

**TOWN OF PORTUGAL COVE-ST. PHILIP'S  
MUNICIPAL PLAN 2014 - 2024**



**DEVELOPMENT REGULATIONS AMENDMENT  
No. 34, 2024**

**“Townhouses”**

**January 2024**

URBAN AND RURAL PLANNING ACT, 2000

**RESOLUTION TO ADOPT**

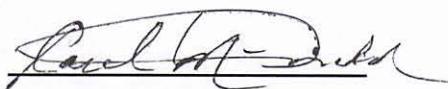
**TOWN OF PORTUGAL COVE-ST. PHILIP'S  
DEVELOPMENT REGULATIONS AMENDMENT No. 34, 2024  
DEVELOPMENT REGULATIONS, 2014-2024**

Under the authority of Section 16 of the Urban and Rural Planning Act, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 34, 2024.

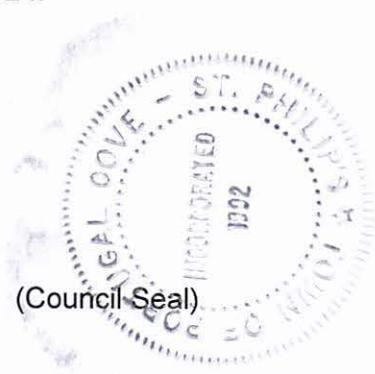
Adopted by the Town Council of Portugal Cove-St. Philip's on the 20<sup>th</sup> day of February, 2024.

Signed and sealed this 21 day of February 2024.

Mayor



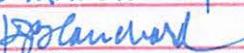
Town Clerk



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 34, 2024, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	4000-2024-065
Date	5 MARCH 2024
Signature	

MCIP: Anna Myers  
Member of Canadian Institute of Planners (MCIP)

**Town of Portugal Cove-St. Philip's  
Development Regulations Amendment No. 34, 2024**

**PURPOSE**

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. The growing demand for affordable housing and changing market conditions has led to an increase in demand for alternative housing types with higher density. Currently, residential development in Portugal Cove-St. Philip's is predominately single-family dwellings on medium to large sized lots. To help meet the demand for affordable housing, the Town has reviewed the development standards for fully-serviced townhouse developments in the Residential Medium Density (RMD) Land Use Zone. Townhouse is a discretionary use in the RMD Land Use Zone.

The purpose of this amendment is to revise the definition of a townhouse to increase the number of dwelling units that can be developed within one building and address the location of parking for these larger developments. In addition, this amendment proposes to reduce the minimum lot frontage required for townhouses in the RMD Land Use Zone from 12 metres per unit to 10 metres per unit and add a condition regarding a further reduction in the minimum frontage requirement for single owner townhouse developments.

Accommodating an appropriate mix of housing types within the Town is supported by Plan Policy RES-1 of the Municipal Plan 2014-2024:

"Council shall permit single-detached housing as the predominant use of land in areas designated Residential. Group homes and subsidiary apartments may be considered by Council as discretionary uses within single unit dwellings. Subsidiary apartments are typically secondary dwelling units that are located within the basement of a single unit residential home. Council may also consider granny suites as a type of subsidiary apartment where the secondary dwelling unit is built as an attachment to the main floor of the principal single unit home. Subsidiary apartments and granny suites are to provide for a firewall separation to the principal use in accordance with the National Building Code, and as secondary residential uses, are limited in floor area size in accordance with the provisions of the applicable use zones. Other types and densities of discretionary housing such as double dwelling, or duplex, may also be permitted, as detailed in Schedule C of the Development Regulations. Where higher density residential uses for apartments and townhouses are proposed as discretionary uses, Council may require site design information related to streetscape appearance, building and landscaping design, parking configuration and access, transition treatments to adjacent land uses and neighbourhood fit."

## **ST. JOHN'S URBAN REGION REGIONAL PLAN 1976**

Development Regulations Amendment No. 34, 2024 is comprised of text changes to the Development Regulations only. No amendment to the Regional Plan is required.

### **PUBLIC CONSULTATION**

During the preparation of this amendment Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in The Telegram newspaper on January 20, 2024 and in the January 2024 edition of the Northeast Avalon Times advertising the proposed amendment seeking comments or representations from the public. A copy of the Public Notice was also posted on the Town's website. Residents were invited to view the documents and maps at the Town Hall during normal business hours, and to provide any comments or concerns in writing to Council by February 1, 2024. The Town did not receive any responses to this consultation.

### **DEVELOPMENT REGULATIONS AMENDMENT No. 34, 2024**

#### **TEXT AMENDMENT**

##### **CHANGES TO SCHEDULE A: DEFINITIONS**

###### **FROM:**

**TOWNHOUSE, RESIDENTIAL USE:** means a highly designed and landscaped multi dwelling unit use that consists of three or more dwelling units on a site or lot where the dwelling units may be attached or detached in accordance with the provincial Condominium Act, 2007, and if attached, there shall be a maximum of six dwelling units in one building; each dwelling unit within a townhouse residential use shall have a private entrance and direct ground level access to the outside and to private outdoor open space other than a balcony or sundeck; and where the front façade of the townhouse shall have strong individual unit design and architectural treatment to achieve a high design streetscape appearance of the townhouse development, and where parking and other accessory building amenities are provided within the rear area of the building area.

