

# INFORMATION NOTE

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**Title:** 58 Arnold Loop Interpret Zone Boundary INT2100002

**Date Prepared:** January 12, 2021

**Report To:** Committee of the Whole

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

**Ward:** Ward 2

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**Issue:** The property at 58 Arnold Loop has 2 land-use zones. This is unnecessary.

**Discussion – Background and Current Status:**

The City is dealing with an application to build an accessory building in the rear yard of 58 Arnold Loop. The property is a corner lot on Arnold Loop, also fronting on Charter Avenue. Staff identified that the property is in two (2) land-use zones: the Apartment Low Density (A1) Zone for much of the property, and the Open Space (O) Zone for part of the rear yard and part of the side yard. The proposed accessory building would be built on the portion of the property zoned O, where an existing accessory building would be removed.

This property is the end unit of a row of townhouses in Pleasantville. This unit has more yard space than the other units, and there is no fence at the property line. It is likely that, when the zone lines were drawn, they followed the built-up area of each lot, allowing a typical rear yard. The driveway for 58 Arnold Loop is off Charter Avenue and runs at an angle to the house. The zone line for the A1 Zone runs along the side of the driveway, rather than along the property line which is further back. Correcting the zone line will make it easier for staff to deal with the current application.

Typically, zone boundaries follow features such as street lines, rivers, wetlands, or property boundaries. The rules of interpretation in Section 3.4 “Boundaries of the Zones” in the St. John’s Development Regulations state:

*“where a zone boundary is shown as substantially following Lot Lines shown on an approved plan of subdivision or other suitable base map, the Lot Lines shall be deemed to be the boundary.”*

The attached map shows the subject property and its two zones.

In accordance with Section 3.4 of the St. John’s Development Regulations, the zone line between the A1 Zone and the Open Space (O) Zone will be interpreted to align with the property boundary at 58 Arnold Loop. The adjacent Open Space Zone remains in place for the surrounding lands.

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No interpretation is needed for the Future Land-Use Map of the St. John's Municipal Plan, as the entire area is already shown in the Residential Medium Density District.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Owner of the subject property, and owners and residents of nearby properties.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: In line with the rules of interpretation for zone boundaries in Section 3.4 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Inform the property owner and nearby owners.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Conclusion/Next Steps:**

City staff will amend the Zoning Map to show one land-use zone (Apartment Low Density or A1) on the subject property at 58 Arnold's Loop, in line with Section 3.4 "Boundaries of the Zones" in the St. John's Development Regulations.

### Report Approval Details

Document Title:	58 Arnold Loop interpret zone line.docx
Attachments:	- 58 ARNOLD LOOP ZONE AMENDMENT.pdf
Final Approval Date:	Jan 14, 2021

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

**Jason Sinyard - Jan 14, 2021 - 11:14 AM**