



**PUBLIC CONSULTATION
MUNICIPAL PLAN AMENDMENT No. 20, 2024 and
DEVELOPMENT REGULATIONS AMENDMENT No. 32, 2024**

The general public is invited to view a draft copy of the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 20, 2024 and Development Regulations Amendment No. 32, 2024. The purpose of Municipal Plan Amendment No. 20, 2024 is to establish the Community Mixed designation and zone with terms and conditions, and to re-designate land at Nos. 46, 48, 52, 54, 56, 58 and 60 Dan's Road from the **Residential** designation to **Community Mixed**. The purpose of Development Regulations Amendment No. 32, 2024 is to create an opportunity for mixed uses to address housing needs and provide neighbourhood amenities particularly for seniors and non-market housing, and establish development standards, terms and conditions for the Community Mixed land use zone, which will include higher density measures for residential development (including apartment buildings, multi dwellings, and accessory dwelling units), non-residential development that allows for public uses and businesses that serve as community amenities, and for planned residential unit developments (which allows multiple buildings on one site) for seniors housing and/or non-market housing, and re-zone the same area of land from the **Residential Medium Density (RMD)** Land Use Zone to **Community Mixed (CM)**.

Council encourages residents to view the Portugal Cove-St. Philip's Municipal Plan Amendment No. 20, 2024 and Development Regulations Amendment No. 32, 2024, which shall be on display from **January 17 to February 1, 2024**, during normal business hours at the Town Office, Portugal Cove-St. Philip's and on the Town's website at **www.pcsp.ca**. The public can provide any comments or concerns on the proposed amendments to the Town Office in writing before Council proceeds with adoption.

The deadline for written comments shall be 4:00 pm., **Thursday, February 1, 2024**.

For further details on these amendments, please contact:

Planning and Development Department
Town of Portugal Cove-St. Philip's
1119 Thorburn Road
Portugal Cove-St. Philip's, NL
A1M 1T6

Tel: 709-895-8000 ext. 4 Fax: 709-895-3780
E-mail: planning@pcsp.ca

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

MUNICIPAL PLAN AMENDMENT NO. 20, 2024

(Community Mixed – text and map)



JANUARY 2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

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

MUNICIPAL PLAN AMENDMENT No. 20, 2024

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove-St. Philip's:

- a) adopted the Amendment No. 20, 2023 to the Town of Portugal Cove-St. Philip's Municipal Plan on the _____ day of _____, 2024.
- b) gave notice of the adoption of the Amendment No. 20, 2024 to the Town of Portugal Cove-St. Philip's Municipal Plan by advertisement in The Telegram newspaper on _____ and _____, 2024. The advertisement was also posted on the Town's website, and social media platforms;
- c) set the _____ day of _____, 2024, at _____ 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 Portugal Cove-St. Philip's approves the Amendment No. 20, 2024 to the Town of Portugal Cove-St. Philip's Municipal Plan as adopted.

SIGNED AND SEALED this _____ day of _____, 2024.

Mayor: _____

Clerk: _____

Municipal Plan/Amendment	
<u>REGISTERED</u>	
Number	_____
Date	_____
Signature	_____

(Council Seal)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

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

MUNICIPAL PLAN AMENDMENT No. 20, 2024

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. 20, 2024.

Adopted by the Town Council of Portugal Cove-St. Philip's on the day of, 2024.

Signed and sealed this _____ day of _____ 2024.

Mayor: _____

Town Clerk: _____

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 20, 2024, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



MCIP: Anna Myers

Member of Canadian Institute of Planners (MCIP)

TOWN OF PORTUGAL COVE-ST. PHILIP'S
MUNICIPAL PLAN AMENDMENT No. 20, 2024

BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Municipal Plan, 2014-2024. There is an associated Development Regulations Amendment No. 32, 2024.

The purpose of this amendment is to establish the Community Mixed designation which will include higher density measures for residential development, allowing businesses that serve as community amenities, and allowing for planned unit developments for senior's housing and non-market housing. This amendment also proposes to redesignate an area of land at Nos. 46, 48, 52, 54, 56, 58 and 60 Dan's Road from **Residential** to **Community Mixed**. Establishment of higher density housing and creation of senior's housing is supported by Section 2.2 of the Goals and Objectives for the Town's Municipal Plan 2014-2024.

PUBLIC CONSULTATION

During the preparation of this amendment Council undertook the following initiative so that individuals and groups could provide input to the proposed Municipal Plan Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in The Telegram newspaper on..... and advertising the proposed amendment seeking comments or representations from the public. A copy of the Public Notice was posted on the Town's website. Residents were invited to view the documents and maps at the Town Hall during normal business hours, and to provide any comments or concerns in writing to Council by,

At a future date, individuals and groups shall also have another opportunity for submissions at a Public Hearing chaired by an independent Commissioner.

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

The proposed Municipal Plan Amendment No. 20, 2024 consists of text changes and a map change to the Future Land Use Map. The St. John's Urban Region Regional Plan has the area proposed to be redesignated designated as Urban Development. The Urban Development designation accommodates a range of urban uses including residential. No amendment to the St. John's Urban Region Regional Plan is required.

MUNICIPAL PLAN AMENDMENT No. 17, 2024

● **TEXT AMENDMENT:**

CHANGES TO TEXT OF MUNICIPAL PLAN

FROM

1.2.2 PHYSICAL STRUCTURE OF THE MUNICIPALITY – MUNICIPAL SERVICES

Plans to extend water and sewer trunks beyond current limits will be considered within the context of this Municipal Plan, and in accordance with the Plan's priority for infill residential development. Any proposed future extensions to service residential subdivisions will be the financial responsibility of the private developers.

TO

1.2.2 PHYSICAL STRUCTURE OF THE MUNICIPALITY – MUNICIPAL SERVICES

Plans to extend water and sewer trunks beyond current limits will be considered within the context of this Municipal Plan, and in accordance with the Plan's priority for infill residential development. Any proposed future extensions to service residential subdivisions will be the financial responsibility of the private developers (with the exception of senior's housing and/or non-market housing developments affiliated with provincial and/or federal grant programs, where Council may consider entering into a cost sharing agreement).

ADD

2.2 HOUSING

- Investigate incentives for developers to provide a range of housing types including affordable units, develop additional senior's housing, and loosen regulations regarding subsidiary apartments in accordance with the Portugal Cove-St. Philip's Strategic Plan 2023-2028.

FROM

2.8 MUNICIPAL FINANCE

- Require developers to fund off-site infrastructure deficiencies to support proposed land use developments.

TO

2.8 MUNICIPAL FINANCE

- Require developers to fund off-site infrastructure deficiencies to support proposed land use developments (with the exception of senior's housing and/or non-market housing developments affiliated with provincial and/or federal grant programs, where Council may consider entering into a cost sharing agreement).

FROM

3.1 POLICY FRAMEWORK

- v) Municipal services will be undertaken in an efficient and financially prudent manner. The extension of services to new subdivision developments will be the financial responsibility of the developers. Elsewhere, services will be provided on a cost recovery basis to the extent possible.

