

# MEMORANDUM

Date: November 26, 2012

To: Chairperson and Members  
Planning and Housing Committee

From: Ken O'Brien, MCIP  
Manager of Planning & Information

Cliff Johnston, MCIP  
Director of Planning

**Re: Department of Planning File Number B-17-E.5 (11-00156) and B.17-E.6 (11-00158)  
Proposed Expansion to Existing Quarry  
East White Hills Road (Ward 1)  
Applicant: Capital Ready Mix**

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Capital Ready Mix has applied to rezone two parcels of land along East White Hills Road. Parcel A is 13.65 hectares and Parcel C is 3.42 hectares. It is proposed that each parcel of land be rezoned to the Industrial General Zone (IG) Zone, in order to expand the company's existing quarry operations. The applicant's intent is to purchase the land from the Crown.

The rezoning application is recommended for consideration of approval.

## BACKGROUND

	<b>St. John's Regional Plan</b>	<b>St. John's Municipal Plan</b>	<b>St. John's Development Regulations</b>
<b>Existing</b>	<i>Parcel A:</i> Rural, Restricted and Public Open Space Districts; <i>Parcel C:</i> Rural District	<i>Parcel A:</i> Industrial (I) and Rural (R) Districts; <i>Parcel C:</i> Industrial (I) District	<i>Parcel A:</i> Rural (R) and Commercial Industrial (CI) Zones; <i>Parcel C:</i> Commercial Industrial (CI) Zone
<b>Proposed</b>	Rural District	Industrial (I) District	Industrial General (IG) Zone

The subject property is located off East White Hills Road, and has had an existing quarry operation onsite for over 70 years. Capital Ready Mix, owners of the existing quarry, manufacture and deliver such products as ready mix concrete, masonry and landscape products, along with a variety of sand and stone aggregate.

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Existing operations are currently located on land which is leased from the Province until 2022. Due to an increase in demand, the applicant is proposing to purchase both Parcel A and Parcel C from Crown land in order to further expand their existing operations. The two new sites would be accessed through the existing access. The Robin Hood Bay Waste Management Facility is located north east of the proposed development.

The current Industrial General (IG) Zone (see site plan) reflects Capital's existing operations, which includes block manufacturing and associated lay down area. In the future, this area will also be used for a crushing and processing plant and to stockpile processed material.

Parcel A is 13.65 hectares, is currently tree covered and not developed at this time. The St. John's Urban Region Regional Plan designates the property as a mixture of Rural, Restricted and Public Open Space, while the St. John's Municipal Plan designates it as Industrial and Rural. An amendment to both the Regional Plan and the Municipal Plan would be required. Zoning is split between the Rural and Commercial Industrial zones; a rezoning to the IG Zone would be required. This site would be used for the future expansion of Capital's quarry operations, identified on the attached site plan.

Parcel C is 3.42 hectares. The area appears to be already used for existing quarry operations and is currently stripped of all tree cover. This parcel is designated Rural under the Regional Plan and Industrial under the Municipal Plan. Zoning is currently Commercial Industrial and would need to be rezoned to the IG Zone. Future plans for this site include the new location for the company's ready mix concrete plant, reducing truck congestion and the plant's visibility from East White Hills Road, while providing more laydown room on the existing IG site.

## **Planning Considerations**

### **St. John's Urban Region Regional Plan**

Parcel A is designated Rural, Restricted and Public Open Space under the St. John's Urban Region Regional Plan, while Parcel C is designated Rural. The Restricted and Public Open Space designations main objectives are to keep land free of development, due to physical constraints and to maintain key areas in the region solely for public use. Both districts do not support quarry development.

The Rural designation permits residential use, while still retaining qualities of the rural environment, therefore sand and gravel quarrying operations can be allowed provided:

- Rural, rather than an urban location is necessary;
- Amenity of the surrounding rural areas are protected;
- Adequate open space is provided around any industrial use such as a buffer of trees, shrubs or fencing;
- Frontage on a public road and a limited number of vehicle exits/entrances;
- Subject to the approval of the Department of Health.

