

MEMORANDUM

Date: July 16, 2015

To: Chair and Members
Planning and Development Standing Committee

Re: **PDE File Number: REZ1500008**
Proposed Rezoning from Residential Low Density (R1) Zone and the Residential Medium Density (R2) Zone to the Residential Medium Density – Condominium (R2-Condominium) Zone
315 Torbay Road (Ward 1)
Applicant: Exp. Architects Inc. for REB Holdings Inc.

An application to rezone property located on 315 Torbay Road has been submitted by EXP Architects Inc. for REB Holdings Inc. The application is to rezone the subject property to accommodate a proposed residential townhouse development. The applicant proposes to construct 43 townhouses, each of which will be three (3) storeys high. A Municipal Plan amendment would not be required for this application, but a Land Use Assessment Report (LUAR) is required.

It is recommended that the rezoning application be considered for further review.

BACKGROUND

The subject property is currently vacant and located on the west side of Torbay Road, north of Newfoundland Drive, east of Stirling Crescent and opposite Gleneyre Street. A lone house was removed several years ago. The property is rectangular in shape and has an area of 8,100 square metres (2 acres or 0.81 hectare) with frontage on Stirling Crescent between civic numbers 20 and 24. This is a stable neighbourhood with single detached houses to the west on Stirling Crescent, townhouses to the north on Prim Place and a variety of commercial uses to the south and east.

This property is not in the vicinity of a wetland but is within the general vicinity of the Virginia River. The site is full of vegetation and trees and has an established walking path between Torbay Road and the residential properties along Stirling Crescent. Municipal water and sewer services are available in the area. The path runs along an old right-of-way formerly known as Brady's Path. There is major municipal infrastructure underground beneath this right-of-way. There are no overlay districts or zones affecting this property.

Previous applications to develop this site were not successful. In 2005 a commercial development was proposed for the site, consisting of two commercial, two (2) storey buildings; the application was withdrawn. In 2013 there was an application for a six (6) storey, 88 unit residential condominium building. This application was withdrawn in March of 2015.

ST. JOHN'S

DISCUSSION

In the St. John's Development Regulations there was a new zone created in 2014 - the Residential Medium Density – Condominium (R2-Condo) Zone, which was specifically created to encourage medium density residential infill developments. This is a form of development whereby a condominium corporation would maintain all infrastructure (including private access parking lot, snowclearing, garbage collection, and so on). Water and sewer infrastructure on this site would also be privately owned and maintained.

Planning Considerations

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

PLANNING CONSIDERATIONS

St. John's Municipal Plan

Under the St. John's Municipal Plan, the property is located in the Residential Low Density (RLD) District, where single family dwellings are predominately permitted. The subject site has an area of 8,100 square metres (2 acres or 0.81 hectare) with a proposed 43 townhouses and access off Stirling Crescent.

Section 2.3.1 of the Municipal Plan states that the RLD District may permit zones to allow Medium Density Residential uses if Council deems them to be compatible with single detached dwellings, subject to a Land Use Assessment Report (LUAR).

One objective of the Municipal Plan is to achieve compact urban form. Another is to maintain neighbourhood character. This application appears to be aligned with these objectives of the Municipal Plan. A Municipal Plan amendment would not be required to accommodate this rezoning.

The compatibility of the proposed development with the surrounding neighbourhood would best be determined through the LUAR and public review. Draft Terms of Reference are attached to this report.

St. John's Development Regulations

The subject lands are zoned Residential Low Density (R1) Zone and Residential Medium Density (R2) Zone. The R1 zone can only accommodate single family detached homes whereas the R2 zone can permit higher density residential forms. The property owner wishes to redevelop the site to accommodate a 43 unit townhouse condominium development. Consequently, this requires rezoning to the R2-Condo Zone.

Higher density housing makes efficient use of land at a time when there is a great demand. Sound Planning principles encourage a diversity of housing types and tenures to accommodate the widest range of individuals.

