

50-56 MacCarthy Crescent Questions & Answers

Parking

1. Where is the parking for this proposed development located & is it enough to accommodate a 12-unit development?

A: The proposed parking is a 17 space parking area in the rear of the property. According to the City's Parking Regulation 9.2, a minimum of three off-street spaces per two dwelling units are required for an Apartment Building. Because the parking area is one parking space short of the required 18 parking spaces, parking relief may be granted providing the actual parking requirements within the foreseeable future are expected to be less than those required by City requirements (Regulation 9.14).

2. How is the parking lot going to be lit?

A: The parking lot will be lit by sufficient lighting for residents walking to and from their vehicles and apartments, as well as lighting in the parking lot for residents' security.

3. How will snow clearing work for the parking lot?

A: According to a representative from Apollo Co-operative, snow clearing will be a private responsibility and will be removed from the property to prevent accumulation.

Construction Details

4. A lot of developers are receiving funding for these types of projects, who actually receives the funding?

A: As this development is a not-for-profit Co-op, and NextGen Construction Inc has not applied for any Federal Funding for this project.

5. How often will this type of proposed development be expected?

A: This proposed development is subject to City Regulation 6.33 – Residential Intensification. Council may, at its discretion, approve a residential intensification

project which is designed to improve the affordability of housing or to make more effective and efficient use of land and municipal services, and which does not meet the requirements of the Use Zone Schedules in Section 11 provided that certain criteria within the Regulation is met.

6. Will there be a fence placed around the property?

A: While no fencing is required by Regulation, it was discussed by Council that if the development is approved, fencing would be included and required as a condition of the permit.

7. How will pest control be handled during construction?

A: It is the responsibility of the developer to ensure measures are in place for pest control prior to construction. The developer must produce a pest control certificate confirming measures are in place during the Clearing and Grubbing stages of construction.

8. What makes these units “accessible” on the second level?

A: According to the Apollo Co-operative Representative, all units will be completely accessible, with a chair lift for those who require one living on the second floor.

9. Who are the intended clientele for this proposed development?

A: The intended clientele for this proposed development are seniors who are looking to downsize to two bedroom apartments from larger three & four bedroom apartments.

Appeal Process

10. What is the appeal process?

A: The Department of Municipal and Provincial Affairs, under authority of Part VI of the Urban and Rural Planning Act, 2000, provides administrative services for processing and arranging appeals. Not all decisions of a municipal council involve matters that can be appealed. It is recommended that you speak with the Appeal Officer before filing your appeal. The Appeal Officer can be reached at (709) 729-3088 or (709) 729-3090 or via email at URPA.Appeals@gov.nl.ca.

To file an appeal with an Adjudicator, the following is required:

- A completed appeal form (electronic version available at <https://www.gov.nl.ca/mpa/files/Appeal-Form-August-2023.pdf>)
- An appeal filing fee of \$200 plus HST (\$230 total)

For further information about appeals, please contact:

Appeal Officer

c/o Department of Municipal and Provincial Affairs

P.O Box 8700

St. John's, NL A1B 4J6

Office: (709) 729-3088 Email: URPA.Appeals@gov.nl.ca

According to Section 46 of the Urban and Rural Planning Act, 2000 and section 8 of the Minister's Development Regulations, 2000, it is required by law that all development related to an appeal must stop until an adjudicator makes a decision. The City will ensure that this requirement is enforced and will inform any other affected party.

Speeding & Traffic

11. Will there be anything done to control speeds on MacCarthy Crescent?

A: The City of Mount Pearl Municipal Enforcement Officers have authority to enforce speeding violations pursuant to the City's Traffic Regulations. Speeding complaints can be referred to either Municipal Enforcement or the RNC.

If it is determined by the City that there is a persistent problem with speeding beyond the posted limit in a particular area, it is up to the discretion of Council to determine what will be done to control the speeds.

12. Does the City have a plan for snow clearing in area with the extra traffic?

A: Snow clearing in the area will currently remain unchanged. With the parking area of the proposed development located in the rear of the property, there is no additional requirement for snow-clearing. The developer will be responsible for their own snow removal and have stated that the snow will be removed to avoid accumulation.

Other Questions

13. Will the tree line be protected?

- A: The tree line may be affected by site construction but can be conditioned in the landscaping requirements at the direction of Council.

14. Will the parking lot have security cameras?

- A: The use of security cameras is not a requirement that is stipulated under the City of Mount Pearl's regulations and would be at the discretion of the developer/proponent.

15. What dust control measures will be in place during demolition and construction?

- A: Dust mitigation plans would be submitted by the developer and monitored by the city once construction is underway.