

Carbonear Plan Review – Summary of Changes

Existing Documents to 2024.03.15 Drafts

This document is intended as a quick reference to highlight important changes between the existing planning documents for the Town of Carbonear and the 2024.03.15 draft documents. This is not an exhaustive list. Readers are encouraged to review the draft documents in full, and to speak with the planning team if they have any specific questions about changes.

References in [square brackets] are references to the section number or policy in the applicable 2024.03.15 draft document, unless otherwise noted.

Municipal Plan

Many of the changes to the Municipal Plan are policy updates to reflect changes to the Development Regulations or to support content in the Development Regulations that was not previously supported by policy. Those changes are not listed here.

- Updated formatting and re-wrote document for clarity and consistency
- Updated Planning Context [2] to reflect changes since 2004
- Added Vision and Goals [3]
- Added a policy to require an amendment to the Town boundary if services are to be extended to lands outside the current boundary [Policy 4-24]
- Added specific guidance around where private roads are appropriate [Policy 4-30]
- Added policy to make it clear private roads must be upgraded to Town standards if the Town is to take them over [Policy 4-31]
- Added a recognition that antennas are approved by Industry Canada, and that the Town's discretionary approval (or not) of them will simply be considered the Town's input to the Industry Canada process [Policy 4-49]
- Added policies related to good governance [4.11]
- Made clear which zones are permitted in which Future Land Use designations [e.g. Policy 5-10]
- Greatly expanded the Implementation and Monitoring chapter to include guidance for:
 - Administration [6.2 through 6.6]
 - Municipal Plan amendments [6.7]
 - Development Regulations amendments [6.8]
- Updated the Future Land Use Map to reflect changes to the Zoning Map

Development Regulations

Administration

- Reorganized and rewrote whole Regulations to better group related information, eliminate inconsistent regulations, improve readability, and use consistent language
- Incorporated sections of the Provincial Planning Regulations and *Urban and Rural Planning Act* that might get missed by people if they do not review those documents
- Added clear requirements for applications for development permits [2.4.1]
- Added clear standards for site plans that accompany applications [2.4.2]
- Added a requirement for a grading plan for developments that alter more than 10.0 square metres of land with a slope greater than 15% [2.4.3]
- Added clear standards for applications for subdivision, including a lot grading plan [2.4.4]
- Added clear authority for the Town to request additional information to help evaluate a development proposal [2.4.5]
- Added clear authority for the Town to revoke development permits [2.11]
- Updated appeal provisions to align with recent changes to the Act [3.3 to 3.5, definition of “Adjudicator”]
- Added list of roads by classification [Appendix ‘B’]

General Development Standards

- Added ability for accessory buildings to be located in front of main dwellings, at the discretion of Council [4.3.2]
- Added provisions for accessory livestock housing buildings [4.4]:
 - Must meet zone setbacks for main buildings
 - Must otherwise meet accessory building requirements
 - May provide housing for up to 20 small animals (e.g. chickens, rabbits) and 2 medium animals (e.g. goats, sheep).
 - On lots larger than 4,000 square metres (~1 acre) may also provide housing for 1 larger animal (e.g. horse, cow)
- Included provisions for archeological finds [4.6]
- Added a minimum vertical elevation for coastal development of 2.7 metres relative to CGVD2013. This is approximately the current 4 metre contour [4.10].
 - Some developments exempted (e.g. wharves, trails, industrial development)
- Added provisions for heritage properties [4.11]
 - Including exemptions from some Regulations (e.g. parking requirements) in order to encourage heritage registration [4.11.4]
- Clearly exempt small home teaching (e.g. commercial piano lessons) from Regulations [4.12]

- Recognized EV charging and exempt accessory charging from the Regulations [4.13]
- Added basic provisions for fences [4.14]:
 - Not in the road reservation, and any substantial reconstruction of existing fences in the road reservation must move the fence
 - Maximum heights for residential fences
 - Prohibition on barbed wire fences except in the Rural Zone and on industrial properties
- Enabled multiple main buildings on one lot [4.19]
- Clearly exempt home offices from the Regulations [4.22]
- Added provisions for residential swimming pools [4.24]:
 - Located in the rear yard
 - Secured with an enclosure at least 1.2 metres high and with a self-latching gate
- Added requirement for new plumbed buildings to connect to Town services where they are available [4.28.1]
- Added requirement for solids interceptor on commercial, industrial, and institutional properties connected to Town sewer [4.28.2]
- Added clear permission for accessory solar collector systems [4.29]
- Added a minimum horizontal buffer of 15 metres around watercourses and 30 metres from the coast [4.32.1]
 - Some development that needs to be near the water exempted (e.g. wharves, trails, industrial development) [4.32.2]
 - Ability to reduce other setbacks to enable development of lots affected by the watercourse/shoreline buffer [4.33.3]
 - Ability to move, repair, replace, expand existing buildings in the buffer as long as it does not worsen the situation [4.33.4]
 - Ability to reduce the buffer where a qualified person determines the risk of erosion is low [4.33.6]

