

# MEMORANDUM

Date: May 6, 2013

To: Chair and Members  
Planning and Housing Committee

Re: **Department of Planning File Number: B-17-T.22 / 03-00346**  
**Proposed Rezoning from Residential Low Density (R1) Zone to Apartment Medium Density (A2) Zone**  
**315 Torbay Road (Ward 1)**  
**Applicant: exp Architects Inc. for REB Holdings Inc.**

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An application to rezone the property located on 315 Torbay Road has been submitted by exp Architects Inc. for REB Holdings Inc. The application is to re-zone the subject property in order to accommodate a proposed residential condominium development. A Municipal Plan amendment would be required for this application.

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 and opposite Gleneyre Street. The property is long and triangular in shape, wedged between Torbay Road and Stirling Crescent. There have been previous applications made to develop this site that were not successful. In 2005 a commercial development was proposed for the site, to accommodate two commercial, two (2) storey buildings. This application was withdrawn in May 2005.

## DISCUSSION

### Planning Considerations

	<b>St. John's Municipal Plan</b>	<b>St. John's Development Regulations</b>
<b>Current</b>	Residential Low Density (RLD) District	Residential Low Density (R1) Zone and Residential Medium Density (R2) Zone
<b>Proposed</b>	Residential Medium Density (RMD) District	Apartment Medium Density (A2) Zone

# ST. JOHN'S

## **St. John's Municipal Plan**

Under the Municipal Plan, the property is located in the Residential Low Density (RLD) District. Much of the subject property appears to be a greenfield site that has never been developed. There was a single family dwelling that stood in the centre of the site that was demolished a year or two ago. The site is full of vegetation and trees and has an established walking path between Torbay Road and the residential properties that have frontages along Stirling Crescent. The path runs along the old right of way of the former Brady's Path, and there is major municipal infrastructure underground beneath the path.

Under Residential Low Density (RLD) District, an apartment building would not be permitted. Given the proposed building height of six (6) storeys, it would be preferable to consider the Residential Medium Density (RMD) District, which contemplates building heights up to six (6) storeys, subject to an LUAR.

The Land Use Assessment Report (LUAR) would be based on Terms of Reference determined by council.

## **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 condominium development. This is a stable neighbourhood of single detached houses to the west on Stirling Crescent, townhomes to the north on Pine Place and a variety of commercial uses to the south and east.

Higher density forms of housing make efficient use of land at a time when there is a great demand for new housing forms. Sound Planning principles encourage a diversity of housing types and tenures to accommodate the widest range of individuals. To introduce the A2 Zone at this location would be in keeping with the variety of zones in the area.

## **Building Line**

Certain Arterial Roads in the City 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 clear 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 building were required to meet the 25-metre building line, it would set the building closer to the houses on Stirling Crescent. It would also squeeze the depth of the building, because the building cannot be located on top of the underground pipes beneath the former Brady's Path. (The developer is proposing a parking lot along part of the right-of-way, which would be acceptable to the city with an appropriate easement.)

Therefore, City staff suggest that the building line for the development be decreased from 25 metres to 11 metres. The reasoning was two-fold; 1) by establishing a smaller front-yard setback the building could be moved closer to Torbay Road to better define the street edge and; 2) moving the building footprint closer to Torbay Road would ensure a clear separation between the higher density residential condominium, the public space along the walking trail and the private space of the single family residences along Stirling Crescent.

## Technical Considerations

1. The City's Department of Engineering advises that there is a 300mm sanitary sewer in Torbay Road however there is no capacity in the City's storm sewer system to accommodate the proposed development. An alternative means of foundation drainage must be utilized. Should the applicant propose to contain stormwater on site, detailed information on the stormwater detention plans will have to be submitted to the City.
2. 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 the trunk sanitary sewer to the rear. The Environmental Services Division, Department of Public Works & Parks (based on Occupation Health and Safety standards) requires that an 11 metre easement be held over this trunk sanitary sewer.
3. The proposed right-in/right-out access at the north end of the site and the upgraded signalization at the Torbay Road and Gleneyre Street intersection will require approval from the City Traffic Division. The Traffic Division will assist in the design of the intersection improvements.
4. The applicant is responsible for the cost of extending new service laterals from the water and sewer mains. Any and all work civic works on existing mains must be performed by City forces.

## CONCLUSION/RECOMMENDATION

One objective of the Municipal Plan is to achieve compact urban form. Another objective is to maintain neighbourhood character. Given the infill nature of the site, this development proposal would make efficient use of land.

Therefore, the rezoning application warrants further review.