An amendment to Regional Plan for Parcel A would be required.

### **St. John's Municipal Plan and Development Regulations**

1. Under the Municipal Plan, Parcel A is within the Industrial and Rural District. Therefore an amendment from the Rural to the Industrial District would be required. The Industrial District allows general industry uses, recognizing those zones which permit major industry, heavy

industry and other industrial uses that may cause a nuisance. Zones like the Industrial General (IG) Zone could be permitted.

2. Parcel C is currently zoned Commercial Industrial (CI), therefore a rezoning would be required to the IG zone.
3. As a discretionary use under the IG Zone, the Mineral Working use is subject to Section 7.11 of the Development Regulations with regards to appropriate buffering. Current elevations along the rear of Parcel A provide a natural screen between East White Hills Road and the Robin Hood Bay Waste Management facility. View plans show that a portion of the hillside will be dug out during future extraction of material from the site, removing the natural buffer. It is therefore recommended that screening in the form of a fence, should be installed along the north east side Parcel A to maintain a visual barrier between the public road and the Robin Hood Bay facility.
4. The Department of Engineering has no concerns at this time.
5. The Department of Public Works and Parks provided the following comments:
  - Further information needs to be submitted on the grades for the quarry expansion before final approval;
  - All work should be contained within their property boundary;
  - Final elevations do not seem to pose a problem for the (future) final elevation of the landfill;
  - Water concerns and stormwater leaving the site into the landfill site or adjacent properties needs to be addressed before final approval;
  - Fencing/buffering along the north east side of the property to replace the natural hillside screen is suggested;
  - As the hillside is being removed, the landfill should be indemnified from future litter complaints on Capital's site;
  - Removal of the hillside may result in landfill odours being carried by the wind onto Capital's property, therefore the landfill should be indemnified from future odour complaints;
  - The landfill may have a future need for quarry material, therefore either a portion of Parcel A be protected for that purpose or perhaps a deal should be developed whereby Capital Ready Mix provides the landfill with the crushed material at reduced rates.

## **CONCLUSION & RECOMMENDATION**

The Department of Planning recommends that this application be considered for further review. The application would be subject to approval of final site plans and elevations by the Department of Engineering and the Department of Public Works and Parks. Land at Lundrigans Marsh (owned by Capital Ready-Mix and previously promised to be transferred to the City) should be transferred to the City, prior to final rezoning approval. Staff recommends that this application be dealt with in two steps.

The first step deals with Parcel C. It is recommended that the rezoning application for Parcel C be advertised, along with advertisement for the Mineral Working discretionary use. Step two deals with Parcel A. Staff recommend that the application be advertised for public review, along with advertisement for the Mineral Working discretionary use. At a later stage the amendment to the St. John's Region Regional Plan and the St. John's Municipal Plan would require a public hearing chaired by an independent commissioner jointly appointed by Council and the Minister of Municipal Affairs.

