

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

**DEVELOPMENT REGULATIONS AMENDMENT NO. 42, 2026**

(Garden Suites)



**January 2026**



**URBAN AND RURAL PLANNING ACT, 2000  
RESOLUTION TO APPROVE**

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

**DEVELOPMENT REGULATIONS AMENDMENT No. 42, 2026**

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. 42, 2026 to the Town of Portugal Cove-St. Philip's Development Regulations on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.
- b) gave notice of the adoption of the Amendment No. 42, 2026 to the Town of Portugal Cove-St. Philip's Development Regulations by notice on the Town's digital signage located on Thorburn Road and Portugal Cove Road, posting at the Town Office and recreation centre, on the Town's website and social media platforms, and sent out on the PCSP Connects system between \_\_\_\_\_ and \_\_\_\_\_, 2026.
- c) set the \_\_\_\_\_ day of \_\_\_\_\_, 2026, 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. 42, 2026 to the Town of Portugal Cove-St. Philip's Development Regulations as adopted.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Mayor \_\_\_\_\_

Clerk \_\_\_\_\_

<p style="color: red; font-weight: bold;">Development Regulations/Amendment</p> <p style="color: red; font-weight: bold; font-size: 1.5em;"><u>REGISTERED</u></p> <p style="color: red;">Number _____</p> <p style="color: red;">Date _____</p> <p style="color: red;">Signature _____</p>
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(Council Seal)

**URBAN AND RURAL PLANNING ACT, 2000  
RESOLUTION TO ADOPT**

**TOWN OF PORTUGAL COVE-ST. PHILIP'S  
DEVELOPMENT REGULATIONS AMENDMENT No. 42, 2026  
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. 42, 2026.

Adopted by the Town Council of Portugal Cove-St. Philip's on the ..... day of ....., 2026.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

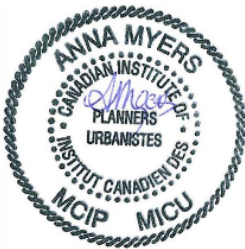
Mayor \_\_\_\_\_

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. 42, 2026, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



MCIP:  
Member of Canadian Institute of Planners (MCIP)

**TOWN OF PORTUGAL COVE-ST. PHILIP'S  
DEVELOPMENT REGULATIONS AMENDMENT No. 42, 2026**

**BACKGROUND**

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. There is an associated Municipal Plan Amendment No. 25, 2026.

The growing demand for affordable seniors and intergenerational housing has led to an increase in demand for alternative housing options on existing properties. To help meet this demand, garden suites were proposed within the Town's draft Municipal Plan and Development Regulations 2025-2035 currently being reviewed by the Department of Municipal and Community Affairs. Due to the time required for an entire Municipal Plan and Development Regulations document to undergo the review and approval process, Council proposes to include garden suites within the existing Municipal Plan and Development Regulations 2014-2024 to allow this type of development sooner to promptly respond to changing housing needs.

The purpose of this amendment is to enable development of garden suites as an accessory use on the same lot as a single dwelling.

**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 posted notice of the proposed amendment on the Town's digital signage on Thorburn Road and Portugal Cove Road and at the Town Office and Recreation Centre (two conspicuous places) between January 8 and January 28, 2026 advertising the proposed amendment. Notice was also posted on the Town's website and social media platforms and sent out through the PCSP Connects system. Residents were invited to view the documents and maps on the Town's website or at the Town Hall during normal business hours, and to provide any comments or concerns in writing to Council by January 28, 2026. Ten responses in support of the proposed Development Regulations Amendment were received.

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 Development Regulations Amendment No. 42, 2026 consists of text changes to the St. John's Urban Region Regional Plan, 1976. No amendment to the Regional Plan is required.

**DEVELOPMENT REGULATIONS AMENDMENT No. 42, 2026**

**CHANGES TO TEXT OF SCHEDULE A: DEFINITIONS**

**ADD:**

**Garden Suite:** means a subsidiary residential building on a residential lot which is a self-contained dwelling unit on a lot containing a permanent, single detached dwelling as the primary building. It is equipped with its own kitchen, living area, bedroom(s), bathroom, and storage space. A garden suite shall not have a subsidiary unit and is detached from the primary dwelling on the same lot. It may be constructed onsite or transported as a modular unit to the lot but cannot include a mobile home or mini-home.

**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 and Garden Suites**

**(1) 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.

**(2) Garden Suite**

**Garden Suite, as defined by Schedule A, may be permitted as an accessory use to a single unit residential dwelling subject to the following development standards and conditions:**

<b>Garden Suite Development Standards</b>	
<b>Standards</b>	
<b>Max. Ground Coverage</b>	<b>70% of the total ground coverage of the single unit residential dwelling</b>
<b>Max. Height</b>	<b>6.5 m</b>
<b>Min. Front Yard</b>	<b>6.0 m</b>
<b>Min. Side Yard &amp; Rear Yard</b>	<b>1.2 m</b>
<b>Min. Distance from Another Building</b>	<b>2.4 m</b>

- a. The garden suite will be clearly secondary to the single detached dwelling and shall have a ground area coverage less than the ground area coverage of the single detached dwelling.
- b. Only one (1) garden suite may be constructed on a lot in accordance with the following:
  - i. For the Residential Small Lot, Residential Medium Density, Residential Low Density, Residential Rural, Traditional Community, and Mixed Use land use zones:

Minimum Lot Area Required for Garden Suite			
	Serviced	Semi-Serviced	Unserviced
Single Dwelling only (no subsidiary apartment)	760 m <sup>2</sup>	2,800 m <sup>2</sup>	3,720 m <sup>2</sup>
Single Dwelling with attached Subsidiary Apartment	1,200 m <sup>2</sup>	4,000 m <sup>2</sup>	4,000 m <sup>2</sup>