TECHNICAL CONSIDERATIONS

Building Line

Certain Arterial Roads have increased building lines (setbacks from the street edge). Torbay Road has a Building Line of 25 metres as measured from the centre line of the street. This is intended to allow for landscaped areas, space to store snow and unobstructed views for driveway access.

The houses at 325 to 337 Torbay Road and the end-unit houses on Prim Place are closer than 25 metres to the center line of Torbay Road. If the proposed new townhomes were required to meet the 25 metre building line, it would set the townhomes closer to the single-detached homes on Stirling Crescent. City staff suggest that the building line for the development be decreased to 11 metres. The reasoning was two-fold; 1) by establishing a smaller front-yard setback the townhomes could be moved closer to Torbay Road to define the street edge and; 2) moving the townhomes closer to Torbay Road would ensure a separation between the higher density residential, the public space along the walking trail and the private space of the single detached residences along Stirling Crescent.

Density and other R2-Condo Zone requirements

The total area of approximately 8,100 square metres (2 acres or 0.81 hectare) would permit a maximum 45 units at a minimum lot area of 180 square metres. The overall development meets the required minimum 20 metre frontage on a public road along Stirling Crescent. No semi-detached dwellings are permitted in the R2-Condo Zone, which would eliminate four (4) units from the submitted concept plan.

ENGINEERING CONSIDERATIONS

1. Trip generation rates must be provided for this development to fully assess the traffic impacts.
2. Prior to final approval, we will require a detailed site plan to confirm the parking requirements, and lane widths and confirm any trails/pedestrian crossing locations.
3. The proposed development must comply with the City's stormwater detention policy.
4. There is a 750mm trunk sanitary sewer which runs through the rear of this property. It would be preferable for the developer to connect to this. The Department of Public Works & Parks requires an 11 metre easement over this trunk sewer.
5. Given that this development will be serviced from a private water main on the site, it will need to comply with the City's Water Meter and Premises Isolation By-Laws.

CONCLUSION AND RECOMMENDATION

An overall objective of the Municipal Plan is to encourage compact urban form by accommodating development with higher densities and infill development where appropriate. This development proposal would be consistent with the Municipal Plan and make good use of this site by providing new housing

while maintaining the character of the neighbourhood. Given the infill nature of the site, this development proposal would make efficient use of existing infrastructure.

It is recommended that the applicant be directed to prepare a Land Use Assessment Report (LUAR). Upon completion of the LUAR and its review by City staff, it is recommended that the proposed rezoning and LUAR be advertised publicly for review. Given the previous applications for this property, staff recommends that this rezoning and LUAR be referred to a public meeting chaired by a member of Council. A commissioner's public hearing would not be required.

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

Ken O'Brien, MCIP
Chief Municipal Planner

MH/dlm/ss

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 629, 2016**

WHEREAS the City of St. John's wishes to allow residential townhouses at 315 Torbay Road [Parcel IDs #24843].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Development Regulations pursuant to the provisions of the Urban and Rural Planning Act, 2000:

Rezone the property at Civic Number 315 Torbay Road to the Residential Medium Density – Condominium (R2-Condominium) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal and Intergovernmental Affairs to register the proposed amendment in accordance with the requirements of the Urban and Rural Planning Act, 2000.

IN WITNESS THEREOF the Seal of the City of St. John's has been hereunto affixed and this Resolution has been signed by the Mayor and the City Clerk on behalf of Council this day of , 2016.