Signage

- Incorporated signage amendments that were done in 2019.
- Expanded lists of exempt signage and prohibited signage [5.8 and 5.9]

Parking

- Created a new parking chapter to group all parking provisions in one place [6]
- Incorporated minimum parking requirements directly into the Regulations rather than as a schedule [6.1]
- Reduced parking requirements for some uses, particularly dwellings [Table 6-1]

- Added a requirement for Level 2 EV chargers for multi-unit dwellings larger than four units, accommodations, cultural and civic, education, indoor assembly, and larger shops and shopping centres [Table 6-1]
- Added clear guidance for rounding and for how properties with multiple uses would be calculated [6.1.3, 6.1.4, 6.1.5]
- Added ability to reduce automobile parking requirements if bicycle parking is provided [6.3]

Subdivision of Land

- Added guidance for “usable land” when accepting land dedicated for public purposes [7.10.2]
- Added classes of subdivision that are exempt from public land dedication [7.10.3]

Use Zones and Permitted Uses

- Moved zone standards into the Regulations rather than as a separate schedule.
- Created a new use zone – Residential Higher Density – to enable multi-unit dwellings with up to 20 units without needing discretionary approval.
- Added guidance for interpreting zone boundaries [8.2]
- Collected the lists of permitted uses into tables [Table 8-3 and 8-4]
- Generally, reduced the number of uses that are considered discretionary
- Created an “accessory dwelling” use
 - Permitted it up to 81 square metres of floor area in all residential zones except Seasonal
 - Discretionary above 81 square metres of floor area
- Renamed “apartments” to “multi-unit dwelling”
- Created “home occupation” use
 - Level 1 (smaller, more limited uses) permitted in all residential zones except Seasonal
 - Level 2 (larger, wider range of uses) discretionary
 - Replaces some of the commercial uses that were discretionary in residential zones (e.g. medical and professional)
- Created “community garden” use and permit it in many zones
- Enabled “conservation” use in all zones
- Made multi-unit dwellings with 3 units permitted in Residential Medium Density Zone; larger are still discretionary
- “Veterinary” use changed to “animal care” and now includes pet grooming
- “Commercial residential” use changed to “accommodations”
- “Craft beverage production” added as a use
- “Marine industry” added as a use
- Multi-unit dwellings permitted in Commercial General Zone

- Not on ground floor [8.11]
- Dwellings in the Heritage Area Zone not permitted on ground floor on properties fronting on Water Street west of Bond Street [8.13]
- General industry and light industry removed as discretionary uses considered in the Heritage Area Zone and replaced with marine industry
- Mineral exploration added as a permitted or discretionary use to most zones
- “Large-scale solar collector” added as a use and permitted in the Commercial General, Rural, and Mineral Working Zones
- “Wind turbine” added as a use and permitted with conditions in the Rural Zone and Mineral Working Zone

Discretionary Considerations

- Added a chapter containing use-specific considerations for Council to consider when evaluating discretionary uses [9]

Use Zone Standards

- Collected all of the development standards for use zones in a new chapter rather than as a schedule [10]
- Reduced lot frontage requirements in some zones
- Reduced setbacks in some zones
- Established zone-specific setbacks and maximum heights for accessory buildings
- Established specific lot coverage maximums for accessory buildings
- Reduced floor area requirements for dwellings in the Residential Medium Density Zone [10.2.1]
- Eliminated the approach of calculating minimum lot size for multi-unit dwellings based on the number of units
- Established minimum lot areas and frontages for zones that did not have them
- Added basic design standards for the Heritage Area Use Zone [10.10]

Mapping

- Mapped the Floodway and Floodway Fringe as “overlays” for easy reference
- Changed zoning on many properties – see comparison map for changes