- ii. For the Agriculture (town controlled) land use zone:
  - a) Only one of either a garden suite or a subsidiary apartment may be permitted, provided the appropriate Service NL requirements can be met.
  - b) Garden suite conditions:
    - i. only one per lot;
    - ii. Minimum lot size= 0.4 ha;
    - iii. On lots < 40 ha = 90 m<sup>2</sup> maximum size.
    - iv. On lots ≥ 40 ha = 186 m<sup>2</sup> maximum size.
- c. The applicant is responsible to submit a surveyors location plan prior to the issuance of a permit for a garden suite.
- d. A garden suite shall be placed on a cement pad or footing (no basement) or similar footing unless otherwise approved by Council.
- e. A garden suite shall have a sleeping room, kitchen, and bathroom.
- f. Where available, a garden suite shall be connected to municipal water and/or sewer services. Where municipal services are not available, the garden suite requires installation of its own on-site system with approval of the Department of Government Services.
- g. A garden suite 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 garden suite.
- h. A garden suite 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.

- i. A garden suite 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.
- j. A garden suite may not be constructed on lots which have shared driveways/private roads with other lots or on lots which have a backlot-style configuration.
- k. A garden suite will be permitted only in the rear yard or side yard of the main dwelling except as otherwise authorized by Council.

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

**FROM:**

<b>C. RESIDENTIAL USES</b>	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:**

<b>C. RESIDENTIAL USES</b>	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>Garden Suite</b>
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**CHANGES TO TEXT OF SCHEDULE C: RESIDENTIAL SMALL LOT**

**FROM:**

<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>
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**TO:**

<p><b>Permitted Use Classes</b> (see Regulation 101)</p> <p>Single Dwelling, Double Dwelling, Multi Dwelling, Subsidiary Apartment, <b>Garden Suite (see Development Regulation 60 (2))</b>, 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>
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## CHANGES TO TEXT OF SCHEDULE C: RESIDENTIAL MEDIUM DENSITY

### FROM:

#### Permitted Use Classes

(see Regulation 101)

Single Dwelling, Recreational Open Space, Conservation

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

### TO:

#### Permitted Use Classes

(see Regulation 101)

Single Dwelling, **Garden Suite (see Development Regulation 60 (2))**, Recreational Open Space, Conservation

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

## CHANGES TO TEXT OF SCHEDULE C: RESIDENTIAL LOW DENSITY

### FROM:

#### Permitted Use Classes

(see Regulation 101)

Single Dwelling, Recreational Open Space, Conservation

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

### TO:

#### Permitted Use Classes

(see Regulation 101)

Single Dwelling, Recreational Open Space, Conservation, **Garden Suite (see Development Regulation 60 (2))**

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

## CHANGES TO TEXT OF SCHEDULE C: RESIDENTIAL RURAL

### FROM:

#### Permitted Use Classes

(see Regulation 101)

Single Dwelling, Recreational Open Space, Conservation

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

**TO:**

**Permitted Use Classes**

(see Regulation 101)

Single Dwelling, Recreational Open Space, Conservation, **Garden Suite (see Development Regulation 60 (2))**

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

**CHANGES TO TEXT OF SCHEDULE C: TRADITIONAL COMMUNITY**

**FROM:**

**Permitted Use Classes**

(see Regulation 101)

Cultural and Civic, General Assembly, Place of Worship, Single Dwelling, Recreational Open Space, Conservation

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

**TO:**

**Permitted Use Classes**

(see Regulation 101)

Cultural and Civic, General Assembly, Place of Worship, Single Dwelling, Recreational Open Space, Conservation, **Garden Suite (see Development Regulation 60 (2))**

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

**CHANGES TO TEXT OF SCHEDULE C: MIXED USE**

**FROM:**

**Permitted Use Classes**

(see Regulation 101)

Double Dwelling, Single Dwelling, Recreational Open Space, Conservation

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

**TO:**

**Permitted Use Classes**

(see Regulation 101)

Double Dwelling, Single Dwelling, Recreational Open Space, Conservation, **Garden Suite (see Development Regulation 60 (2))**

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

**CHANGES TO TEXT OF SCHEDULE C: AGRICULTURE**

**FROM:**

**Permitted Use Classes**

(see Regulation 101)

Agriculture, Conservation

*(see Schedules A and B for definition and examples of above Class)*

**TO:**

**Permitted Use Classes**

(see Regulation 101)

Agriculture, Conservation, **Garden Suite (see Development Regulation 60 (2))**

*(see Schedules A and B for definition and examples of above Class)*

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

**FROM:**

<b>C</b>	<b>2</b>	(a) Single Dwelling	Two spaces for every dwelling unit.
		(b) Double Dwelling	Two spaces for every dwelling unit.
		(c) Townhouse Dwelling	Two spaces for every dwelling unit.
		(d) Apartment Building	Three spaces for every 2-dwelling units.
		(e) Subsidiary Apartment	One space for every apartment unit or granny suite.

**TO:**

<b>C</b>	<b>2</b>	(a) Single Dwelling	Two spaces for every dwelling unit.
		(b) Double Dwelling	Two spaces for every dwelling unit.
		(c) Townhouse Dwelling	Two spaces for every dwelling unit.
		(d) Apartment Building	Three spaces for every 2-dwelling units.
		(e) Subsidiary Apartment	One space for every apartment unit or granny suite.
		(f) <b>Garden Suite</b>	<b>One space for every garden suite.</b>