



SUBJECT PROPERTY

A2



146A

146

144

RNL

142

138

136

134

132

RK

LADYSMITH DR

147

RK

143

141

CITY OF ST. JOHN'S

DISCLAIMER: This map is based on current information at the date of production.



138 Ladysmith Drive and surrounding area



Proposed Townhomes Elevation 138 Ladysmith Drive

www.rjrobere
 designplanning.ca
 709- 753 8169

Proposed Plot Plan
 138 Ladysmith Drive

date July 2 2020	drawn by rjr	S- 2
project		



Proposed PLOT PLAN
Townhouses 138 Ladysmith Drive
1:200

www.rjrobere
designplanning.ca
709- 753 8169

Proposed Plot Plan
138 Ladysmith Drive

date July 2 2020	drawn by rjr	S- 1
project		

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 156, 2021**

WHEREAS the City of St. John's wishes to allow the development of three (3) Townhouses at 138 Ladysmith Drive.

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 land at 138 Ladysmith Drive [Parcel ID# 404650] from the Residential Low Density (RLD) Land Use District to the Residential Medium Density (RMD) 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 Environment, Climate Change and Municipalities 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 _____, 2021.

Mayor

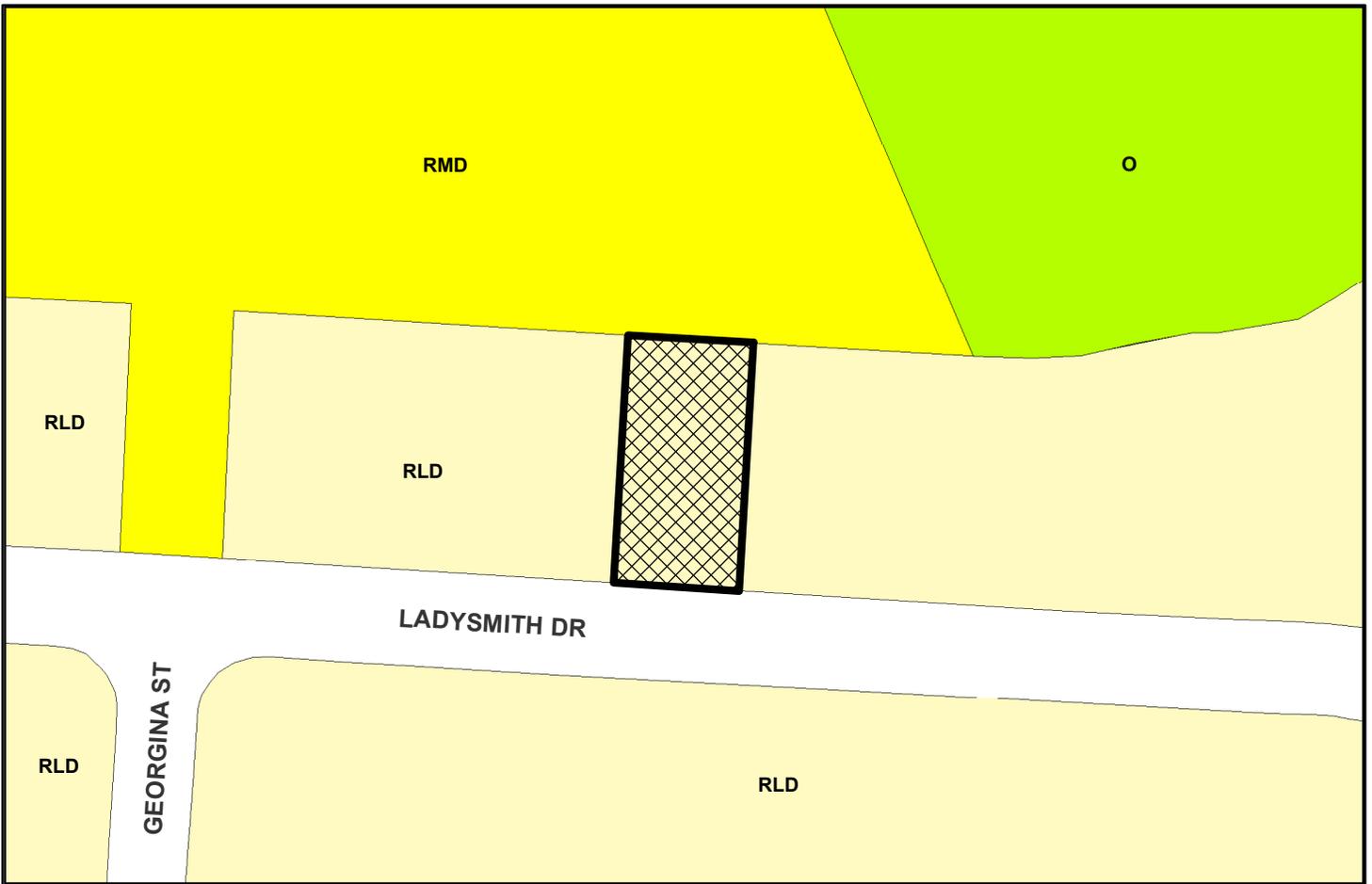
MCIP

I hereby certify that this Amendment has been prepared in accordance with the Urban and Rural Planning Act, 2000.

City Clerk

Council Adoption

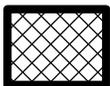
Provincial Registration



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 156, 2021
[Map III-1A]**

2020 10 20 Scale: 1:1000
City of St. John's
Department of Planning, Development
& Regulatory Services

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT

**138 LADYSMITH DRIVE
Parcel ID 404650**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 712, 2021**

WHEREAS the City of St. John's wishes to allow the development of three (3) Townhouses at 138 Ladysmith Drive.

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

Rezone land at 138 Ladysmith Drive [Parcel ID# 404650] from the Residential Narrow Lot (RNL) Zone to the Apartment Medium Density (A2) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Environment, Climate Change and Municipalities 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 _____, 2021.

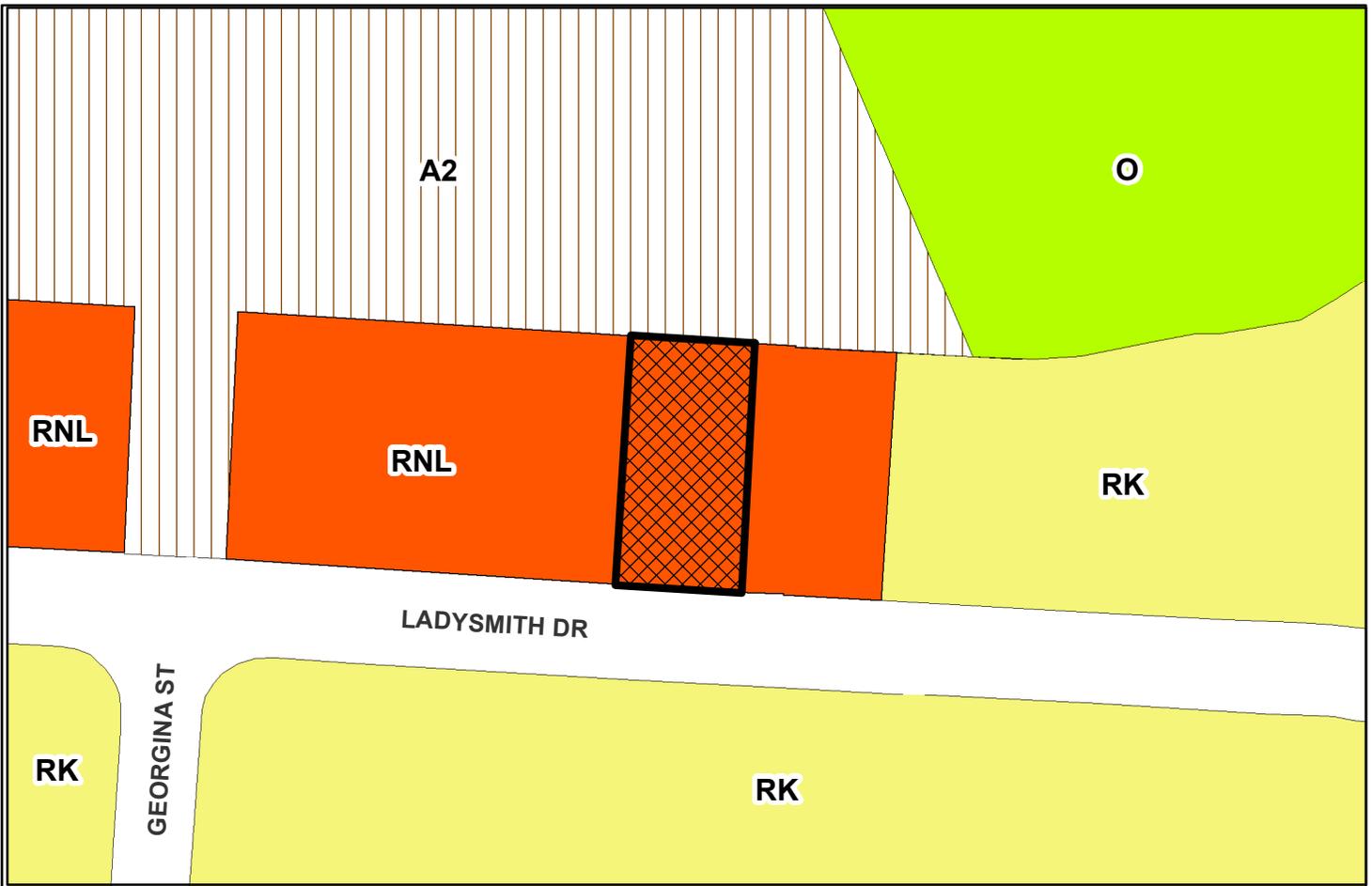
Mayor

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. 712, 2021
[Map Z-1A]**

2020 10 20 Scale: 1:1000
City of St. John's
Department of Planning, Development
& Regulatory Services

**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 NARROW LOT (RNL) LAND USE ZONE
TO APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE**

**138 LADYSMITH DRIVE
Parcel ID 404650**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

COMMISSIONER'S REPORT

St. John's Municipal Plan Amendment No. 156,2020

St. John's Development Regulations Amendment No. 712,2020

Proposal to re-designate and re-zone land at 138 Ladysmith Drive to the Apartment Medium Density
Zone (A2)

File No. REZ1400019

138 Ladysmith Drive

Prepared for:

St. John's Municipal Council

Prepared by:

Glenn Barnes, NLAA MRAIC

Commissioner

Report Date:

10 February, 2021

1.0 INTRODUCTION

At the regular meeting of the St. John's Municipal Council held on January 11, 2021 I was appointed to conduct a virtual public hearing and prepare a report with recommendations with respect to the St. John's Municipal Plan Amendment No. 156,2020 and the St. John's Development Regulations Amendment No. 712,2020. The virtual hearing and report are related to a proposal to re-designate and re-zone land from Residential Narrow Lot (RNL) to the Residential Medium Density (A2) Zone to permit construction of 3 attached town house units more specifically 138 Ladysmith Drive.

The appointment of a Commissioner was requested by the Minister of Municipal Affairs and Environment and requested by and actioned by Council under section 19 of the Urban and Rural Planning Act.

The (virtual) public hearing (the subject of this report) chaired by yours truly took place at 7 PM on 4 February, 2021.

In addition to yours truly the meeting was attended by Mr. Ken O'Brien, Chief Planner with the City, Ms. Ann-Marie Cashin, Planner with the City and the proponent, Mr. Alfred Marshall of RTO Capital Inc. Seven (7) written notes were received from citizens indicating their intention to attend the hearing, none participated.

Seven (7) written submissions received by the City Clerk's office prior to the time of the hearing were forwarded to this commissioner.

All individuals present were afforded the opportunity to speak.

Copies of documents relating to this matter are attached.

