



**Town of Gander**  
**Development Regulations**  
**Amendment No. 5, 2023**

**Cluster Development**

Prepared for the Town of Gander by  
Baird Planning Associates

John Baird, MCIP  
September 1, 2023



# Urban and Rural Planning Act Resolution to Adopt Town of Gander Development Regulations Amendment No. 5, 2023

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Gander adopts the Gander Development Regulations Amendment No. 5, 2023.

Adopted by the Town Council of Gander on the 30<sup>th</sup> day of August, 2023.

Signed and sealed this 8<sup>th</sup> day of September, 2023.

Mayor: \_\_\_\_\_

Clerk: \_\_\_\_\_

## Canadian Institute of Planners Certification

I certify that the attached Development Regulations amendment has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

\_\_\_\_\_  
John Baird, MCIP



Development Regulations/Amendment

**REGISTERED**

Number 1760-2023-005

Date 22 SEPT 2023

Signature [Signature]

## **Background**

### **Introduction**

The Town of Gander is experiencing an upsurge in the need and demand for affordable types of housing. The Town's current housing stock consists mostly of conventional single detached houses, which are unaffordable for an increasing share of its population. Consequently, Gander is becoming an increasingly expensive place to live for low and medium-income households. This constitutes a significant constraint on the Town's ability to provide for the social well-being of residents and take advantage of economic development opportunities.

The Gander Municipal Plan includes various provisions that explicitly or implicitly support the development of affordable housing:

#### **Section 2.4 Health and Social Well-being**

Promote opportunities for inclusion of low-income and disadvantaged residents into all aspects of community life.

#### **Section 2.5 Housing**

Promote and facilitate adequate housing for all residents regardless of age, income, abilities, and family status.

Accommodate a range of housing types to satisfy market needs and ensure affordable housing is available for residents of different income levels, age groups, family structures and abilities.

Encourage development of single, double, and multi-unit housing in appropriate locations through infilling along existing streets, new subdivisions and adaptive reuse of existing buildings in mixed-use areas.

#### **Section 3.2.5 Consolidation and Infill of Serviced Areas**

Council will encourage intensification of development in areas that are accessible to piped water and sewer services. This can occur through infilling of vacant land along existing roads and keeping new street development in close proximity to existing infrastructure.

#### **Section 4.2.1 Residential – General Intent**

The general intent of the Residential designation is to facilitate housing for all residents regardless of age, income, abilities, and family status... By permitting a variety of housing forms, it is Council's objective to ensure housing remains affordable for all socio-economic groups. Residential development will be managed in a manner that utilizes infrastructure efficiently and preserves and protects sensitive environments and public open space.

#### **Section 4.2.2 Residential – Guiding Principles**

Future development will accommodate an appropriate mix of housing types to meet changing market conditions and socio-demographic needs of residents.

The Gander Development Regulations allows for development of various types of affordable housing such as subsidiary apartments, apartment buildings, mini-homes, tiny homes, and high density zoning, however these have proven inadequate in terms of attracting investors and satisfying demand.

### **Purpose**

Recent opportunities and investor interest have arisen for cluster types of housing development in Gander. Studies have explored the advantages of this form of community focused housing, not only for achieving better affordability, but in contributing to social cohesion, for example, the ability for children to be in shared open space while parents are preoccupied and for seniors to live longer in their own homes through the support of neighbours. While cluster development has long been in the

lexicon of land use planning, it has not strongly taken hold in this province. A major reason for this has been municipal regulatory constraints.

The purpose of this amendment is to ease current regulatory obstacles to cluster development in the Gander Development Regulations. "Cluster Development" will be added as a discretionary use in six residential zones, the Town Centre zone, four commercial zones, the Tourism Recreation zone, and the Public Institutional zone.

### **Public Consultation**

Council undertook the following public consultation initiatives to give Gander individuals and groups an opportunity to provide input.

- Advertisements were placed on the Town of Gander website, Facebook, Twitter, local television, and local radio stations for a period of two weeks, indicating Council's intention to amend the Development Regulations and inviting comments and representation.
- A Public Briefing session was held in the Council Chambers at the Town Hall on March 30, 2023, commencing at 2:00 p.m. There were seven (7) attendees, exclusive of staff and Council.

At the briefing session, participants were provided an information package on the proposed amendment. They were invited to submit written comments and given comment sheets. No submissions were received by the deadline of April 3.

