

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 549, 2012**

WHEREAS the City of St. John's wishes to allow for Accessory Buildings for both residential and non-residential buildings.

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following text amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

1. **Repeal Section 8.3.6 ("Accessory Building, Residential Use") and replace it with the following new section:**

"8.3.6 Accessory Buildings

(1) General:

- (i) Notwithstanding the definition of Accessory Building, for the purposes of this section an Accessory Building shall not include a Deck, a Swimming Pool or a Carport.

(2) Floor Area:

- | | | |
|------|---|---|
| (i) | Residential Use with a Lot Area of 1,860 m ² or less | 35% of the area of the Rear Yard of the Lot to a maximum of 55 m ² |
| (ii) | Residential Use with a Lot Area over 1,860 m ² and Non Residential Use | 35% of the area of the Rear Yard of the Lot |

(3) Building Height:

- (i) The maximum Building Height of an Accessory Building (Residential Use) shall be:
- | | | |
|-----|---|------------|
| (a) | Residential Use with a Lot Area of 1,860 m ² or less | 3.5 metres |
| (b) | Residential Use with a Lot Area over 1,860 m ² | 4.5 metres |
- (ii) The maximum Building Height of an Accessory Building (Non-Residential Use) shall be 4.5 metres.

(4) Location:

- (i) Accessory Buildings of 55 m² or less shall:
 - (a) be restricted to Side and Rear Yards, subject to Section 8.3.3;
 - (b) be located a minimum of 0.6 metre from the nearest Lot Lines;
 - (c) be located behind the Building Line; and
 - (d) be located a minimum of 2 metres from the Main Building.
- ii) Accessory Buildings in excess of 55 m² shall:
 - (a) be located a minimum of 1.2 metres from the Lot Lines; and
 - (b) be located behind the Building Line.
- iii) Notwithstanding the foregoing:
 - (a) if the Accessory Building has electrical services or a heating appliance, it shall be located a minimum of 1.2 metres from the Lot Lines; and
 - (b) if the Accessory Building is located in an area not provided with municipal water services it shall be located a minimum of 6 metres from any Lot Lines unless otherwise approved by the Director of Regional Fire Services (Fire Chief)."

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on Behalf of Council this _____ day of _____ **2012.**

Mayor

City Clerk

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

MCIP