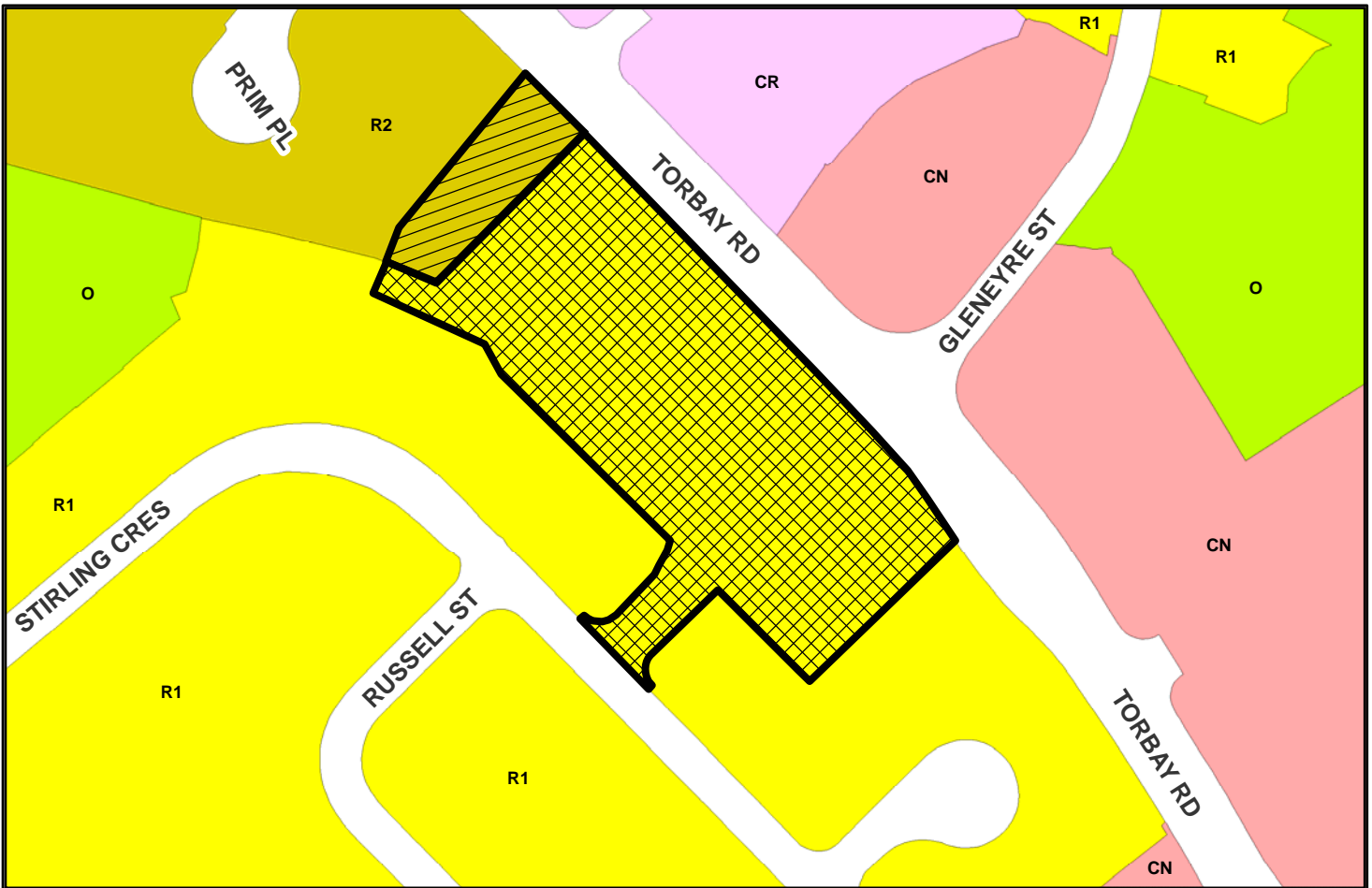
Mayor

MCIP
I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

City Clerk

Council Adoption

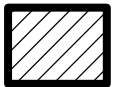
Provincial Registration



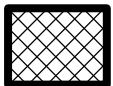
**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 629, 2016
[Map Z-1A]**

2016 01 22 SCALE: 1:2000
CITY OF ST. JOHN'S
DEPARTMENT OF PLANNING,
DEVELOPMENT & ENGINEERING

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE TO
RESIDENTIAL MEDIUM CONDOMINIUM (R2C) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM
RESIDENTIAL LOW DENSITY (R1) LAND USE ZONE TO
RESIDENTIAL MEDIUM CONDOMINIUM (R2C) LAND USE ZONE

315 TORBAY ROAD

**Applicant: Exp. Architects Inc. for REB Holdings Inc.
PDE File Number: REZ1500008**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration