

# DECISION/DIRECTION NOTE

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**Title:** 42-52 Diamond Marsh Drive, MPA2000002

**Date Prepared:** September 8, 2020

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 5

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## **Decision/Direction Required:**

To consider a rezoning for land at 42-52 Diamond Marsh Drive from the Open Space (O) Zone to the Residential Low Density (R1) Zone to allow six (6) Single-detached Dwellings.

## **Discussion – Background and Current Status:**

City staff are proposing a rezoning from the Open Space (O) Zone to the Residential Low Density (R1) Zone at 42-52 Diamond Marsh Drive to accommodate development of six (6) Single-detached Dwellings. As the Open Space Zone does not include Single-detached Dwellings as a use, a rezoning is required. A Municipal Plan amendment is also required.

During the original rezoning for the Diamond Marsh subdivision, land at 42-52 Diamond Marsh Drive was zoned Open Space to retain it for a proposed playground. During the development approval stage, the land at 42-52 Diamond Marsh Drive was proposed as building lots and the subdivision was approved as such, inadvertently overlooking the zoning. Water and sewage services have been installed to the lots. This rezoning is proposed to accommodate the lots.

In return, the developer, Fairview Investments Inc., will enter into an agreement with the City to use land west of 15 Bulrush Avenue (see attached map) for open space requirements for the Diamond Marsh subdivision. Details of the agreement, including a survey of the property and any other requirements, are to be determined. The land is already zoned Open Space (O). The parcel of land is wet in some areas but has room for a playground. Initial site preparation may be part of the agreement.

There are no development or engineering concerns with the six building lots at 42-52 Diamond Marsh Drive. The building lots at 42 and 44 Diamond Marsh Drive have back yards much deeper than the neighbouring properties to prevent leaving a land-locked parcel there.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.

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3. Alignment with Strategic Directions/Adopted Plans:  
*St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Map amendments to the St. John's Municipal Plan and Development Regulations are required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Public notice of the proposed amendment.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council consider rezoning land at 42-52 Diamond Marsh Drive from the Open Space (O) Zone to the Residential Low Density (R1) Zone and advertise the application for public review and comment.

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**Approved by: Ken O'Brien, MCIP, Chief Municipal Planner**

**Report Approval Details**

Document Title:	42-52 Diamond Marsh Drive, MPA2000002.docx
Attachments:	- 42-52 Diamond Marsh Drive Attachments.pdf
Final Approval Date:	Sep 10, 2020

This report and all of its attachments were approved and signed as outlined below:

**Ken O'Brien - Sep 9, 2020 - 3:15 PM**

**Jason Sinyard - Sep 10, 2020 - 12:52 PM**