

**USE ZONE TABLE**

**133. RESIDENTIAL HIGH DENSITY**

**PERMITTED USE CLASSES** - (see Regulation 127)

Single dwelling, double dwelling, row dwelling, apartment building and recreational open space.

**DISCRETIONARY USE CLASSES** - (see Regulations 26 and 128)

Place of worship, educational, convenience store, collective residential, child care, boarding house residential, antenna, home based occupation\*.

\*(See condition no. 6)

| STANDARDS  | WHERE PERMITTED |                 |                   |                               |           |                              |           |
|--|-----------------|-----------------|-------------------|-------------------------------|-----------|------------------------------|-----------|
|  | Single Dwelling | Double Dwelling | Row Dwelling      | APARTMENT** BUILDING          |           |                              |           |
|  |                 |                 |                   | 1 Bed Apt                     | 2 Bed Apt | 3 Bed Apt                    | 4 Bed Apt |
| Lot area (m²)<br>Minimum (mi)  | mi: 375         | mi: 275*        | 200 *             | 135 *                         | 170 *     | 185 *                        | 200 *     |
| Floor area (m²)<br>minimum   | 70              | 70 *            | 60 *              | 40 *                          | 50 *      | 60 *                         | 70*       |
| Frontage (m)<br>Minimum (mi)   | mi: 12          | mi: 20          | (average)<br>10 * | Apt. Bldg. - 5 Units or more  |           | Apt. Bldg. - 4 Units or less |           |
|  |                 |                 |                   | 25                            |           | 23                           |           |
| Building Line Setback (m)<br>(minimum)                                   | mi: 6           | mi: 6           | mi: 8             | 8-one storey<br>10-two storey |           | 8-one storey<br>9-two storey |           |
| Side yard Width (m)<br>(minimum)   | 1.2<br>3        | 3<br>3          | 3<br>3            | 5                             |           | 4                            |           |
| Rear yard Depth (m)<br>(minimum)   | 8               | 8               | 8                 | 14                            |           | 12                           |           |
| Lot Coverage (%)<br>Maximum  | 33              | 33              | 33                | 33                            |           | 33                           |           |
| Height (m)   | 8               | 8               | 8                 | 10                            |           | 8                            |           |
| *Per Dwelling Unit(See Conditions)                                       |                 |                 |                   |                               |           |                              |           |
| **No greater than four bedrooms shall be permitted in an apartment unit. |                 |                 |                   |                               |           |                              |           |

(31 Jan 2014)

## **CONDITIONS FOR RESIDENTIAL HIGH DENSITY ZONE**

### **1. Residential Density**

In each Residential High Density Zone there shall be not more than 50% apartment units, row housing units or a combination of apartment and row housing units, the remainder being either single or double dwellings or a combination of single and double dwellings.

### **2. Site Standards – Discretionary Uses**

Where permitted, a place of worship, an educational use, a boarding house use, a collective residential use and a child care use shall conform to the minimum frontage, building line setback, side yard and rear yard requirements and the maximum lot coverage and height requirements specified for a single dwelling.

### **3. Educational Uses**

The only educational uses that may be permitted on a discretionary basis are elementary and junior high schools.

### **4. Convenience Stores**

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

- (a) The store shall form part of, or be attached to a dwelling unit.
- (b) The retail use shall be subsidiary to the residential character of the area, and shall not affect residential amenities of adjoining properties.
- (c) Advertisement to the building shall not exceed three square metres in area.
- (d) A minimum of 2 off-street parking spaces is required for the use of customers or as is set out in Schedule D, whichever is the greater. This requirement is in

addition to the parking requirements for the dwelling.

- (e) A maximum of 25 percent of the habitable floor area of the dwelling up to a maximum floor area of 45 sq. metres may be used as a convenience store. The minimum required floor area of the dwelling must continue to be met.

## **5. Accessory Buildings**

Accessory buildings in this zone shall conform to the requirements of Regulation 62, Accessory Residential Buildings, in Part II of these Development Regulations.

## **6. Home Occupations/Home Office**

Home based occupations include the following: home office, personal service, medical and professional service, family child care. A home based occupation or home office may be permitted at the discretion of council, subject to the following conditions:

- (a) The use is clearly a subsidiary use to the single dwelling, double dwelling, row dwelling use classes and does not detract from the residential character of the neighbourhood.
- (b) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the permitted use and that no repairs to vehicles or heavy equipment are carried out.
- (c) The use does not alter the residential appearance or require external modification of the dwelling unit.
- (d) Activities associated with the use shall be carried out inside the dwelling unit or inside a building separate from the dwelling unit but on the same lot.
- (e) Not more than twenty-five percent of the floor area of the dwelling unit up to a maximum of forty-five square metres is devoted to the use. The dwelling unit

must continue to meet the dwelling unit minimum floor area requirements.

- (f) The use is operated by a resident of the dwelling unit and does not employ more than one person in addition to the resident on site.
- (g) Office uses shall be limited to small business services and professional offices.
- (h) Personal Service uses for the purpose of this condition shall include small scale production of baked goods, handmade articles such as clothing and arts and crafts and small business services.
- (i) There is no outside storage of goods or materials on the lot.
- (j) The use shall not generate traffic, sewerage or water use in excess of what is normal in the residential area and can be accommodated by the existing municipal road, water and sewer services.
- (k) Activities associated with the use are not hazardous and do not cause noticeable noise, odour, dust or fumes, nor cause electrical interference or in any other way result in a nuisance to the occupants of surrounding residences.
- (l) One building only, separate from the dwelling unit, may be used in connection with a Personal Service use and shall conform to the Accessory Building condition for this use zone.
- (m) No sign will be permitted other than a name plate not exceeding 0.2<sup>2</sup> m in area which is attached to the principal building. No illumination of the sign will be permitted.
- (n) The Authority which may require fencing, screening or separation to protect the amenity of adjacent uses.