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

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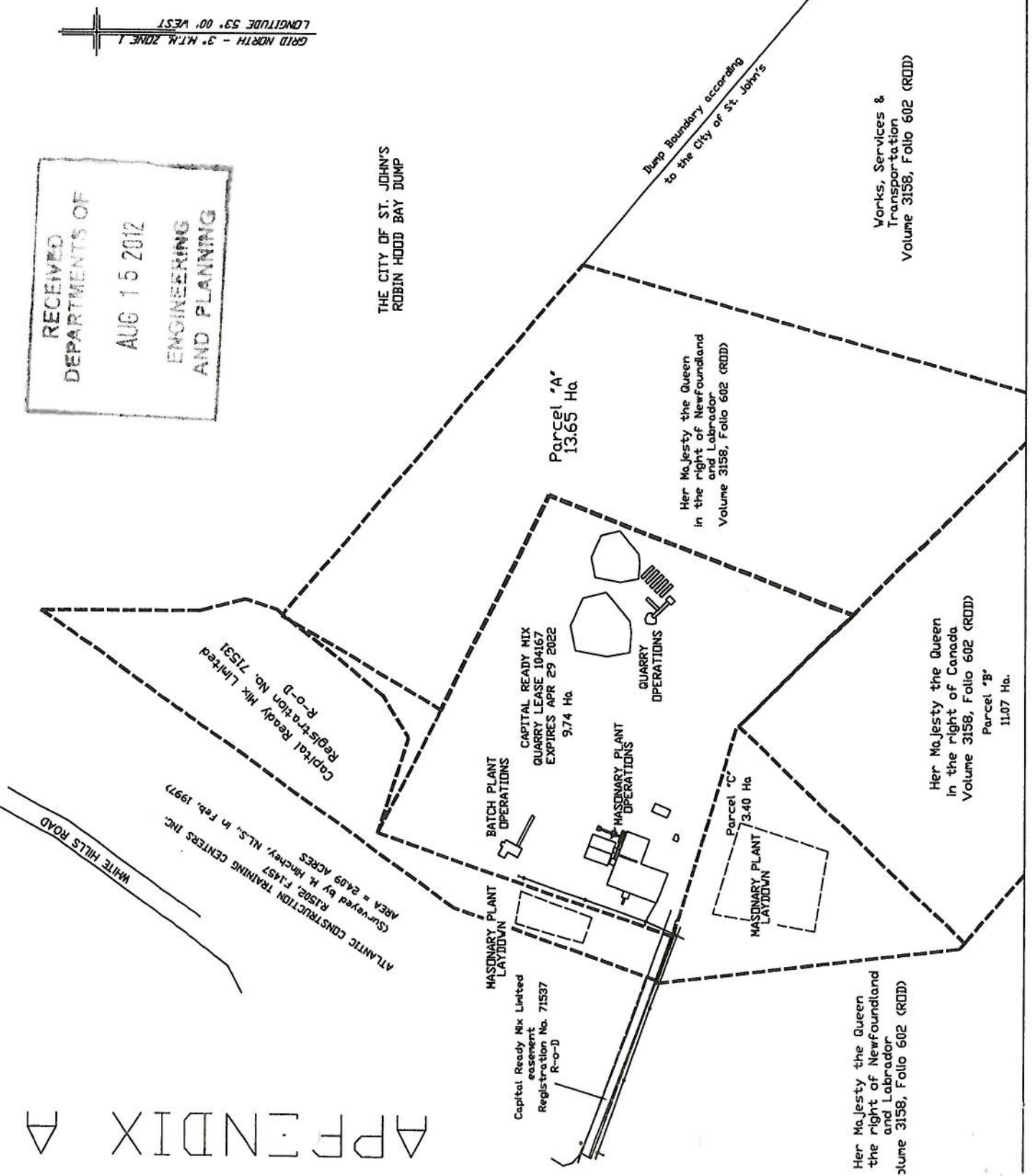
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Manager of Planning and Information