2.0 THE HEARING

The hearing was called to order at 7 PM given that no members of the public joined, the hearing waited until 7:15 PM before starting its business. The Commissioner presented the purpose of the hearing followed by his mandate. The Commissioner then outlined the format of the hearing, and the reporting requirements to Council.

Ms. Cashin, Planner with the City verbally presented the subject of the hearing referring to documents provided prior to the hearing. She also gave an overview of the history of the zoning in the area.

Ms. Cashin indicated that the City supports the application related to 138 Ladysmith Drive since it is consistent with the character of the area and is consistent with Planning objectives and intent.

The Commissioner noted that he had received from the City Clerk's Office seven (7) written submissions which will be reviewed as part of his report and recommendations.

The Commissioner asked Ms. Cashin to briefly summarize the history of the neighbourhood and zoning history. (its was noted by Commissioner that Ms. Cashin had, at the Commissioner's request forwarded to him prior to the Hearing zoning history of the area and site summarized as follows).

- The planning intent of the area is for a mix of housing styles.
- The actual subject site was originally zoned institutional as reservation for the possibility of construction of a school.
- The School Board decided not to construct a school on the subject land and adjoining parcels.
- The City, subsequent to that decision re zoned the area and subject lands as Residential Narrow Lot (RNL).
- A parcel close by has been zoned for apartment building, which are as yet unbuilt. The majority of built housing in the area is single family detached and mini homes are permitted close by
- The current application is to re-zone lot 138 to allow for three attached townhouses, as the A2 – Medium Density Residential Zone.

The proponent, Mr. Alfred Marshall was offered the opportunity to speak. He thanked the meeting for his Hearing and looked forward to Council's decision.

This Commissioner asked whether there were any further comments; hearing none the hearing was concluded at 7:25 PM with a re statement that this Commissioner will submit a report to Council of the hearing with his recommendations within 30 days.

3.0 CONSIDERATIONS AND CONCLUSIONS

3.1 The neighbourhood in which the subject land is located is a contemporary residential area. Planning documents provided by the City reviewed by the Commissioner, as well as verbal information given during the Hearing from Ms. Cashin and Mr. O'Brien indicated (in summary) that the planning intent of the area was and is for a mixed style of housing (and a school). The subject land and adjacent parcels were originally zoned institutional for a school. The School Board ultimately decided against construction of a school; therefore, the City re-zoned those lands to residential uses with the purpose being to be generally consistent with and to retain and continue the intended character of the neighbourhood; to offer a mix of housing options to residents.

The Commissioner reviewed the seven (7) written submissions provided interested citizens through the City Clerk's Office. Six (6) of the submissions objected to the proposed re-zoning based on concerns over increased traffic, crime and the perceived reduction in property values. Also noted was the assumption that the area was intended as single-family residential housing. No supporting data was provided to reinforce these views. One submission had no concerns with the proposed re-zoning.

This Commissioner considered the original intended and stated character and zoning of the area and whether the proposed re-zoning is consistent with those goals. It is important that Council respects such character and fabric so neighbourhoods retain their personality and so existing citizens are not unduly compromised. In this Commissioner's opinion the proposed re-zoning achieves these goals.

3.2 The proposed re-zoning is consistent with the mixed residential housing envisioned for the Area, the policies and objectives of the Province and City as well as the policies related to the area.

3.3 Preliminary assessments by City staff have been to an appropriate level.

3.4 The public has been offered every opportunity to comment on the proposed re-zoning.

4.0 RECOMMENDATIONS

4.1 This Commissioner recommends that Council adopt the proposed re-zoning.

Respectfully submitted 10 February 2020



Glenn Barnes, NLAA MRAIC
Commissioner

Karen Chafe

From: CityClerk
Sent: Monday, January 18, 2021 9:29 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 138 Ladysmith Dr

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, January 15, 2021 6:02 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 138 Ladysmith Dr

I do not agree with having this lot as three townhouses. That is a small lot and that would be too overcrowded. When we purchased our home we were told these were single dwelling homes. Not townhouse/apartments. It will effect our results of someday selling our house. My name is [REDACTED] [REDACTED] and I live at [REDACTED] I appreciate you taking my comments under review to not have this project happen.

