

TOWN OF TORBAY
DEVELOPMENT REGULATIONS 2015 - 2025



DEVELOPMENT REGULATIONS AMENDMENT No. 19, 2026

**Amendment to Accessory Buildings Development Standards
In
“Residential Infill (RI), Residential Medium Density (RMD),
Residential Large Lot (RLL) and Mixed Development (MIX),
Schedule C”**

JANUARY 2026

PLAN-TECH



ENVIRONMENT

URBAN AND RURAL PLANNING ACT, 2000

**RESOLUTION TO ADOPT
TOWN OF TORBAY
DEVELOPMENT REGULATIONS AMENDMENT No. 19, 2026**

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. 19, 2026.

Adopted by the Town Council of Torbay on the ___ day of _____, 2026.

Signed and sealed this _____ day of _____, 2026.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Torbay Development Regulations Amendment No. 19, 2026 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Development Regulations/Amendment	
<u>REGISTERED</u>	
Number	_____
Date	_____
Signature	_____



TOWN OF TORBAY
DEVELOPMENT REGULATIONS AMENDMENT No. 19, 2026

BACKGROUND

The Town of Torbay proposes to amend its Development Regulations. The Town is in receipt of an application for a proposed two car garage on a residential property. Presently, the Development Regulations would only allow a footprint for a one car garage, based on the size of the lot. The Town has also been dealing with several similar inquiries about constructing larger and/or higher accessory buildings on some of the larger residential lots.

As part of this Amendment, the Town's Planning & Development Department consulted with several adjacent municipalities on how other Towns regulate accessory buildings. Applicants feel that there are deficiencies in the present Development Regulations in considering an increase in the accessory building footprint in relation to increased lot size.

ANALYSIS

As part of Development Regulations Amendment No. 5, 2018 changes were made to the Accessory Building conditions. The Amendment based the accessory building on lot area. It allowed for 40m² for a serviced lot and 48m² for a lot 1860m² and over. With issues with Town water, most development is on larger unserviced lots. Residents felt that there was not enough flexibility in the accessory building conditions.

The purpose of this amendment is to provide a more detailed table on how lot size correlates with maximum permitted accessory building lot coverages and heights. This proposed amendment will offer five different accessory building conditions based on lot area. Scenarios are:

- 40m² with a lot area of $\leq 555\text{m}^2$
- 73m² with a lot area $> 555\text{m}^2$ to $\leq 1400\text{m}^2$,
- 85m² with a lot area $> 1400\text{m}^2$ to $\leq 1860\text{m}^2$,
- 96m² or same lot coverage as dwelling, whichever is greater with a lot area $> 1860\text{m}^2$ to $\leq 3035\text{m}^2$, and
- 96m² or same lot coverage as dwelling whichever is greater with a lot area $> 3035\text{m}^2$.

In addition, residents requested a more detailed gradient for maximum permitted building height associated with increased lot size. The proposed amendment will result in the following maximum permitted accessory building heights:

- 4.0 metres with a lot area of $\leq 555\text{m}^2$
- 4.5 metres with a lot area of $> 555\text{m}^2$ to $\leq 1400\text{m}^2$
- 5.0 metres or same height as dwelling, whichever is less with a lot area $> 1400\text{m}^2$ to $\leq 1860\text{m}^2$
- 5.0 metres or same height as dwelling, whichever is less with a lot area $> 1860\text{m}^2$ to $\leq 3035\text{m}^2$
- 6.0 metres or same height as dwelling, whichever is less with a lot area $> 3035\text{m}^2$.

ST. JOHN'S URBAN REGION REGIONAL PLAN

This Amendment consists of a text change to the Torbay Development Regulations only. 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. 19, 2026.

PUBLIC CONSULTATION

In keeping with the requirements of Section 110.1 of the Urban and Rural Planning Act, 2000, an advertisement was published in the January 19 2026 edition of the local paper North East Avalon Times, posted on the Town's website as of January 21, 2026, distributed via the Town's social media channels and physically posted in four locations in Torbay (Torbay Common, District Drugs, Torbay Post Office, Lorina's Coffee Shop). The public may provide written commentary or concerns on the proposed amendment by 4:00 pm, Friday, February 6, 2026.

RESPONSES

(To be completed after the Public Consultation period beginning January 21, 2026)

DEVELOPMENT REGULATIONS AMENDMENT No. 19, 2026

The Town of Torbay Development Regulations is amended by:

- A) *Deleting*** the Development Standards Table as found in Condition 5(a) of the Accessory Building Condition of the Residential infill (RI) Land Use Zone Table; Condition 5(a) of the Accessory Building Condition of the Residential Medium Density (RMD) Land Use Zone Table; Condition 5(a) of the Accessory Building Condition of the Residential Large Lot (RLL) and Condition 2(a) of the Accessory Building Condition for Residential Use of the Mixed Development (MIX) Land Use Zone Table, Schedule C and ***Replacing*** with the following Development Standards Table as shown below:

5. Accessory Buildings (2. in MIX Zone)

- (a) Accessory Buildings shall have a lot coverage and height no greater than the maximums set out below based on area of the lot:

MUNICIPAL DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS			
Lot size	Max. Lot Coverage	Max. Height	Additional Development Standards
$\leq 555 \text{ m}^2$	40 m^2	4.0 m	Min. 1.5m from any property line; Min. 2.4m from main dwelling
$> 555 \text{ m}^2$ to $\leq 1400 \text{ m}^2$	73 m^2	4.5 m	
$> 1400 \text{ m}^2$ to $\leq 1860 \text{ m}^2$	85 m^2	5.0 m or same height as dwelling, whichever is less	
$> 1860 \text{ m}^2$ to $\leq 3035 \text{ m}^2$	96 m^2 or same lot coverage as dwelling, whichever is greater	5.0 m or same height as dwelling, whichever is less	
$> 3035 \text{ m}^2$	96 m^2 or same lot coverage as dwelling, whichever is greater	6.0 m or same height as dwelling, whichever is less	