



## **PUBLIC CONSULTATION**

### **MUNICIPAL PLAN AMENDMENT No. 10, 2020 and DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2020**

The general public is invited to view draft copies of the Town of Portugal Cove-St. Philip's Municipal Plan and Development Regulations Amendments.

The purpose of Municipal Plan Amendment No. 10, 2020 and Development Regulations Amendment No. 15, 2020, is to create higher density standards for residential development by adding a higher mix of housing opportunities in the community; particularly to respond to the changing needs of local seniors and young adults through the addition of a new Residential High Density Land Use Zone Table.

Council encourages residents to view the draft Portugal Cove-St. Philip's Municipal Plan Amendment No. 10, 2020 and Development Regulations Amendment No. 15, 2020, which shall be on display from February 29 to March 9, 2020, during normal business hours at the Town Office, Portugal Cove-St. Philip's, and on the Town's website at [www.pcsp.ca](http://www.pcsp.ca). The public can provide any comments or concerns on the amendments to the Town Office in writing before Council proceeds with adoption.

The deadline for written comments shall be 4:00 pm., Monday, March 9, 2020.

For more information please contact the Town's Planning and Development Department.

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Town of Portugal Cove-St. Philip's  
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Portugal Cove-St. Philip's, NL A1M 1T6  
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**TOWN OF PORTUGAL COVE-ST. PHILIP'S  
MUNICIPAL PLAN 2014 - 2024**



**MUNICIPAL PLAN AMENDMENT No. 10, 2020**

**“Amendment to Policy 3.4.1”**

**FEBRUARY, 2020**

**PLAN-TECH**



**ENVIRONMENT**

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF PORTUGAL COVE-ST. PHILIP'S  
MUNICIPAL PLAN AMENDMENT No. 10, 2020**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's.

- a) Adopted the Portugal Cove-St. Philip's Municipal Plan Amendment No. 10, 2020, on the \_\_\_\_ day of \_\_\_\_\_, 2020.
  
- b) Gave notice of the adoption of the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 10, 2020, by advertisement inserted on the \_\_\_\_<sup>th</sup> day and the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2020 in *The Telegram* newspaper.
  
- c) Set the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_ at 7:30 p.m. at the Recreation Centre, Portugal Cove-St. Philip's for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's approved the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 10, 2020, as adopted (or as amended).

SIGNED AND SEALED this \_\_\_\_ day of \_\_\_\_\_, 2020

**Mayor:** \_\_\_\_\_ (Council Seal)

**Clerk:** \_\_\_\_\_

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF PORTUGAL COVE-ST. PHILIP'S  
MUNICIPAL PLAN AMENDMENT No. 10, 2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 10, 2020.

Adopted by the Town Council of Portugal Cove-St. Philip's on the \_\_\_\_<sup>h</sup> day of \_\_\_\_\_, 2020.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Mayor:** \_\_\_\_\_ (Council Seal)

**Clerk:** \_\_\_\_\_

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 10, 2020, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



# TOWN OF PORTUGAL COVE-ST. PHILIP'S MUNICIPAL PLAN AMENDMENT No. 10, 2020

## BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Municipal Plan. This amendment proposes to create higher density standards for residential development by adding a higher mix of housing opportunities in the community; particularly to respond to the changing housing needs of local seniors and young adults. A Residential High Density designation shall apply to areas and neighbourhoods characterized by a variety of housing types, ranging from single dwellings with or without subsidiary apartments, semi-detached, duplex, triplex, quadplex, row dwellings, and apartment buildings.

To meet demand for a higher mix of housing opportunities, this amendment proposes to add "**Residential High Density**" to the General Intent of Plan Policy 3.4.1.

## St. John's Urban Region Regional Plan

The proposed Municipal Plan Amendment No. 10, 2020, consists of text changes to the 2014-2024 Municipal Plan and conforms to the St. John's Urban Region Regional Plan. It is concluded that no Regional Plan Amendment is required.

## MUNICIPAL PLAN AMENDMENT No. 10, 2020

The Town of Portugal Cove-St. Philip's Municipal Plan is amended by:

- A)** **Adding** the following to **Section 3.4.1 Residential, (General Intent)** as shown below:

### General Intent

"Within the areas designated as Residential (RES) on the Generalized Future Land Use Map, areas shall be further categorized into the following zones on the Zoning Map: **Residential High Density (RHD)**; Residential Medium Density (RMD); Residential Low Density (RLD); and Residential Rural (RR)."

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



**DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2020**

**AMENDMENT TO SCHEDULE B AND C  
ADD RESIDENTIAL HIGH DENSITY LAND USE ZONE**

**FEBRUARY 2020**

**PLAN-TECH**



**ENVIRONMENT**

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF PORTUGAL COVE-ST. PHILIP'S  
DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2020**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's.

- a) Adopted the Portugal Cove-St. Philip's Development Regulations Amendment No. 15, 2020, on the \_\_\_\_ day of \_\_\_\_\_, 2020.
  
- b) Gave notice of the adoption of the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 15, 2020, by advertisement inserted on the \_\_\_\_ day and the \_\_\_\_ day of \_\_\_\_\_, 2020 in *The Telegram* newspaper.
  
- c) Set the \_\_\_\_ day of \_\_\_\_\_ at 7:00 p.m. at the Town Hall, Portugal Cove-St. Philip's for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's approved the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 15, 2020, as adopted (or as amended).

SIGNED AND SEALED this \_\_\_\_ day of \_\_\_\_\_, 2020

**Mayor:** \_\_\_\_\_ (Council Seal)

**Clerk:** \_\_\_\_\_

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF PORTUGAL COVE-ST. PHILIP'S  
DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 15, 2020.

Adopted by the Town Council of Portugal Cove-St. Philip's on the \_\_\_\_ day of \_\_\_\_\_, 2020.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Mayor:** \_\_\_\_\_ (Council Seal)

**Clerk:** \_\_\_\_\_

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 15, 2020, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.





# TOWN OF PORTUGAL COVE-ST. PHILIP'S DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2020

## BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. This amendment proposes to create higher density standards for residential development by adding a higher mix of housing opportunities in the community; particularly to respond to the changing housing needs of local seniors and young adults. A Residential High Density zone shall apply to areas and neighbourhoods characterized by a variety of housing types, ranging from single dwellings with or without subsidiary apartments, semi-detached, duplex, triplex, quadplex, row dwellings, and apartment buildings.

To meet demand for a higher mix of housing opportunities, this amendment proposes to:

- Add ***“Triplex dwelling, Quadplex dwellings and Row dwellings”*** as examples to section C, Residential Uses, Classification of Uses of Land and Buildings, Schedule B.
- Add **“Residential High Density Land Use Zone”** to the list of Land Use Zone found at the beginning of Schedule C; and
- Add a new **“Residential High Density Land Use Zone Table”** to Schedule C
  - Add illustrations showing standards for single dwellings, double dwellings, multi-dwellings and apartment buildings.

## St. John's Urban Region Regional Plan

The proposed Development Regulations Amendment No. 15, 2020 consists of text changes to 2014-2024 Municipal Plan and conforms to the St. John's Urban Region Regional Plan. It is concluded that no Regional Plan Amendment is required.

## DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2020

The Town of Portugal Cove-St. Philip's Municipal Plan is amended by:

- A) Adding “Triplex dwelling, Quadplex dwellings and Row dwellings” as examples to section C, Residential Uses, Classification of Uses of Land and Buildings, Schedule B, as shown below:**

1. Residential Dwelling Uses	(a) Single Dwelling	Single Detached Dwellings Modular Homes Double-Wide Mobiles (Rural Res.) Group Homes Subsidiary Apartments (including Granny Suites)
	(b) Double Dwelling	Semi-detached Dwellings Double or duplex Dwellings Group Homes
	(c) Multi Dwelling	Town Houses <b><i>Triplex dwellings</i></b> <b><i>Quadplex</i></b> <b><i>Row Dwellings</i></b>
	(d) Apartment Building	Apartments Condominiums

- B) Amending** General Provision 6(a), Minimum Residential Floor Area, Schedule C, to exclude mini homes from the minimum residential floor area as shown below:

**(6) Minimum Residential Floor Area**

- (a) Any building to be erected and used for a single residential dwelling, ***with the exception of mini homes***, shall not contain less than 79.0 square metres (850.3 square feet) of finished floor area of the residential building

C) **Adding “Residential High Density Land Use Zone”** to the list of Land Use Zone found at the beginning of Schedule C, as shown below:

