

**Town of Conception Bay South
Development Regulations**

Amendment No. 33, 2020

“Grouped Dwellings”

**Prepared by the
Town of Conception Bay South**

December 2019

Urban and Rural Planning Act, 2000

Resolution to Adopt

**Town of Conception Bay South Development Regulations
Amendment No. 33, 2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000* the Town Council of Conception Bay South hereby adopts Amendment No. 33, 2020 to the Conception Bay South Development Regulations.

Adopted by the Town Council of Conception Bay South on the 4th day of February 2020.

Signed and sealed this 18th day of February, 2020.

Mayor: [Signature]

Clerk: [Signature]

Canadian Institute of Planners Certification

I certify that Amendment No. 33, 2020 to the Conception Bay South Development Regulations was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

[Signature]
Corrie Davis, MCIP



Development Regulations/Amendment
REGISTERED
Number 1145-2020-025
Date MARCH 6, 2020
Signature [Signature]

Town of Conception Bay South Development Regulations Amendment No. 33, 2020

Purpose

The Conception Bay South Development Regulations came into legal effect on July 20, 2012.

There are a number of existing and proposed residential developments within the Town that have multiple buildings and or multiple residential units on a single property with private access and services. The Town intends to clarify how those developments are regulated.

Background

Although single dwelling development is the dominant housing form within Conception Bay South, the housing market in the Town continues to evolve.

A part of the evolution of the housing market includes the emergence of residential complexes where multiple buildings and or multiple dwelling units are developed on a single property. Those multi-unit / multi building developments are typically targeted to a specific rental market or developed as condominiums. Funding programs from the provincial and federal governments for the creation of affordable housing units have encouraged the growth of this market segment and demonstrated that there is a demand for this housing model.

The Town determined that the Town's current regulations regarding multi building / multi-unit developments are vague. Multi building / multi-unit residential developments are captured by the definition of "Grouped Dwelling" within the Development Regulations, but there is no specific classification for "Grouped Dwellings" within Schedule A, "Classification of Land Uses and Buildings" of the Conception Bay South Development Regulations.

This amendment will add grouped dwelling to Schedule A, "Classification of Land Uses and Buildings" of the Conception Bay South Development Regulations and allow those developments within a number of land use zones to the same densities as provided for other multi-unit developments such as apartment buildings and row dwellings within each affected land use zone.

In addition to the foregoing, this amendment will correct minor errors within the regulations where minimum building height is stated where maximum building height was intended and correct the omission of "Single Dwelling" and "Subsidiary Apartment" as specific land use classifications.

St. John's Urban Region Regional Plan

All development within Conception Bay South must comply with the requirements of the St. John's Urban Region Regional Plan (Regional Plan). The Regional Plan identifies Conception Bay South as a sub-regional centre. Upon installation of municipal services, the Regional Plan encourages a wide range of residential densities, a variety of commercial operations, parks and recreational facilities and other uses that are characteristic and appropriate for a sub-regional centre.

The density of residential uses within various zones in the Conception Bay South sub-regional centre does not conflict with the policies of the Regional Plan.

The Conception Bay South Municipal Plan

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012.

The goals and objectives for residential development outlined in Section 5.2 of the Municipal Plan encourage a range of housing options to meet the needs of a variety of age and income groups by providing for a diverse mixture of housing forms.

The policies for the Residential Low, Medium and Mixed Density designations provide for various densities, and this amendment complies with those policies.

Consultation

In accordance with sections 14 and 35(5) of the *Urban and Rural Planning Act, 2000*, notices seeking feedback on the proposed amendment were published in the December 18, 2019 and January 9, 2020, editions of *The Shoreline* newspaper. The Town also provided notice of the proposed changes on its website and through its social media channels.

The Town determined that this consultation process accommodates the size, structure and complexity of planning issues under consideration and provided a reasonable opportunity for interested persons, businesses and community groups to comment on the proposed amendment.

As a result of the Town's consultation efforts, no written submissions were received by the Town.

Development Regulations Amendment No. 33, 2020

The Conception Bay South Development Regulations shall be amended as follows:

1. Modify Section 2.34 for the definition of “Grouped Dwellings” such that it now reads:

“**Dwellings, Grouped** means two or more dwelling units that are contained within two or more single dwellings, double dwellings, row dwellings or apartment buildings, and any combination thereof on a lot.”