TO

3.1 POLICY FRAMEWORK

- v) Municipal services will be undertaken in an efficient and financially prudent manner. The extension of services to new subdivision developments will be the financial responsibility of the developers (with the exception of senior's housing and/or non-market housing developments affiliated with provincial and/or federal grant programs, where Council may consider entering into a cost sharing agreement). Elsewhere, services will be provided on a cost recovery basis to the extent possible.

FROM

Open Space Dedications

Policy SD-7 For each application to subdivide land into four (4) lots or more, Council shall require the developer to provide land to the Town for open space equal to 10% of the gross area of the land to be developed. Alternatively, in lieu of land dedication, Council may decide to accept a sum of money equal to 10 percent of the equivalent value of the land to be dedicated as part of the development site.

TO

Open Space Dedications

Policy SD-7 For each application to subdivide land into four (4) lots or more (or a planned unit development is proposed that will result in three (3) total buildings or more), Council shall require the developer to provide land to the Town for open space equal to 10% of the gross area of the land to be developed. Alternatively, in lieu of land dedication, Council may decide to accept a sum of money equal to 10 percent of the equivalent value of the land to be dedicated as part of the development site.

FROM

Access to Public Streets and Roads

Policy GLU-9 Council shall require that all future building lots have appropriate lot frontage to abut and have vehicular access from a public street or road.

TO

Access to Public Streets and Roads

Policy GLU-9 All development shall front onto a publicly maintained road (Provincial or Municipal). Exceptions include:

- (a) a development within a Planned Unit Development where there may be an internal road plan (which shall be set out in the Development Regulations); however, the Planned Unit Development shall front onto a publicly maintained road; and
- (b) natural resource uses and associated industries, i.e., agriculture, forestry, mineral working, etc.; however, the natural resource uses and associated industries must front on a public or private road reservation with permission to use the road reservation from the owner(s) or the provincial government.

FROM

Council Control of Land Development

Policy RES-10 Council shall ensure that all costs associated with road development and the installation of off-site and on-site municipal infrastructure required to support the development are borne solely by the developer.

TO

Council Control of Land Development

Policy RES-10 Council shall ensure that all costs associated with road development and the installation of off-site and on-site municipal infrastructure required to support the development are borne solely by the developer (with the exception of senior's housing and/or non-market housing developments affiliated with provincial and/or federal grant programs, where Council may consider entering into a cost sharing agreement).

FROM

Servicing New Residential Subdivision Development

Policy RES-13 Council shall require that the costs of installing water and sewer services and connecting a new residential subdivision to the municipal system are borne solely by the developer.

TO

Servicing New Residential Subdivision Development

Policy RES-13 Council shall require that the costs of installing water and sewer services and connecting a new residential subdivision to the municipal system are borne solely by the developer (with the exception of senior's housing and/or non-market housing developments affiliated with provincial and/or federal grant programs, where Council may consider entering into a cost sharing agreement).

FROM

3.4 SPECIFIC LAND USE POLICIES

The lands in Portugal Cove-St. Philip's shall be managed in accordance with the proposed land uses designated and shown on the Generalized Future Land Use Map and the land use policies of this Municipal Plan. Land use designations include:

- Residential
- Residential Development Scheme Areas
- Traditional Community
- Mixed Use
- Public Use
- Recreation Open Space
- Protected Watershed
- Agriculture
- Rural

TO

3.4 SPECIFIC LAND USE POLICIES

The lands in Portugal Cove-St. Philip's shall be managed in accordance with the proposed land uses designated and shown on the Generalized Future Land Use Map and the land use policies of this Municipal Plan. Land use designations include:

Residential
Residential Development Scheme Areas
Traditional Community
Mixed Use
Community Mixed
Public Use
Recreation Open Space
Protected Watershed
Agriculture
Rural

NEW SECTION

3.4.12 Community Mixed

General Intent

Land for Community Mixed is designated as CM on the Generalized Future Land Use Map in order to permit and expand local access to a mix of residential housing types, particularly senior's and affordable housing, recreational open space, and community amenity based commercial and public uses. The Community Mixed designation is to apply to land situated west of Dan's Road.

Lands designated Community Mixed shall be zoned on the Zoning Map as Community Mixed (CM). Detailed requirements of this zone are outlined in Schedule C of the Development Regulations.

Community Mixed Policies

Land Uses

Policy CM-1 It shall be a policy of Council to permit single and double dwelling residential housing, recreational open space, and conservation as the primary land uses within the Community Mixed designation. Subsidiary apartments and accessory dwelling units shall be permitted secondary to an approved primary building. Other types and densities of discretionary housing such as apartment buildings (senior's housing and non-market housing only), multi dwellings and boarding house residential may also be permitted, as detailed in Schedule C of the Development Regulations.