The rezoning would require a land-use assessment report (LUAR) under terms of reference set by Council. Once the report was received, it would be referred to public review. At a later stage, the Municipal Plan amendment would require a public hearing chaired by an independent commissioner.

Given the past application for the property, staff recommend that the rezoning and LUAR be referred to a public meeting chaired by a member of Council.

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

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Ken O'Brien, MCIP  
Acting Director

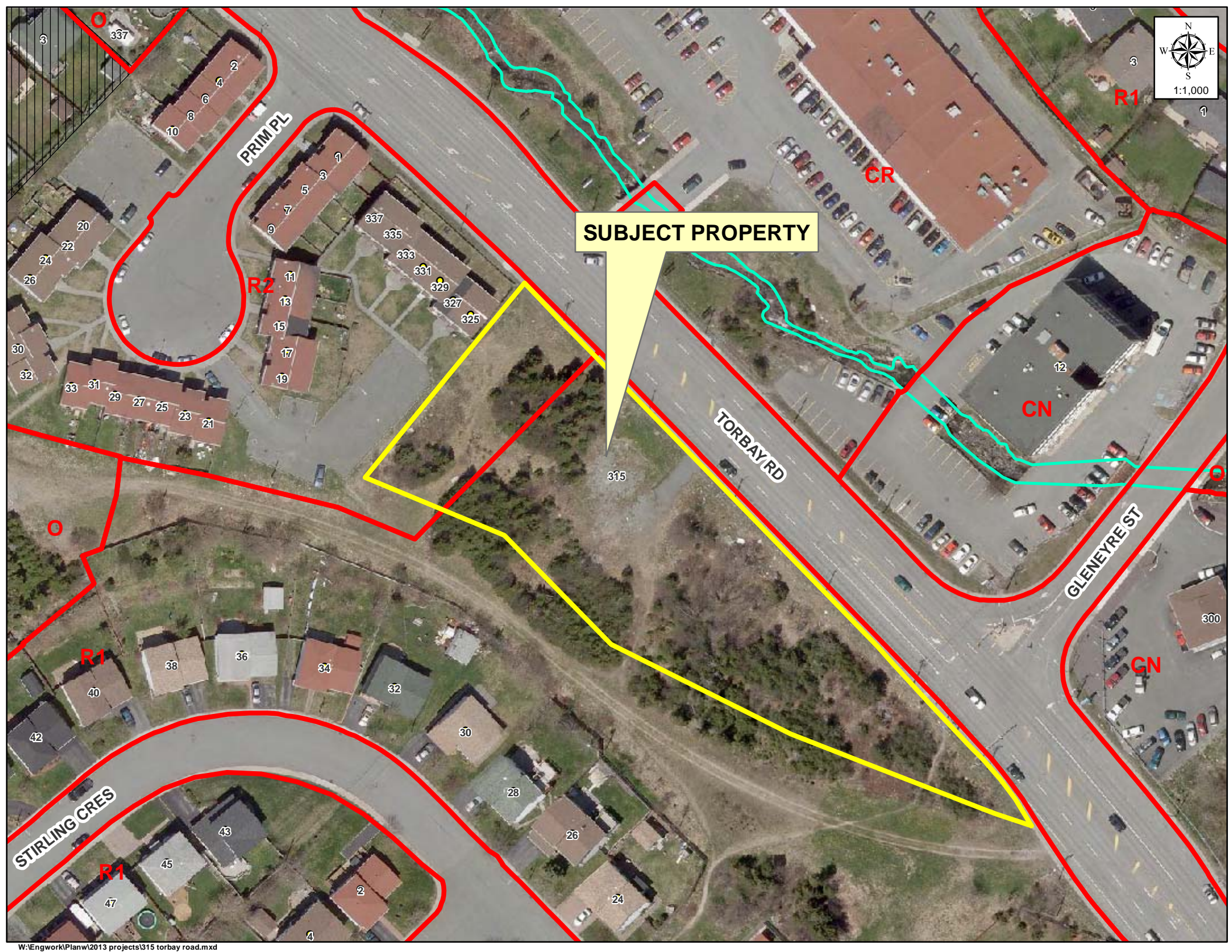
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Mark Hefferton  
Planner





