compatibility with and amenity in the area will be maintained. Distance separations and other measures to preserve compatibility and amenity may be required. Other measures include visual and sound barriers and construction techniques to contain sound and visual aspects of bars and lounges that would diminish compatibility and amenity in the area. Applications for bars and lounges and applications for other uses shall be refused if the Town determines that an acceptable level of compatibility and amenity cannot be maintained between bars and lounges and other uses.

**10. Discretionary Uses (see Regulation 35)**

**11. Fences (see Regulation 36)**

**12. General Assembly**

The General Assembly class is limited to gymnasiums and youth centres, provided the use is not appropriate in the other use zones where they are permitted because the scale of development is too large and it is not primarily pedestrian oriented.

**13. Landscaping and Surfacing**

Lots shall be landscaped and provided with a stable surface to prevent raising or movement of dust, clay, mud or loose particles.

**14. Municipal Services**

Development shall be connected to municipal water and sewer services.

**15. Non-Conforming Uses (see Regulation 41)**



**16. Outdoor Storage**

The Town may permit open storage of materials, goods and machinery associated with a permitted or discretionary use provided that the open storage is not located in the front yard. The Town may require that the open storage area be fenced or screened.

**17. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**18. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**19. Road Frontage**

All use classes must front onto a public road or a subdivision road built in conformity with the standards in these Regulations.

**20. Service Stations**

The following requirements shall apply to all proposed service stations:

- (a) all gasoline pumps shall be located on pump islands designed for such purpose, and to which automobiles may gain access from either side;
- (b) pump islands shall be set back at least 4 metres from the front lot line;
- (c) accesses shall not be less than 7 metres wide and shall be clearly marked, and where a service station is located on a corner lot, the minimum distance between an access and the intersection of street lines at the junction shall be 10 metres and the lot line between entrances shall be clearly indicated.

**21. Side Yards (see Regulation 44)**

**22. Site Development (see Regulation 45)**

**23. Site Development Quarry and Soil Removal (see Regulation 46)**

**24. Streets (see Regulation 58)**

**25. Subdivision of Land (see Part III)**

**26. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**27. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
 TRANSPORTATION (T) ZONE**

ZONE TITLE	TRANSPORTATION (T)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Catering, Communications, Conservation, Convenience Store, Light Industry, Office, Passenger Assembly, Police Station, Public Utility, Recreational Open Space and Trails, Taxi Stand and Transportation.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Mineral Exploration.		

**CONDITIONS FOR THE TRANSPORTATION ZONE**

**1. Development Standards**

As determined by the Town after consultation with the Deer Lake Airport Authority, and other relevant federal and provincial agencies.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Building Line and Setback (see Regulation 43)**

**8. Catering Use Class**

Within the catering use class, bars and lounges are discretionary uses which may be permitted provided the Town is satisfied that compatibility with and amenity in the area will be maintained. Distance separations and other measures to preserve compatibility and amenity may be required. Other measures include

visual and sound barriers and construction techniques to contain sound and visual aspects of bars and lounges that would diminish compatibility and amenity in the area. Applications for bars and lounges and applications for other uses shall be refused if the Town determines that an acceptable level of compatibility and amenity cannot be maintained between bars and lounges and other uses.

**9. Discretionary Uses (see Regulation 35)**

**10. Fences (see Regulation 36)**

**11. Landscaping and Surfacing**

Lots shall be landscaped and provided with a stable surface to prevent raising or movement of dust, clay, mud or loose particles.

**12. Mineral Exploration (see Regulation 40)**

**13. Non-Conforming Uses (see Regulation 41)**

**14. Outdoor Storage**

The Town may permit open storage of materials, goods and machinery associated with a permitted or discretionary use provided: that the open storage is not located in the front yard. The Town may require open storage to be fenced or screened.

**15. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**16. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**17. Road Frontage**

All use classes must front onto an existing public road or a subdivision road built in conformity with the standards set out in Part III of these Regulations.

**18. Site Development (see Regulation 45)**

**19. Site Development Quarry and Soil Removal (see Regulation 46)**

**20. Streets (see Regulation 58)**

- 21. Subdivision of Land (see Part III)**
- 22. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**
- 23. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
MINERAL WORKING (MW) ZONE**

ZONE TITLE	MINERAL WORKING (MW)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Conservation, Mineral Working, Mineral Exploration and Public Utility.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Recreational Open Space and Trails, Scrap Yard and Solid Waste.		

**CONDITIONS FOR THE MINERAL WORKING ZONE**

**1. General Development Standards**

As determined by the Town in consultation with the relevant provincial and federal agencies.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Discretionary Use Classes (see Regulation 35)**

**8. Fences (see Regulation 36)**

**9. Mineral Exploration (see Regulation 40)**

**10. Mineral Workings**

Mineral workings are subject to this Regulation, any other applicable regulations and the approval of the Department of Natural Resources.

- (1) An application for a development permit shall include a Mineral Working Development Plan satisfactory to the Town for the proposed Mineral Working use which shall include a site plan showing the location of physical site features and extraction and processing features required by the Town including but not limited to:
  - (a) boundaries of the site to be mined;
  - (b) extent of the areas to be mined;
  - (c) buildings and structures on the site;
  - (d) roads, parking and loading areas and entrances and exits to the site;
  - (e) fences, berms and landscaping provided for the screening;
  - (f) water bodies and channels to be removed, shifted and created;
  - (g) location of expected maximum height of stockpiles of mined ores, sand and gravel;
  - (h) location of major machinery and conveyors for receiving and processing raw ores including machinery for sifting, washing and grading ores, and the manufacturing of concrete and stone products;
  - (i) the probable location of storage piles of topsoil and overburden removed from earlier phases of mined areas and temporarily being stored for replacement under the Reclamation Plan; and
  - (j) intended phases of mining operations to be carried out over all portions of the site.
  
- (2) An application for a development permit shall include a Mineral Working Reclamation Plan satisfactory to the Town for the proposed mineral working use which shall explain, illustrate and show to the satisfaction of the Town a plan for restoration of the site which includes final ground contours, slopes, depth of topsoil, and vegetation and phasing plan if necessary in the form of a grading and landscape plan or plans.
  
- (3) Separation from Adjacent Uses

Unless the Town is satisfied that the working will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature:

- |     |  |             |
|-----|--|-------------|
| (a) | Existing or Proposed Residential Development |             |
|     | - where no blasting is involved              | 300 metres  |
|     | - where blasting is involved                 | 1000 metres |
| (b) | Any Other Existing or Proposed Development   | 150 metres  |
| (c) | Public Highway or street                     | 50 metres   |
| (d) | Protected Road                               | 90 metres   |
| (e) | Body of water or watercourse                 | 50 metres   |
- (4) Screening

A mineral working shall be screened in the manner described below where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use.

- (a) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, Condition (4)(b) must be undertaken.
- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- (c) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.



(d) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Town may refuse to permit the use or associated activity.

(5) Fencing

The Town may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

(6) Water Pollution

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.

(7) Water Ponding

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.

(8) Erosion Control

No mineral working shall be carried out in a manner so as to cause erosion of adjacent land.

(9) Site Maintenance

The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.

(10) Access Roads

During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of the Town.

(11) Stockpiling Cover Material

All stumps, organic material and topsoil shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is not affected by dilution with other materials.

(12) Operating Plant and Associated Processing and Manufacturing

(a) The Town may permit processing and manufacturing use associated with mineral workings provided that, in the opinion of the Town, 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.

(b) 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.

(c) The Town 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.

(13) Termination and Site Rehabilitation

Upon completion of the mineral working, the following work shall be carried out by the operation:

- (a) all buildings, machinery and equipment shall be removed;
- (b) all pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working;
- (c) topsoil and any organic materials shall be re-spread over the entire quarried area;

- (d) the access road to the working shall be ditched or barred to the satisfaction of the Town;
- (e) if the mineral working contains reserves of material sufficient to support further extraction operations, the Town may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

**11. Non-Conforming Uses and Non-Conforming Uses - Discontinuance (see Regulation 41)**

**12. Offensive and Dangerous Uses (see Regulation 42)**

**13. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**14. Scrap Yard and Solid Waste Disposal Site**

(1) Separation from Adjacent Uses

Development within 1.6 kilometres of a solid waste disposal site shall be referred to the Department of Environment and Conservation for approval before the Town issues a permit.

