



**TOWN OF PARADISE
DEVELOPMENT REGULATIONS 2016**

**DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2023
(MARKET RIDGE COMMERCIAL/RESIDENTIAL AMENDMENT)**

OCTOBER 2023

TOWN OF PARADISE DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2023

Purpose

The Town of Paradise Development Regulations 2016 came into legal effect on April 27, 2018. The Development Regulations outlines the use, development standards and conditions of land in use zones and the Town is divided into land use zones which are illustrated on the Land Use Zoning Map.

This report was prepared to explain the proposed changes and to serve as a basis for consideration by the general public before it is adopted Council and submitted to the Minister of Municipal and Provincial Affairs for registration.

The Development Proposal

The proponent of this amendment, Karwood Estates Inc. ('KEI'), wishes to proceed with the development of a mix of residential housing forms and commercial buildings primarily situated along Kenmount Road. The residential component consists of approximately 106 residential units comprised of 88 apartment units in 7 buildings and 18 row dwellings in 6 buildings on 1.793 hectares of land. The commercial component consists of 4 commercial lots: an existing 2 storey office/commercial building on a commercial lot and three new commercial building lots on 2.1 hectares of land. This development proposal will include road extensions, a pedestrian pathway and open space development. The total area to be developed is 4.24 hectares (10.2 acres) of land ('the subject property').

The Town of Paradise Municipal Plan 2016

The subject property is situated within the Community Centre designation of the 2016 Town of Paradise Municipal Plan. It is the intent of this designation that the area will continue to evolve as the focus of civic, recreational, residential and commercial use in the community. The proposal is consistent with the Planned Mixed-Use Development Zones of this designation which encourages high density forms of housing such as townhouses and apartment buildings as well as commercial, retail, service, institutional and office uses as stand-alone or mixed-use, multi-storey buildings. Therefore no municipal plan amendment is required to accommodate this proposal.

The Proposed Amendment to the Town of Paradise Development Regulations 2016

The subject property is zoned as Planned Mixed Development (Commercial) (PMDC) in the Town of Paradise Development Regulations 2016.

According to Section 9.20.2 of the PMDC use zone titled 'Permitted Uses':

Any Land, Building or structure may be used for the following purposes in this Zone in accordance with a development plan approved by Council:

- *Office or Commercial Use*
- *Public Use*
- *Residential Use*
- *Uses set out in the approved development plan*

The proposal is a permitted use within the PMDC zone. A Development Plan has been prepared for the approval of Council. In order to accommodate this proposed development, an amendment is required to the text of the Planned Mixed Development (Commercial) (PMDC) which includes a Development Plan approved by Council.

The amendment to the text of the Planned Mixed Development (Commercial) (PMDC) use zone would consist of adding an Appendix titled “Appendix H: Market Ridge Commercial/Residential Development Plan” to the Development Regulations. The appendix as part of the text amendment would include a description of the proposal, its compliance with planning policies and zoning and associated maps and plans.

Public Consultation

During the preparation of this amendment, the Town of Paradise published a notice in The Shoreline newspaper on October 27, 2023 advertising this amendment and published a notice on the Town’s website. The amendment documents were available on the Town’s website and at the Town Hall for the public to review until November 13, 2023. The Town accepted comments and/or concerns on the proposed changes in writing until 4:30pm, Monday November 13, 2023.

No written response was received with respect to the public notice.

Town of Paradise Development Regulations Amendment No. 18, 2023

The text of the 2016 Paradise Development Regulations is amended as follows:

1. The text of the Planned Mixed Development (Commercial) (PMDC) is amended by adding additional text to Section 9.20 Planned Mixed Development (Commercial) (PMDC). The additional text introduces a new section, Section 12, as follows

12. *List of Approved Development Plans*

The following is a list of approved development plans, the details of which can be found in the appendix section.

Appendix H: Market Ridge Commercial/Residential Development Plan

A copy of the Appendix H is attached and is to be referred to with respect to this amendment.