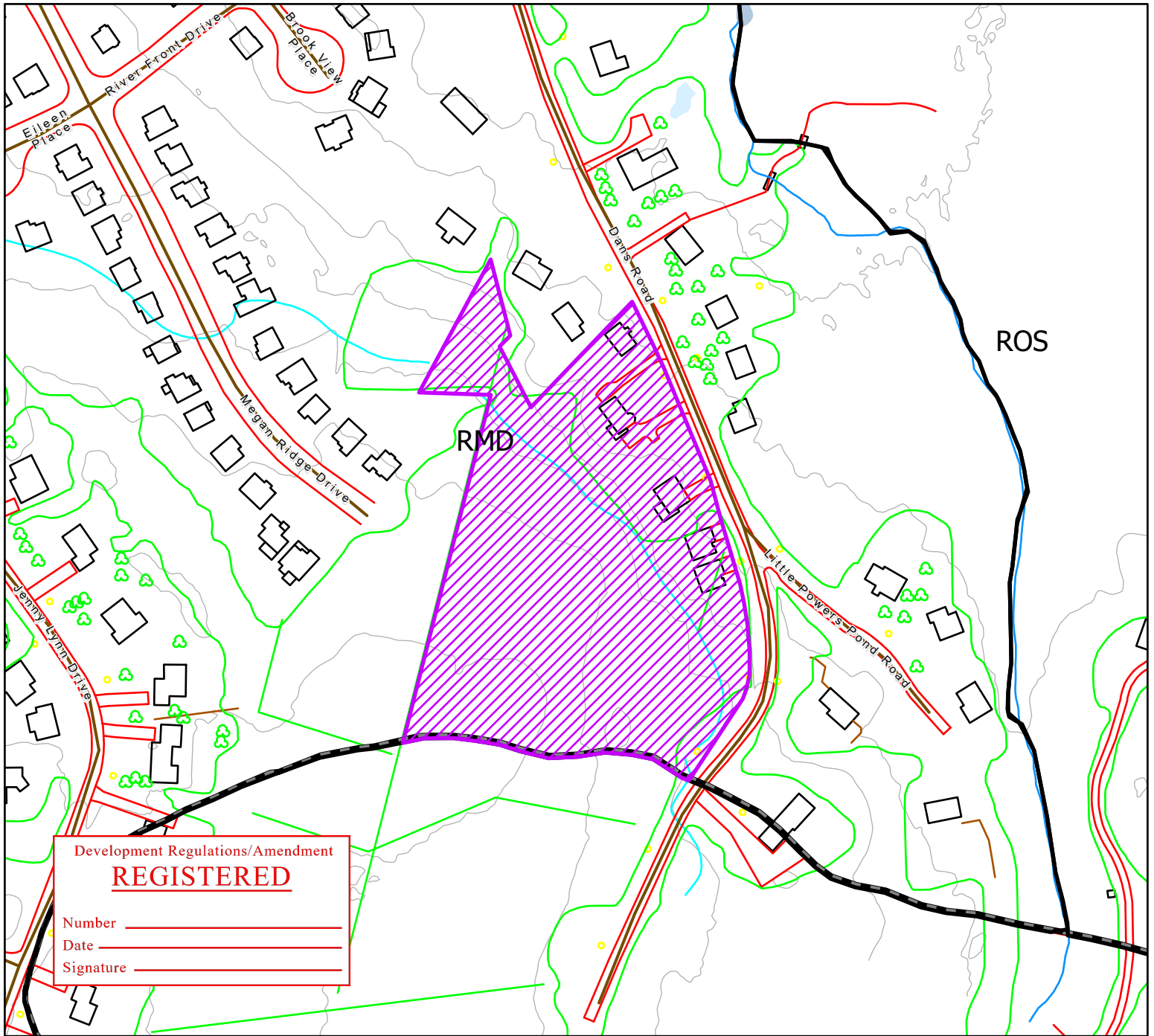
Policy CM-2 Council may consider a range of discretionary uses for non-residential uses that are complementary to and serve the needs of residential neighbourhoods. Such uses include catering, shops, offices and services, medical and professional, restaurants, public and assembly uses, childcare, service club, churches, schools, service stations, and other similar uses as detailed in Schedule C of the Development Regulations. Council may also consider varied home-based businesses as discretionary uses including childcare, general

service, light industry, medical and professional, office, and personal service as detailed in Schedule C of the Development Regulations.

- Policy CM-3** Council may consider incentives and/or special conditions to promote the development of senior's housing and/or non-market housing within the Community Mixed designation.
- Policy CM-4** Council may consider and permit renewable energy infrastructure such as private wind turbines, as a discretionary use, subject to the terms and conditions listed in Regulation 71 and Schedule C of the Development Regulations, and an assessment of the specific site location and neighbourhood character.
- Policy CM-5** Council may consider and permit small-scale, non-commercial agricultural uses as discretionary uses within the less-developed areas of the Community Mixed designation, subject to the terms and conditions contained in Schedule C of the Development Regulations.
- Policy CM-6** Council may consider and permit non-building uses as discretionary uses within the Community Mixed designation, subject to the terms and conditions contained in Schedule C of the Development Regulations.
- Policy CM-7** In evaluating proposals for new development in Community Mixed areas, Council shall pay particular attention to the compatibility of uses, particularly between residential and non-residential uses. Before permitting any non-residential development as a discretionary use, Council will be satisfied that requirements with respect to building setbacks, buffering between uses, off-street parking, outdoor storage, and other related site and building design issues, can be satisfactorily addressed by the development applicant.
- Policy CM-7** When evaluating proposals for new planned-unit developments in Community Mixed areas, Council may require connectivity, road standards, or walkability standards higher than what is generally required.
- Policy CM-8** Where an application for a Planned Unit Development is required, a detailed site plan shall be provided by the proponent containing the following:
- (a) Goals, objectives and land use policies for the development area;
 - (b) Identification of developable area of site, indicating accommodation of site conditions such as poor drainage, steep slopes, flooding potential and rocky ground;
 - (c) Proposed siting of new building(s), or additions, including building square footage area size, building height, setback distances to property lines, and setbacks between buildings (if applicable);
 - (d) Building lot area coverage;
 - (e) Total number of proposed buildings and interior floor plans;

- (f) Layout drawing of proposed parking area(s), total number and size of parking spaces and maneuvering aisles, access and egress locations to parking area, provisions for bicycle parking (where applicable), landscape screening for parking areas and storm water drainage management;
- (g) Identification of outdoor amenity and open space and recreation areas;
- (h) Identification of unenclosed storage areas and area size;
- (i) Overview of landscaping treatment and approach for the site development;
- (j) Phasing of the development (if applicable);
- (k) Street and servicing layout, including on-site road pattern and traffic and relation to surrounding community in conformance with Town standards;
- (l) Indicate any issues related to the long-term maintenance of streets and other services;
- (m) Connections to existing municipal water and sewer infrastructure;
- (n) Any special conditions, prerequisite considerations or significant environmental elements identified by the Town or the federal and/or provincial governments, and;
- (o) Compatibility with surrounding development and location of required buffers (if applicable).

Policy CM-9 Council shall evaluate developments within Community Mixed areas to the additional requirements expressed in this Municipal Plan, including those Policies related to Residential and Public Uses, as applicable.



TOWN OF PORTUGAL COVE-ST. PHILIP'S

Dated at Portugal Cove-St. Philip's, Newfoundland and Labrador

MUNICIPAL PLAN 2014-2024


This ____ day of _____, 2024.

DEVELOPMENT REGULATIONS MAP

Mayor

DEVELOPMENT REGULATIONS
AMENDMENT NO. 32, 2023

Clerk

 Area to be rezoned from "Residential Medium Density" to "Community Mixed"

Seal



Scale: 1:2,500

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 32, 2023 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

**TOWN OF PORTUGAL COVE-ST, PHILIP'S
DEVELOPMENT REGULATIONS, 2014-2024**

DEVELOPMENT REGULATIONS AMENDMENT NO. 32, 2024

COMMUNITY MIXED ZONE

(Amendment to text and maps)



JANUARY 2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS, 2014-2024**

DEVELOPMENT REGULATIONS AMENDMENT No. 32, 2024

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove-St. Philip's:

- a) adopted the Amendment No. 32, 2024 to the Town of Portugal Cove-St. Philip's Development Regulations on the _____ day of _____, 2024.
- b) gave notice of the adoption of the Amendment No. 32, 2024 to the Town of Portugal Cove-St. Philip's Development Regulations by advertisement in The Telegram newspaper on _____ and _____, 2024. The advertisement was also posted on the Town's website and social media platforms;
- c) set the _____ day of _____, 2024, for the holding of a public hearing at the Portugal Cove-St. Philip's Town Hall to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove-St. Philip's approves the Amendment No. 32, 2024 to the Town of Portugal Cove-St. Philip's Development Regulations as adopted.

SIGNED AND SEALED this _____ day of _____, 2024.

