

**Town of Conception Bay South  
Land Use Zoning, Subdivision and Advertisement  
(Development) Regulations  
Amendment No. 26, 2017**

**Changes to permissible sizes of  
Residential Accessory Buildings**

**Prepared by the  
Town of Conception Bay South**

**October 2017**

**Urban and Rural Planning Act, 2000  
Resolution to Adopt  
Town of Conception Bay South  
Development Regulations  
Amendment No. 26, 2017**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000* the Town Council of Conception Bay South hereby adopts Amendment No. 26, 2017 to the Conception Bay South Development Regulations.

Adopted by the Town Council of Conception Bay South on the 21<sup>st</sup> day of Nov, 2017.


Signed and sealed this 21<sup>st</sup> day of November, 2017.

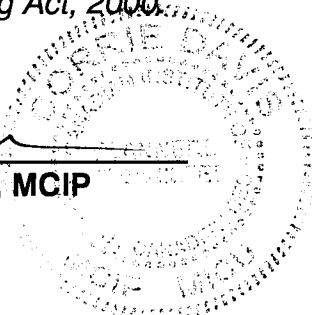
Mayor: 

Clerk: 

**Canadian Institute of Planners Certification**

I certify that Amendment No. 26, 2017 to the Conception Bay South Development Regulations has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

  
Corrie Davis, MCIP



Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>1145 - 2017 - 018</u>
Date	<u>Dec 5/17</u>
Signature	<u>Corrie Davis</u>

# **Town of Conception Bay South Development Regulations Amendment No. 26, 2017**

## **Purpose**

The Conception Bay South Development Regulations came into legal effect on July 20, 2012. The Development Regulations contains regulations in Part 5 that outline conditions and standards for accessory buildings within the Town. The Conception Bay South Town Council now wishes to revise these regulations with respect to permitted sizes of accessory buildings. Specifically, the Town determined that there should be more flexibility to consider accessory building sizes in proportion to lot size on lots with an overall area greater than 930m<sup>2</sup> and less than 4050m<sup>2</sup>.

## **St. John's Urban Region Regional Plan**

The St. John's Urban Region Regional Plan (Regional Plan) identifies Conception Bay South as a sub-regional centre. Upon installation of municipal services, the Regional Plan encourages a wide range of residential densities, a variety of commercial operations, parks and recreational facilities and other uses that are characteristic and appropriate for a sub-regional centre. Accessory building uses within Conception Bay South therefore complies with the policies of the Regional Plan.

## **The Conception Bay South Municipal Plan**

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012. The Municipal Plan allows for accessory uses and buildings subject to the Conception Bay South Development Regulations. This amendment complies with the intent and policies of the Conception Bay South Municipal Plan.

## **Consultation**

In accordance with section 14 of the *Urban and Rural Planning Act, 2000*, notices seeking feedback on the proposed amendment were published in the October 18<sup>th</sup> and 25<sup>th</sup>, 2017 editions of *The Shoreline* newspaper. A similar notice, and the proposed amendment, was also published on the Town's website and circulated through the Town's social media presence on Twitter and Facebook.

The Town determined that this consultation opportunity was reflective of the size, structure and complexity of planning issues under consideration and provided reasonable opportunity for interested persons, businesses and community groups to comment on the proposed amendment.

As a result of this consultation, one verbal inquiry and one written submission was received by the Town.

The submissions reflected concern with the potential size of accessory buildings and impact on adjacent properties. The submissions also raised concern that excessively large accessory buildings may evolve into locations for commercial or semi commercial activities.

This amendment, although allowing larger accessory buildings, does not change the process required for any accessory buildings that have a lot coverage of greater than 70m<sup>2</sup>. This amendment does not change any municipal regulations related to commercial use of residential accessory buildings.