No map amendment to the Development Regulations is required to accommodate the text amendment.

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT No. 18, 2023

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise adopts the Town of Paradise Development Regulations Amendment No. 18, 2023.

Adopted by the Town Council of Paradise on the 5 day of December, 2023.

Signed and sealed this 5 day of December, 2023.

Mayor:

D. Bollinger

(Council Seal)

Clerk:

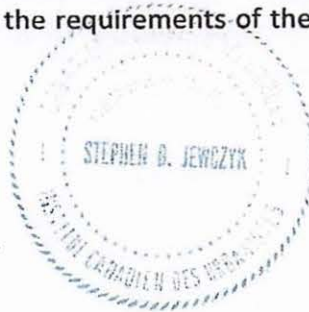
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CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Paradise Development Regulations Amendment No. 18, 2023 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Stephen B. Jewczyk
Stephen B. Jewczyk, FCIP



Development Regulations/Amendment	
REGISTERED	
Number	<u>3655-2023-016</u>
Date	<u>22 DEC 2023</u>
Signature	<u>[Signature]</u>

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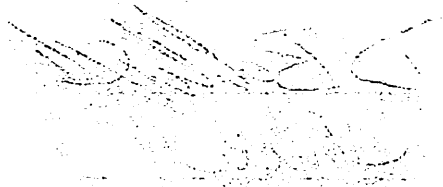
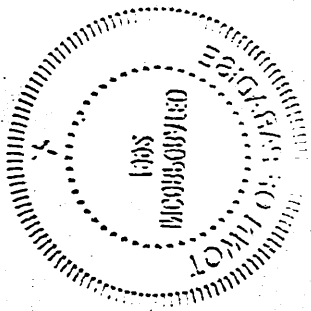
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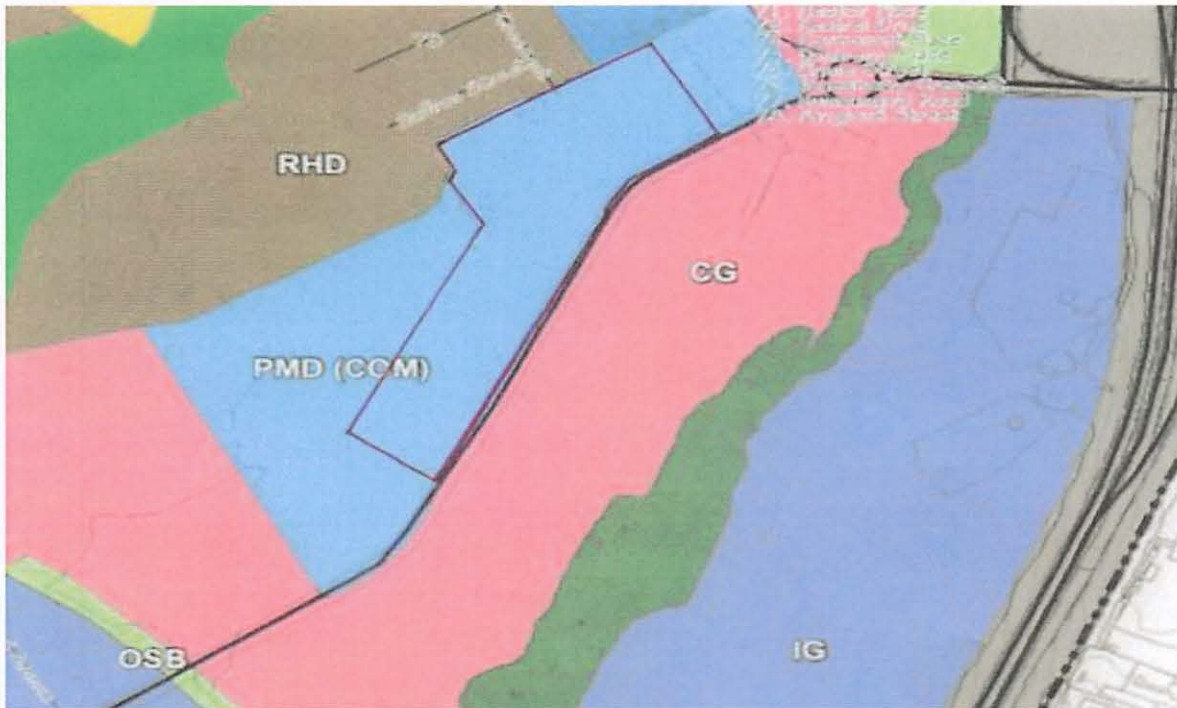
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APPENDIX H MARKET RIDGE COMMERCIAL/RESIDENTIAL DEVELOPMENT PLAN

Background

Karwood Estates Inc. ('KEI'), as property owner, wishes to develop property for residential and commercial purposes in the Commercial Centre area of the Town of Paradise generally along Kenmount Road west of Karwood Drive. The property is bounded on the south by Kenmount Road, on the southwest by vacant land, to the north on both sides of Silver Birch Crescent extension and to the east by undeveloped vacant property in the ownership of Irving Oil.



Location on Zoning Map

The Proposal

KEI wishes to develop the 4.24 hectares (10.2 acres) property as a mix of residential housing forms and commercial buildings primarily situated along Kenmount Road. The residential component consists of approximately 106 residential units comprised of 88 apartment units in 7 buildings and 18 row dwellings in 6 buildings on 1.793 hectares of land. The commercial component consists of 4 commercial lots: an existing 2 storey office/commercial building on a commercial lot and three new commercial building lots on 2.1 hectares of land. This development proposal will include road extensions, a pedestrian pathway and associated open space areas amounting to 920 m² (9,899.2 square feet) and amenity space. The pedestrian pathways and open space areas will be connected to the residential area to the north to create an integrated, accessible and pedestrian friendly pedestrian and open space network

within the larger Karwood Market area and KEI land holdings.

Silver Birch Crescent will be extended south approximately 150 m and intersect with Street A and Street A will be constructed approximately 160 m to connect with the existing access connection to Kenmount Road.

A traffic study was previously conducted by EXP in 2016 on behalf of KEI on the basis of the plans that were in effect at the time. The existing traffic study will be updated upon the approval of this amendment to reflect the changes in the land use concept proposed in this amendment as part of the development approval process.

The development will be fully serviced and connected to municipal water and sewer services. The majority of the site can be accommodated below the 180 m contour servicing limit. For those portions of the site that are beyond the 180 m contour, a solution will be provided as a means to ensure adequate water pressure, as approved by the Town until such time as a permanent solution is constructed by the Town. All public infrastructure, including roads, sidewalks, pedestrian pathway and water and sewer services will be developed or constructed in accordance with the design standards of the Town of Paradise.



Proposed Concept Plan

KEI will own the residential units and the units will be available as rental units. The commercial lots will be in the ownership of KEI but will be made available for purchase to other interested commercial developers.

Compliance with the Town of Paradise Municipal Plan

The proposal is consistent with the growth strategy for this area of Paradise of which it is a part which states:

Create a focus for the community in the area between Topsail Road, McNamara Drive, Kenmount Road and Karwood Drive as the centre for retail, recreation, civic use and housing. This area is the focus for jobs and growth, supported by higher density housing, recreational amenities and public institutions. The Town will continue to make investment in amenities in this area to create a central community focus or “hub”

It is also consistent with Encouraging Mixed Use Development policy 8.4.1.3. of the Municipal Plan which states:

3. Planned Mixed-Use Development Zones shall also be applied in the Community Centre land use designation to an area along the north side of Kenmount Road to the intersection with Karwood Drive. Within this area, high density forms of housing such as townhouses and apartment buildings are expected, as well as commercial, retail, service, institutional and office uses as stand-alone or mixed-use, multi-storey buildings. In multi-storey, mixed-use buildings, commercial, retail and services shall be located at the ground floor level. The sites shall be designed with a priority on walkability with well-designed and integrated public spaces, and connectivity to surrounding neighbourhoods. Development will be permitted in accordance with an approved development plan.

The concept plan is brought forward to be the approved development plan pursuant to policy 8.4.1.3.

Compliance with the Town of Paradise Development Regulations

The subject property is zoned as Planned Mixed Development (Commercial) (PMDC). According to Section 2 of the PMDC use zone titled ‘Permitted Uses’:

Any Land, Building or structure may be used for the following purposes in this Zone in accordance with a development plan approved by Council:

- *Office or Commercial Use*
- *Public Use*
- *Residential Use*
- *Uses set out in the approved development plan*

The proposal for a mix of residential and commercial uses of the subject property as outlined in the development plan is in accordance with the permitted uses of the PMDC use zone and the development plan which is submitted for approval form a part of the appendix and text amendment.

The PMDC Use Zone does not have specific development standards for development thus the zone provides flexibility in development. KEI will develop the residential units in accordance with the development standards for row dwellings and apartment buildings as outlined in the Residential High Density (RHD) Use Zone as per the attached table:

Standard	Single Dwelling	Semi-detached Dwelling	Row Dwelling	Multi-unit
Minimum Lot Area (m ²)	300	188 per d. u.	140 per d. u.	90 per d u
Minimum Frontage (m)	10.0	7.5 per d.u.	5.5 per d. u.	25.0
Minimum Building Line Setback (m)	6.0	6.0	6.0	6.0
Maximum Building Line Setback (m)	15.0	15.0	15.0	15.0
Minimum Side Yard (m)	1.2	1.2	2.4 (on end unit)	6.0
Minimum Flanking Road Side Yard (m)	7.6	7.6	7.6	7.6
Minimum Rear Yard (m)	8.0	8.0	8.0	8.0
Maximum Lot Coverage	50%	45%	55%	55%
Maximum Height (m) (2023-06-02)	9.0	9.0	10.0	17.0
Landscaping (Minimum) Front Yard	40%	20%	40%	

Immediately adjacent to the west and south of the subject property is an existing office building. The land to the west of the office building along Kenmount Road is also in the ownership of KEI and will continue to be zoned PMDC. This area will be developed into three (3) commercial buildings in accordance with the development standards of the Commercial General (CG) Use Zone as per the attached table:

Standard	All Uses
Minimum Building Line Setback (m)	10.0
Minimum Side Yard (m)	5.0 and 2.4
Minimum Rear Yard (m)	10.0
Minimum Flanking Road Side Yard (m)	10.0
Maximum Height (m)	17.0 Greater than 17.0 at the discretion of Council

Engineering Plans

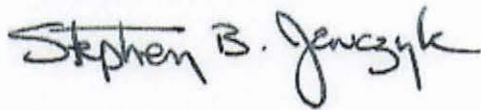
Upon the approval of the Amendment and development plan that forms a part of the amendment, detailed engineering plans including a grading plan will be prepared for the review and approval of the Town as part of the development approval process.

Conclusion

In the opinion of the undersigned, Appendix H: Market Ridge Commercial/Residential Development Plan supports the changes required to amend the Development Regulations to accommodate the commercial/residential development as proposed by KEI. The proposal once approved will be in compliance with the Paradise Municipal Plan polices and the development requirements, standards and conditions of the Paradise Development Regulations. This proposal will be a positive addition to the Town and the extension of the development area along Kenmount Road will contribute to the continued economic prosperity and environmental quality of the community.

This report was prepared for the party herein. The material and information in this document reflects the opinion and best judgement of the author, based on the information provided and available at the time.

Respectfully submitted,



Stephen B. Jewczyk, FCIP
Urban and Regional Planner



Development Regulations/Amendment	
REGISTERED	
Number	3655-2023-016
Date	22 DEC 2023
Signature	