## **Gander Development Regulations Amendment No. 5, 2023**

The Gander Development Regulations are amended as follows:

### **1. Section 2.0 – Definitions**

**ADD** the following definition:

***"Cluster Development"** means two or more residential and/or commercial buildings developed in combination on one lot. At Council's discretion, development may include single dwellings, double dwellings, row dwellings, apartment buildings, residential care homes, retirement homes, collective residential buildings, and any compatible commercial or other non-residential building. Cluster development will not be fully bound by zoning requirements or other land use standards. The entire development must be under **single ownership** (including access, infrastructure, open space, etc.) Cluster Developments are planned and built as a whole development thus fixing the type and location of uses and buildings over the entire project. It may include clustering of buildings, common open space, and incorporation of various building types and mixed land uses. Benefits of a Cluster Development may include more efficient site design, preservation of open space, lower per-unit land and construction costs, and lower servicing and maintenance costs for the municipality."*

## 2. Regulation 4.12 – Multiple Uses on One Lot

ADD the following provision:

- “3. At Council's discretion, a Cluster Development may be permitted as a development with public or private services in the following zones subject to the requirements outlined below:

<i>Residential Low Density</i>	<i>Commercial General</i>
<i>Residential Medium Density</i>	<i>Commercial Local</i>
<i>Residential High Density-1</i>	<i>Commercial Shopping Centre</i>
<i>Residential High Density-2</i>	<i>Commercial Highway</i>
<i>Residential Mini-Home</i>	<i>Tourism Recreation</i>
<i>Residential Rural</i>	<i>Public Institutional</i>
<i>Town Centre</i>	

- a. *Public Notice shall be given in accordance with Regulation 3.15 - Notice of Application of these Regulations.*
- b. *The development shall comply with the intent and policies of the Gander Municipal Plan.*
- c. *The development shall comply with the National Building Code of Canada, particularly the minimum separation distances from other buildings within the same property.*
- d. *The development shall include Open Space appropriate for the size and density of the development unless the site is located adjacent to existing open space and otherwise approved by Council.*
- e. *The development will be integrated with surrounding land uses with respect to street and pedestrian access, appearance, traffic requirements, and demands on municipal services.*
- f. *The development will be subject to a Development Agreement between the owners of the land and Council, which will have a Cluster Development Plan attached thereto, satisfactory to and registered in the Registry of Deeds of Newfoundland and Labrador, controlling the use and development of such land.*
- g. *The entire development shall be maintained in **single ownership** unless subdivision of the property is approved by Council, or the individual units are owned by individuals as common elements within a Condominium Corporation or Homeowners Association.”*

### 3. Regulation 4.13 - Main Buildings on a Lot

**REMOVE** Regulation 4.13 as follows:

- "1. Except for a single dwelling, more than one main building may be permitted on a lot provided that the requirements set out in Part 9 - Use Zone Tables are satisfied.*
- 2 No more than one single dwelling may be permitted on a lot except where that lot or dwelling forms part of a comprehensive development.*
- 3. Where more than one main building is developed on a lot, sufficient area shall be reserved to satisfy the yard requirements and other allowances outlined in Part 9 for the Use Zone in which the lot is located. These allowances shall be maintained when the adjacent land is developed."*

And **REPLACE** with the following:

- "1. Except for a single dwelling, more than one main building may be permitted on a lot provided that the requirements set out in Part 9 - Use Zone Tables are satisfied, or the development is in relation to a Cluster Development.*
- 2 No more than one single dwelling may be permitted on a lot except where that lot or dwelling forms part of a comprehensive development or a Cluster Development.*
- 3. Where more than one main building is developed on a lot, sufficient area shall be reserved to satisfy the yard requirements and other allowances outlined in Part 9 for the Use Zone in which the lot is located unless the development is in relation to a Cluster Development. These allowances shall be maintained when the adjacent land is developed."*

### 4. Section 9 – Use Zone Tables

**ADD** "cluster development" as a Discretionary Use in the following Use Zone Tables:

Residential Low Density	Commercial General
Residential Medium Density	Commercial Local
Residential High Density-1	Commercial Shopping Centre
Residential High Density-2	Commercial Highway
Residential Mini-Home	Tourism Recreation
Residential Rural	Public Institutional
Town Centre	

### 5. Appendix A - Classification of Uses of Land and Buildings

**ADD** "Cluster Development" as a Land Use Class in the Residential, Commercial, and Institutional Public and Assembly Uses groups of classifications.

### 6. Appendix B - Off Street Loading and Parking Requirements

**ADD** the following to the Off-Street Parking Space Requirements:

#### **OFF-STREET PARKING SPACE REQUIREMENTS**

<b>CLASS</b>	<b>MINIMUM SPACES</b>
<i>Cluster Development</i>	<i>At Council's discretion</i>