[REDACTED]

Sent from my iPhone

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Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.

Karen Chafe

From: Karen Chafe on behalf of CityClerk
Sent: Friday, January 15, 2021 3:55 PM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ashley Murray; Ann-Marie Cashin; Dave Wadden; Jason Sinyard; Ken O'Brien; Karen Chafe; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 138 Ladysmith Drive

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, January 15, 2021 11:26 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 138 Ladysmith Drive

Kenmount terrace has traffic and snow clearing issues already. This will add to an already existing issue.

Regards

[REDACTED]

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Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.

Karen Chafe

From: CityClerk
Sent: Monday, February 1, 2021 10:38 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Rezoning of 138 Ladysmith drive

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

From: [REDACTED]
Sent: Friday, January 29, 2021 10:05 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Rezoning of 138 Ladysmith drive

Hello,

I am the owner and resident of [REDACTED]. I want to have on record my opinion of the rezoning application, as I cannot attend the virtual meeting.

I don't have any issue with the development of townhouses on the lot. This neighbourhood is full of renters and multi occupant homes, one more multi unit does nothing impact my love for this neighbourhood. A beautiful, newly built row of townhouses will be a wonderful addition.

Who ever lives there with still have to follow the same rules of parking, and I have no issues with this rezoning application.

Thanks,
[REDACTED]

Sent from my iPhone

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Karen Chafe

From: CityClerk
Sent: Monday, February 1, 2021 10:40 AM
To: Karen Chafe
Subject: FW: (EXT) 138 Ladysmith Dr. rezoning application

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: Ken O'Brien <kobrien@stjohns.ca>
Sent: Monday, February 1, 2021 9:19 AM
To: [REDACTED]; CityClerk <cityclerk@stjohns.ca>
Cc: Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Dave Wadden <dwadden@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Karen Chafe <kchafe@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>
Subject: RE: (EXT) 138 Ladysmith Dr. rezoning application

Thanks for the clarification. We will see what the commissioner recommends after the public hearing (he has 30 days to submit a report to Council with recommendations). Council is not bound by the recommendations but does consider them seriously.

I understand your concern about any change to the types of housing proposed in your neighbourhood.

Regards,

Ken O'Brien

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's – Planning, Engineering and Regulatory Services
John J. Murphy Building (City Hall Annex), 4th floor (working from home)
Mail: PO Box 908, St. John's NL Canada A1C 5M2
Phone 709-576-6121 (rings to my home) Email kobrien@stjohns.ca www.stjohns.ca

From: [REDACTED]
Sent: Friday, January 29, 2021 4:57 PM
To: Ken O'Brien <kobrien@stjohns.ca>; CityClerk <cityclerk@stjohns.ca>
Cc: Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Dave Wadden <dwadden@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Karen Chafe

<kchafe@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>
Subject: Re: (EXT) 138 Ladysmith Dr. rezoning application

Thank you for replying to my issue. I would like to clarify my input on this matter

When we purchased this home, we were under the impression that the area was a low density. The area behind us zoned for an apartment building (which has not been built and may never will be) has nothing to do with my street. If I had known that the street was going to go with apartment complexes or townhouses, I would not have bought my house. Is the city prepared to purchase my house if this lot in question is rezoned? If the lot in question is rezoned, then the lots 142 to 146A can be turned into apartment complexes too. For the sake of one lot please do not change the neighborhood. The builder can charge more for the said property instead of cramming in extra units. The street is all single family homes and should remain as so, like I said, for the sake of one lot.

From: Ken O'Brien <kobrien@stjohns.ca>
Sent: January 28, 2021 9:33 PM
To: CityClerk <cityclerk@stjohns.ca>; [REDACTED]
Cc: Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Dave Wadden <dwadden@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Karen Chafe <kchafe@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>
Subject: RE: (EXT) 138 Ladysmith Dr. rezoning application

Thanks, [REDACTED]. These matters can be discussed at the online commissioner's public hearing on Thursday, Feb. 4. See [Public Hearing - 138 Ladysmith Drive | City Of St. John's](#).