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Director of Planning

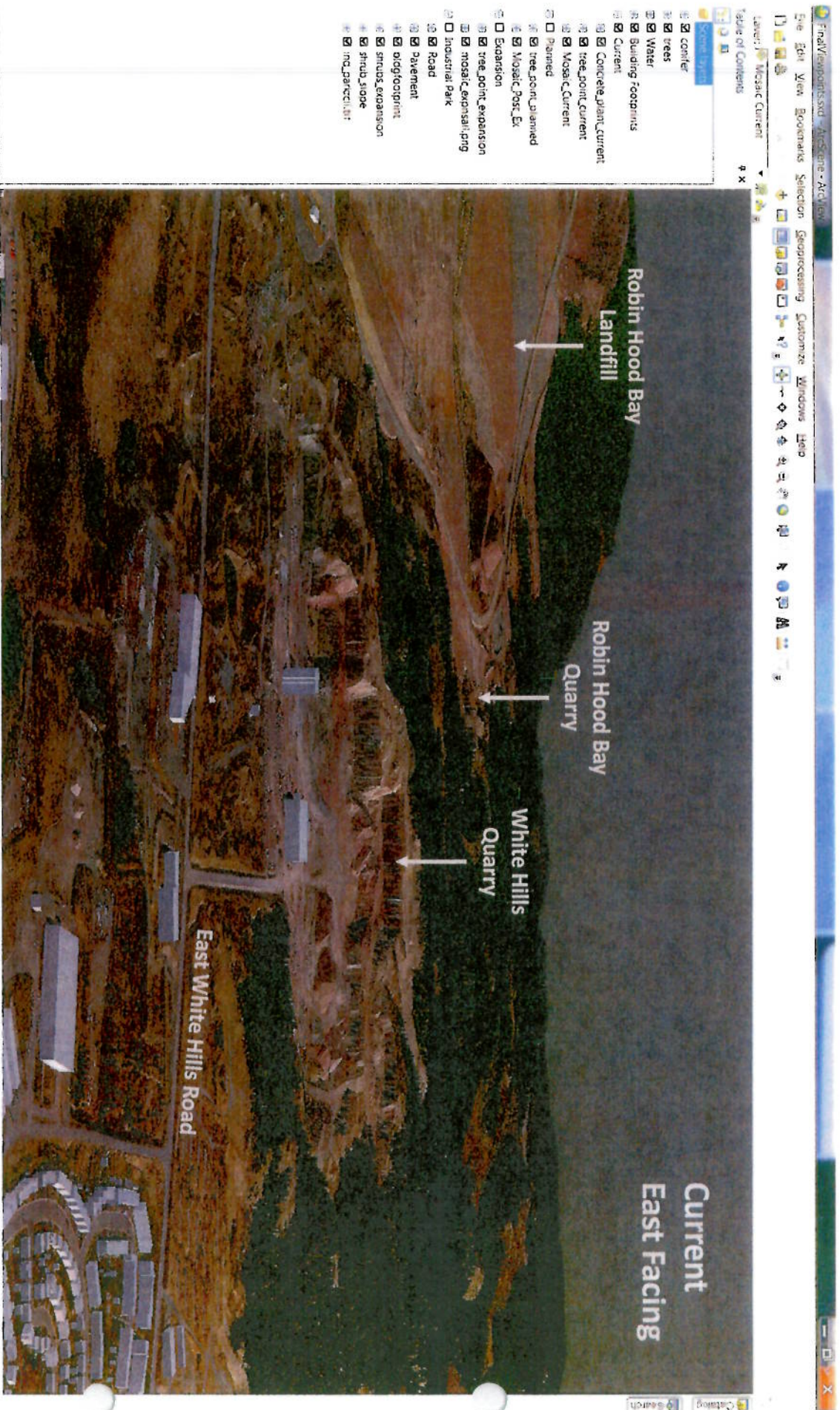
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# APPENDIX A



