



**TOWN OF PARADISE
DEVELOPMENT REGULATIONS 2016**

DEVELOPMENT REGULATIONS AMENDMENT No. 17, 2023

FEBRUARY 2023

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT No. 17, 2023

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise adopts the Town of Paradise Development Regulations Amendment No. 17, 2023.

Adopted by the Town Council of Paradise on the _____ day of _____, 2023.

Signed and sealed this _____ day of _____, 2023.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Paradise Development Regulations Amendment was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

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

TOWN OF PARADISE

DEVELOPMENT REGULATIONS AMENDMENT No. 17, 2023

Background

This amendment includes changes to the 2016 Paradise Development Regulations regarding three (3) main topics:

1. Maximum Building Height
2. Non-Conforming Uses
3. Accessible Parking

1. Maximum Building Height

House designs have evolved over time. The Town reviews house designs that frequently exceed the maximum building height of 8.0 metres, which is a standard outlined in most residential use zones. The Town would like to increase the maximum building height from 8.0 metres to 9.0 metres for Single Detached Dwellings, Semi-Detached Dwellings, and Row Dwellings in the RLD, RMD, RHD, RWS, and RR zones.

The maximum building height is already 9.0 metres in the Residential Mixed and Planned Mixed Development Residential zone and the maximum building height is 10.0 metres in the Rural Residential Conservation (RRC) zone. This change will be consistent with other existing land use zones and enable current housing trends to exist in the Town of Paradise.

2. Section 4.11 Non-Conforming Uses

Currently, a right to resume a discontinued Non-Conforming Use of Land shall not exceed six (6) months. The Town has the authority to increase that time frame pursuant to section 108(2) of the *Urban and Rural Planning Act, 2000*. The Town would like to extend the discontinuance use timeframe from six (6) months to one (1) year.

3. Section 8.7 Parking Spaces for Persons with Disabilities

The required number of parking spaces the Town requires for accessible parking is derived from the Building Accessibility Act and the Building Accessibility Regulations. The percentage of parking required for accessible parking in a parking lot has changed from 4% to 6%.

The proposed changes to the 2016 Paradise Development Regulations do not require an amendment to the 2016 Paradise Municipal Plan or the St. John's Urban Region Regional Plan.

Public Consultation

During the preparation of this amendment, the Town of Paradise published a notice in The Shoreline newspaper on March 3, 2023 and March 10, 2023. A notice was also posted on the Town's website advertising Development Regulation Amendment No. 17, 2023 from March 3, 2023 until March 17, 2023. The amendment documents were available on the Town's website for the public to review during that same time. The Town accepted submissions on the proposed change in writing until 4:30pm, March 17, 2023.

DRAFT

Town of Paradise Development Regulations Amendment No. 17, 2023

The 2016 Paradise Development Regulations is amended as follows:

1. Maximum Building Height

a. Residential Low Density zone (RLD)

The Maximum Height in the RLD zone for a Single Dwelling and Single Dwelling (Unserviced) is 8.0 metres.

The Maximum Height for a Single Dwelling and Single Dwelling (Unserviced) is replaced with **9.0 metres**.

b. Residential Medium Density zone (RMD)

The Maximum Height in the RMD zone for Single Dwellings, Semi-detached Dwellings, Row Dwellings, and Single Dwellings (Unserviced) is 8.0 metres.

The Maximum Height in the RMD zone for Single Dwellings, Semi-detached Dwellings, Row Dwellings, and Single Dwellings (Unserviced) is replaced with **9.0 metres**.

c. Residential High Density zone (RHD)

The Maximum Height for a Single Dwelling and Semi-Detached Dwelling in the RHD zone is 8.0 metres.

The maximum Height for a Single Dwelling and Semi-Detached Dwelling in the RHD zone is replaced with **9.0 metres**.

d. Residential Watershed Zone (RWS)

The Maximum Height in the RWS zone is 8.0 metres.

The maximum Height in the RWS zone is replaced with **9.0 metres**.

e. Rural Residential zone (RR)

The Maximum Height for a Single Dwelling in the RR zone is 8.0 metres.

The Maximum Height for a Single Dwelling in the RR zone is replaced with **9.0 metres**.

2. Section 4.11 Non-Conforming Use

Section 4.11 Non-Conforming Use, subsection 2 states:

Notwithstanding Section 4.11 (1), a right to resume a discontinued Non-Conforming Use of Land shall not exceed six (6) months after that discontinuance unless otherwise provided by regulation under the Act.

Section 4.11 Non-Conforming Use, subsection 2 is replaced with:

Notwithstanding Section 4.11 (1), a right to resume a discontinued Non-Conforming Use of Land shall not exceed **twelve (12)** months after that discontinuance. ~~unless otherwise provided by regulation under the Act.~~

3. Section 8.7 Parking Spaces for Persons with Disabilities

Section 8.7 Parking Spaces for Persons with Disabilities states:

For any Development 4% of the total parking shall be allocated for disabled parking in accordance with the requirements of the **Buildings and Accessibility Act** and Regulations administered by the Province of Newfoundland and Labrador.

Section 8.7 Parking Spaces for Persons with Disabilities is replaced with:

For any Development **6%** of the total parking shall be allocated for disabled parking in accordance with the requirements of the **Buildings and Accessibility Act and Regulations** administered by the Province of Newfoundland and Labrador.