Unless the Town is satisfied that scrap yard or solid waste disposal site will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no scrap yard or solid waste disposal site shall be located closer than the minimum distances set out below to the specified development or natural feature:

<b>Type of Development</b>	<b>Minimum Distance from Solid Waste Site or Scrap Yard</b>
Existing or proposed residential development	300 metres
Any other developable area or area likely to be developed	150 metres
Public highway or street	50 metres
Watercourse or water body	50 metres
Protected Road	90 metres

(2) Screening

A scrap yard shall be screened in the following manner where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use:

- (a) Where tree screens exist between the scrap yard or solid waste disposal site and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, condition 2(ii) must be undertaken.
- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the solid waste site or scrap yard from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- (c) Where natural topography creates a visual screen between a scrap yard or solid waste disposal site and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- (d) Where effective screening for any scrap yard or solid waste disposal site or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Town may refuse to permit the use or associated activity.

(3) Fencing

The Town may require the scrap yard or solid waste disposal site to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

- 15. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**
- 16. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
 PUBLIC UTILITY (PU) ZONE**

ZONE TITLE	PUBLIC UTILITY (PU)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Conservation, General Industry, Public Utility and Recreational Open Space and Trails.		
DISCRETIONARY USES - (see Regulations 23 and 68)		
Mineral Exploration.		

**CONDITIONS FOR THE PUBLIC UTILITY ZONE**

**1. General Development Standards**

As determined by the Town.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Fences (see Regulation 36)**

**8. General Industry**

General Industry Uses shall only be permitted if they are public utilities or form part of a public utility.

**9. Mineral Exploration (see Regulation 40)**

**10. Non-Conforming Uses (see Regulation 41)**

- 11. Offensive and Dangerous Uses (see Regulation 42)**
- 12. Site Development (see Regulation 45)**
- 13. Site Development Quarry and Soil Removal (see Regulation 46)**
- 14. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**
- 15. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
 RURAL (RU) ZONE**

ZONE TITLE	RURAL (RU)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Agriculture, Antenna, Conservation, Forestry, Mineral Exploration, Public Utility and Recreational Open Space and Trails.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Animal, Bed and Breakfast, Campground, Cemetery, General Industry, Home Occupation (Light Industry, Medical and Professional, Office and Personal Service classes), Marina, Mineral Working, Outdoor Assembly, Outdoor Market, Place of Worship, Scrap Yard, Single Dwelling, Solid Waste and Veterinary.		

**CONDITIONS FOR THE RURAL ZONE**

**1. General Development Standards**

The minimum lot area, frontage and front, rear and side yards shall be as determined by the Town, subject to the approval of the Department of Government Services. Applications shall also be referred to the Department of Natural Resources and if necessary, the Department of Transportation and Works.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Agriculture**

Agricultural operations are subject to the approval of the Department of Natural Resources.

**6. Archaeological Sites (see Regulation 31)**



**7. Bed and Breakfast**

A bed and breakfast may be permitted as a discretionary use provided it is located in a single dwelling and the appearance and design of the structure reflects that of a single dwelling.

**8. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**9. Building Line and Setback (see Regulation 33)**

**10. Campground**

- (1) A campground may only be permitted as a discretionary use, provided a plan of the development is submitted in a format satisfactory to the Town, showing and specifying:
  - (a) camping sites - location and sizes;
  - (b) roads and accesses;
  - (c) parking areas;
  - (d) accessory uses, such as laundry facilities, storage areas, showers, snack-bar, and convenience stores and the caretaker residence, and any other building or facility accessory to the campground facility;
  - (e) water supply and waste disposal services;
  - (f) landscaping;
  - (g) buffers, and screening between the campground and existing and future residential development;
  - (h) the land to be developed on a legal survey prepared by a Newfoundland Land Surveyor;
  - (i) where deemed, necessary by the Town, a phasing plan of the campground.
- (2) Commercial uses, washroom facilities, laundromats and similar facilities, and parking areas and recreational areas shall not be located adjacent to residential areas.
- (3) All sites and facilities shall only be accessed by the internal road network of the campground.

- (4) A suitable buffer located on the property and that is landscaped and planted with materials approved by the Town and/or a privacy fence of a design approved by the Town, shall be provided where the development abuts a public road, right of way, and/or a present or future residential neighbourhood.

Any buffering or screening shall be properly maintained by the owner, and not allowed to fall into disrepair or become unsightly.

- (5) The permit for a campground shall specify the maximum number of units and sites - in the form of tents, recreational vehicles, and so forth - that may be accommodated on the site at any one time. This number shall not be exceeded.
- (6) Any expansion or alteration to a campground shall be subject to review by the Town, and except for repairs and maintenance, shall be treated as a discretionary use application.
- (7) The owner and/or the operator shall ensure that all bylaws and regulations of the Town pertaining to noise, rowdy behaviour, and litter are complied with.
- (8) Where deemed necessary by the Town, a deposit sufficient to cover the cost the buffer and screening shall be deposited with the Town, and then subsequently returned by the Town upon satisfactory completion of the work, or, used by the Town to complete the work in accordance with the approved plan.

**11. Discretionary Use Classes (see Regulation 35)**

**12. Fences (see Regulation 36)**

**13. Forestry**

Approvals for woodcutting or other forestry related activities must be obtained from the provincial Department of Natural Resources - Forest Management Unit.

**14. General Industry**

- (1) General industry shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses.

- (2) Unless the Town is satisfied that the general industry use will not create a nuisance and will not adversely affect the amenity of the surrounding area, the Town shall require the provision of buffering by the developer to the satisfaction of the Town.

## **15. Home Occupation**

A Home Occupation may only be permitted if:

- (a) the primary use of the property remains agriculture or forestry and the scope and intensity of the use classes is compatible with the other uses of the property and area;
- (b) the floor area of the home occupation does not exceed 67 square metres;
- (c) one off-street parking space, other than that required for the dwelling, is provided for every twenty (20) square metres of floor space occupied by the home occupation;
- (d) no mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- (e) no wholesale or retail sale of goods is externally apparent - for example, if sale of crafts occurs it does not occur through walk-in or drive-in trade;
- (f) there is no outdoor storage or display;
- (g) a non-illuminated identification sign not exceeding 0.28 m<sup>2</sup> in area shall be permitted on the dwelling provided that the sign is consistent with residential character of the neighbourhood;
- (h) no change in the type, class or extent of the home occupation shall be permitted except with the approval of the Town.

## **16. Mineral Exploration (see Regulation 40)**

## **17. Mineral Working**

Mineral workings are subject to this Regulation, any other applicable regulations and the approval of the Department of Natural Resources.

- (1) An application for a development permit shall include a Mineral Working Development Plan satisfactory to the Town for the proposed Mineral Working use which shall include a site plan showing the location of physical site features and extraction and processing features required by the Town including but not limited to:
  - (a) boundaries of the site to be mined;

- 
- (b) extent of the areas to be mined;
  - (c) buildings and structures on the site;
  - (d) roads, parking and loading areas and entrances and exits to the site;
  - (e) fences, berms and landscaping provided for the screening;
  - (f) water bodies and channels to be removed, shifted and created;
  - (g) location of expected maximum height of stockpiles of mined ores, sand and gravel;
  - (h) location of major machinery and conveyors for receiving and processing raw ores including machinery for sifting, washing and grading ores, and the manufacturing of concrete and stone products;
  - (i) the probable location of storage piles of topsoil and overburden removed from earlier phases of mined areas and temporarily being stored for replacement under the Reclamation Plan; and
  - (j) intended phases of mining operations to be carried out over all portions of the site.
- (2) An application for a development permit shall include a Mineral Working Reclamation Plan satisfactory to the Town for the proposed mineral working use which shall explain, illustrate and show to the satisfaction of the Town a plan for restoration of the site which includes final ground contours, slopes, depth of topsoil, and vegetation and phasing plan if necessary in the form of a grading and landscape plan or plans.
- (3) Separation from Adjacent Uses

Unless the Town is satisfied that the working will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature:

- |  |             |
|--|-------------|
| (a) Existing or Proposed Residential Development |             |
| - where no blasting is involved                  | 300 metres  |
| - where blasting is involved                     | 1000 metres |
| (b) Any Other Existing or Proposed Development   | 150 metres  |
| (c) Public Highway or street                     | 50 metres   |
| (d) Protected Road                               | 90 metres   |
| (e) Body of water or watercourse                 | 50 metres   |

(4) Screening

A mineral working shall be screened in the manner described below where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use.

- (a) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, condition (4)(b) must be undertaken.
- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- (c) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- (d) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Town may refuse to permit the use or associated activity.

(5) Fencing

The Town may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

(6) Water Pollution

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the regulations of the Department of Environment and Conservation.

(7) Water Ponding

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the regulations of the Department of Environment and Conservation.

(8) Erosion Control

No mineral working shall be carried out in a manner so as to cause erosion of adjacent land.

(9) Site Maintenance

The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.

(10) Access Roads

During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of the Town.

(11) Stockpiling Cover Material

All stumps, organic material and topsoil, including the rusty coloured and iron stained layer, shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is not affected by dilution with other materials.

(12) Operating Plant and Associated Processing and Manufacturing

- (a) The Town may permit processing and manufacturing use associated with mineral workings provided that, in the opinion of the Town, 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.
- (b) 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.
- (c) The Town 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.

(13) Termination and Site Rehabilitation

Upon completion of the mineral working, the following work shall be carried out by the operation:

- (a) all buildings, machinery and equipment shall be removed;
- (b) all pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working;
- (c) topsoil and any organic materials shall be re-spread over the entire quarried area;
- (d) the access road to the working shall be ditched or barred to the satisfaction of the Town;
- (e) if the mineral working contains reserves of material sufficient to support further extraction operations, the Town may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

**18. Non-Conforming Uses (see Regulation 41)**

**19. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**20. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

## 21. Scrap Yard and Solid Waste Disposal Site

### (1) Separation from Adjacent Uses

Development within 1.6 kilometres of a solid waste disposal site shall be referred to the Department of Environment and Conservation for approval before the Town issues a permit.

Unless the Town is satisfied that a scrap yard or solid waste disposal site will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no scrap yard or solid waste disposal site shall be located closer than the minimum distances set out below to the specified development or natural feature:

Type of Development	Minimum Distance from Solid Waste Site or Scrap Yard
Existing or proposed residential development	300 metres
Any other developable area or area likely to be developed	150 metres
Public highway or street	50 metres
Watercourse or water body	50 metres
Protected Road	90 metres

### (2) Screening

A scrap yard shall be screened in the following manner where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use:

- (a) Where tree screens exist between the scrap yard or solid waste disposal site and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the use from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, condition 2(ii) must be undertaken.



- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the solid waste site or scrap yard from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- (c) Where natural topography creates a visual screen between a scrap yard or solid waste disposal site and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- (d) Where effective screening for any scrap yard or solid waste disposal site or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Town may refuse to permit the use or associated activity.

(3) Fencing

The Town may require the scrap yard or solid waste disposal site to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

**22. Single Dwelling**

A single dwelling may only be permitted as an accessory use.

**23. Site Development (see Regulation 45)**

**24. Site Development Quarry and Soil Removal (see Regulation 46)**

**25. Streets (see Regulation 58)**

**26. Subdivision of Land (see Part III)**

**27. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**28. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
 AGRICULTURE (A) ZONE**

ZONE TITLE	AGRICULTURE (A)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Agriculture, Antenna, Conservation, Forestry, Mineral Exploration, Public Utility, and Recreational Open Space and Trails.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Animal, Bed and Breakfast, General Industry, Home Occupation (Light Industry, Medical and Professional, Office and Personal Service use classes), Marina, Mineral Working, Outdoor Market, Single Dwelling and Veterinary.		

**CONDITIONS FOR THE AGRICULTURE ZONE**

**1. General Development Standards**

The minimum lot area, frontage and front, rear and side yards shall be as determined by the Town, subject to the approval of the Department of Government Services. Applications shall also be referred to the Department of Natural Resources and if necessary, the Department of Transportation and Works.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Agriculture – St. Judes Area**

The minimum lot size of an agricultural use in the St. Jude’s Local Service District shall be 2 hectares.

**6. Archaeological Sites (see Regulation 31)**

**7. Bed and Breakfast**

A bed and breakfast may be permitted as a discretionary use provided it is located in a single dwelling and the appearance and design of the structure reflects that of a single dwelling.

**8. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**9. Building Line and Setback (see Regulation 33)**

**10. Discretionary Use Classes (see Regulation 35)**

**11. Fences (see Regulation 36)**

**12. Forestry**

Approvals for woodcutting or other forestry related activities must be obtained from the provincial Department of Natural Resources - Forest Management Unit.

**13. General Industry**

(1) General industry shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses.

(2) Unless the Town is satisfied that the general industry use will not create a nuisance and will not adversely affect the amenity of the surrounding area, the Town shall require the provision of buffering by the developer to the satisfaction of the Town.

**14. Home Occupation**

A Home Occupation may only be permitted if:

- (a) the primary use of the property remains agriculture or forestry and the scope and intensity of the use classes is compatible with the other uses of the property and area;
- (b) the floor area of the home occupation does not exceed 67 square metres;

- (c) one off-street parking space, other than that required for the dwelling, is provided for every twenty (20) square metres of floor space occupied by the home occupation;
- (d) no mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- (e) no wholesale or retail sale of goods is externally apparent - for example, if sale of crafts occurs it does not occur through walk-in or drive-in trade;
- (f) there is no outdoor storage or display;
- (g) a non-illuminated identification sign not exceeding 0.28 m<sup>2</sup> in area shall be permitted on the dwelling provided that the sign is consistent with residential character of the neighbourhood;
- (h) no change in the type, class or extent of the home occupation shall be permitted except with the approval of the Town.

**15. Mineral Exploration (see Regulation 40)**

**16. Mineral Working**

Mineral workings are subject to this Regulation, any other applicable regulations and the approval of the Department of Natural Resources.

- (1) An application for a development permit shall include a Mineral Working Development Plan satisfactory to the Town for the proposed Mineral Working use which shall include a site plan showing the location of physical site features and extraction and processing features required by the Town including but not limited to:
  - (a) boundaries of the site to be mined;
  - (b) extent of the areas to be mined;
  - (c) buildings and structures on the site;
  - (d) roads, parking and loading areas and entrances and exits to the site;
  - (e) fences, berms and landscaping provided for the screening;
  - (f) water bodies and channels to be removed, shifted and created;
  - (g) location of expected maximum height of stockpiles of mined ores, sand and gravel;
  - (h) location of major machinery and conveyors for receiving and processing raw ores including machinery for sifting, washing and grading ores, and the manufacturing of concrete and stone products;

- 
- (i) the probable location of storage piles of topsoil and overburden removed from earlier phases of mined areas and temporarily being stored for replacement under the Reclamation Plan; and
  - (j) intended phases of mining operations to be carried out over all portions of the site.
- (2) An application for a development permit shall include a Mineral Working Reclamation Plan satisfactory to the Town for the proposed mineral working use which shall explain, illustrate and show to the satisfaction of the Town a plan for restoration of the site which includes final ground contours, slopes, depth of topsoil, and vegetation and phasing plan if necessary in the form of a grading and landscape plan or plans.

(3) Separation from Adjacent Uses

Unless the Town is satisfied that the working will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature:

- (a) Existing or Proposed Residential Development
  - where no blasting is involved 300 metres
  - where blasting is involved 1000 metres
- (b) Any Other Existing or Proposed Development 150 metres
- (c) Public Highway or street 50 metres
- (d) Protected Road 90 metres
- (e) Body of water or watercourse 50 metres.

(4) Screening

A mineral working shall be screened in the manner described below where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use.

- (a) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres

in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, condition (4)(b) must be undertaken.

- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- (c) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- (d) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Town may refuse to permit the use or associated activity.

