

MEMORANDUM

Date: April 10, 2015

To: Chair and Members
Planning & Development Committee

Re: **PDE File # EAR1500055**
7 GARRISON HILL (Howard House)
Proposed Development of 10 Affordable Housing Units
The John Howard Society
Proposed Text Amendment to Allow Council the Discretion to Grant Relief from Full Compliance with the Downtown Parking Standard (Institution Use)

In support of Municipal Plan policies promoting adaptive reuse of institutional properties and affordable housing opportunities, it is recommended to Council that an error of oversight be addressed by an amendment to the text of the St. John's Development Regulations. The proposed text amendment would allow Council the discretion to grant conditional relief from full compliance with the Downtown Parking requirements.

BACKGROUND and DISCUSSION

An application has been received from Keith O'Neill, on behalf of the John Howard Society, for approval to develop on property situated at 7 Garrison Hill (corner of Garrison and Queen) a two-storey extension to the existing Howard House building. The extension would contain a total of 10 apartment dwelling units and have a Gross Floor Area of 464m² (5000ft²). The applicant does not intend to provide any off-street parking spaces and has requested that Council convey to it the right to use an on-street curbside publicly accessible parking space for a designated handicapped parking space for the new development. The applicant further advises that it needs to remove several (5) mature public trees along the Garrison Hill frontage to accommodate the new construction.

The subject property is in the Institutional (INST) Zone. The existing use (offices and a temporary residence for recently released ex-offenders) is a Permitted Use in the INST Zone. The residential extension would also be a Permitted Use in this zone ("Institution") and could be considered by Council for approval, subject to compliance with relevant municipal requirements.

The subject property is located Downtown and falls within the area of the Downtown Parking Requirements as set out in Section 9.1.2 (2) of the Development Regulations. As the property has a lot area of 1017m² and a Net Floor Area of 371m², a minimum of 4 off-street parking spaces is required. The Downtown Parking Requirements, as adopted, do not allow Council the discretion to waive the minimum off-street parking requirements.

ST. JOHN'S

The proposed development of affordable housing units and the adaptive reuse of institutional properties is consistent with the City's Municipal Plan land use policies. We anticipate that there will be applications submitted for development of affordable housing units in other institutional properties in the Downtown which may involve requests for relief from the Downtown Parking Requirements.

The absence in the Development Regulations of discretionary authority for Council to vary off-street parking requirements in the Downtown Parking Area for Institution development as proposed is an oversight that was not considered when the Downtown Parking Requirements were introduced in 2013. It is the opinion of staff that it would be in the public interest to address this situation by amending the text of the St. John's Development Regulations. The proposed text amendment would allow Council the discretion to grant conditional relief from full compliance with the Downtown Parking requirements

Conclusion and Recommendation

If the Planning and Development Committee is in agreement, it is recommended that the attached proposed text amendment to the St. John's Development Regulations be referred to the public notification process. In this case, it is felt that a public meeting chaired by a member of Council may not be warranted. Advertisement in *The Telegram* and on the City's website prior to referral to Council for consideration should suffice.

Ken O'Brien, MCIP
Chief Municipal Planner

PDB/dlm

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 610, 2015**

WHEREAS the St. John's Municipal Council wishes to have the discretionary authority to vary the minimum off-street parking requirement for an "Institution" in the area where the Downtown Parking Standard applies;

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

Amend Section 9.1.2. [OFFSTREET PARKING REQUIREMENTS – Special Parking Requirements] by adding the following:

“9.1.2 (2) (IV)(i)

(c) Parking Relief

In the case of an Institution, Council may relieve an applicant of all or any of the parking required under Section 9.1.2 provided that the applicant is able to show that because of the particular characteristics of the development, the actual parking requirements within the foreseeable future are expected to be lower than those required by the City's Downtown Parking Standard.”

BE IT FURTHER RESOLVED that the St. John's Municipal Council 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 , 2015.

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