### **Development Regulations Amendment No. 26, 2017**

The Conception Bay South Land Use Zoning, Subdivision and Advertisement (Development) Regulations shall be amended as follows:

1. Section 4.14, that currently states:

#### **4.14 Public Notice**

1. *The Authority shall provide public notice for a period of not less than:*
  - a) *7 days - when considering a variance in accordance with Regulation 3.12 and*
  - b) *14 days - when considering a change in a non-conforming use in accordance with Regulation 3.15 or development which is listed as a Discretionary use in Section 10 of these Regulations.*
2. *The Authority may require public notice of any development application where, in the opinion of the Authority, such notice is required for information and public consultation purposes.*
3. *The Authority shall require the cost of the public notice or portion thereof be paid by the applicant and that such notice shall be by public advertisement in a newspaper circulating in the area or by any other means deemed necessary or appropriate by the Authority.*

Is deleted and replaced with:

#### **4.14 Public Notice**

1. *The Authority shall provide public notice for a period of not less than:*
  - a) *7 days including publication of a notice in a locally circulated newspaper on at least one occasion - when considering a variance in accordance with Section 3.12;*

- b) 14 days including publication of a notice in a locally circulated newspaper on at least two occasions - when considering a change in a non-conforming use in accordance with Section 3.15 or development which is listed as a Discretionary use in Section 10 of these Regulations; and
  - c) 7 days including publication of a notice in a locally circulated newspaper on at least one occasion - when considering an accessory building under authority of Sections 5.3(2)(b) and 5.3(3)(b).
2. The Authority may require public notice of any development application where, in the opinion of the Authority, such notice is required for information and public consultation purposes.
  3. The Authority shall require that the cost of the public notice, or portion thereof, be paid by the applicant and that such notice shall be by public advertisement in a newspaper circulating in the area or by any other means deemed necessary or appropriate by the Authority.

2. Section 5.3, that currently states:

**5.3 Residential Accessory Buildings**

*In addition to the requirements of Section 5.2, Residential Accessory buildings shall be subject to the following requirements:*

<b>Lot Size (m<sup>2</sup>)</b>	<b>Accessory Building Size</b>
Less than or equal to 930 m <sup>2</sup>	6% of the total lot size to a maximum of 55 m <sup>2</sup> .
Greater than 930 m <sup>2</sup> but less than 4050 m <sup>2</sup>	6% of the total lot size to a maximum of 70 m <sup>2</sup> whichever is less.
Greater than 4050 m <sup>2</sup>	Discretion of the Authority with Public Notice where proposed size exceeds 70 m <sup>2</sup> .

Is deleted and replaced with:

**5.3 Residential Accessory Buildings**

*In addition to the requirements of Section 5.2, residential accessory buildings shall be subject to the following requirements:*

1. On a lot that is less than 1150m<sup>2</sup> in area, the cumulative lot coverage of accessory building(s) on the lot shall not exceed 6%.
2. On a lot that is greater than or equal to 1150m<sup>2</sup> but less than 4050m<sup>2</sup> in area, the cumulative lot coverage of accessory building(s) on the lot
  - a. shall not exceed 70m<sup>2</sup>, or

- b. at the discretion of Council and following public consultation, may be permitted to a maximum of 6% of the lot area, provided that the lot coverage of the accessory building(s) does not exceed the lot coverage of the dwelling.*
- 3. On a lot that is greater than or equal 4050m<sup>2</sup> in area, the cumulative lot coverage of accessory building(s) on the lot*
  - a. shall not exceed 70m<sup>2</sup>, or*
  - b. at the discretion of Council and following public consultation, may be permitted to a maximum of 6% of the lot area.*
- 4. In this section, lot area shall include the cumulative lot area for both the main lot and the adjoining lot where a proposed accessory building is considered under section 5.2(1) of these Regulations.*

- 3. Section 5.3.2, that currently states:

**5.3.2 Number of Accessory Buildings on a Lot**

*A residential lot may be permitted to have more than one accessory use. For example, a residential lot may have a garage, small tool shed or greenhouse, or outdoor swimming pool. In any case, accessory buildings shall not occupy greater than 50% of the available rear yard area of the residential lot to which the use will be accessory. Not more than one accessory building of the same type (i.e., more than 1 garage) will be permitted on any parcel of land or property without the permission of the Authority.*

- Is deleted and replaced with:

**5.3.2 Number of Accessory Buildings on a Lot**

*A residential lot may be permitted to have more than one accessory building. For example, a residential lot may have a garage, tool shed, greenhouse, and/or outdoor swimming pool. In any case, the cumulative lot coverage for all accessory buildings on a lot shall not occupy more than 50% of the available rear yard area of the residential lot. Only one accessory building of the same type (i.e., not more than one garage) is permitted on a residential lot.*

- 4. All other sections of the Conception Bay South Development Regulations not referenced in this amendment retain their current wording.