Mayor _____

Clerk _____

Development Regulations/Amendment	
<u>REGISTERED</u>	
Number	_____
Date	_____
Signature	_____

(Council Seal)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT No. 32, 2024
DEVELOPMENT REGULATIONS, 2014-2024**

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. 32, 2024.

Adopted by the Town Council of Portugal Cove-St. Philip's on the ____ day of _____, 2024.

Signed and sealed this _____ day of _____ 2024.

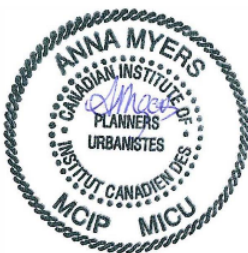
Mayor _____

Town Clerk _____

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 32, 2024, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



MCIP: Anna Myers

Member of Canadian Institute of Planners (MCIP)

TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT No. 32, 2024

BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations, 2014-2024. There is an associated Municipal Plan Amendment No. 20, 2024.

The purpose of this amendment is to establish a Community Mixed Land Use Zone which will include higher density measures for residential development (including apartment buildings and multi dwellings for seniors housing and non-market housing, and accessory dwelling units), non-residential development that allows for public uses and businesses that serve as community amenities, and for planned residential unit developments for seniors housing (55+) and/or non-market housing. This amendment also proposes to rezone an area of land at Nos. 46, 48, 52, 54, 56, 58 and 60 Dan's Road from **Residential Medium Density to Community Mixed**.

Establishment of higher density housing and creation of seniors housing and non-market housing is supported by Section 2.2 of the Goals and Objectives for the Town's Municipal Plan 2014-2024.

PUBLIC CONSULTATION

During the preparation of this amendment Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in The Telegram newspaper on 2024, and the Northeast Avalon Times on 2024 advertising the proposed amendment seeking comments or representations from the public. A copy of the Public Notice was posted on the Town's website and social media. Residents were invited to view the documents and maps on the Town's website or at the Town Office during normal business hours, and to provide any comments or concerns in writing to Council by the deadline.

At a future date, individuals and groups have another opportunity for submissions in the Public Hearing process chaired by an independent Commissioner.

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

The proposed Development Regulations Amendment No. 32, 2024 consists of text changes and a map change to the Development Regulations Map. The St. John's Urban Region Regional Plan has the area proposed to be rezoned designated as Urban Development. The Urban Development designation accommodates a range of urban uses including residential. No amendment to the St. John's Urban Region Regional Plan is required.

DEVELOPMENT REGULATIONS AMENDMENT No. 32, 2024

- **TEXT AMENDMENT:**

CHANGES TO TEXT OF DEVELOPMENT REGULATIONS

FROM:

60. SUBSIDIARY APARTMENTS

Subsidiary apartments, as defined by Schedule A, may be permitted upon Council approval as a discretionary use in single unit residential dwellings, and within a permitted commercial use only, and for the purposes of calculating lot area and yard requirements, shall be considered part of the self-contained dwelling. Council may also consider a granny suite as a form of a subsidiary apartment to help meet the emerging housing needs of seniors.

TO:

60. SUBSIDIARY APARTMENTS

Subsidiary apartments, as defined by Schedule A, may be permitted upon Council approval subsidiary to single unit residential dwellings, and within a permitted commercial use only and for the purposes of calculating lot area and yard requirements, shall be considered part of the self-contained dwelling.

ADD:

81. SERVICES TO BE PROVIDED

(4) Notwithstanding the requirements of subsection (3), Council may consider entering into a cost sharing agreement with a developer affiliated with participation in provincial and/or federal grant programs for the expense of constructing municipal infrastructure (for example roads, municipal water and sewer infrastructure and/or stormwater management infrastructure) where the development is comprised of seniors housing and/or non-market housing.

FROM:

88. LAND FOR PUBLIC OPEN SPACE

- (1) Where a parcel of land is proposed to be subdivided into four (4) lots or more, the developer shall dedicate to Council, at no cost to Council, a useable area of land equivalent to not more than 10% of the gross area of the subdivision or 25.0 m² (269 square feet) for every dwelling unit permitted in the subdivision, whichever is the greater, for public open space, provided that:
 - (a) where land is subdivided for any purpose other than residential use, Council shall determine the percentage of land to be dedicated;
 - (b) if, in the opinion of Council, no public open space is required, the land may be used for such other public use as Council may determine;
 - (c) the location and suitability of any land dedicated under the provisions of this Regulation shall be subject to the approval of Council but in any case, Council shall not accept land which, in its opinion, is incapable of development for any purpose;

- (d) Council 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 which would otherwise be required to be dedicated;
- (e) financial contributions received by Council in accordance with Regulation 88(1)(d) shall be reserved by Council for the purpose of the acquisition or development of land for public open space or other public purpose.

TO:

88. LAND FOR PUBLIC OPEN SPACE

- (1) Where a parcel of land is proposed to be subdivided into four (4) lots or more (or a planned unit development is proposed that will result in three (3) total primary buildings or more), the developer shall dedicate to Council, at no cost to Council, a useable area of land equivalent to not more than 10% of the gross area of the subdivision or 25.0 m² (269 square feet) for every dwelling unit permitted in the subdivision, whichever is the greater, for public open space, provided that:
 - (a) where land is subdivided for any purpose other than residential use, Council shall determine the percentage of land to be dedicated;
 - (b) if, in the opinion of Council, no public open space is required, the land may be used for such other public use as Council may determine;
 - (c) the location and suitability of any land dedicated under the provisions of this Regulation shall be subject to the approval of Council but in any case, Council shall not accept land which, in its opinion, is incapable of development for any purpose;
 - (d) Council 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 which would otherwise be required to be dedicated; and
 - (e) financial contributions received by Council in accordance with Regulation 88 (1)(d) shall be reserved by Council for the purpose of the acquisition or development of land for public open space or other public purpose.

CHANGES TO TEXT OF SCHEDULE A: DEFINITIONS

FROM:

APARTMENT BUILDING: means a building in accordance with the provincial Condominium Act, 2007, containing three or more dwelling units where individual dwelling unit access is typically from a common interior hallway and where an apartment building does not include a row dwelling.

TO:

APARTMENT BUILDING: means a residential building containing three or more dwelling units which have a shared entrance and interior hallway but does not include a multi dwelling or subsidiary apartments. An apartment building may also contain businesses (if permits for such businesses have been obtained) on the ground floor of the building that are complementary to the residential nature of the building.

ADD:

ACCESSORY DWELLING UNIT: means a self-contained dwelling unit without a basement located on a lot containing a single unit residential dwelling. It is equipped with its own kitchen, living area, bedroom(s), bathroom, and storage space. An accessory dwelling unit shall not have a subsidiary apartment and is detached from the single unit residential dwelling on the lot. It may be constructed onsite or transported as a modular unit to the lot but cannot include a mobile home or mini-home.