2. Add Section 6.15 to Part 6 (“Specific Use Regulations”) of the Conception Bay South Development Regulations such that it now reads:

“6.15 Grouped Dwellings

Grouped Dwellings, where permitted, shall be subject to the following conditions and requirements:

- a) Grouped dwellings shall be subject to the requirements of the National Building Code of Canada with respect to minimum separation distances from other buildings within the same property.
- b) Grouped dwellings shall be maintained in single ownership unless subdivision of the property is approved by the Authority in accordance with Part 7 of these Regulations or the where units are owned by individuals and the balance of the property is owned and maintained as common elements within a Condominium Corporation established under the *Condominium Act, 2009*.”

3. Add a requirement that “Grouped Dwellings” will have a minimum of two off street parking spaces for every three dwelling units within a grouped dwelling development such that Section 9.2 now reads:

9.2 General Parking Requirements

The number of parking spaces to be provided for any building, structure or use or occupancy shall conform to the following requirements:

Development or Use	Minimum Off-Street Parking Requirement
Assembly	
Theatre Place of Worship	One space for every 5 seats
Cultural and Civic	One space for every 50 square metres of gross floor area.
General Assembly Funeral Amusement Indoor Assembly	One space for every 20 square metres of gross floor area
Educational	Schools – 2 spaces for every classroom Further education – 1 space for every 5 persons using the facilities (students, faculty and staff)
Club and Lodge	One space for every 3 persons that may be accommodated at one

Catering	time.
Child Care	One space for every 20 square metres of gross floor area.
Institutional	
Medical Treatment and Special Care	One space for every 2 patients
Rest/Retirement Home	One occupant parking space for every two retirement dwelling units; One visitor parking space for every four retirement dwelling units; and 0.85 parking space per staff member.
Residential	
Single Dwelling Double Dwelling Row Dwelling	Two spaces per dwelling unit
Apartment Building Grouped Dwelling	Three spaces for every 2-dwelling units
Subsidiary Apartment	One space
Mobile Home Park	One space for each dwelling unit plus one visitor parking space for each four dwellings
Commercial Residential	One space for every guest room
Business and Personal Service Use	
Office Medical and Professional Personal Service General Service Take-Out Food Service Veterinary	One space for every 20 square metres of gross floor area.
Retail	
Shopping Centre	One space for every 15 square metres of gross floor area
Shop Convenience Store	One space for every 20 square metres of gross floor area
Industrial	
Hazardous Industry General Industry Light Industry	One space for every employee
General Garage	Five spaces per service bay plus one space per employee
Service Station	One space for each employee on shift and one space per pump

4. Add "Grouped Dwellings (maximum of four units)" to the list of permitted uses within the Residential Medium Density (R-2) Land Use Zone such that Section 10.11.1 now reads:

10.11.1 Permitted Uses

Conservation
Office
Single Dwelling
Double Dwelling
Family Child Care
Subsidiary Apartment
Apartment Buildings (to a maximum of 4 units)
Row Dwellings (to a maximum of 4 units)
Group Dwellings (to a maximum of 4 units)
Parks, playgrounds, trails
Telecommunications Structures and Antenna
Utilities

5. Add “Grouped Dwellings (five to ten units)” to the list of discretionary uses within the Residential Medium Density (R-2) Land Use Zone such that Section 10.11.2 now reads:

10.11.2 Discretionary Uses

Agriculture
Apartment Buildings (5 to 10 units)
Row Dwellings (5 to 10 units)
Grouped Dwellings (5 to 10 units)
Bed and Breakfast
Child Care
Convenience Store
Family and Group Care Home
Assisted Living Facility (under 80 beds)
Home Occupations including light industry such as manufacturing of crafts, art; Medical and professional services; <i>Personal Services (2017-12-29); and</i> Private School for teaching individuals or small groups including such things as music, art or craft, but excluding nursery or pre-school education
Place of Worship
Public School
Boat houses, wharves and docks

6. Modify Section 10.11.3 to change “Minimum Height” to “Maximum Height” and add the following Lot Requirements for “Grouped Dwellings” within the Residential Medium Density (R-2) land use zone:

Minimum Lot Area:	210m ² per unit
Minimum Lot Frontage:	30m
Minimum Building Line Setback:	10m
Minimum Side Yard:	5m
Minimum Flanking Yard:	8m
Minimum Rear Yard:	10m
Maximum Lot Coverage:	33%
Maximum Building Height:	10m

Such that Section 10.11.3 now reads:

10.11.3 Lot Requirements

Standard (* per unit)	Single	Double	Row	Apartment	Grouped
Minimum lot area (m²)	450	280*	220*	210*	210*
Minimum lot frontage (m)	15	15	6m*	30	30
Minimum building line setback (m)	10	10	10	10	10
The minimum building line setback along Lawrence Pond Road north of Route 2, shall be set at 12m to ensure future functioning of the street as a collector road.					
Minimum side yard	1.2	1.2	3	5	5
Minimum flanking yard	8	8	8	8	8
Minimum rear yard	10	10	8	10	10
Maximum lot coverage				33%	
Maximum building height	8	8	10	10	10

7. Add "Grouped Dwellings (maximum of 10 units)" to the list of permitted uses within the Residential Mixed (R-3) Land Use Zone such that Section 10.12.1 now reads:

10.12.1 Permitted Uses

Apartment Building (max 10 units)
Child Care
Conservation, Parks and Playgrounds
Office
Single Dwelling
Double Dwelling
Row Dwelling
Place of Worship
Grouped Dwellings (max 10 units)
Public School
Family Child Care
Telecommunications Structures and Antenna
Utilities

8. Add "Grouped Dwellings (greater than 10 units)" to the list of discretionary uses within the Residential Mixed (R-3) Land Use Zone such that Section 10.12.2 now reads:

10.12.2 Discretionary Uses

Bed and Breakfast
Business, Professional and Personal Service uses
Convenience Store
Cultural and Civic
General Assembly
General Service
Grouped Dwellings (greater than 10 units)
Home Occupations (Personal Service Uses only)
Shop

9. Add "Grouped Dwellings (minimum of 10 units)" to the list of permitted uses within the Residential Multi Unit (RMU) Land Use Zone such that Section 10.14.1 now reads:

10.14.1 Permitted Uses

Apartment Building (min 10 units)
Assisted Living Facility (min 75 personal care beds)
Double Dwellings
Grouped Dwellings (minimum of 10 units)
Conservation
Parks and Playgrounds
Row Dwellings (min 10 units in a row)
Office
Telecommunications Structures and Antenna
Utilities

10. Modify Section 10.14.3 to apply the "Apartment Buildings" development standards to "Grouped Dwellings" and "Assisted Living Facilities", and change "Minimum Building Height" to "Maximum Building Height" such that Section 10.14.3 now reads:

10.14.3 Development Standards

Standard	<i>Apartment Buildings, Assisted Living Facilities & Grouped Dwellings</i>
Minimum lot area (m²)	650
Minimum lot frontage (m)	30
Minimum building line setback (m)	10

Minimum side yard width (m)	5
Minimum flanking yard width (m)	8
Minimum rear yard depth (m)	12
Maximum lot coverage (%)	33
Maximum building height	12

11. Add Section 10.14.3.1 to regulate lot standards for double and row dwellings to the same requirements for those uses within the Residential Medium Density (R-2) zone, such that Section 10.14.3.1 reads:

10.14.3.1 Double and Row Dwellings

Development standards for double and row dwellings shall conform to standards for those uses within the Residential Medium Density (R-2) use zone.

12. Add “Single Dwelling”, “Subsidiary Apartment” and “Grouped Dwellings” to the use class column of “Schedule A – Classifications of Land Uses and Buildings” within the Residential Dwelling Uses Division such that Part 1 of Schedule A now reads:

“Residential Uses

<i>Division</i>	<i>Use Class</i>	<i>Examples</i>
1. Residential Dwelling Uses	Single Dwelling	<ul style="list-style-type: none"> • Single detached dwelling, with or without a subsidiary apartment
	Double Dwelling	<ul style="list-style-type: none"> • Duplex Dwellings • Semi-detached Dwelling
	Subsidiary Apartment	<ul style="list-style-type: none"> • Basement apartment • In-law suite
	Row Dwelling	<ul style="list-style-type: none"> • Row Houses
	Apartment Building	<ul style="list-style-type: none"> • Apartment Building • Residential Complexes (4 or more units)
	Grouped Dwellings	<ul style="list-style-type: none"> • Residential complexes with multiple units and or multiple buildings on a single lot
2. General Residential Uses	Boarding House Residential	<ul style="list-style-type: none"> • Bed & Breakfast Establishment • Boarding Houses
	Tourism Accommodation	<ul style="list-style-type: none"> • Hotels • Motels • Inns
	Mobile Home	<ul style="list-style-type: none"> • Mini Home • Mobile Homes”

13. All other sections of the Conception Bay South Land Use Zoning, Subdivision and Advertisement (Development) Regulations not referenced in this amendment retain their current wording.