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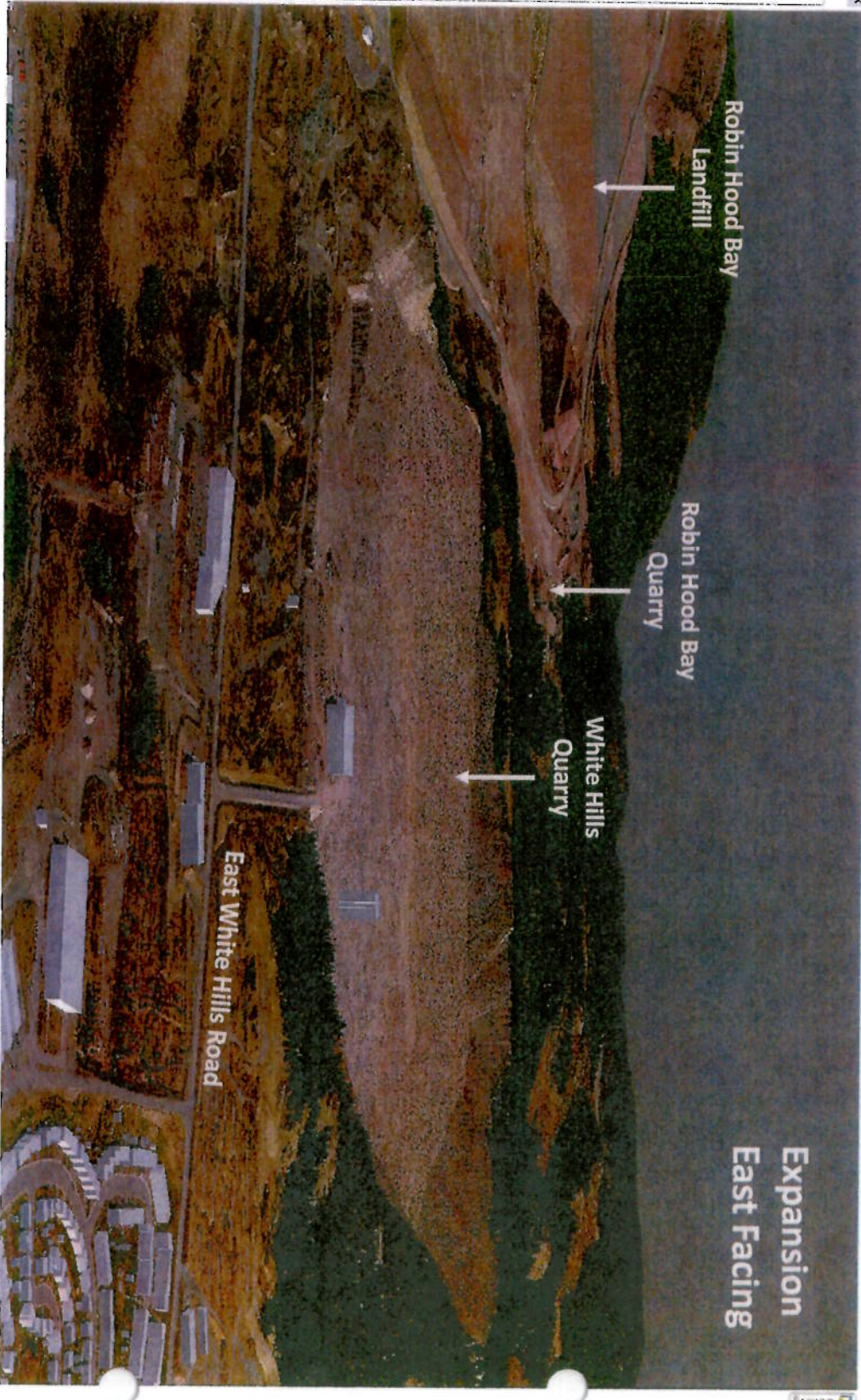
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<ul style="list-style-type: none"> <li>--- Ferrocement</li> <li>--- Found Iron Pin</li> <li>--- Iron Fence Post</li> <li>--- Wooden Fence Post</li> <li>--- Utility Pole</li> <li>--- Fire Hydrant</li> <li>--- Manhole</li> <li>--- Catch Basin</li> <li>--- Light Pole</li> </ul>	<table border="1"> <tr> <th>No.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	No.	DESCRIPTION	DATE	BY				
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REVISIONS									
TEMP	POINT								
POWER CONSULTANT									
LEGGE SURVEYS LIMITED P.O. BOX 8274, STATION "A" ST. JOHN'S, N.L. A1B 3N4 Tel: 709-782-5920 Fax: 709-782-5921									
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CONCRETE PRODUCTS WHITE HILLS, ST. JOHN'S, N.L.									
DRAWING TITLE PLOT PLAN EXISTING FACILITY									
PROJECT No.	DRAWING No.								
	A-1								



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- Mosaic\_Plan\_Ev
- Expansion
- plant\_proposed
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- stub\_slope
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