ADD:

MULTI DWELLING: means a residential building that consists of three or more attached dwelling units where each dwelling unit shall have a private entrance and direct ground level access to the outside and either a private, or public open space within the property's boundaries. Where possible, parking for a multi-dwelling will be provided in the side or rear yard; parking in the front may be considered at the discretion of council. Accessory buildings for individual dwellings units shall only be allowed in the side or rear yard where each dwelling unit is contained within its own independent legal property survey. Multi dwellings may consist of town houses, triplex dwellings, a quadplex, row dwellings, or other innovative housing layouts and may include multi-user accessory buildings.

ADD:

NON-MARKET HOUSING: means housing based on the principle that at some point during the development or operation of the housing accommodation, there is an investment by a level of government or non-profit organization that allows the cost of that housing to be offered to renters or owners at a price that is less than the current market value. There is no single model used for non-market housing, and non-market housing may include such housing types as assisted living, residential, or personal care homes, non-profit housing, or supportive housing.

ADD:

PLANNED UNIT DEVELOPMENT: means an integrated planned development which may involve a single use class or mix of use classes that responds to a unique market opportunity and involves special development standards not otherwise permitted in the zone. The most common example of a Planned Unit Development is a vacant land condominium/bare strata development consisting of a contiguous area to be planned, developed, operated, and maintained as a single entity and containing one or more structures with common areas that belong to them, such as a box store complex, resort, multi-unit residential. A Planned Unit Development may be approved by Council in any zone as a development and/or subdivision on public or private services.

ADD:

SENIORS HOUSING: means a residential building or development where every dwelling unit is reserved for sale, rent, or lease for a person who has reached the age of 55 years, or to 2 or more persons, at least one of whom has reached the age of 55 years in accordance with the Newfoundland and Labrador Human Rights Act, 2010.

FROM:

SUBSIDIARY APARTMENT: means a separate residential dwelling unit with its own distinct separate access to the outdoors that is typically constructed within a basement of a residential house, or above a commercial unit, and is separated by a minimum firewall separation as defined by the National Building Code and where the subsidiary apartment is secondary in use and floor area size to a single unit residential dwelling or a commercial building. Council may also consider a subsidiary apartment for seniors in single unit residential homes in the form of a granny suite that is built as an attachment to the main floor of the principle single unit residential use building, and that includes a firewall separation between the two dwelling units.

TO:

SUBSIDIARY APARTMENT: means a separate residential dwelling unit with its own access to the outdoors (whether it is for rent or not, or used as a private guest suite for temporary lodging) that may be constructed within a basement of or attached to the main floor of a single unit residential dwelling, or above a commercial unit, and is separated by a minimum firewall separation as defined by the National Building Code and where the subsidiary apartment is secondary in use and floor area size to a single unit residential dwelling or a commercial building.

CHANGES TO TEXT OF SCHEDULE B: CLASSIFICATION OF USES OF LAND AND BUILDINGS**FROM:**

C. RESIDENTIAL USES	1. Residential Dwelling Uses	(a) Single Dwelling	Single Detached Dwellings Modular Homes Double-Wide Mobiles (Rural Res.) Group Homes Subsidiary Apartments (including Granny Suites)
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TO:

C. RESIDENTIAL USES	1. Residential Dwelling Uses	(a) Single Dwelling	Single Detached Dwellings Modular Homes Double-Wide Mobiles (Rural Res.) Group Homes Subsidiary Apartments Accessory Dwelling Units
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CHANGES TO TEXT OF SCHEDULE C: USE ZONES**FROM:**

The varied land use zones that apply to the Town are listed as follows:

Zone Title	Zone Symbol	Page
Residential Small Lot	RSL	108
Residential Medium Density	RMD	93
Residential Low Density	RLD	100
Residential Rural	RR	106
Residential Development Scheme Area	RDSA	111
Traditional Community	TC	113
Mixed Use	MIX	121
Public Use	PU	128
Recreation/Open Space	ROS	130
Protected Watershed	PW	132
Agriculture	AG	134
Rural	RUR	138

TO:

The varied land use zones that apply to the Town are listed as follows:

Zone Title	Zone Symbol	Page
Residential Small Lot	RSL	108
Residential Medium Density	RMD	117
Residential Low Density	RLD	124
Residential Rural	RR	131
Residential Development Scheme Area	RDSA	137
Traditional Community	TC	139
Mixed Use	MIX	148
Community Mixed	CM	155
Public Use	PU	164
Recreation/Open Space	ROS	166
Protected Watershed	PW	168
Agriculture	AG	170
Rural	RUR	174

REMOVE THE FOLLOWING AND RENUMBER REMAINING CONDITIONS:**(5) Siting For Buildings on Vacant Land Lots under Condominium Act**

Setbacks for buildings and structures in a bare land development under Part X of the NL Condominium Act, 2007 shall be measured from the internal lot boundaries and buildings in accordance with the setback requirements of the applicable zone.

REMOVE THE FOLLOWING AND RENUMBER REMAINING CONDITIONS:**(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 65.0 square metres (700 square feet) of finished floor area of the residential building.

(b) Any building to be erected and used for a double dwelling residential use shall not contain less than 60.0 metres (645.3 square feet) of finished floor area per dwelling unit.

(c) Any self-contained dwelling unit to be constructed as part of a larger Apartment or Townhouse building, and used within a multi-unit development, shall not contain less than 47.0 square metres (505.9 square feet) of finished floor area.

ADD SCHEDULE C: Community Mixed

Zone Title: COMMUNITY MIXED (CM)

Community Mixed Classifications

Permitted Use Classes

(see Regulation 101)

Accessory Dwelling Unit, Conservation, Double Dwelling, Recreational Open Space, Single Dwelling, Subsidiary Apartment

(see Schedules A and B for definitions and examples of above Classes)

Discretionary Use Classes

(see Regulation 33 and 102)

Agriculture, Antenna, Apartment Building (seniors housing and/or non-market housing only), Boarding House Residential, Catering, Cemetery, Child Care (home occupations also), Club and Lodge, Commercial Residential, Convenience Store, Cultural and Civic, Educational, Funeral Home, General Assembly, General Service (home occupations also), Group Home, Indoor Market, Light Industry (home occupations only), Medical and Professional (home occupations also), Medical Treatment and Special Care, Multi Dwelling, Office (home occupations also), Personal Service (home occupations also), Place of Worship, Shop, Shopping Centre, Take-out Food Service, Theatre, Veterinary, Wind Turbine (Private)

(see Schedules A and B for definitions and examples of above Classes)

Refer to **Town of Portugal Cove-St. Philip's Municipal Plan 2014-2024**, Section 3.3: General Land Use Policies; and Section 3.4.12: Community Mixed.