(5) Fencing

The Town may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

(6) Water Pollution

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the regulations of the Department of Environment and Conservation.

(7) Water Ponding

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or

watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the regulations of the Department of Environment and Conservation.

(8) Erosion Control

No mineral working shall be carried out in a manner so as to cause erosion of adjacent land.

(9) Site Maintenance

The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.

(10) Access Roads

During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of the Town.

(11) Stockpiling Cover Material

All stumps, organic material and topsoil shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is not affected by dilution with other materials.

(12) Operating Plant and Associated Processing and Manufacturing

(a) The Town may permit processing and manufacturing use associated with mineral workings provided that, in the opinion of the Town, 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.

(b) 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.

- (c) The Town 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.

(13) Termination and Site Rehabilitation

Upon completion of the mineral working, the following work shall be carried out by the operation:

- (a) all buildings, machinery and equipment shall be removed;
- (b) all pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working;
- (c) topsoil and any organic materials shall be re-spread over the entire quarried area;
- (d) the access road to the working shall be ditched or barred to the satisfaction of the Town;
- (e) if the mineral working contains reserves of material sufficient to support further extraction operations, the Town may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

**17. Non-Conforming Uses (see Regulation 41)**

**18. Offensive and Dangerous Uses (see Regulation 42)**

**19. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**20. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**21. Single Dwelling**

A single dwelling may only be permitted as an accessory use.

**22. Site Development (see Regulation 45)**

**23. Site Development Quarry and Soil Removal (see Regulation 46)**

**24. Streets (see Regulation 58)**

**25. Subdivision of Land (see Part III)**



- 26. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**
- 27. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
FORESTRY (F) ZONE**

ZONE TITLE	FORESTRY (F)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Conservation, Forestry, Mineral Exploration, Public Utility and Recreational Open Space and Trails.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Agriculture, General Industry, Marina and Mineral Working.		

**CONDITIONS FOR THE FORESTRY ZONE**

**1. General Development Standards**

The minimum lot area, frontage and front, rear and side yards shall be as determined by the Town, subject to the approval of the Department of Government Services. Applications shall also be referred to the Department of Natural Resources and if necessary, the Department of Transportation and Works.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 39)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Building Line and Setback (see Regulation 33)**

**8. Discretionary Use Classes (see Regulation 35)**

**9. Fences (see Regulation 36)**

**10. Forestry**

Approvals for woodcutting or other forestry related activities within this zone must be obtained from the provincial Department of Natural Resources - Forest Management Unit. Also, Corner Brook Pulp and Paper must grant approval for any activity occurring on lands reserved for this company's use.

**11. General Industry**

- (1) General industry shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses.
- (2) Unless the Town is satisfied that the general industry use will not create a nuisance and will not adversely affect the amenity of the surrounding area, the Town shall require the provision of buffering by the developer to the satisfaction of the Town.

**12. Mineral Exploration (see Regulation 40)**

**13. Mineral Working**

Mineral workings are subject to this Regulation, any other applicable regulations and the approval of the Department of Natural Resources.

- (1) An application for a development permit shall include a Mineral Working Development Plan satisfactory to the Town for the proposed Mineral Working use which shall include a site plan showing the location of physical site features and extraction and processing features required by the Town including but not limited to:
  - (a) boundaries of the site to be mined;
  - (b) extent of the areas to be mined;
  - (c) buildings and structures on the site;
  - (d) roads, parking and loading areas and entrances and exits to the site;
  - (e) fences, berms and landscaping provided for the screening;
  - (f) water bodies and channels to be removed, shifted and created;
  - (g) location of expected maximum height of stockpiles of mined ores, sand and gravel;

- 
- (h) location of major machinery and conveyors for receiving and processing raw ores including machinery for sifting, washing and grading ores, and the manufacturing of concrete and stone products;
  - (i) the probable location of storage piles of topsoil and overburden removed from earlier phases of mined areas and temporarily being stored for replacement under the Reclamation Plan; and
  - (j) intended phases of mining operations to be carried out over all portions of the site.
- (2) An application for a development permit shall include a Mineral Working Reclamation Plan satisfactory to the Town for the proposed mineral working use which shall explain, illustrate and show to the satisfaction of the Town a plan for restoration of the site which includes final ground contours, slopes, depth of topsoil, and vegetation and phasing plan if necessary in the form of a grading and landscape plan or plans.
- (3) Separation from Adjacent Uses

Unless the Town is satisfied that the working will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature:

- (a) Existing or Proposed Residential Development
  - where no blasting is involved 300 metres
  - where blasting is involved 1000 metres
- (b) Any Other Existing or Proposed Development 150 metres
- (c) Public Highway or street 50 metres
- (d) Protected Road 90 metres
- (e) Body of water or watercourse 50 metres.

- (4) Screening

A mineral working shall be screened in the manner described below where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the use.

- (a) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation. The tree screens must be maintained by the owner or occupier of the use to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Town may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Town or, at the discretion of the Town, condition (4)(b) must be undertaken.
- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Town's satisfaction.
- (c) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- (d) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Town may refuse to permit the use or associated activity.

(5) Fencing

The Town may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

(6) Water Pollution

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.

(7) Water Ponding

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any body of water or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Conservation.

(8) Erosion Control

No mineral working shall be carried out in a manner so as to cause erosion of adjacent land.

(9) Site Maintenance

The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.

(10) Access Roads

During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of the Town.

(11) Stockpiling Cover Material

All stumps, organic material and topsoil shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is not affected by dilution with other materials.

(12) Operating Plant and Associated Processing and Manufacturing

(a) The Town may permit processing and manufacturing use associated with mineral workings provided that, in the opinion of the Town, 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.

- (b) 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.
- (c) The Town 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.

(13) Termination and Site Rehabilitation

Upon completion of the mineral working, the following work shall be carried out by the operation:

- (a) all buildings, machinery and equipment shall be removed;
- (b) all pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working;
- (c) topsoil and any organic materials shall be re-spread over the entire quarried area;
- (d) the access road to the working shall be ditched or barred to the satisfaction of the Town;
- (e) if the mineral working contains reserves of material sufficient to support further extraction operations, the Town may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

**14. Non-Conforming Uses (see Regulation 41)**

**15. Offensive and Dangerous Uses (see Regulation 42)**

**16. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**17. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**18. Site Development (see Regulation 45)**

**19. Site Development Quarry and Soil Removal (see Regulation 46)**

**20. Streets (see Regulation 58)**

Forest resource access roads are exempt from this provision.

**21. Subdivision of Land (see Part III)**

**22. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**23. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**



**USE ZONE TABLE  
 ENVIRONMENTAL PROTECTION (EP) ZONE**

ZONE TITLE	ENVIRONMENTAL PROTECTION (EP)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Conservation.		
DISCRETIONARY USE CLASSES - (see Regulations 23 and 68)		
Agriculture, Antenna, Forestry, Public Utility, Recreational Open Space and Trails and Wharves and Docks.		

**CONDITIONS FOR THE ENVIRONMENTAL PROTECTION ZONE**

**1. General**

All development in this zone is subject to the approval of the Minister of Environment and Conservation. Development along the Trans Canada Highway corridor and Highway 430 is also subject to the approval of the Minister of Transportation and Works.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Agriculture**

Agricultural activities are limited to those that do not cause soil or water pollution. Livestock barns and associated facilities are not permitted in this Zone.

**6. Archaeological Sites (see Regulation 31)**

**7. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**8. Building Line and Setback (see Regulation 33)**

**9. Discretionary Use Classes (see Regulation 35)**

**10. Fences (see Regulation 36)**

**11. Flood Risk Area - Approval**

Any development within a Flood Risk Area is subject to the written approval of the Minister of Environment and Conservation under the Water Resources Act.

**12. Flood Risk Area - Hydraulic Structures**

Hydraulic structures are class of structures which includes most hydraulic structures such as dams, bridges, causeways, dykes, canals etc, are by their own needs and characteristics constructed in buffer zones and flood plains. However, every effort must be made to ensure that such structures do not adversely affect the capability of the body of water to convey flow. In the case of dams, new areas of flooding and the impact of that flooding must be fully assessed by the proponent.

