



Government of Newfoundland and Labrador  
Municipal and Provincial Affairs  
Local Governance and Land Use Planning

October 4, 2024

Mayor Craig Scott  
Town of Torbay  
P.O. Box 1160  
1288 Torbay Road  
Torbay, NL A1K 1K4  
Email: [jschwarz@torbay.ca](mailto:jschwarz@torbay.ca)

Dear Mayor Scott:

**TOWN OF TORBAY  
DEVELOPMENT REGULATIONS AMENDMENT NO. 15, 2024**

I am pleased to inform you the **Town of Torbay's Development Regulations Amendment No. 15, 2024**, as adopted by Council on Monday May 27, 2024, has now been registered.

Council, pursuant to **Section 24(2)** of the **Urban and Rural Planning Act, 2000**, must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The registered amendment will come into legal effect on the date the notice appears in the *Gazette*. Council must also place a notice of registration in the local newspaper, if available, and by posting a notice of registration on its website and social media pages and by placing posters in prominent locations throughout the community.

The Newfoundland and Labrador Gazette is published every Friday. **Notices must be submitted a week in advance.** Council can submit the notice by email ([kingsprinter@gov.nl.ca](mailto:kingsprinter@gov.nl.ca)), by fax (729-1900) or by mail (King's Printer, P.O. Box 8700, St. John's, NL, A1B 4J6).

Attached is Council's registered copy of the **Town of Torbay's Development Regulations Amendment No. 15, 2024**. As this is a legal document, it should be reserved in a safe place.

Yours truly,

Kim Blanchard, MCIP  
Manager of Land Use Planning

cc: Reginald Garland, MCIP, Plan-Tech Environment  
Julia Schwarz, MCIP, CSLA, Director of Planning and Development, Town of Torbay

**TOWN OF TORBAY**  
**DEVELOPMENT REGULATIONS 2015 - 2025**



**DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2024**

**“RI/RMD Semi-Serviced Infill Lot Amendment”  
“Amendment to Residential Infill (RI) and Residential Medium  
Density (RMD) Land Use Zone Tables”**

**April 2024**

PLAN-TECH



ENVIRONMENT

*estw*

**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF TORBAY**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2024**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Torbay adopts the Town of Torbay Development Regulations Amendment No. 15, 2024.

Adopted by the Town Council of Torbay on the 27<sup>th</sup> day of May, 2024.


Signed and sealed this 17 day of June, 2024.

Mayor:



(Council Seal)

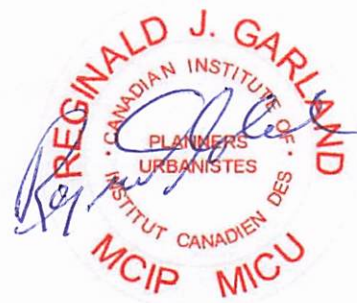
Clerk:



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Torbay Development Regulations Amendment No. 15, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>5125-0033-2024</u>
Date	<u>3 OCT 2024</u>
Signature	<u>[Handwritten Signature]</u>





## TOWN OF TORBAY

### DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2024

#### BACKGROUND

The Town of Torbay proposes to amend its Development Regulations. The Town is in receipt of several development applications for single dwellings on existing infill lots in the serviced area of town. These development applications would normally meet the development standards for a fully serviced lot, but, due to the capacity constraint in the municipal water supply, these previously existing infill lots can no longer meet the minimum development standards for a semi-serviced lot on a private well and municipal sewer connection.

The water situation may not change in the foreseeable future. Therefore, the Town would like to consider applications for semi-serviced development on a private well and municipal sewer in consultation Service NL. Infill development on existing individual lots fronting onto an existing serviced street would be permitted on lots with sewer only. Lots would be considered as semi-serviced development with water from a private well, until such time as water becomes available, and lots can be connected to the water main.