Community Mixed Development Standards

CM Fully-Serviced Lots (municipal water & municipal sewer)								
STANDARDS	Single Dwellings		Multiple Dwellings		Apartment Buildings			Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	Multi Dwelling	One & Two Bedroom Units	Three Bedroom Units	Non-Residential Units	
Min. Lot Area (m²)	405	1,000	285*	285*	200*	250*	250*	500
Min. Floor Area (m²)	65	65	65*	50*	40*	50*	50*	80
Min. Frontage (m)	13.5	15	10*	30	30			15
Min. Pond Frontage (m)		15						
Min. Front Yard (m)	6	6	6	6	6			8
Max. Front Yard (m)	32	See General Provision 10	32	32	32			32
Min. Side Yard (m)	1.5	2	2.5	2.5	5			5
Min. Rear Yard (m)	8	8	8	8	8			9
Max. Lot Coverage (%)	33	33	33	33	33			33
Max. Height (m)	10	10	10	10	15			10
* per unit								

CM Semi-Serviced Lots (municipal water and on-site sewer OR on-site water and municipal sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,400	1,860	1,400*	1,860
Min. Floor Area (m ²)	65	65	65*	65
Min. Frontage (m)	23	23	23*	23
Min. Pond Frontage (m)		23		
Min. Front Yard (m)	6	6	6	8
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	2.5	6	2.5	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	10	10	10	10
* per unit				

CM Un-Serviced Lots (on-site water and on-site sewer)				
STANDARDS	Single Dwelling		Multiple Dwellings	Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	
Min. Lot Area (m ²)	1,860	1,860	1,400*	1,860
Min. Floor Area (m ²)	65	65	65*	65
Min. Frontage (m)	30	30	30*	30
Min. Pond Frontage (m)		30		
Min. Front Yard (m)	9	9	9	9
Max. Front Yard (m)	32	See General Provision 10	32	32
Min. Side Yard (m)	3	3	3	5
Min. Rear Yard (m)	9	9	9	9
Max. Lot Coverage (%)	33	33	33	33
Max. Height (m)	10	10	10	10
* per unit				

Terms & Conditions

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

Accessory Building Development Standards				
Standards	690m ² or less	691m ² to 1,860m ²	1,860m ² to 4,000 m ²	4,001 m ² or greater
Max. Ground Coverage	56m ² or 9% of total lot size (whichever is less)	70m ²	94m ²	111 m ² . May be greater than 111 m ² at the Discretion of Council with Public Notice
Max. Height	6.5m			
Min. Front Yard	6.0m			
Min. Side Yard & Rear Yard	1.2m			
Min. Distance from Another Building*	2.4m			
* excludes accessory buildings exempted under Development Regulations 39 (5)				

Conditions

- (a) An accessory building shall be clearly incidental and secondary to main building and shall be complementary to the main building in character, use, style and exterior finish;
- (b) No residential lot shall have more than three accessory buildings except as authorized by Council. For the purpose of this requirement, accessory buildings exempted under Regulation 39 (5) will not count towards this limit;
- (c) The placement of accessory buildings will not result in an exceedance of maximum lot coverage limits for the applicable zone;
- (d) *Location:*
 - a. An accessory building shall be located on the same lot as the main dwelling.
 - b. an accessory building shall not be erected or placed upon any easements.
 - c. An accessory building will be permitted only in the rear yard or side yard of the main dwelling except as otherwise authorized by Council.
 - d. Accessory buildings shall not be located in front of, or project in front of, any building line (front yard) on the street which the building has its legal civic address.
 - e. Notwithstanding subsection (c), Council may approve a location of an accessory building closer to the building line than the main dwelling with public notice where:
 - i. Council considers that the proposed location complements the historical development pattern in the surrounding area, such as the heritage homes near the harbour areas that have reduced setbacks.
 - ii. Council considers that the location as required would pose a threat to road safety.
 - iii. Council finds that the physical limitations of the property would not allow for the development of an accessory building as required.
 - iv. Council considers that the proposed location as required would adversely affect the view from neighbouring homes.

- v. The property has a minimum lot area of 4,000 m² and a front yard that is sufficient enough so that the proposed location will not have an adverse effect on the enjoyment of surrounding properties or pose a threat to road safety.
- f. On a corner lot, an accessory building may be located in front of the building line on the flanking yard provided the location does not impede visibility on the flanking street, and the accessory building is set back the required minimum front yard distance from the flanking street.
- (e) Accessory buildings shall not be used for commercial or industrial uses on a residential property, regardless of the use zone in which it is located, unless Council has issued a permit for such use;
- (f) No truck, bus, semi-trailer, or other vehicle body or shipping container shall be used as an accessory building;
- (g) Except for minor maintenance, no residential accessory building shall be used for the repairing, painting, dismantling, or scrapping of vehicles or machinery;
- (h) *Exterior Cladding*: With the exception of greenhouses, the exterior cladding of the accessory building should match or coordinate with the exterior siding of the main dwelling on the lot and should be residential in character;
- (i) Unless otherwise approved by Council, electrical services to an accessory building shall only be provided through the same service as the main dwelling;
- (j) Lot coverage: The maximum lot coverage of the main dwelling and accessory buildings on a lot shall not exceed the maximum lot coverage allowed in the zone development standard requirements; and,
- (k) The accessory building shall:
 - a. Be no higher than the height of the main dwelling, and;
 - b. Not have a ground area coverage larger than the main dwelling.

(2) Agriculture

Agriculture, if permitted as a Discretionary Use, will be limited to small scale, non-commercial land use activities that Council deems to be compatible with the adjacent neighbourhood and surrounding areas;

- (a) The construction of new buildings for agricultural uses and the clearing of new cropland will be limited to small-scale, non-commercial developments as determined by Council;
- (b) The keeping of livestock, if permitted, will be limited to a maximum of two (2) animal units;
- (d) Horses (maximum of one animal unit) may be permitted as a pet, provided there are sufficient lands available for stable and exercising area;
- (e) The following development standards will apply to livestock facilities:

Livestock Facilities – CM Development Standards

Animal Units (AU)	Minimum Lot Size	Minimum Setback from any Lot Line
(a) One third or less AU of rabbits, ducks, chickens, turkeys and geese	1,860m ²	9m
(b) One or less AU of rabbits, ducks, chickens, turkeys and geese	4,000m ²	18m
(c) One or less AU of Horses	8,000m ²	30m
(d) Two or less AU of all species	10,000m ²	30m

Note: Refer to definition of Animal Unit (AU) in Schedule A

(3) Compatibility of Residential and Non-Residential Uses

Buffering will be required between non-residential and residential uses. Developers shall be required to retain vegetation where possible and/or plant new vegetation within the buffer or erect a structural barrier or other hard landscaping features to adequately separate the residential and non-residential uses.

Outdoor storage will not be permitted in front yards. Storage may be permitted in side yards and/or rear yards. Council may require fencing or other forms of screening for storage areas. The following additional criteria will be included in a review of any development proposal:

- (a) Uses shall not be intrusive in terms of noise, odour and appearance; and
- (b) Uses shall not result in traffic flow or parking problems for adjoining residents.