- (o) Parking requirements are as set out in Schedule D, however a minimum of one space is required for a home occupation. The minimum required parking for the dwelling unit must continue to be met.
- (p) No change in type, class or extent of the use shall be permitted except in accordance with a development permit issued by the Authority.
- (q) Family child care occupations shall be limited to a maximum of six children and shall conform to the guidelines and standards as set out by the province of Newfoundland and Labrador's Health and Community Services Department.
- (r) A maximum of fifty percent (50%) of the total floor area may be utilized for family child care.

**7. Side yards**

- (a) Council reserves the discretion to decrease the major side yard requirement to 1.2 metres for a single dwelling.
- (b) Council reserves the discretion to decrease one side yard of a double dwelling to 1.2 metres, if they are adjacent to each other.

**8. Rear Yard**

The Authority reserves the right to reduce the rear yard requirement for single dwelling and double dwelling to 7.25 metres, where, in the opinion of the Authority, the reduction to the rear yard area will not result in a negative impact on the adjoining properties.

At the discretion of the Authority:

- (a) The rear yard depth may be measured from the closest point of that portion of the rear wall of the main building which forms a minimum of 66% of the

length of the elevation of the rear wall.

- (b) An extension from the rear wall of the main building on the lot comprising no greater than 34% of the length of the rear wall elevation and extending no greater than 2 metres into the rear yard area may be permitted.
- (c) The rear yard distance for apartment buildings shall be measured from the closest point of the rear wall of the main building which forms a minimum of 85% of the rear wall.

**9. Corner Lots**

The building line on the side lot line of a corner lot may be 5 metres when the Authority is satisfied that public safety and amenity are maintained.

**10. Boarding House Residential**

- (a) Each boarding house/lodging house or Bed and Breakfast shall comply with the National Building Code of Canada, the National Fire Code of Canada, the National Plumbing Code of Canada and the Life Safety Code as adopted by the Authority.
- (b) One parking space shall be required for each room that is available to be rented to a boarder or as a Bed and Breakfast guest room/suite. The minimum required parking for the dwelling use must continue to be met.

**11. Porches and Verandahs in Front of Building Line of Dwelling Unit**

- (a) A porch, with a maximum floor area of 3 square metres, may be permitted to project a maximum of 1.2 metres into the front setback area or 1.2 metres in front of the established building line setback, 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 verandah may be permitted to project a maximum of 1.2 metres into the front setback area or 1.2 metres in front of the established building line setback, whichever is in effect for the property.
- (d) A verandah may not be enclosed with walls and/or windows; however, a mesh screen material may be attached to the exterior sides of the verandah.
- (e) No part of the verandah may be used as a habitable room.
- (f) A verandah may extend across the entire front facade of the main dwelling, subject to the conditions listed.
- (g) A combination of porch and verandah may be permitted, subject to (a) and (c) above, provided that the area of the porch section of the structure does not exceed a maximum of 3 square metres.
- (h) The closest point of any part of a porch or verandah shall be a minimum of 5 metres from the front property boundary.

**12. Deck in Front of Building Line of Single or Double Dwelling**

A deck may be permitted to project in front of the building line of a single or double dwelling subject to the following conditions:

- (a) A deck shall be no closer than 4 metres to the street line and the maximum distance a deck may project in front of the building line shall be 3.6 metres.
- (b) The maximum floor height of a deck shall be equal to the level of the main floor of the dwelling or such lower level as the Authority may consider appropriate.
- (c) The maximum height of any part of the deck shall be 1.2 metres above the deck's floor level, with the exception of part of the structure necessary to support a second storey deck, above the main floor deck.

- (d) The maximum width of a deck shall be 3.6 metres.
- (e) The Authority may require the area beneath the floor of the deck to be enclosed in order to maintain a neat and tidy appearance.
- (f) A deck shall not be used for storage purposes.
- (g) The Authority may require all decks permitted under this condition, or all decks on a particular street or in a neighbourhood to be constructed with specified materials and be of a specific colour or finish in order to maintain amenity.
- (h) The closest point of any deck shall be a minimum of 1.2 metres from the side property boundary, with the exception of a deck that is necessary to provide access to a door exiting into the side yard..

### **13. Intensification**

Intensification development in this zone is subject to the following:

- (a) the proposed development includes no more than 3 single lots or 2 double lots in connection, and
- (b) the side yard width and rear yard depth requirements of the zone are maintained.
- (c) At the discretion of the Authority, the front setback distance may be increased where the new dwelling on the lot meets the minimum required frontage, side yard, and rear yard standards for an intensification development. If the setback is substantial due to an especially large or deep lot, adequate buffering in the form of fencing, vegetation or other screening, shall be provided by the developer of the intensification property in order to protect the aesthetics, amenity, privacy and function of the adjoining properties or neighbourhood.



**14. Discretionary Use Classes**

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