

MEMORANDUM

Date: July 3, 2013

To: Chair and Members
Planning and Housing Committee

Re: **Department of Planning File Number: S-25-B.2 / 13-00037**
48-56 Bay Bulls Road (Ward 5)
Proposed Rezoning from RI and OR to R2
Applicant: B. A. Tucker Limited

B. A. Tucker Limited has submitted an application to rezone the property situated on 48-56 Bay Bulls Road in Kilbride with the intention of developing ten (10) semi-detached houses. The proposed rezoning is from the Residential Low Density (R1) Zone and Open Space Reserve (OR) Zone to Residential Medium Density (R2) Zone to. A Municipal Plan amendment would be required for this application.

The application is recommended for consideration.

BACKGROUND

The subject property has an approximate total site area of 0.24 hectares (0.6 acre). The site is located between Pitts Memorial Drive and Bay Bulls Road. Access to the semi-detached homes would be from Bay Bulls Road. The majority of the subject property was previously used as a commercial nursery for garden plants. The original application received in February 2013 was for eleven (11) rowhouses. In April, the site plan was changed to ten (10) semi-detached units. Upon receipt of a survey of the property in June, the Planning and Development Division were able to finalize their recommendation and prepare this memorandum for the Committee.

PLANNING CONSIDERATIONS

	St. John's Municipal Plan	St. John's Development Regulations
Existing	Residential Low Density (RLD) District and Open Space (O) District	Residential Low Density (R1) Zone and Open Space Reserve (OR) Zone
Proposed	Residential Low Density (RLD) District	Residential Medium Density (R2) Zone

ST. JOHN'S

DEPARTMENT OF PLANNING
CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHN'S.CA

St. John's Municipal Plan

The subject property is located within the Residential Low Density (RLD) and Open Space (O) Districts under the St. John's Municipal Plan.

Under the Residential Low Density (RLD) District, Section 2.3.1 of the Municipal Plan, this District shall permit zones providing for single detached dwellings. Similarly, according to Section 8.1 of the Municipal Plan, the objective of the Open Space (O) District is "to protect the natural environment, preserve water quality and accommodate agricultural and forestry uses".

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".

Given the relatively modest scale of this development proposal, a staff report would suffice as the LUAR.

There are no overlay districts or zones affecting the subject property.

If it is the preference of the Committee to allow this development to proceed, this application would require a Municipal Plan amendment (redesignating the portion of land in the Open Space (O) District to the Residential Low Density (RLD) District).

St. John's Development Regulations

The subject property is zoned Residential Low Density (R1) Zone and Open Space Reserve (OR) Zone under the St. John's Development Regulations. The R1 zone can accommodate single family detached homes only. The purpose of the application is to amend the current zoning from R1 and OR zones to the Residential Medium Density (R2) Zone to facilitate the proposed development.

The OR Zone in this area was used originally to reserve the right-of-way for Pitts Memorial Drive before it was built. It now remains as a remnant zone that could be removed.

PLANNING APPROACH

The Municipal Plan encourages an appropriate and compatible mix of residential forms and densities to achieve a compact urban form. Given the infill nature of the site, this development proposal would make efficient use of land. With an aging population there is a greater demand for higher density forms of housing.

TECHNICAL CONSIDERATIONS

- The Engineering Department has identified that there is no storm sewer in Bay Bulls Road along the frontage of the proposed building lot. The City will require details on how the applicant will manage stormwater from this development given the City's new stormwater detention policy.
- The developer will need a buffer of vegetation or screen fence along the rear of the property to reduce vehicle noise from the neighbouring Pitts Memorial Drive.



The view of the subject property, looking southwest along Bay Bulls Road.

CONCLUSION AND RECOMMENDATION

This rezoning application warrants further review. The application will require an amendment to the Municipal Plan. It is Staff's recommendation that this application be publicly advertised. This rezoning will not require a land-use assessment report (LUAR); however this staff report can suffice as the LUAR.

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

Ken O'Brien, MCIP
Manager of Planning and Information

Mark Hefferton
Planner

MH/dlm



SUBJECT PROPERTY

PITTS MEMORIAL DR

BAY BULLS RD



R1

OR

R1

56

44

46

69

75

77

79

73

85

89

80

78

76

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 125, 2014**

WHEREAS the City of St. John's wishes to allow a residential development at Civic Numbers 48-56 Bay Bulls Road [**Parcel ID #37279**].

BE IT THEREFORE RESOLVED that the City of St. John's hereby adopts the following map amendment to the St. John's Municipal Plan in accordance with the provisions of the Urban and Rural Planning Act.

**Redesignate the land at Civic Numbers 48-56 Bay Bulls Road from
the Open Space (O) Land Use District to the Residential Low Density
(RLD) Land Use District as shown on Map III-1A attached.**

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal 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 **FEBRUARY, 2014**.