(4) Home Occupations (Home-Based Businesses) - Child Care, General Service, Light Industry, Medical and Professional, Office, and Personal Service

The aforementioned uses that fall within the discretionary use class of this Zone may 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 use will employ not more than three (3) persons on the premises, including people who normally inhabit the premises;
- (c) The use will occupy no more than twenty-five percent (25%) of the total floor area of the dwelling unit, up to a maximum of forty-five square metres (45m²);
- (d) The use will not use water or generate sewage in excess of what can be accommodated by the existing water supply and sewage disposal system;
- (e) No hazardous materials will be used;
- (f) The activities will not cause noise, odours, fumes, electrical interference, or other unreasonable nuisances that could significantly affect neighbouring properties;
- (g) Sufficient off-street parking space will be available on the premises for the needs of employees and clients, as set out in Schedule D;
- (h) A child daycare service and nursing home use 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;
- (i) The use will not include automobile repair, auto body repair, or automobile sales; and
- (j) There shall be no open storage of materials, equipment or products.

(5) Non-Residential Development

A non-residential development permitted as a discretionary use will be subject to the following conditions:

- (a) Council may require special conditions to ensure it enhances, or does not detract from, the neighbourhood residential character of surrounding homes and properties;
- (b) A freestanding convenience store or take-out food service on a separate lot shall comply with the development standards tables established for non-residential buildings;

- (c) It must be located and designed to minimize the impact of traffic, appearance, noise, odour, lighting and signage on surrounding residential uses;
- (d) It must be designed and maintained to a high standard with regard to safety, building design, landscaping, site layout appearance, and compatibility with surrounding land uses;
- (e) It must provide for adequate off-street parking in accordance with Schedule D;
- (f) Outdoor storage associated with the use will not be permitted in the front yard. Storage may be permitted in side and rear yards subject to terms and conditions aimed at reducing potential visual impacts on neighbouring properties and from public view of passing motorists;
- (g) A non-residential development may be required to establish significant spatial buffers and/or screening (e.g. fencing) between the development and abutting residential uses;
- (h) Permission to develop the non-residential use will be in accordance with a development permit issued by Council; and
- (i) No change in the type or scale of the use will be permitted except in accordance with the development permit.

(6) 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 (2.0) 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 (2.0) metres in height) to prevent people, especially children, from unauthorized access to the pool area.

(7) Subsidiary Apartments

A subsidiary apartment will be subject to the following:

- (a) The subsidiary apartment will be clearly secondary to the single unit residential dwelling or a permitted commercial use;
- (b) Only one subsidiary apartment may be constructed within the basement of or attached to the main floor of a single unit residential dwelling or a single commercial building;
- (c) The subsidiary apartment will be completely self-contained, with facilities for cooking, sleeping and bathing; and
- (d) A subsidiary apartment must be a minimum of 40 m² and will be limited in floor area size to a maximum of 40% of floor area size of the single unit residential dwelling or the applicable commercial building.

(8) Accessory Dwelling Units

Accessory Dwelling Unit Development Standards	
Standards	
Max. Ground Coverage	60% of the total ground coverage of the single unit residential dwelling
Max. Height	6.5 m
Min. Front Yard	6.0 m
Min. Side Yard & Rear Yard	1.2 m
Min. Distance from Another Building*	2.4 m
* excludes accessory buildings exempted under Development Regulations 39 (5)	

- (a) The accessory dwelling unit will be clearly secondary to the single unit residential dwelling;
- (b) Only one (1) accessory dwelling unit may be constructed on a lot in accordance with the following:

Minimum Lot Area Required for Accessory Dwelling Unit		
	Serviced	Semi-Serviced or Unserviced
Single Dwelling only (no subsidiary apartment)	760 m ²	1,860 m ²
Single Dwelling with attached Subsidiary Apartment	1,165 m ²	4,000 m ²

- (c) The accessory dwelling unit will be clearly secondary to the single unit residential dwelling;
- (d) The applicant is responsible to submit a surveyors location plan prior to the issuance of a permit for an accessory dwelling unit;
- (e) An accessory dwelling unit shall be placed on a cement pad or footing (no basement) or similar footing unless otherwise approved by Council;
- (f) An accessory dwelling unit shall have a sleeping room, kitchen, and bathroom;
- (g) Where available, an accessory dwelling unit shall be connected to municipal water and/or sewer services. Where municipal services are not available, the accessory dwelling unit may be serviced through an existing on-site water & sewage system, or may require installation of its own on-site system, as required and with approval of the Department of Digital Government and Service NL;
- (h) An accessory dwelling unit shall have an accessible, hard surfaced, barrier-free exterior pathway from the primary door of the accessory dwelling unit to the parking space designated for the accessory dwelling unit.
- (i) An accessory dwelling unit shall remain under the ownership of the owner of the primary dwelling and shall not be subdivided from the property containing the primary dwelling and sold, or sold as a separate condominium unit; and
- (j) An accessory dwelling unit may be constructed on site or be transported as a modular unit to the lot but shall not include a mobile home or a Recreational Vehicle.

(9) Wind Turbines

Commercial wind turbines shall not be permitted in the Community Mixed (CM) zone.

(10) Planned Unit Developments

A cluster of buildings for seniors housing and/or non-market housing development on a single parcel of land may be constructed within the Community Mixed (CM) zone as a planned unit development subject to the following:

- (a) Required to submit a Planned Unit Development application containing the following:
 - a. Goals, objectives and land use policies for the development area;
 - b. Identification of developable area of site, indicating accommodation of site conditions such as poor drainage, steep slopes, flooding potential and rocky ground;
 - c. Proposed siting of new buildings, or additions, including building square footage area size, building height, and setback distances to property lines;
 - d. Building lot area coverage;
 - e. Total number of proposed buildings and interior floor plans;
 - f. Layout drawing of proposed parking area(s), total number and size of parking spaces and maneuvering aisles, access and egress locations to parking area, provisions for bicycle parking (where applicable), landscape screening for parking areas and storm water drainage management;
 - g. Identification of outdoor amenity and open space and recreation areas;
 - h. Identification of unenclosed storage areas and area size;
 - i. Overview of landscaping treatment and approach for the site development;
 - j. Phasing of the development (if applicable);
 - k. Street and servicing layout, including on-site road pattern and traffic and relation to surrounding community in conformance with Town standards; and
 - l. Indicate any issues related to the long-term maintenance of streets and other services.
- (b) A Planned Unit Development shall front on to a publicly maintained road, be serviced with municipal water and sewer services, and comply with use requirements of the Zone within which it is located;
- (c) Roads and services provided in a Planned Unit Development, whether they are publicly or privately owned, may be treated as if they were public roads, public services and public utilities for the purpose of approvals by the Authority and other agencies;
- (d) A Planned Unit Development shall comply with the requirements of Part IV – Subdivision of Land of these Development Regulations;
- (e) A Planned Unit Development shall comply with the requirements of the Municipal Plan or any scheme adopted under it, and have a suitable relationship to nearby land uses in respect to appearance, traffic requirements, and demands on municipal services;
- (f) A Planned Unit Development shall be reviewed by Council according to its regular development approval process;
- (g) Where a planned unit development is permitted to abut the rear or side property boundaries of an existing residential lot, a natural vegetation buffer or other structural barrier such as a privacy fence will be required by Council and shall be constructed and maintained by the owner of the apartment building to the satisfaction of Council;

- (h) More than one (1) building may be constructed on a single parcel of land in accordance with the provincial *Condominium Act, 2009*, as amended, and, notwithstanding the development standards for the Community Mixed (CM) zone, shall comply with the following standards:

CM Fully-Serviced Lots in Planned Unit Developments (municipal water & municipal sewer)					
STANDARDS	Multiple Dwellings	Apartment Buildings			Non-Residential Building
	Multi Dwelling	One & Two Bedroom Units	Three Bedroom Units	Non-Residential Units	
Min. Lot Area (m²)	200*	100*	150*	250*	250*
Min. Floor Area (m²)	50*	40*	50*	50*	50*
Min. Frontage (m)	30	30			30
Min. Front Yard (m)	6	6			6
Max. Front Yard (m)	32	32			32
Min. Side Yard (m)	5	5			5
Min. Distance from Other Buildings** (m)	2.4	2.4			2.4
Min. Rear Yard (m)	8	8			8
Max. Lot Coverage (%)	33	33			33
Max. Height (m)	10	15			15
* per unit					
** excludes accessory buildings exempted under Development Regulations 39 (5)					

- (i) The development shall be subject to Development Regulation 67 (Stormwater Management); and
- (i) A planned unit development may also incorporate accessory dwelling units for seniors housing and/or non-market housing at the discretion of Council (with public notice). The accessory dwelling units must clearly be secondary to the cluster of apartment buildings or multi dwellings. Accessory dwelling units must be developed in accordance with Condition 8 (with the exception of subsection (b)).

CHANGES TO TEXT OF SCHEDULE D: OFF-STREET PARKING REQUIREMENTS

FROM:

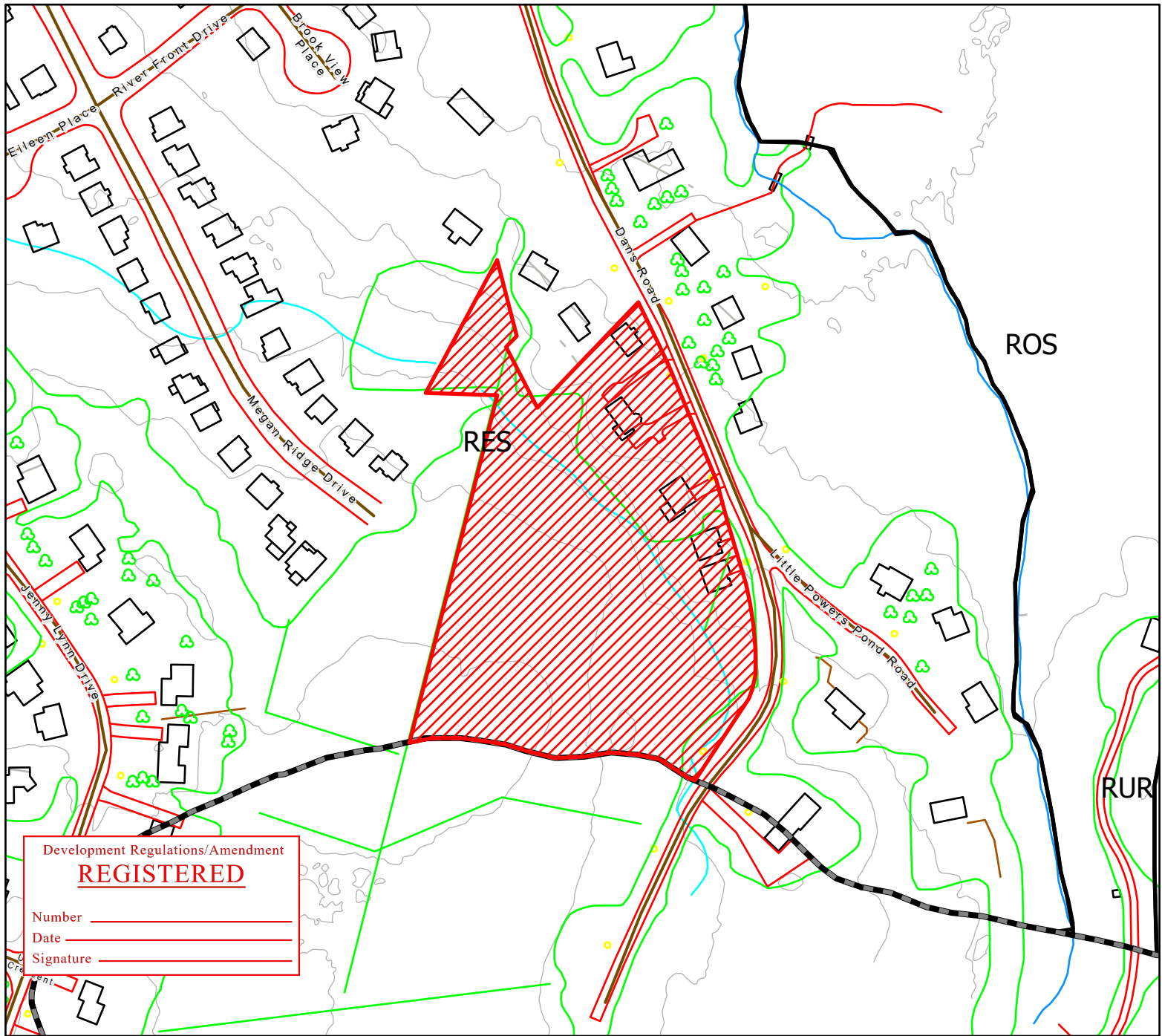
GROUP	DIVISION	CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
C	2	(e) Subsidiary Apartment	Once space for every apartment unit or granny suite.

TO:

GROUP	DIVISION	CLASS	MINIMUM OFF-STREET PARKING REQUIREMENT
C	2	(e) Subsidiary Apartment	Once space for every apartment unit.
		(f) Accessory Dwelling Unit	Once Space for every accessory dwelling unit.

• MAP AMENDMENT:

The Development Regulations Map of the Town of Portugal Cove-St. Philip's Development Regulations, 2014-2024 is amended as shown on the following map.



TOWN OF PORTUGAL COVE-ST. PHILIP'S

Dated at Portugal Cove-St. Philip's, Newfoundland and Labrador

MUNICIPAL PLAN 2014-2024

This ____ day of _____, 2024.

GENERALIZED FUTURE LAND USE MAP

Mayor

MUNICIPAL PLAN
AMENDMENT NO. 20, 2023

Clerk

 Area to be rezoned from "Residential" to "Community Mixed"

Seal



Scale: 1:2,500

I certify that the attached Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 20, 2023 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.