

MEMORANDUM

Date: April 18, 2013

To: Chair and Members
Planning and Housing Committee

Re: **Department of Planning File Number: B-17-F.2 / 12-00385**
Proposed Rezoning from Residential Low Density (R1) Zone to Residential Medium Density (R2) Zone
176 Forest Road (Ward 2)

Deer Park Contracting has submitted an application to develop the property located on 172 Forest Road from the Residential Low Density (R1) Zone to Residential Medium Density (R2) Zone. The application is to re-zone the subject property in order to accommodate a proposed Residential townhouse development. A Municipal Plan amendment is not required for this application.

The rezoning application warrants further review.

BACKGROUND

The subject property is currently vacant and located on the south side of Forest Road overlooking Quidi Vidi Lake. The proposed residential development (no site plan was submitted as part of this application) appears to propose eight (8) residential townhomes on the subject lands. Past applications for the development of this parcel have raised access issues with the adjacent property at 178 Forest Road. Any application for development on 176 Forest Road will require confirmation from the property owner at 178 Forest Road that appropriate access agreements are in place and that these agreements are in a form which is acceptable to Legal Services, City of St. John's.

DISCUSSION

Planning Considerations

	St. John's Municipal Plan	St. John's Development Regulations
Current	Residential Low Density (RLD) District	Residential Low Density (R1) Zone
Proposed	Same	Residential Medium Density (R2) Zone

ST. JOHN'S

St. John's Municipal Plan

Under the Municipal Plan, the property is located in the Residential Low Density (RLD) District. The subject property appears to be a greenfield site that has never been developed due to its steep grades rising up from Forest Road. The site is full of vegetation and has a watercourse running diagonally across the property

Under the Residential Low Density (RLD) District, Section 2.3.1 of the Municipal Plan states that:

“Subject to a Land Use Assessment Report (LUAR), the City may permit zones to allow such Medium Density Residential uses as may be deemed by Council to be compatible with single detached dwellings”.

Consequently, a Municipal Plan amendment is not required should Council deem the development as appropriate for the area. Given the relatively modest scale of this development proposal, a staff report would suffice as the LUAR.

Planning Area 2 Development Plan

Planning Area 2 encompasses the East End, the Battery and Quidi Vidi village. The subject property falls within Sub-Area 1 along Forest Road, which states that “only single detached and semi-detached dwellings may be considered for approval in this area”.

St. John's Development Regulations

The subject lands are currently zoned Residential Low Density (R1) Zone. This zone can accommodate single family detached homes only. Consequently, a Zoning Amendment is required to allow for this townhome development. This is a varied neighbourhood of single detached houses, not-for-profit housing, apartment buildings and condominium buildings. Higher density forms of housing make efficient use of land at a time when there is a great demand for new multiple housing forms. To introduce the R2 Zone at this location would be in keeping with the varied zones in the area.



There are a variety of higher density zones on the north side of Forest Road along with the R1 Zone.

Technical Considerations

1. The Department of Fisheries and Oceans (DFO) states that a minimum buffer of 5 metres on either side of the stream is required;
2. Any work in the vicinity of the stream must be in compliance with all applicable regulations under the NL Department of Environment and Conservation;
3. The City's Department of Engineering advises that the applicant is responsible for the cost of extending new service laterals from the water and sewer mains. Any and all work on existing mains must be performed by City forces;
4. There is no storm sewer along the front of this subject property. An alternative means of foundation drainage must be utilized.

CONCLUSION/RECOMMENDATION

The Municipal Plan encourages an appropriate and compatible mix of residential forms and densities to achieve a compact urban form, create better quality neighbourhood environments and reduce the cost of municipal services. The rezoning application warrants further review.

If the Planning and Housing Committee agrees, staff will refer this application to the public consultation process. Because there are several single detached dwellings adjacent to the subject property, it would be appropriate to have this application discussed at a public meeting chaired by a member of Council.

This is provided for the consideration of the Planning and Housing Committee.

Ken O'Brien, MCIP
Acting Director of Planning

Mark Hefferton
Planner

MH/dlm



SUBJECT PROPERTY

FOREST RD

D1

AA

R1

181

179

186

182

184

180B

173

171

169

178

180

R1

176

174

172

170

INST