**13. Flood Risk Areas - Structures**

A structure in any of the Flood Risk Areas can only be permitted where:

- (a) the ground floor elevation of the structure is higher than the 1 in 100 year flood level;
- (b) the structure will not interfere with the flow of water or displace water such that it creates a worse flooding situation for other properties;
- (c) the structure and the associated utilities have been designed and constructed in accordance with the approved flood proofing guidelines of the Department of Environment and Conservation and entrances and exits from the building can be safely used without hindrance in the event of a flood;
- (d) the proposed use of the facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides etc.

Additional conditions may be set out for specific projects and included in a permit issued under section 48 of the *Water Resources Act*.

**14. Flood Risk Area - Additions and Modifications to Existing Development**

Additions, modifications, enhancements and improvements to existing structures where there is an increase in the floor area within any of the Flood Risk Areas Zones, will be assessed for its impacts on the flood plain before a permit is issued.

**15. Forestry**

Approvals for woodcutting or other forestry related activities within this zone must be obtained from the Department of Natural Resources - Forest Management Unit. Also, Corner Brook Pulp and Paper must grant approval for any activity occurring on lands reserved for this company's use.

No forestry related activity shall be permitted in this zone, which contributes to soil or water pollution.

**16. Non Conforming Uses (see Regulation 41)**

**17. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**18. Site Development (see Regulation 45)**

**19. Site Development Quarry and Soil Removal (see Regulation 46)**

**20. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**21. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
URBAN RESERVE (UR) ZONE**

ZONE TITLE	URBAN RESERVE (UR)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Antenna, Conservation, Mineral Exploration, Public Utility, Recreational Open Space and Trails.		
DISCRETIONARY USE CLASSES – (see Regulations 23 and 68)		
Mineral Working.		

**CONDITIONS FOR THE URBAN RESERVE ZONE**

**1. General Development Standards**

As determined by the Town in consultation with the relevant provincial and federal agencies.

**2. Accesses and Service Streets (see Regulation 28)**

**3. Accessory Uses (see Regulation 29)**

**4. Advertisements (see Regulation 30)**

**5. Archaeological Sites (see Regulation 31)**

**6. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**7. Building Line and Setback (see Regulation 33)**

**8. Discretionary Use Classes (see Regulation 35)**

**9. Fences (see Regulation 36)**

**10. Mineral Exploration (see Regulation 40)**

## **11. Mineral Working**

A permit for a mineral working shall be obtained from both the Town and the Department of Natural Resources.

- (1) An application for a development permit for the proposed Mineral Working use shall be accompanied by a detailed sketch or sketches satisfactory to the Town which shall show the location of physical site features and extraction and processing features required by the Town, including but not limited to:
  - (a) the general area of the location of the mineral working;
  - (b) boundaries of the parcel to be mined (land covered by the development application);
  - (c) extent of the area to be mined;
  - (d) roads, parking and loading areas and entrances and exits to the site;
  - (e) water bodies within the boundaries;
  - (f) water bodies within 250 metre radius of the boundary;
  - (g) channels or ponds to be removed, shifted and created; and
  - (h) the location of any building or structure and equipment, which will be located on the site.
- (2) Upon completion of the mineral working operations on the site, the developer shall remove all buildings, machinery, chattels, personal property and quarry material that have been extracted from the site. All pit and quarry slopes shall be graded to slopes less than 20 degrees or to the slope conforming to that existing prior to quarrying, and shall meet any other conditions stated in the development permit that the Town deems necessary for the restoration of the site.
- (3) A temporary permit may be issued for a maximum of one year and may not be renewed after four consecutive years (Regulation 21 (2)). Upon expiry of the development permit the Town shall inspect the site to confirm compliance with the development permit and Development Regulations.

## **12. Non-Conforming Uses (Regulation 41)**

## **13. Offensive and Dangerous Uses (see Regulation 42)**

## **14. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**15. Recreational Open Space and Trails**

Before allowing recreational open space and trails in this zone, the Town shall be satisfied that the location of such facilities will not impede the future development of the zone.

**16. Site Development (see Regulation 45)**

**17. Site Development Quarry and Soil Removal (see Regulation 46)**

**18. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**19. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLES  
 DESIGNATED FLOODWAY (DF) ZONE**

ZONE TITLE	DESIGNATED FLOODWAY (DF)	(Deer Lake)
PERMITTED USE CLASSES - (see Regulation 67)		
Conservation, Structures related to the use of water resources, Hydraulic Structures.		
DISCRETIONARY USE CLASSES – (see Regulations 23 and 68)		
Docks and Wharves, Recreational Open Space and trails, Antenna.		

**CONDITIONS - DESIGNATED FLOODWAY ZONE**

**1. Approval of the Minister of Environment and Conservation**

Any development within this Zone is subject to the written approval of the Minister of Environment and Conservation under the Water Resources Act.

**2. Hydraulic Structures**

Hydraulic structures are class of structures which includes most hydraulic structures such as dams, bridges, causeways, dykes, canals etc, are by their own needs and characteristics constructed in buffer zones and flood plains. However, every effort must be made to ensure that such structures do not adversely affect the capability of the body of water to convey flow. In the case of dams, new areas of flooding and the impact of that flooding must be fully assessed by the proponent.

**3. Structures**

A structure in this Zone can only be permitted where:

- (a) the ground floor elevation of the structure is higher than the 1 in 100 year flood level;
- (b) the structure will not interfere with the flow of water or displace water such that it creates a worse flooding situation for other properties;

- (c) the structure and the associated utilities have been designed and constructed in accordance with the approved flood proofing guidelines of the Department of Environment and Conservation and entrances and exits from the building can be safely used without hindrance in the event of a flood;
- (d) the proposed use of the facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides etc.

Additional conditions may be set out for specific projects and included in a permit issued under section 48 of the *Water Resources Act*.

#### **4. Additions and Modifications to Existing Development**

Additions, modifications, enhancements and improvements to existing structures where there is an increase in the floor area within this Zone, will be assessed for its impacts on the flood plain before a permit is issued.

#### **5. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**



**USE ZONE TABLE  
RESIDENTIAL FLOODWAY FRINGE (RES -FF) ZONE**

ZONE TITLE      RESIDENTIAL FLOODWAY FRINGE (RES-FF)      (Deer Lake)				
PERMITTED USE CLASSES - (see Regulation 67)				
Conservation, Double Dwelling, Mobile Home, Recreational Open Space and Trails, Single Dwelling, Subsidiary Apartment, Subsidiary Dwelling.				
DISCRETIONARY USE CLASSES – (see Regulations 23 and 68)				
Antenna, Apartment Building, Bed and Breakfast, Boarding House, Convenience Store, Home Occupation (Light Industry, Medical and Professional, Office and Personal Services classes), Marina, Mobile Home Park, Office, Public Utility, Row Dwelling, Tourist Cabins (Commercial Residential class), Structures Related to the use of water resources, Hydraulic Structures.				
STANDARDS	WHERE PERMITTED			
	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building
Lot area (m <sup>2</sup> ) minimum	450*	390*	180* (average)	280*
Floor Area (m <sup>2</sup> ) minimum	80	80	65	
Frontage (m) minimum	15	20	20* 6m/unit	20 m for first three; 6.6m per unit, four and more up to 36 m maximum
Building Line and Setback (m) (minimum)	9	9	10	10
Side yard Width (m) (minimum)	2 and 1	3	3	5
Side yard Width (m) Corner Lot Flanking Road (minimum)	6	6	6	6

STANDARDS	WHERE PERMITTED			
	Single Dwelling	Double Dwelling	Row Dwelling	Apartment Building
Rear yard Depth (m) (minimum)	9	9	9	9
Lot Coverage (%) maximum	33	33	33	33
Height (m) maximum	8	8	10	10
NOTES: * per dwelling unit.				

### CONDITIONS - RESIDENTIAL FLOODWAY FRINGE ZONE

#### 1. Approval of the Minister of Environment and Conservation

Any development within this Zone is subject to the written approval of the Minister of Environment and Conservation under the Water Resources Act.

