

Request for Decision/Direction

Title: Development Regulations Amendment – RMD Zone Standards

Date Prepared: 2024.03.25

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Decision/Direction Required:

To consider amendments to the Residential Medium Density Zone standards in the Development Regulations.

Background

The Town has two applications for apartment dwelling complexes in the Residential Medium Density Zone:

- Application by Charwood Legion Manor Inc. for two, three-unit buildings at 10 Crossroads [subject site #1]
- Application by Mike Mullay for a four-unit building at 36 Valley Road [subject site #2]

Subject site #1 is approximately 1332 square metres in area. It is a vacant piece of land adjacent to Charwood Legion Manors. Other surrounding uses include lower-density residential dwellings, as well as the Town of Carbonear works department.

Subject site #2 is approximately 2715 square metres in area. It includes an existing apartment building. Surrounding uses are lower-density residential dwellings.

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.

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. This would be an opportunity to provide clarity.

The Town is currently undergoing a comprehensive plan review. As part of that process, new standards have been proposed for the Residential Medium Density Zone, which would accommodate these two proposals as well as make apartment development generally easier throughout the town. However, given the increased timeline for public engagement on comprehensive plan reviews and extended timelines for provincial review under Section 15 of the Act, the plan review is not expected to be completed in time to accommodate these proposals this construction season. The applicants have requested that the proposed standards

for the Residential Medium Density Zone be brought forward ahead of the comprehensive plan review completion.

While this request for decision arises specifically from these two properties, the proposed changes are to the zone itself and would therefore affect all properties in this zone.

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.

Proposed Public Engagement

Section 14 of the *Urban and Rural Planning Act, 2000* requires an opportunity for public review and comment on proposed amendments to the Municipal Plan and Development Regulations. Such consultation must, “accommodate the size, structure, and complexity of planning and policy issues that exist in the planning area under consideration.”

For these amendments, we propose to post a notice and request for public comment in The Shoreline newspaper and on the Town website and Facebook page. The comment period will be open for 14 days. Feedback on the proposed standards may also be gathered through the public engagement on the comprehensive plan review, which began on March 21, 2024.

Recommendation

That Council consider amending the Development Regulations to update the zone standards for the Residential Medium Density (RMD) Zone and to clarify that apartment complexes (“grouped dwellings”) are permitted.

Attachments

- Proposed amendments
- Image of subject site #1
- Proposed site plans – Subject site #1
- Proposed exterior elevations – Subject Site #1
- Image of subject site #2
- Proposed site plans – Subject site #2
- Proposed exterior elevations – Subject Site #2

Proposed Amendments to Town of Carbonear Development Regulations

The Town Council of Carbonear proposes to amend the Carbonear Development Regulations as follows:

1. In Schedule 'A', add the following definition between the definitions of General Garage and Hazardous Industry:

GROUPED DWELLINGS means two or more dwellings, each containing one or more dwelling unit, located on a lot.

2. In Schedule 'B', add "Grouped Dwellings" to the list of "Examples" under Group C, Division 1, Class (d) Apartment Building.
3. In Schedule 'C', delete the development standards table in the Residential – Medium Density Zone Use Zone Table and replace it with the following 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

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