**SUBJECT PROPERTY**

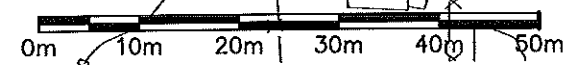
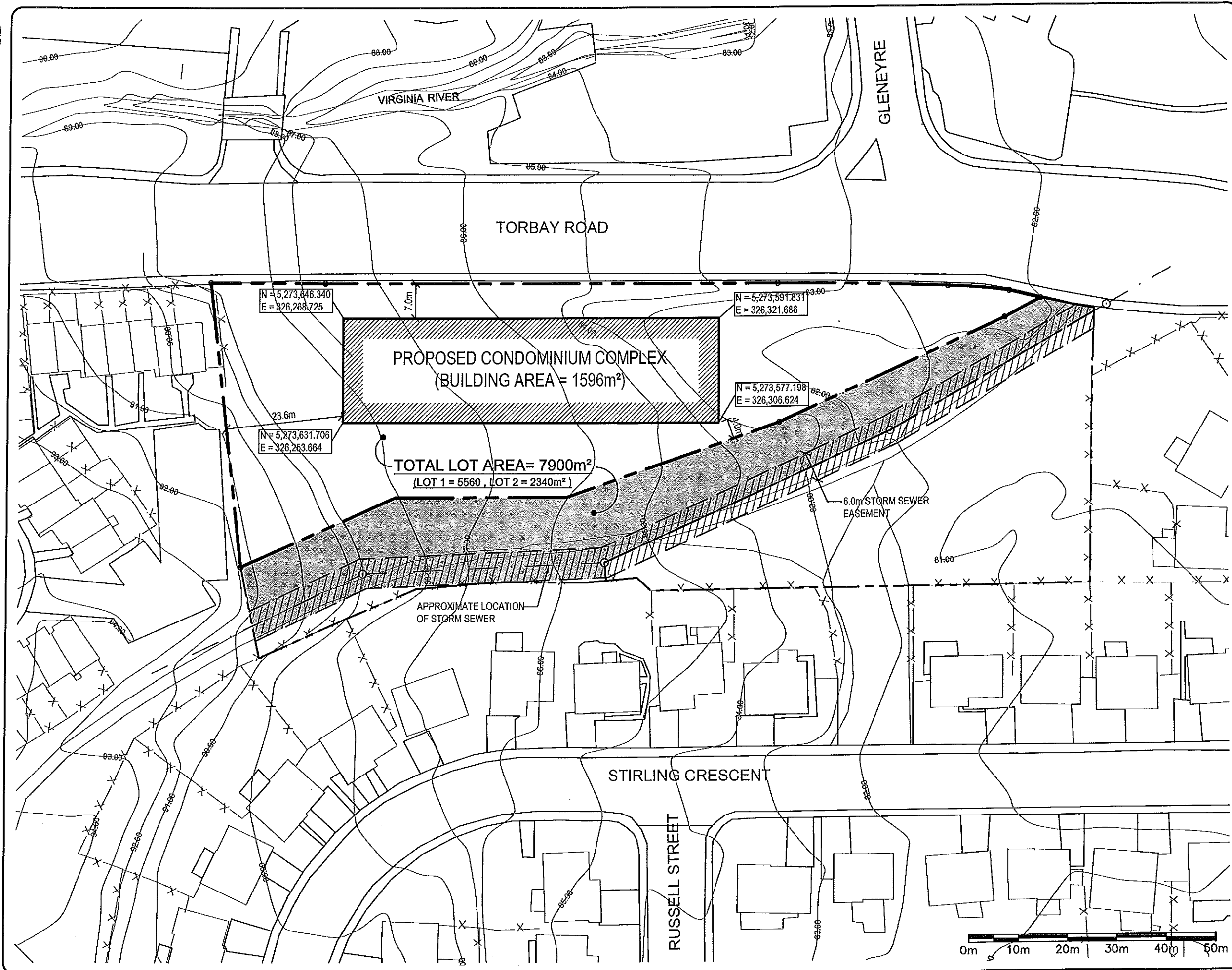




FILE

MODEL: MODELNAME

PLOTTED BY: USER DATE: DATE TIME: TIME



No.	Issue	Date	
No.	Revision	Ckd. By	Date

PRELIMINARY

Date Printed <b>FEBRUARY 2013</b>	Const North
	Drawn By: <b>R.J.B.</b>
	Dwg. Standards Ckd. By:
	Designed By: <b>R.P.</b>
	Dwg. Design Ckd. By:

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Project Title	
PROPOSED CONDOMINIUM COMPLEX 315 TORBAY ROAD ST. JOHN'S, NL	
Dwg. Title	
SITE PLAN	
Project No.	999-00025235-PP
Dwg. No.	C1
Rev. No.	REV#
Scale	1 : 750
This drawing is not to be scaled	



315 Torbay Road  
88 Unit Condominium Proposal  
Conceptual View







South Elevation



East Elevation



North Elevation



West Elevation

# 315 Torbay Road 88 Unit Condominium Proposal Elevations





Stone with Brick



Brick with Stucco



315 Torbay Road  
88 Unit Condominium Proposal  
Exterior Facade Options