#### 2. Hydraulic Structures

Hydraulic structures are class of structures which includes most hydraulic structures such as dams, bridges, causeways, dykes, canals etc, are by their own needs and characteristics constructed in buffer zones and flood plains. However, every effort must be made to ensure that such structures do not adversely affect the capability of the body of water to convey flow. In the case of dams, new areas of flooding and the impact of that flooding must be fully assessed by the proponent.

#### 3. Structures in the Flood Risk Areas Zones

A structure this Zone can only be permitted where:

- (a) the ground floor elevation of the structure is higher than the 1 in 100 year flood level;

- (b) the structure will not interfere with the flow of water or displace water such that it creates a worse flooding situation for other properties;
- (c) the structure and the associated utilities have been designed and constructed in accordance with the approved flood proofing guidelines of the Department of Environment and Conservation and entrances and exits from the building can be safely used without hindrance in the event of a flood;
- (d) the proposed use of the facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides etc.

Additional conditions may be set out for specific projects and included in a permit issued under section 48 of the *Water Resources Act*.

#### **4. Additions and Modifications to Existing Development**

Additions, modifications, enhancements and improvements to existing structures where there is an increase in the floor area within this Zone, will be assessed for its impacts on the flood plain before a permit is issued.

#### **5. Accesses and Service Streets (see Regulation 28)**

#### **6. Accessory Buildings, Decks and Access Ramps**

- (1) Accessory buildings shall be clearly incidental and complementary to the use of the main buildings in character, use and size, and shall be contained on the same lot.
- (2) Accessory buildings shall not be erected upon or placed upon any easements.
- (3) Exclusive of cold frames, decks, gazebos, greenhouses, subsidiary dwellings (Condition 36), swimming pools and temporary repair shelters, accessory buildings shall have a:
  - (a) combined lot coverage no greater than 7 percent of the lot area, up to a combined total floor area of no greater than 67 square metres;
  - (b) height of no more than 4 metres.
- (4) Radio and television antennae shall have a maximum height of 15 metres.

- (5) Accessory buildings shall not be closer the front lot line than the main building, 1 metre to the side lot line, 6 metres to the flanking road and 1 metre to the rear lot line. Accessory buildings shall maintain a minimum separation distance of 3 metres from a dwelling.
- (6) An open or partially enclosed deck attached to the dwelling shall not extend into the minimum permissible front and side yards and flanking road setback and shall not be closer to the rear lot line than 1 metre.
- (7) An access ramp for a wheel chair, may, at the discretion of the Town after consultation with abutting property owners, be erected in a minimum front, rear or side yard if:
  - (a) there is no alternative means of providing the access ramp;
  - (b) it does not create a safety hazard or block sight lines;
  - (c) it is attached to an existing dwelling.

**7. Accessory Uses (see Regulation 29)**

**8. Advertisements (see Regulation 30)**

**9. Archaeological Sites (see Regulation 31)**

**10. Bed and Breakfast, Boarding House**

Bed and breakfast and boarding house may be permitted as discretionary uses provided:

- (a) the proposed building has an exterior design which is sensitive to the residential character of the surrounding area and respects the scale and density of adjacent dwellings; and
- (b) the development is landscaped in a manner compatible with the surrounding residential area.

**11. Buffers and Screening – Agriculture, Mineral Exploration, Mineral Workings, Scrapyards, Seismic Station, Solid Waste Disposal Site, Trails and Waterways and Wetlands (see Regulation 32)**

**12. Building Line and Setback (see Regulation 33)**

**13. Comprehensive Development**

At its discretion the Town may approve a comprehensive residential development that only in its overall density and minimum dwelling unit floor area complies with the development standards of this zone. Provided that the comprehensive development itself fronts on a public road and there is adequate access,

dwellings within the Comprehensive Development need not directly front on a public road.

Except for those noted above, all other regulations and conditions of the Development Regulations as they pertain to this development and zone must be adhered to.

#### **14. Convenience Stores**

Convenience stores may only be permitted as a discretionary use under the following conditions:

- (a) the store shall form part of or be attached to a dwelling unit or stand on a separate lot;
- (b) the retail use shall be subsidiary to the residential character of the area and shall not affect residential amenities of adjoining properties;
- (c) a minimum of three off-street parking spaces shall be provided;
- (d) the maximum floor area of a convenience store shall be 65 m<sup>2</sup>;
- (e) a convenience store on a separate lot shall conform to the standards of a single dwelling except as otherwise required in this Condition;
- (f) the floor area of a convenience store forming part of or attached to a single dwelling shall be a maximum of 25% of the total floor area of the dwelling and convenience store together.

#### **15. Discretionary Uses**

- (1) See Regulation 35.
- (2) Except as otherwise specified, discretionary uses shall conform to the frontage, building line setback, side yard, rear yard, and lot coverage specified for a single dwelling.

#### **16. Fences (see Regulation 36)**

#### **17. Home Occupation**

A Home Occupation may only be permitted if:

- (a) the primary use of the property remains residential and the scope and intensity of the use classes is entirely compatible with the residential uses of the property and neighbourhood;
- (b) the floor area of the home occupation does not exceed 67 square metres;
- (c) there is no more than one (1) non-resident employee employed on the site in addition to residents of the dwelling;
- (d) one off-street parking space, other than that required for the dwelling, is

provided for every twenty (20) square metres of floor space occupied by the home occupation;

- (e) no mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- (f) no wholesale or retail sale of goods is externally apparent - for example, if sale of crafts occurs it does not occur through walk-in or drive-in trade;
- (g) there is no outdoor storage or display;
- (h) a non-illuminated identification sign not exceeding 0.28 m<sup>2</sup> in area shall be permitted on the dwelling provided that the sign is consistent with residential character of the neighbourhood;
- (i) no change in the type, class or extent of the home occupation shall be permitted except with the approval of the Town.

**18. Lot Area, Lot Area and Size Exceptions, Lot Frontage (see Regulations 37, 38 and 39)**

**19. Marina**

A marina in this zone shall be restricted to a marina associated with a nearby residential use, and shall be restricted to a boat haul out, wharf, shed and/or boat house that is compatible with nearby residential uses in character and usage.

**20. Mobile Home**

A mobile home can only be located in an approved mobile home park containing ten or more mobile home lots.

**21. Mobile Home Park**

A mobile home park may only be approved as a discretionary use if it meets the standards set out under this Condition.

- (1) A mobile home park shall contain at least ten (10) mobile home lots.
- (2) The mobile home lot requirements are as follows:
  - (a) Lot area minimum per dwelling unit - 360 m<sup>2</sup>
  - (b) Lot Frontage minimum per dwelling unit - 12.2 m
  - (c) Building line setback minimum – 6 m
  - (d) Side yard width minimum - one side – 1.2 m and the other side – 3.7 m
  - (e) Rear yard depth minimum – 3.6 m
  - (f) Lot coverage total all buildings maximum – 33%
- (3) A mobile home park shall be fully serviced with water and sewer

connected to the municipal water and sewer system. The cost of installing water and sewer and connecting them to the municipal water and sewer system and their ongoing maintenance shall be the responsibility of the developer. Each mobile home shall be serviced with water and sewer.

- (4) The development and maintenance of site facilities including underground services, communal areas and garbage collection are the responsibility of the mobile home park developer and/or operator.
- (5) The maximum density of the mobile home park shall be 20 mobile homes per gross hectare.
- (6) The maximum number of mobile home lots in a park shall not exceed fifty.
- (7) No more than one mobile home shall be placed on each mobile home lot.
- (8) Vacant lots shall be maintained so as not to become derelict or otherwise deteriorate.
- (9) A mobile home lot must be provided with a mobile home stand capable of supporting the maximum anticipated load of the mobile home throughout all seasons of the year without settlement or other movement.
- (10) A mobile home stand must be designed to fit the dimensions of the particular mobile home positioned on the mobile home stand and must be paved or provided with some other hard surface.
- (11) A mobile home stand shall be required to be supported and secured by foundation walls, piers, posts or other means, carried to a depth sufficient to prevent movement by frost and sufficient to support the anticipated load at such points on its chassis frame as required.
- (12) Anchors in the form of eyelets embedded in concrete, screw augers or arrow head anchors, or alternative devices acceptable to the Authority must be provided at all corners of the mobile home stand and at additional points where necessary to secure the mobile home against the forces exerted by wind or other naturally occurring forces.
- (13) Anchors or devices must be connected to each anchor point of the mobile home chassis frame by a cable or other device approved by the Authority.
- (14) Anchors and connections must be made capable of withstanding a tension of at least 2,180 kilograms.
- (15) A mobile home shall be placed on an approved mobile home lot, and in a

manner allowing it to be placed and removed from the lot without interfering with other lots.

- (16) Mobile homes will be blocked with approved materials so that there will be a minimum clearance of 0.6 metres from the underside of the steel beam frame to the ground. The maximum clearance will be 1.2 metres from the underside of the frame to the ground.
- (17) When a mobile home is in the correct position and secured in place, the open space beneath it will be skirted with minimum 1.25 centimetre plywood or equivalent, secured to a minimum 5 centimetre by 5 centimetre framing on 60 centimetre centres. The skirting must be acceptable to the Authority and have an accessible, removable panel to give access to service connections.
- (18) A mobile home shall have a minimum of 40 square metres for an outdoor living area. This area will be located at the rear or side (or combination of both) of the mobile home. The purpose of the living area is to provide an area for privacy, recreation and amenity.
- (19) Attached Structures
  - (a) No attached structure shall have a floor area greater than 10 percent of the area of the lot upon which the mobile home is located or 70 square metres, whichever is the lesser.
  - (b) The minimum lot clearances outlined in the Zone Table shall apply to an attached structure.
  - (c) Every attached structure shall be designed to be architecturally similar in appearance to the mobile home.
- (20) Accessory Buildings
  - (a) The maximum floor area of all accessory buildings shall not exceed a lot coverage of 7% and a floor area of 56m<sup>2</sup>, and a height of 4 metres;
  - (b) An accessory building will only be permitted in the rear yard of the mobile home. It shall be no closer than 1.5 metres to another building and 1 metre from any property line.



**22. Municipal Services**

All development in this zone shall be connected to municipal water and sewer services.

**23. Non-Conforming Uses (see Regulation 41)**

**24. Offices**

An office may be permitted on the ground floor of an apartment building provided that there is adequate safety and sound separation between an office and the apartments and offices, and the offices are considered by the Town to be compatible with the residential uses, and provided the Town is satisfied that the neighbourhood will not be unduly affected by the development.

**25. Parking Requirements and Off-street Loading Requirements (see Schedule D)**

**26. Parks and Playgrounds and Conservation Uses (see Regulation 43)**

**27. Road Frontage**

All use classes except marinas, must front onto an existing public road or a subdivision road built in conformity with the standards in these Regulations.

**28. Side Yards (see Regulation 44)**

**29. Site Development (see Regulation 45)**

**30. Site Development, Quarry and Soil Removal (see Regulation 46)**

**31. Streets (see Regulation 58)**

**32. Subdivision of Land (see Part III)**

**33. Subsidiary Apartments**

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

**34. Subsidiary Dwelling**

A subsidiary dwelling is permitted in the rear yard of a single dwelling in a building separate from the single dwelling, subject to the following requirements:

- (a) the subsidiary dwelling is located in the rear yard of the single dwelling;
- (b) fire and other safety issues are properly addressed in the location, access and design of the subsidiary dwelling, and this may entail the provision of a sideyard wide enough to provide access for emergencies which is greater than the minimum sideyard for single dwellings in this zone;
- (c) unless it is only used as a separate sleeping quarters, the subsidiary dwelling shall be connected to municipal water and sewer services;
- (d) the maximum floor area shall be 45 square metres;
- (e) the minimum distance from the side and rear property boundaries is 3 metres;
- (f) maximum height is 4 metres.

**35. Tourist Cabins**

Tourist cabins may be permitted as a discretionary use, subject to the following conditions:

- (a) the development is compatible with other developments in the area;
- (b) minimum lot area is one hectare;
- (c) maximum density is five tourist cabins per hectare;
- (d) minimum floor area per tourist cabin is 45 square metres;
- (e) minimum building line setback, side yard and rear yard requirements are the same as that for single dwellings in this zone;
- (f) 100m separation is provided between the tourist cabins and associated facilities and dwellings situated on nearby properties.

**36. Trans Canada Highway and Great Northern Peninsula Highway (see Regulation 47)**

**37. Use Zones, Use Classes, Permitted Uses, Discretionary Uses, Uses Not Permitted (see Part IV)**

**USE ZONE TABLE  
PROTECTED WATER SUPPLY (PWS) ZONE**

**1. General Conditions and Referrals**

In addition to any other approvals or requirements by the Town, all development in this zone shall be subject to the approval of the Minister of Environment and Conservation.

Conditions 1, 2, 3, 4, and 5 are based upon Department of Environment and Conservation Policy Directive W.R. 95-01 - Water Resources Division as modified.

- (1) Existing resource development and other activities will be allowed to continue unless it is established that these are impairing water quality or have potential to impair water quality.
- (2) The Minister of Environment and Conservation may require proponents of existing activities, which have potential to impair water quality, to obtain his/her approval.
- (3) No development shall be carried out in a designated area except in accordance with this policy.
- (4) No person shall carry out any development in a designated area without obtaining prior approval in writing from the Minister.

**2. Activities Not Permitted in a Designated Area**

Although they may be associated with any one of the Permitted or Discretionary Uses under any one of the Zone overlays, the following activities shall not be permitted in the Protected Water Supply:

- (a) placing, depositing or discharging or permitting the placing, depositing or discharging into a body of water any sewage, refuse, chemicals, municipal and industrial wastes or any other material which impairs or has potential to impair water quality;
- (b) using an intake, pond, lake or specified buffer zones for any activity detrimental to water quality, and not permitted in the Environment Act;

- (c) using ice covered water body for transporting logs or wood, riding skidoos/motor vehicles/all terrain vehicles, leading of animals, or any other activity, including littering, which impairs or has potential to impair water quality;
- (d) using or operating existing facilities in such a manner that impairs or has potential to impair water quality;
- (e) storage and disposal of pesticides and manure, application of manure and chemicals in specified buffer zones, extensive land clearing, and peat land drainage without adequate treatment.
- (f) application of herbicides in the right-of-way, and use of chemically treated utility poles and other related structures; and,
- (g) any other storage or disposal facilities that the Minister of Environment and Conservation considers environmentally unacceptable.

### **3. Activities Regulated in a Designated Area**

Subject to the other provisions of these Regulations, in this zone no person shall undertake any of the following activities without obtaining prior written approval from the Minister of Environment and Conservation and a permit from the Town:

- (a) expansion and upgrading of the existing activities, operations or facilities;
- (b) land clearing or drainage, construction of access roads, servicing of lands for subsequent use, or extension and upgrading of existing buildings or facilities;
- (c) installation of storm or sanitary sewer pipelines, pipelines for transmission of water for hydroelectric generation, agriculture uses, or any other purposes;
- (d) construction of roads, bridges, culverts, and other stream crossings, and installation of power and telecommunication transmission lines;
- (e) modification to intake structures, pump house, reservoir; and
- (f) any other development or activity which, in the opinion of the Minister of Environment and Conservation, has caused impairment or has potential to impair water quality.

#### **4. Approval Process**

- (1) The proponent shall submit a detailed development plan along with maps, drawings and specifications and other information as required by the Town and the Minister of Environment and Conservation for approval.
- (2) The Minister of Environment and Conservation may, on the recommendation of his/her officials, issue a certificate of approval for the proposed development on such terms and conditions as the Minister considers necessary to protect water quality.
- (3) The proponent shall obtain separate approvals from the Minister and Conservation for all permanent or temporary stream crossings or for alteration to bodies of water that may be necessary to carry out the approved development.
- (4) The proponent shall also obtain licences, permits or approvals under other Acts and Regulations, including the Development Regulations as required prior to commencing the approved work.
- (5) The proponent of the approved development shall notify the Town by providing a copy of the approval issued under this policy before commencing the work.
- (6) The proponent shall maintain adequate liaison and consultation with the person or authority responsible for the operation and maintenance of the waterworks during the implementation and operation of the approved work.
- (7) The Minister of Environment and Conservation may require the inspection of the approved development from time to time by his/her officials to ensure that the development is carried out in an environmentally acceptable manner and the proponent is complying with the terms and conditions of the approval.
- (8) The Minister of Environment and Conservation may require a proponent to monitor water quality according to a monitoring program approved by the Minister in order to evaluate the impact of the approved development on public water supply.

## 5. Buffer Zones

The proponents shall provide the following widths of buffer zones along and around water bodies from the high water mark in a designated area:

<b>Water Body</b>	<b>Width of Buffer Zones</b>
Intake pond or lake	a minimum of 150 metres
River intake	a minimum of 150 metres for a distance of one kilometre upstream and 100 metres downstream
Main river channel	a minimum of 75 metres
Major tributaries, lakes or ponds	a minimum of 50 metres
Other water bodies	a minimum of 30 metres

No development activity shall be permitted in buffer zones except those that are intended to promote vegetation.

## 6. Forestry

Approvals for woodcutting or other forestry related activities within this zone must be obtained from the provincial Department of Natural Resources - Forest Management Unit. Also, Corner Brook Pulp and Paper must grant approval for any activity occurring on lands reserved for this company's use.

## **SCHEDULE D - OFFSTREET LOADING AND PARKING REQUIREMENTS**

### **1. Off-Street Loading Requirements**

- (1) Where the Town deems necessary, 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 m long, 4 m wide, and having a vertical clearance of at least 4 m with direct access to a street or with access by a driveway of a minimum width of 6 m to a street.
- (2) The number of loading spaces to be provided shall be determined by the Town.
- (3) The loading facilities required by this Regulation shall be so arranged that vehicles can manoeuvre clear of any street and so that it is not necessary for any vehicle to reverse onto or from a street.

### **2. Parking Area Standards**

- (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) The number of parking spaces to be provided for any building, structure, use of occupancy shall conform to the standards set out in Schedule D, except as otherwise modified by Schedule C, of these Regulations.
- (3) Each parking space, except in the case of single or duplex dwellings, shall be made accessible by means of a hard surfaced right-of-way at least 3 m in width. 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 where possible. 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 m distant from the use concerned.

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- (4) 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.
- (5) Where, in these Regulations, parking facilities for more than four vehicles are required or permitted, with parking perpendicular to the curb the minimum dimensions shall be as follows:
- |  |              |
|--|--------------|
| (a) parking stall width -                                | 2.75 metres  |
| (b) parking stall length or depth -                      | 5.80 metres  |
| (c) aisle width, parking stalls across from each other - | 7.30 metres  |
| (d) aisle width, other obstruction -                     | 7.30 metres  |
| (e) driveway width                                       | 7.00 metres. |

Where the parking stall is horizontal to the curb, the minimum length of the stall shall be 7.00 metres, and the minimum aisle width (if applicable) shall be at least 4 metres, more if deemed necessary by the Town.

For any other parking lot configuration, the requirements shall as be as specified by the Town, but in no instance shall the requirements be less than that specified for perpendicular parking spaces.

- (6) Other requirements for parking areas are as follows:
- (a) the parking area shall be constructed and maintained to the specifications of the Town;
  - (b) the lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent development;
  - (c) a structure, not more than 3 m in height and more than 5 m<sup>2</sup> in area may be erected in the parking area for the use of attendants in the area;
  - (d) 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;
  - (e) no part of any off-street parking area shall be closer than 1.5 m to the front lot line in any zone;
  - (f) access to parking areas in non-residential zones shall not be by way of residential zones;
  - (g) where a parking area is in or abuts a residential zone, a natural or structural barrier at least 1 m in height shall be erected and maintained along all lot lines;



- (h) where, in the opinion of the Town, strict application of the above parking requirements is impractical or undesirable, the Town 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 parking area, and the full amount of the levy charged shall be used by the Town for the provision and upkeep of alternative parking facilities within the general vicinity of the development.

### 3. Parking Requirements

- (1) The off-street parking requirements for uses in the various use classes set out in Schedule B shall be as set out in the following table, except as otherwise set out in Schedule C. In case of developments including uses in more than one class, these standards shall be regarded as cumulative.
- (2) Adequate off-street provision for drop-off and pick-up of persons shall be provided in developments where required, such as uses within the education, passenger assembly, child care, medical treatment and special care, commercial-residential and take-out food service classes.

<b>CLASS</b>	<b>MINIMUM OFF-STREET PARKING REQUIREMENT</b>
Theatre	One space for every 5 seats.
Cultural and Civic	One space for every 50 square metres of gross floor areas.
General Assembly	One space for every 10 square metres of gross floor area.
Educational	Schools - 2 spaces for every classroom. Further education - 1 space for every 5 persons using the facilities (students, faculty and staff).
Place of Worship	One space for every 5 seats.
Passenger Assembly	As specified by the Town.
Club and Lodge	One space for every 3 persons that may be accommodated at one time.
Catering	One space for every 3 customers that may be accommodated at one time.
Funeral Home	One space for every 10 square metres of gross floor area.
Child Care	One space for every 20 square metres of gross floor area.
Amusement	One space for every 10 square metres of gross floor area.
Outdoor Assembly	As specified by the Town.
Campground	As specified by the Town.

<b>CLASS</b>	<b>MINIMUM OFF-STREET PARKING REQUIREMENT</b>
Penal and Correctional Detention	As specified by the Town.
Medical Treatment and Special Care	Once space per 20 square metres of suite or ward area
Single Dwelling	Two spaces for every dwelling unit.
Double Dwelling	Two spaces for every dwelling unit.
Row Dwelling	Two spaces for every dwelling unit.
Apartment Building	Three spaces for every two dwelling units.
Collective Residential	As specified by the Town.
Boarding House Residential and/or Bed and Breakfast	As specified by the Town.
Commercial Residential	One space for every guest room.
Seasonal Residential	One space per dwelling unit.
Mobile Homes	Two spaces for every dwelling unit.
Office	One space for every 20 m <sup>2</sup> of gross floor area.
Medical and Professional	One space for every 20 m <sup>2</sup> of gross floor area.
Personal Service	One space for every 20 m <sup>2</sup> of gross floor area.
General Service	One space for every 20 m <sup>2</sup> of gross floor area.
Communications	As specified by the Town.
Police Station	As specified by the Town.
Taxi Stand	As specified by the Town.
Take-out Food Service	One space for every 20 m <sup>2</sup> of gross floor area.
Veterinary	One space for every 20 m <sup>2</sup> of gross floor area.
Shopping Centre	One space for every 15 m <sup>2</sup> of gross floor area.
Shop	One space for every 20 m <sup>2</sup> of gross floor area.
Indoor Market	As specified by the Town.
Outdoor Market	As specified by the Town.
Convenience Store	One space for every 20 m <sup>2</sup> of gross floor area.
Hazardous Industry	As specified by the Town, but not less than one space per 100 m <sup>2</sup> of gross floor area or 10 parking spaces, whichever is greater.
General Industry	As specified by the Town, but not less than one space per 100 m <sup>2</sup> of gross floor area or 10 parking spaces, whichever is greater.
Service Station	One space for every 20 m <sup>2</sup> of gross floor area.

<b>CLASS</b>	<b>MINIMUM OFF-STREET PARKING REQUIREMENT</b>
Light Industry	As specified by the Town, but not less than one space per 50 m <sup>2</sup> of gross floor area or 5 parking spaces, whichever is greater.
Agriculture	Not specified.
Forestry	Not specified.
Mineral Working	Not specified.
Mining	Not specified.
Recreational Open Space	Not specified.
Conservation	Not specified.
Cemetery	Not specified.
Scrap Yard	Not specified.
Solid Waste	Not specified.
Animal	Not specified.
Antenna	Not specified.
Transportation	As determined by the Town, taking into consideration associated uses, such as boat repairs, and other facilities and services.
Marina	As determined by the Town, taking into consideration associated uses, such as boat repairs, and other facilities and services.