###### **TO:**

**TOWNHOUSE, RESIDENTIAL USE:** means a highly designed and landscaped multi dwelling unit use that consists of three or more attached dwelling units on a site or lot, where each dwelling unit shall have a private entrance and direct ground level access to the outside, and to either a private, or public outdoor open space other than a balcony or sundeck. A townhouse can have a single building owner or can be owned in a condominium arrangement. Fee simple ownership of

individual dwelling units may also be acceptable where the units are vertically separated, have individual frontages on a publicly maintained road, and have their own dedicated lots and yards.

## CHANGES TO SCHEDULE C: RESIDENTIAL MEDIUM DENSITY

FROM:

RMD Fully-Serviced Lots (municipal water & municipal sewer)									
STANDARDS	Single Dwellings		Multiple Dwellings		Apartment Buildings				Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	Row Dwelling	One Bdrm	Two Bdrm	Three Bdrm	Four Bdrm	
Min. Lot Area (m <sup>2</sup> )	470	3,000	377*	350*	200*	200*	250*	300*	500
Min. Floor Area (m <sup>2</sup> )	80	80	80*	65*	40*	40*	50*	60*	80
Min. Frontage (m)	15	30	10*	12*	36				15
Min. Pond Frontage (m)		30							
Min. Front Yard (m)	6	6	6	6	8				8
Max. Front Yard (m)	32	See General Provision 10	32	32	32				32
Min. Side Yard (m)	2.5 & 1	6	2.5	2.5	5				5
Min. Distance Between Dwellings (m)	3.5								
Min. Rear Yard (m)	9	9	9	9	14				9
Max. Lot Coverage (%)	33	33	33	33	33				33
Max. Height (m)	10	10	10	10	10				10

\* per unit

TO:

RMD Fully-Serviced Lots (municipal water & municipal sewer)									
STANDARDS	Single Dwellings		Multiple Dwellings		Apartment Buildings				Non-Residential Building
	Single Dwelling	Single Dwelling with Pond Frontage	Double Dwelling	Townhouse	One Bdrm	Two Bdrm	Three Bdrm	Four Bdrm	
Min. Lot Area (m <sup>2</sup> )	470	3,000	377*	350*	200*	200*	250*	300*	500
Min. Floor Area (m <sup>2</sup> )	80	80	80*	65*	40*	40*	50*	60*	80
Min. Frontage (m)	15	30	10*	10* (See Condition 8)	36				15
Min. Pond Frontage (m)		30							
Min. Front Yard (m)	6	6	6	6	8				8
Max. Front Yard (m)	32	See General Provision 10	32	32	32				32
Min. Side Yard (m)	2.5 & 1	6	2.5	2.5	5				5
Min. Distance Between Dwellings (m)	3.5								
Min. Rear Yard (m)	9	9	9	9	14				9
Max. Lot Coverage (%)	33	33	33	33	33				33
Max. Height (m)	10	10	10	10	10				10

\* per unit

FROM:

**(8) Townhouse Dwellings and Apartment Buildings**

In areas zoned Residential Medium Density (RMD), there shall be not more than twenty percent (20%) apartment units, townhouse residential units or a combination of apartment and townhouse units. The remainder will be single dwellings, double dwellings or a combination of single and double dwellings. Council shall monitor and control the clustering of multi-unit townhouse units and apartment buildings to prevent a concentration of these housing types in any one area.

Council will pay particular attention to the location and siting of higher density residential townhouse dwellings and apartment buildings. Preferred locations shall include those adjacent to major traffic corridors, near public use and commercial facilities, and on large site area corner lots.

TO:

**(8) Townhouse Dwellings and Apartment Buildings**

(a) Council will pay particular attention to the location and siting of higher density residential townhouse dwellings and apartment buildings. Preferred locations shall include those adjacent to major traffic corridors, near public use and commercial facilities, and on large

site area corner lots.

- (b) Where a townhouse development is proposed to be constructed on one (1) parcel of land (which may be subject to the provincial *Condominium Act, 2009*, as amended), a total minimum frontage of 15 m will be required to provide adequate access to the building (as opposed to a per unit measurement).
- (c) Where possible, parking for a townhouse residential use will be provided in the side or rear yard. Parking in the front may be considered at the discretion of Council. Accessory buildings for individual dwellings units shall only be allowed in the side or rear yard where each dwelling unit is independently owned and contained within its own legal property survey. Townhouse developments may utilize innovative housing layouts and may include multi-user accessory buildings.