

Town of Carbonear Development Regulations Amendment No. 41, 2024

Development Standards in the Residential Medium Density Zone and
Clarification for Grouped Dwellings

Prepared by:
Ian Watson, MCIP
2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

TOWN OF CARBONEAR Development Regulations, 2004

Amendment Number 41, 2024

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Carbonear adopts the Town of Carbonear Development Regulations Amendment Number 41, 2024.

Adopted by the Town Council of Carbonear on the 26th day of June, 2024.

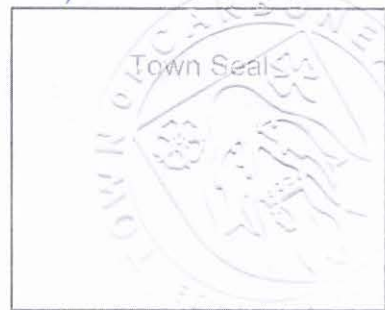
Signed and sealed this 7th day of September, 2024.

Mayor:



Clerk:

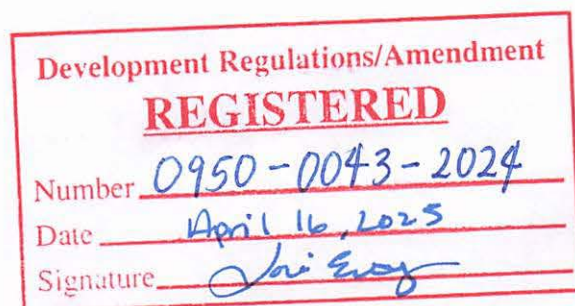




Canadian Institute of Planners Certification

I certify that the attached Town of Carbonear Development Regulations Amendment Number 41, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: Ian Watson, MCIP





Development/Infrastructure/Transportation
DEVELOPMENT
4502-140-0000
2000-0000
2000-0000

Background

The Town of Carbonear received two applications for apartment dwelling complexes in the Residential Medium Density Zone:

- Two, three-unit buildings at 10 Crossroads [subject site #1]
- A four-unit building at 36 Valley Road [subject site #2]

While both sites are zoned Residential Medium Density, which permits Council to consider apartment dwellings as a discretionary use, the zone standards for the Residential Medium Density Zone currently prevent both proposals. Specifically, subject site #1 would not comply with minimum building line, minimum side yard, and minimum lot frontage requirements. Subject site #2 does not comply with minimum lot frontage requirements. Amendments to the Residential Medium Density Zone are necessary to enable these proposals. These amendments:

- Reduce the lot size for double dwellings from 390 m² per unit to 225 m² per unit;
- Establish the lot size for apartment buildings as a flat 450 m², rather than a per-unit basis;
- Reduce the minimum floor area of single and double dwellings from 80 m² to 65 m²;
- Reduce the minimum floor area of apartment units to from a range of 40 m² to 70 m² (depending on unit type) to 40 m², independent of unit type;
- Reduce minimum lot frontage for double dwellings from 26 metres to 6 metres per unit;
- Reduce minimum lot frontage for apartment buildings from 36 metres to 12 metres;
- Reduce minimum lot frontage for single dwellings from 15 metres to 12 metres;
- Reduce minimum rear yard depth from 9 metres to 8 metres;
- Reduce minimum side yards for apartment dwellings from 5 metres to 1.5 metres
- Reduce minimum building line setbacks for apartment dwellings from 8 metres to 6 metres;
- Remove the dwelling type mix requirement for the Residential Medium Density Zone;
- Move the requirements for accessory buildings into the zone standards table from a separate condition;
- Increase the maximum lot coverage for accessory buildings from 7% to 10%; and
- Increase the total maximum lot coverage from 33% to 40%.

Furthermore, while it has been a long-standing practice to enable more than one apartment building on a lot (i.e. apartment complexes) the Development Regulations are not explicitly clear on this matter. The enclosed amendments provide clarity.

Municipal Plan Policy

Section 2.2.1 of the Municipal Plan recognizes the benefits of compact development:

"The Town will encourage development in areas which are serviced or capable of servicing with municipal piped water and sewer systems. Development of a compact community will be encouraged in order to:

- keep down the capital cost of providing municipal services such as piped water and sewer, road pavement and upgrading, and street lighting;*
- keep down the cost of running the community, especially those services where cost is related to road mileage, such as garbage collection, snow clearing and road maintenance;*
- keep down the cost of living in the community and make the community convenient--homes, schools, and shops near to one another;*
- preserve the open countryside and natural scenic resources for recreation and resource development."*

Further, section 2.2.4 of the Municipal Plan states:

"Medium density residential development shall be permitted in serviced residential land use areas. Row or apartment dwellings shall only be permitted at Council's discretion."

The proposed amendments are consistent with the Municipal Plan policies for compact development and for medium density residential development.

Public Engagement

In keeping with the size, structure, and complexity of these planning issues, public notice of the proposed amendments was made in the following manner:

- Posted on the Town website, starting May 14, 2024
- Ads in the Shoreline News on May 17, 2024

No public feedback was received directly on the proposed amendments.

STANDARD			WHERE PERMITTED (with water and sewer)				
	Single Dwelling	Double Dwelling	Row Dwelling	APARTMENT BUILDING			
				1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot area (m ²) minimum	450	390 *	350 (Average)	200 *	250 *	280 *	300 *
Floor area (m ²) minimum	80	80*	65*	40*	50*	60*	70*
Frontage (m) minimum	15	26	12* (average)	36			
Building Line Setback (m) (minimum)	6	6	8	8			
Sideway Width (m) (minimum)	1.5	1.5	3	5			
Rearyard Depth (m) (minimum)	9	9	9	9			
Lot Coverage (%) (maximum)	33	33	33	33			
Height (m) (maximum)	8	8	10	10			
* Per dwelling unit (See Conditions)							

4. In Schedule 'C', add the following development standards table in the Residential – Medium Density Zone Use Zone Table:

Standard	Double Dwelling	Apartment Buildings	All Other Permitted and Discretionary Uses
Lot area (m ²) min.	225.0 / unit	450.0	450.0
Lot frontage (m) min.	6.0 / unit	12.0	12.0
Building line setback (m) min.	6.0	6.0	6.0
Side yard setback (m) min.	1.5	1.5	1.5
Rear yard setback (m) min.			
> Main buildings	8.0	8.0	8.0
> Accessory buildings	1.5	1.5	1.5
Lot coverage (%) max.			
> Accessory buildings	10	10	10
> Total (main + accessory)	40	40	40
Height (m) max.			
> Main buildings	10.0	10.0	10.0
> Accessory buildings < 50 m ²	6.1	6.1	6.1
> Accessory buildings 50+ m ²	4.5	4.5	4.5
Minimum floor area per dwelling unit (m ²)	65.0	40.0	65.0
Maximum floor area (m ²) per accessory building	81.0	81.0	81.0

5. In Schedule 'C', delete Conditions 2 and 8 for the Residential – Medium Density Zone.

~~2. Residential Density~~

~~In each Residential Medium 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.~~

~~8. Accessory Buildings~~

~~(i) An accessory building on a lot which has a single family dwelling shall have a lot coverage no greater than 7%, up to a maximum of 81 m², and a height of no more than 4.5 m; that a two-story accessory building could be constructed at a maximum height of 6.1 m, with the first floor area of a maximum of 50 m², and first floor to the ceiling being a maximum height of 2.64 m; and~~

~~(ii) no accessory building shall project in front of any building line setback.~~