To clarify some of the terms used, the applicant is asking for an apartment zone because that zone is already in place on the large parcel of land in behind, which was a potential school site originally, then was rezoned for apartment buildings (they were never built). The houses along [REDACTED] Ladysmith Drive are in the Residential Narrow Lot (RNL) Zone, which permits single houses but does not allow basement apartments or townhouses. If the rezoning takes place, the applicant proposes to build 3 townhouses.

Thank you for your input. It will be passed to the independent commissioner, whose role is to examine the rezoning and make recommendations to Council based on the application, the City's municipal plan and development regulations, and public comments and concerns.

Regards,

Ken O'Brien

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's – Planning, Engineering and Regulatory Services
John J. Murphy Building (City Hall Annex), 4th floor (working from home)
Mail: PO Box 908, St. John's NL Canada A1C 5M2
Phone 709-576-6121 (rings to my home) Email kobrien@stjohns.ca www.stjohns.ca

From: CityClerk <cityclerk@stjohns.ca>
Sent: Wednesday, January 27, 2021 11:46 AM
To: [REDACTED] CityClerk <cityclerk@stjohns.ca>
Cc: Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Dave Wadden <dwadden@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Karen Chafe <kchafe@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>; Lindsay Lyghtle Brushett <LlyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>
Subject: RE: (EXT) 138 Ladysmith Dr

Good Morning:

We acknowledge receipt of your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, January 27, 2021 10:30 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 138 Ladysmith Dr

Hi there..I do have some concerns with the re-designation of 138 Ladysmith to a medium density lot. We live at [REDACTED]

When we built , we were not allowed to have an apartment in our home due to the existing rules that the lot was too narrow, but next door can have 3? This is not a fair treatment of home buyers.

The lot in question is smaller than 134 and 136 combined. Will the easement between homes still be followed or changed to have the building closer to existing homes?

My concern is the number of occupants and the number of parking needed for this apartment building. Three apartments will need a min of 3 parking spots but in this area people have two or three cars to each home. There will be no room on the property for grass, flowers or trees.

An "apartment complex" will reduce property values in our area.

This building is not to maximize the land usage but in greed in selling a greater number of units.

[REDACTED]

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Karen Chafe

From: CityClerk
Sent: Monday, February 1, 2021 1:46 PM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 138 Ladysmith drive

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, February 1, 2021 11:40 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 138 Ladysmith drive

Good morning,

I reside at [REDACTED]. I wish to comment on the application submitted to the city to rezone 138 Ladysmith drive for three townhomes.

I completely disagree with the rezoning the lot to A2.

In addition to this, I also disagree with re-designating the lot to AMD.

Three townhomes would not fit reasonably in such a small area, in addition to this parking will be an issue. Property values may decrease and three townhomes in that small area will create a high traffic situation which will be problematic to the residence who live near by.

138 Ladysmith should remain RNL

Please acknowledge receipt of this email.

Thank you for your time,
[REDACTED]

Karen Chafe

From: CityClerk
Sent: Monday, February 1, 2021 3:42 PM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 138 Ladysmith drive

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

-----Original Message-----

From: [REDACTED]
Sent: Monday, February 1, 2021 2:25 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 138 Ladysmith drive

To whom it may concern,

I reside at [REDACTED]. I recently learned of the application submitted to the city to rezone 138 Ladysmith drive.

I appreciate the opportunity to put forward my opinion on this application.

I have spoke with a few residents in the area and although I cannot speak for them, I do not support the idea of the construction of a town home at 138 Ladysmith drive. Several of other residences in the area also do not support this application. I am of the understanding that they have also sent an email on their behalf advising the same.

Thank you,
[REDACTED]

Sent from my iPhone

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Office of the City Clerk
cityclerk@stjohns.ca

Re: Rezoning section of Ladysmith Drive

To Whom it May Concern,

We live at [REDACTED] which is [REDACTED] from the proposed townhouse development.

We firmly oppose this development and rezoning. This is another example of the continuing narrative of City Council's lack of planning to develop this stretch of Ladysmith Drive to fit with the character and esthetic quality of our neighbourhood.