Zone Title	Zone Symbol	
<b>Residential High Density</b>	<b>RHD</b>	
Residential Medium Density	RMD	
Residential Low Density	RLD	
Residential Rural	RR	
Residential Development Scheme Area	RDSA	
Traditional Community	TC	
Mixed Use	MIX	
Public Use	PU	
Recreation/Open Space	ROS	
Protected Watershed	PW	
Agriculture	AG	
Rural	RUR	

D) **Adding “Residential High Density Land Use Zone Table”**, with illustrations, to Schedule C, as shown below:

**Zone Title: Residential High Density (RHD)**

RHD Use Classifications

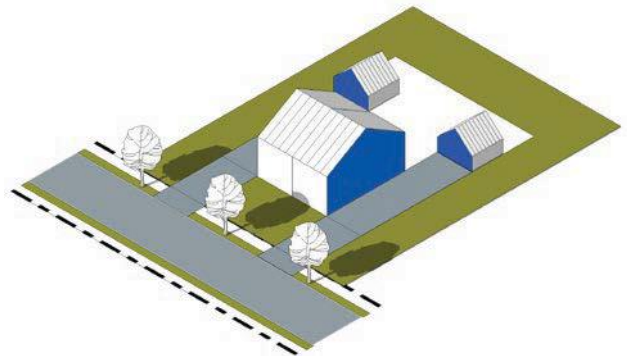
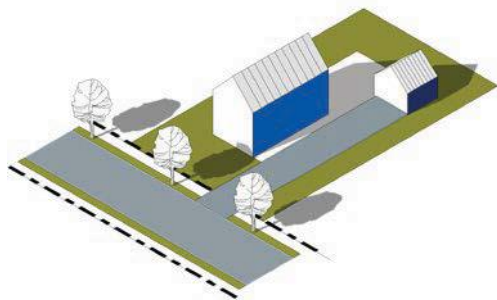
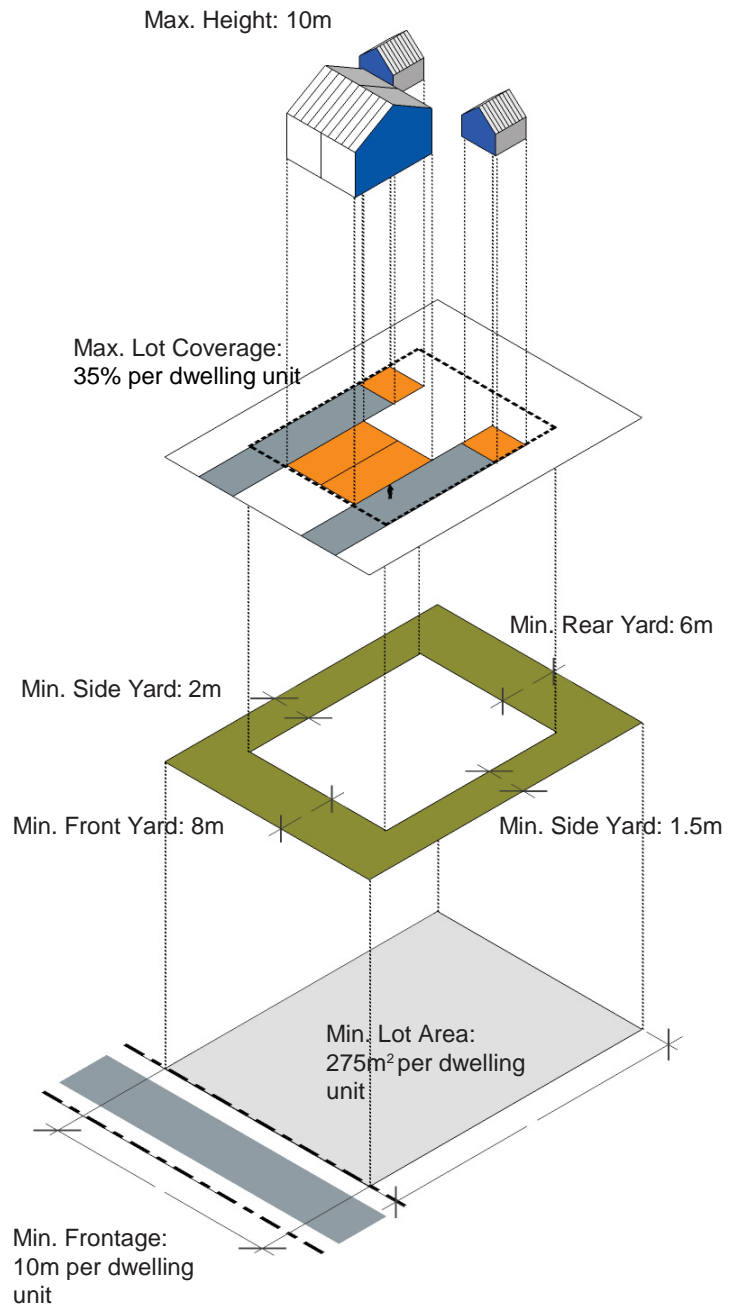
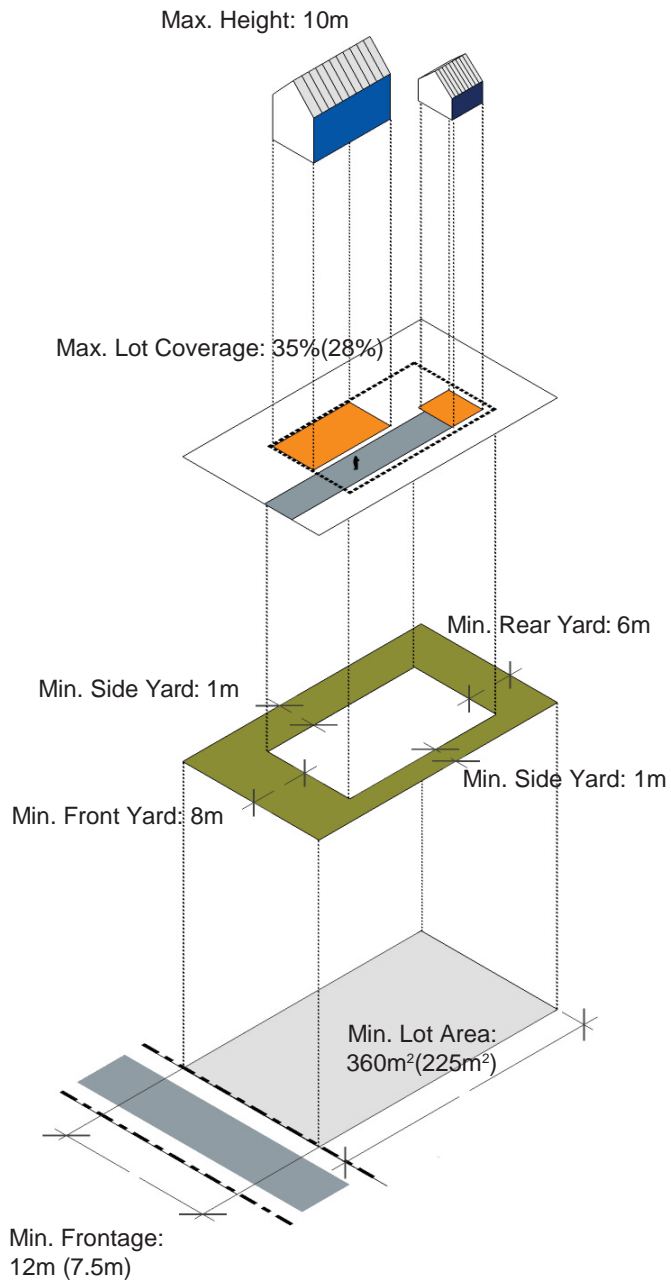
<p><b>Permitted Use Classes</b> (see Regulation 101)</p> <p>Single Dwelling, Double Dwelling, Multi Dwelling, Subsidiary Apartment, Apartment Building, Office (home occupations only), Recreational Open Space, Conservation, Group Home, Medical Treatment and Special Care <i>(see Schedules A and B for definitions and examples of above Classes)</i></p>
<p><b>Discretionary Use Classes</b> (see Regulation 33 and 102)</p> <p>Antenna, Boarding House Residential, Child Care (home occupations only), Collective Residential, Convenience Store, Educational, Medical and Professional (home occupations only), Personal Service (home occupations only), Place of Worship <i>(see Schedules A and B for definitions and examples of above Classes)</i></p>

Also refer to **Town of Portugal Cove-St. Philip’s Municipal Plan 2014 -2024** Section 3.3: General Land Use Policies and, Section 3.4.1: Residential.

## RHD Development Standards

RHD Fully-Serviced Lots (municipal water & municipal sewer)								
STANDARDS	Single Dwellings	Single Dwellings (Mini Homes)	Double Dwelling	Multi Dwelling	Apartment Building			
					One Bdrm	Two Bdrm	Three Bdrm	Four Bdrm
Min. Lot Area (m <sup>2</sup> )	360	225	275*	200*	170*	210*	230*	250*
Min. Floor Area (m <sup>2</sup> )	65	n/a	60*	47*	40*	50*	60*	70*
Min. Frontage (m)	12	7.5	10*	6*	30			
Min. Front Yard (m)	8	8	8	8	8			
Min. Side Yard (m)	1	1	1.5 & 2	3	5			
Min. Flanking Side Yard (m)	6	6	6	7	7			
Min. Rear Yard (m)	6	6	6	7	7			
Min. Lot Depth (m)	30	30	30		n/a			
Max. Lot Coverage (%)	35	28	35*	35*	35			
Max. Height (m)	10	10	10	10	10			
* per unit								

See illustrations below:



Single Dwelling  
(Mini Home Specific Standards in Brackets)

Double Dwelling

Max. Height: 10m

Max. Lot Coverage: 35%

Min. Side Yard: 3m

Min. Rear Yard: 7m

Min. Front Yard: 8m

Min. Side Yard: 3m

Min. Lot Area: 200m<sup>2</sup> per dwelling unit

Min. Frontage: 6m per dwelling unit

Max. Height: 10m

Max. Lot Coverage: 35%

Min. Side Yard: 5m

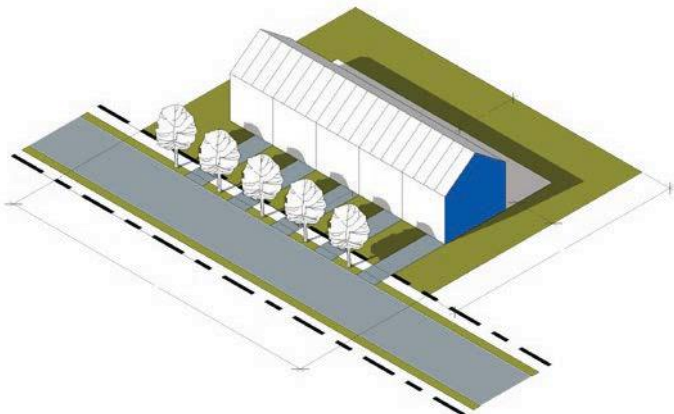
Min. Rear Yard: 7m

Min. Front Yard: 8m

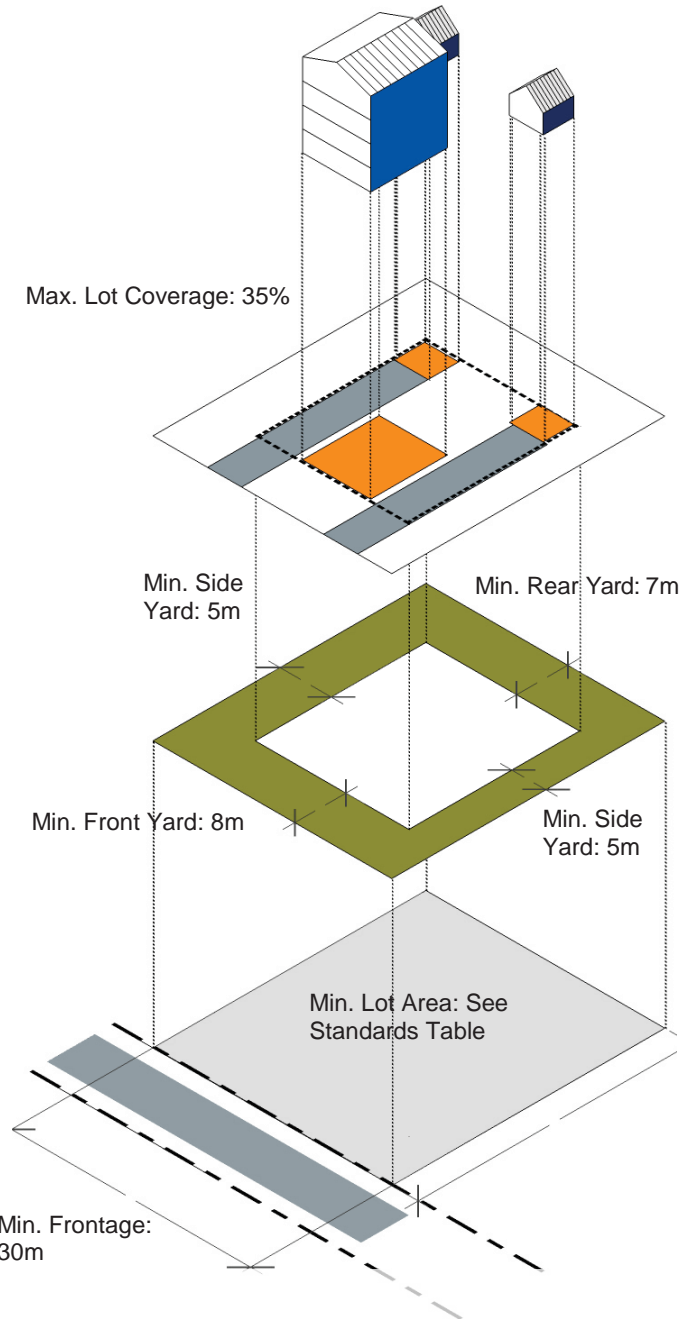
Min. Side Yard: 5m

Min. Lot Area: See Standards Table

Min. Frontage: 30m



Multi Dwelling



Apartment Building

## Terms & Conditions

### (1) Accessory Buildings (see also Regulation 39, Part II – General Development Standards)

Accessory Building Development Standards	
Standards	
Max. Floor Area	10% of total lot size
Max. Height	5.0m or the height of the main building (whichever is less)
Min. Front Yard	5.0m
Min. Side Yard & Rear Yard	1.0m
Min. Distance from Another Building	2.4m

- (a) An accessory building shall be clearly incidental and secondary to a main building and shall be complementary to the main building in character, use, style and exterior finish;
- (b) An accessory building shall be contained on the same lot as the main building;
- (c) A residential lot is permitted to have one (1) residential accessory building measuring less than 30 m<sup>2</sup> (322.9 ft<sup>2</sup>) and one (1) residential accessory building measuring greater than or equal to 30 m<sup>2</sup> on each lot. In any case, accessory buildings shall not occupy greater than 50% of the available side and/or rear yard of the residential lot to which the use will be accessory. No residential lot shall have more than one of each accessory building except as authorized by Council;
- (d) No truck, bus, semi-trailer, freight container, or other vehicle body shall be used as an accessory building;
- (e) An accessory building will be permitted only in the rear yard or side yard of the main building except as otherwise authorized by Council;
- (f) An accessory building on a residential lot shall not be used for non-residential purposes unless otherwise authorized by Council;
- (g) Except for minor vehicle maintenance, an accessory building shall not be used for the repairing, painting, dismantling, or scrapping of vehicles or machinery for commercial purposes;
- (h) Unless otherwise approved by Council, electrical services to an accessory building shall only be provided through the same service as the main building;
- (i) An accessory building shall not be located within any easement area; and
- (j) Accessory buildings shall not be used for human habitation.

## **(2) Boarding House Residential**

A standalone boarding house residential use, in the form of a bed and breakfast, boarding house, or lodging house operation, may be permitted as a discretionary use subject to the following:

- (a) Shall comply with the development standards established for a single dwelling in this zone;
- (b) The use shall be subsidiary to the residential character of the area and shall not detract from the residential amenities of adjoining properties terms of height, scale or exterior design;
- (c) The use shall not result in increased traffic congestion in the area;
- (d) One additional parking space shall be provided for each guest room on the lot;
- (e) The maximum number of guest rooms shall be six (6);
- (f) At Council's discretion, a catered dining area, or other subsidiary use may be permitted, provided the uses are clearly incidental and subsidiary to the approved use and the hours of operation are limited;
- (g) Off-street parking for a catered dining facility shall provide one space for every three (3) persons that may be accommodated at one time;
- (h) Provision for off-street parking must meet the parking standards specified in Schedule D;
- (i) No wholesale sales or outdoor storage of goods shall be carried out and any retail sales shall be incidental to the approved use;
- (j) The use will not use water or generate sewage in excess of what can be accommodated by the municipal water supply and sewage system;
- (k) On-site advertisements shall be non-illuminated, with a maximum sign face area of 0.2m<sup>2</sup> (2.15 ft<sup>2</sup>) and shall meet all other requirements of Council in terms of shape and construction material; and,
- (l) The establishment must be registered by Canada Select and approved by the Provincial Department of Business, Tourism, Culture and Rural Development.

## **(3) Convenience Store**

A convenience store may be permitted as a discretionary use subject to the following conditions:

- (a) The use may form part of, or be attached to, a self-contained single dwelling unit;
- (b) The use shall be subsidiary to the residential character of the area and shall not detract from the residential amenities of adjoining properties;
- (c) Provision for off-street parking must meet the parking standards specified in Schedule D;
- (d) No regular parking of commercial vehicles or trailers will be permitted;
- (e) Council will pay particular attention to site access, the effects of the uses on traffic flow, and increased traffic congestion in the area;



- (f) A convenience store which is part of, or attached to, a single dwelling shall not have a floor area exceeding twenty-five (25%) percent of the total floor area for that dwelling;
- (g) There shall be no wholesale or outdoor storage of materials, equipment, or products;
- (h) As a home occupation, on-site advertisements shall be non-illuminated, with a maximum sign face area of 0.2m<sup>2</sup> (2.15 ft<sup>2</sup>) and shall meet all other requirements of Council in terms of shape and construction material; and,
- (i) The use will not use water or generate sewage in excess of what can be accommodated by the municipal water supply and sewage system.

**(4) Home Occupations (Home-Based Businesses) – Child Care, Medical and Professional, Office, and Personal Service**

The varied aforementioned uses that are included within this Zone may only be permitted as home occupations. Such businesses may be operated in the dwelling by its occupants, or in an accessory building subsidiary to the residence, subject to the following conditions:

- (a) The use will be clearly subsidiary to the residential use and not detract from the residential character of the neighbourhood;
- (b) The external appearance of the dwelling or accessory building shall not be changed by the home occupation;
- (c) The use will employ only those persons who normally inhabit the premises;
- (d) The use will occupy no more than:
  - a. 25% of the total floor area of the dwelling unit, up to a maximum of 45m<sup>2</sup> (484 ft<sup>2</sup>); or,
  - b. 45 m<sup>2</sup> (484 ft<sup>2</sup>) of the floor area of an accessory building.
- (e) The use will not use water or generate sewage in excess of what can be accommodated by the municipal water supply and sewage system;
- (f) No hazardous materials will be used;
- (g) The activities will not cause noise, odours, fumes, electrical interference, or other unreasonable nuisances that could significantly affect neighbouring properties;
- (h) Provision for off-street parking must meet the parking standards specified in Schedule D;
- (i) No regular parking of commercial vehicles or trailers will be permitted;
- (j) The use will not include automobile repair, auto body repair, or automobile sales;
- (k) There shall be no wholesale or outdoor storage of materials, equipment, or products;
- (l) Any retail sales are incidental and subsidiary to the approved use;
- (m) On-site advertisements shall be non-illuminated, with a maximum sign face area of 0.2m<sup>2</sup> (2.15 ft<sup>2</sup>) and shall meet all other requirements of Council in terms of shape and construction material; and,

- (n) A child care service will be considered a home occupation only if it fully conforms to Provincial legislation and is compatible with neighbouring uses and does not create traffic safety concerns.

#### **(5) Swimming Pool**

A swimming pool shall be permitted as an accessory use, subject to the following:

- (a) The swimming pool shall be located in the rear yard of a residential property. Council, at their discretion, may allow a swimming pool in the side yard of a residential property;
- (b) The swimming pool shall not encroach upon any easements;
- (c) The swimming pool shall not be located under any overhead power lines;
- (d) The swimming pool shall have a minimum setback of two (2) metres from any property boundary; and,
- (e) The area surrounding the swimming pool and pool deck must be fully enclosed by a fence (approximately two metres (6.56 ft) in height) to prevent people, especially children, from unauthorized access to the pool area.

#### **(6) Landscaping**

Landscaping of lots must be completed in accordance with the following:

- (a) All disturbed areas located outside the building envelope shall be fully landscaped and maintained with grassed areas and a variety of shrubs, hedges, and flowering plants;
- (b) A minimum of one (1) street tree in the front yard is required to be planted with 45mm caliper with a spacing of 9 m (29.5 ft) between trees;
- (c) Energy efficiency and conservation should be considered in the design of landscaped area and in the selection of plantings through:
  - a. Retention of existing mature trees and vegetation, where feasible;
  - b. The use of native and/or drought resistant plant species;
  - c. Designing the landscaping to moderate the effects of wind, to provide shade in the summer, and to allow daylight into buildings; and,
  - d. Allow natural drainage and permeation throughout the site.
- (d) Landscaping (including driveways) must be completed within the following timeframes:
  - a. Front yard landscaping (and flanking side yard, when applicable) must be completed within 12 months of the date an Occupancy Permit had been issued for the dwelling constructed upon such lot; and,
  - b. Rear yard landscaping must be completed within 24 months of the date an Occupancy Permit had been issued for the dwelling constructed upon such lot.

### **(7) Subsidiary Apartments**

A subsidiary apartment, including in the form of a granny suite, will be considered subject to the following:

- (a) The subsidiary apartment will be clearly secondary to the single unit residential dwelling;
- (b) Only one subsidiary apartment type will be permitted in a single unit residential dwelling;
- (c) The subsidiary apartment will be completely self-contained, with facilities for cooking, sleeping and bathing;
- (d) The subsidiary apartment will be limited in floor area size to a maximum of 35% of the floor area size of the single unit residential dwelling;
- (e) Provision for off-street parking must meet the parking standards specified in Schedule D; and,
- (f) A subsidiary apartment will only be permitted in those single dwellings which are located on lots with frontage of 13.5 meters (44.3 feet) and a lot area of 405 square meters (4,360 square feet) or greater.

### **(8) Townhouse Dwellings and Apartment Buildings**

In areas zoned Residential High Density (RHD), there shall be no more than fifty percent (50%) apartment units, townhouse residential units, or a combination of apartment, townhouse, and mini home units. The remainder will be single dwellings, double dwellings or a combination of single and double dwellings. Council shall monitor and control the clustering of multi-unit townhouse units and apartment buildings to prevent a concentration of these housing types in any one area.

### **(9) Collective Residential**

Collective Residential developments refer to a dwelling or group of dwellings, each with its own building lot or an equal total area of lots with a total number of dwellings equal to one dwelling per lot area of a communal or collective nature.

### **(10) Porch/Veranda in Front of Building Line of Dwelling Unit**

A porch and/or veranda may be permitted subject to the following:

- (a) A porch with a maximum floor area of 3 square metres (32.3 square feet) may be permitted to project a maximum of 1.2 metres (3.9 feet) into the front yard area or 1.2 metres in front of the building line, whichever is in effect for the property, provided the area will not be utilized as a habitable part of a dwelling;
- (b) A porch must be enclosed with walls and a roof;
- (c) A veranda may be permitted to project a maximum of 1.2 metres into the front yard or 1.2 metres in front of the established building line, whichever is in effect on the property;

- (d) A veranda shall not be enclosed with a mesh screen material;
- (e) No part of the veranda may be used as a habitable room;
- (f) A veranda may extend across the entire front façade of the main dwelling subject to any conditions contained in the Town Regulations, and;
- (g) A combination of porch and veranda may be permitted, subject to conditions above, provided that the area of the porch section does not exceed the maximum of 3 square metres.

**(11) Deck in Front of Building Line of Dwelling Unit**

A deck may be permitted subject to the following:

- (a) A deck shall be no closer than 4 metres (13.1 feet) to the street line and the maximum a deck may project in front of the building line shall be 3.6 metres (11.8 feet);
- (b) The maximum floor height of a deck shall be equal to the level of the main floor of the dwelling. Council reserves the right to a lower level where appropriate;
- (c) The maximum width of the deck shall be 3.6 metres and requirement to enclose the bottom area of the deck will be handled on a case by case basis;
- (d) A deck shall not be used for storage, and;
- (e) The closest point of a deck shall be 1.2 metres (3.9 feet) from side boundary with the exception of an accessibility deck required.