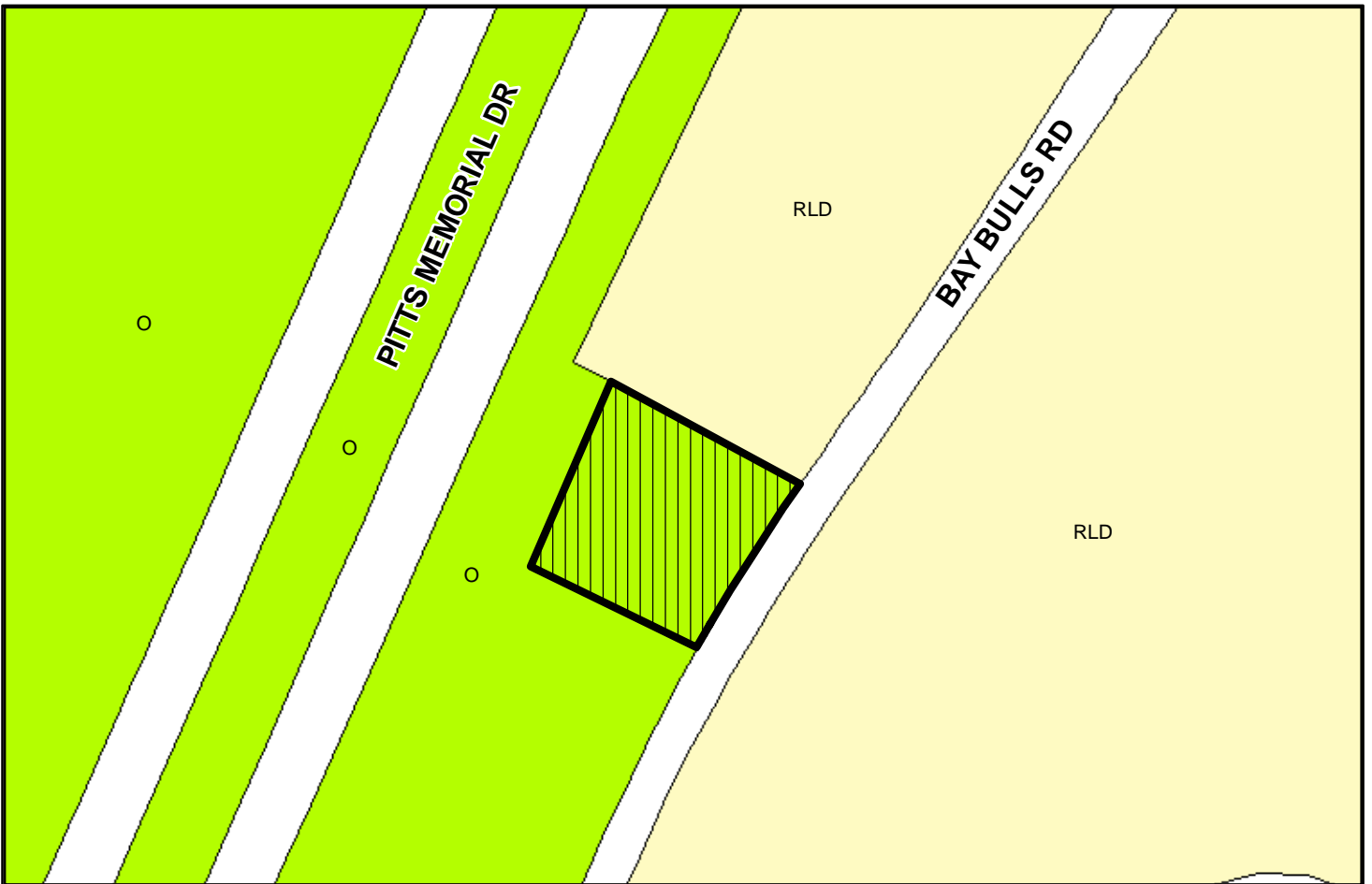
Mayor

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
MUNICIPAL PLAN
Amendment No. 125, 2014
[Map III-1A]**

2014 02 11 SCALE: 1:1250
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 REDESIGNATED FROM
OPEN SPACE (O) LAND USE DISTRICT TO
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT

48-56 Bay Bulls Road

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 598, 2014**

WHEREAS the City of St. John's wishes to allow a residential development at Civic Numbers 48-56 Bay Bulls Road [**Parcel ID #37279**].

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

**Rezone land at Civic Numbers 48-56 Bay Bulls Road
from the Residential Low Density (R1) Zone and the
Open Space (O) Zone to the Residential Medium Density
(R2) Zone as shown on Map Z-1A attached.**

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal 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 **FEBRUARY, 2014**.

Mayor

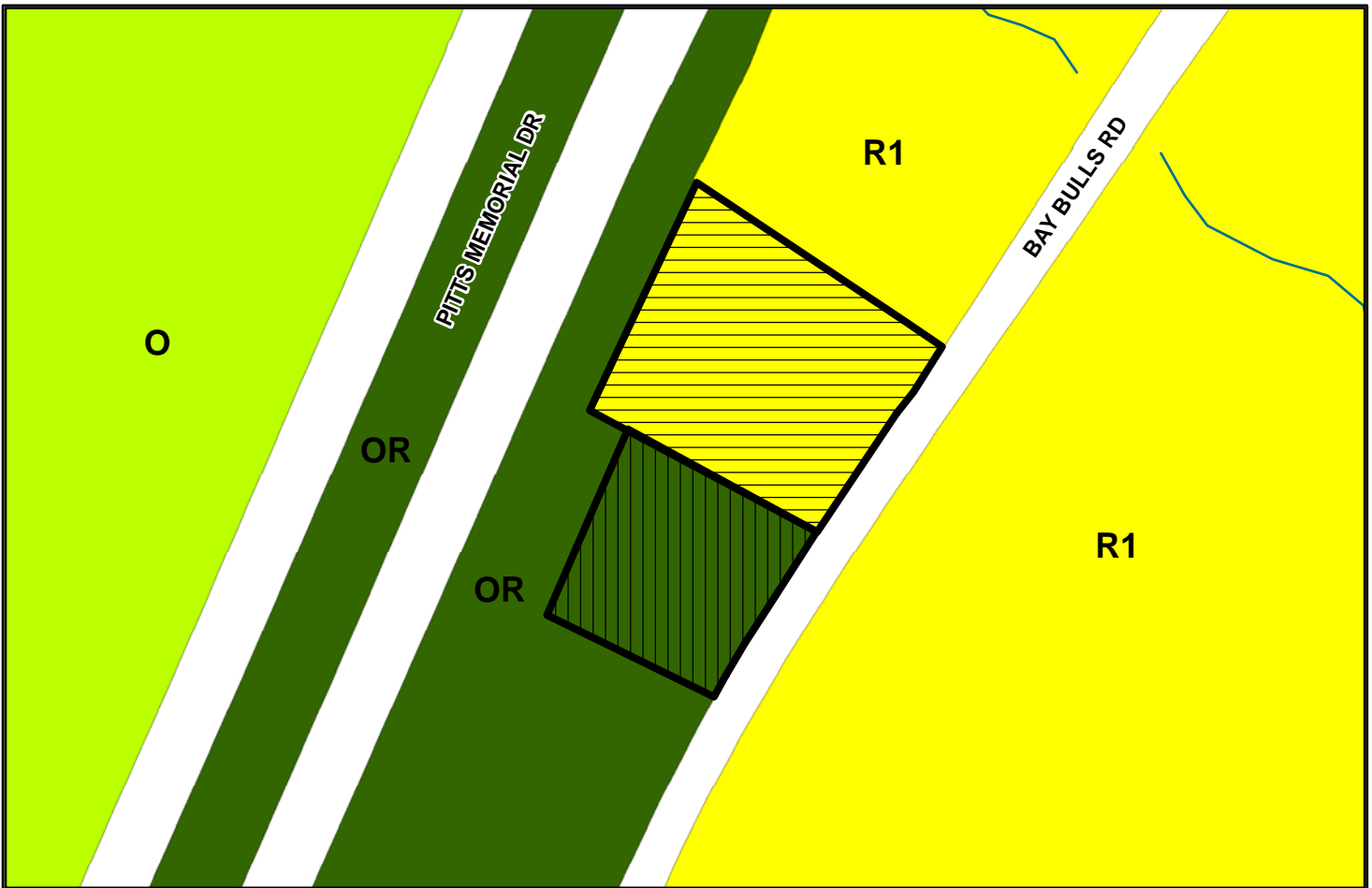
MCIP

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. 598, 2014
[Map Z-1A]**

2014 02 11 SCALE: 1:1250
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 LOW DENSITY (R1) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

 AREA PROPOSED TO BE REZONED FROM
OPEN SPACE RESERVE (OR) LAND USE ZONE TO
RESIDENTIAL MEDIUM DENSITY (R2) LAND USE ZONE

48-56 Bay Bulls Road

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration



Proposed Site- 10 Units

1:200

Bay Bulls Road

Proposed 10 Unit

Bay Bulls Rd

St John's NL

I
 APP 2013

Info taken from legal survey. All preliminary site drawings to be confirmed by legal surveyor.