#### ANALYSIS

The purpose of this Amendment is to amend the standards in the **Residential Infill (RI)** and **Residential Medium Density (RMD)** Use Zone Tables, so the Town may consider development of a single dwelling or single dwelling with subsidiary apartment on a semi-serviced infill lot with municipal sewer connection and on a private well. The infill lot must already exist in a residential zone, front onto an existing municipal serviced street, meet all standards for a fully serviced lot, and cannot meet the standard lot area, frontage standard, or both of those standards, for a semi-serviced infill lot due to supply constraints in the municipal water supply, then Service NL and Council shall set the minimum lot area and frontage standard for the infill lot.

The **Residential Infill (RI)** and **Residential Medium Density (RMD)** Land Use Zone Tables do not have any standards to consider semi-serviced development of existing infill lots fronting onto municipally serviced streets. This Amendment will add an \* asterisk to the minimum required frontage and lot area standards for a semi-serviced single dwelling in the development standard table (asterisk "f" in the RMD Zone; asterisk "h" in the RI Zone) and will add the definition of the asterisks underneath the RMD and RI development standard table.

This Amendment does not apply to newly subdivided lots or new subdivision development applications.



## ST. JOHN'S URBAN REGION REGIONAL PLAN

This Amendment consists of a text change to the Torbay Development Regulations. The St. John's Urban Region Regional Plan has the same area designated as Urban Development. Residential Development is a permitted use under this designation. It is determined that an Amendment to the St. John's Urban Region Regional Plan is not required to conform with the proposed Torbay Development Regulations Amendment No. 15, 2024.

## PUBLIC CONSULTATION

The public consultation period for this amendment concluded on May 3, 2024.

The Town posted an advertisement in the April 2024 edition of the Northeast Avalon Times, a locally distributed newspaper. The Town also advised of the planned amendment via its social media channels and posting on the Town's website. Copies of the website posting, the advertisement in the Northeast Avalon Times and social media postings are attached. The amendment was available for viewing at Torbay Town Hall, 1288 Torbay Road, NL between 8:30 am to 4:00 pm. As this was not a site specific rezoning, there was no associated postal mail out.

The Town did not receive any inquiry or written representation in response to the public consultation process.

## DEVELOPMENT REGULATIONS AMENDMENT No. 15, 2024

The Town of Torbay Development Regulations Amendment No. 15, 2024 is amended by:

- A) Adding** an <sup>th</sup> to the minimum required frontage and lot area standards for a semi-serviced single dwelling in the development standard table and adding the definition of the h underneath the RI development standard table, below the last entry in alphabetical order.

ZONE TITLE				RESIDENTIAL INFILL (RI)			
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling and recreational open space.							
DISCRETIONARY USE CLASSES - (see Regulations 33 and 90) Double dwelling, row dwelling, apartment building, place of worship, educational, convenience store, child care, office, medical and professional, personal service, light industry, traditional agriculture, boarding house residential and antenna.							
STANDARD (Minimum)	Single Dwelling	Double Dwelling	Row Dwelling	1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.

*CAH*



Serviced and Semi-Serviced Lots							
Lot Area (m <sup>2</sup> ) * <sup>h</sup>	555* <sup>h</sup>	400 <sup>a</sup>	350 <sup>a</sup>	200 <sup>a</sup>	250 <sup>a</sup>	280 <sup>a</sup>	300 <sup>a</sup>
Frontage (m) Serviced * <sup>h</sup>	18.2f* <sup>h</sup>	26.75	12 (average)	42			
Piped Water or Off-site Sewage Disposal <sup>d</sup>	1400	e	e	e			
Piped water or Off-site Sewage Disposal <sup>d</sup>	22.8	e	e	e			
On-Site Services							
On-Site Services <sup>c</sup> Lot Area (m <sup>2</sup> )	3035 <u>or</u> 1860 on existing road	e	e	e			
On-Site Services <sup>c</sup> Frontage (m)	36.4 <u>or</u> 30 on existing road	e	e	e			
Floor area (m <sup>2</sup> )	80	80 <sup>a</sup>	65 <sup>a</sup>	40 <sup>a</sup>	50 <sup>a</sup>	60 <sup>a</sup>	70 <sup>a</sup>
Building Line Setback (m) <sup>b</sup>	8	8	8	10			
Min. Rearyard Depth (m)	9g	14	15	15			
Sideyard Width (m)	2	3 & 2	2	5			
Height (m) maximum)	8	8	10	10			
Lot Coverage (maximum)	33	33	33	33			

- a. Per Dwelling Unit
- b. Except where designated by Dept. of Transportation and Works
- c. On-site well or private well and sewage disposal on site (e.g. septic or drain field)
- d. Municipal piped water and on-site sewage disposal or on-site well and sewage disposal off-site
- e. Size shall be determined by Council in consultation with the Service NL.
- f. Where a serviced infill lot meets all development standards for this zone, but cannot meet the minimum frontage requirement, then the minimum frontage shall be determined by Council.
- g. Where a serviced infill lot meets all development standards for this zone, but cannot meet the minimum rearyard depth requirement, then the minimum rearyard depth shall be determined by Council.
- h. Where an existing infill lot fronts onto an existing municipally serviced street that meets all development standards for a fully serviced lot, and where that infill lot cannot be serviced by municipal water due to supply constraints, and where that infill lot cannot meet the lot area or frontage standard or both of those standards for a semi-serviced lot on a private well and municipal sewer, then the minimum lot area and minimum frontage standards shall be set by Service NL and Council.

*CSH*

- B) **Adding** an <sup>f</sup> to the minimum required frontage and lot area standards for a semi-serviced single dwelling in the development standard table and adding the definition of the f underneath the RMD development standard table, below the last entry in alphabetical order.

ZONE TITLE				RESIDENTIAL MEDIUM DENSITY (RMD)			
PERMITTED USE CLASSES - (see Regulation 89) Single dwelling and recreational open space.							
DISCRETIONARY USE CLASSES - (see Regulations 33 and 90) Double dwelling, row dwelling, apartment building, place of worship, educational, convenience store, child care, office, medical and professional, personal service, light industry, boarding house residential, antenna, catering and traditional agriculture.							
STANDARDS	Single Dwelling	Double Dwelling	Row Dwelling	APARTMENT BUILDING			
				1 Bed Apt.	2 Bed Apt.	3 Bed Apt.	4 Bed Apt.
Lot area (m²) minimum* <sup>f</sup>	555* <sup>f</sup>	410 <sup>a</sup>	450 <sup>a</sup> (average)	300 <sup>a</sup>	400 <sup>a</sup>	450 <sup>a</sup>	500 <sup>a</sup>
Floor area (m²) minimum* <sup>f</sup>	80	80 <sup>a</sup>	100 <sup>a</sup>	50 <sup>a</sup>	60 <sup>a</sup>	70 <sup>a</sup>	80 <sup>a</sup>
Frontage (m) Serviced <sup>e</sup>	18.2* <sup>f</sup>	26.75	14 <sup>a</sup> (av)	42			
Piped Water or of-site Sewage Disposal <sup>d</sup>	1400	c	c	c			
Piped water or Off-site Sewage Disposal <sup>d</sup>	22.8	c	c	c			
Building Line Setback (m) (minimum) <sup>b</sup>	8	8	10	10			
Sideyard Width (m)(min.)	2	3 & 2	2	5			
Rearyard Depth <sup>e</sup> (m)(min.)	9	14	15	15			
Lot Coverage (%) (max.)	33	33	33	33			
Height (max.)	8	8	10	10			

- a. Per Dwelling Unit  
b. Except where designated by Dept. of Transportation and Works  
c. Size shall be determined by Council, in consultation with the Service NL  
d. Municipal piped water and on-site sewage disposal or on-site well and sewage disposal off-site  
e. See Condition 17.  
f. Where an existing infill lot fronts onto an existing municipally serviced street that meets all development standards for a fully serviced lot, and where that infill lot cannot be serviced by municipal water due to supply constraints, and where that infill lot cannot meet the lot area or frontage standard or both of those standards for a semi-serviced lot on a private well and municipal sewer, then the minimum lot area and minimum frontage standards shall be set by Service NL and Council.