A few years ago, this area was rezoned to accommodate a 227-unit apartment building. Just recently, it was rezoned again to accommodate long lots to enable trailer-like dwellings to be erected. Now, you want to rezone this land to accommodate town houses.

We feel this rezoning (and where will this end?) will continue to devalue our property. We believe this type of housing should be put in a more suitable location, where existing property owners are not affected negatively after over a decade of having built their homes.

In a development full of homes which hover in cost at around \$400,000, you have already permitted trailer-like dwellings to be placed just across the street from our home. This is bad enough, and shows the lack of regard you hold for our neighbourhood. Houses continue to be built throughout areas of Kenmount Terrace; there is no reason why the vacant land cannot be rezoned to build more houses to engender the true community feel which has been lacking to date as a result of the City Council's poor planning.

We respectfully request that you do not approve this latest rezoning proposal for Ladysmith Drive.

Thank you

[REDACTED]
[REDACTED]

DECISION/DIRECTION NOTE

Title: 138 Ladysmith Drive, Adoption-in-Principle
Date Prepared: October 20, 2020
Report To: Regular Meeting of Council
Councillor and Role: Councillor Maggie Burton, Planning & Development
Ward: Ward 4

Decision/Direction Required:

That Council adopt-in-principle the resolutions for St. John's Municipal Plan Amendment Number 156, 2020, and St. John's Development Regulations Amendment Number 712, 2020.

Discussion – Background and Current Status:

The City has received an application from RTO Capital Inc. for three (3) townhouses at 138 Ladysmith Drive. The property is zoned Residential Narrow Lot (RNL) where the only housing form allowed is a single-detached house with only 1 dwelling unit (no subsidiary apartment). Based on the size of the property, the RNL Zone would accommodate 1 house. The applicant has asked Council to rezone to the Apartment Medium Density (A2) Zone which includes Townhousing as a permitted use. A Municipal Plan amendment is also required.

The property is designated Residential Low Density under the St. John's Municipal Plan. An amendment is required to re-designate this property to Residential Medium Density in order to consider the A2 Zone. From Sections 1.2.2 and 1.2.3 of the Municipal Plan, the City shall encourage increased density in all areas where appropriate, and encourage a compatible mix of residential buildings of varying densities in all zones. The townhouses would slightly increase the density of this area (going from 1 house to 3) while being compatible with the adjacent A2 and RNL Zones. The applicant is proposing 2-storey townhouses. From Section 2.3.2 of the Municipal Plan, the Residential Medium Density District can allow up to 3 storeys, and therefore a Land Use Assessment Report would not be required.

The proposed amendments were advertised three times in *The Telegram* newspaper and posted on the City's website. Property owners within 150 metres of the application site were notified. There was one written submission received by the City Clerk (attached). In it, the area resident states a variety of concerns including a decrease in property values, increase in crime, and an increase in traffic, speeding, and parked vehicles on the street. The application has been reviewed by staff, who do not share these concerns. This would be an addition of 2 more possible houses where 1 house is now permitted, for a total of 3 new houses in a large neighbourhood. Each dwelling is required to have one off-street parking space.

ST. JOHN'S

If the attached amendment is adopted-in-principle by Council, it will be referred to the NL Department of Climate Change, Environment and Municipalities with a request for provincial review in accordance with the Urban and Rural Planning Act, 2000.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
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: Advertising the proposed amendments as per Section 5.5 of the St. John's Development Regulations.
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 adopt-in-principle the resolutions for St. John's Municipal Plan Amendment 156, 2020 and St. John's Development Regulations Amendment 712, 2020, regarding land at 138 Ladysmith Drive.

Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	138 Ladysmith Drive, Adoption-in-Principle, MPA2000007.docx
Attachments:	- 138 Ladysmith Drive - Attachments - AIP.pdf
Final Approval Date:	Oct 21, 2020

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

Ken O'Brien - Oct 21, 2020 - 1:15 PM

Jason Sinyard - Oct 21, 2020 - 8:27 PM



DISCLAIMER: This map is based on current information at the date of production.

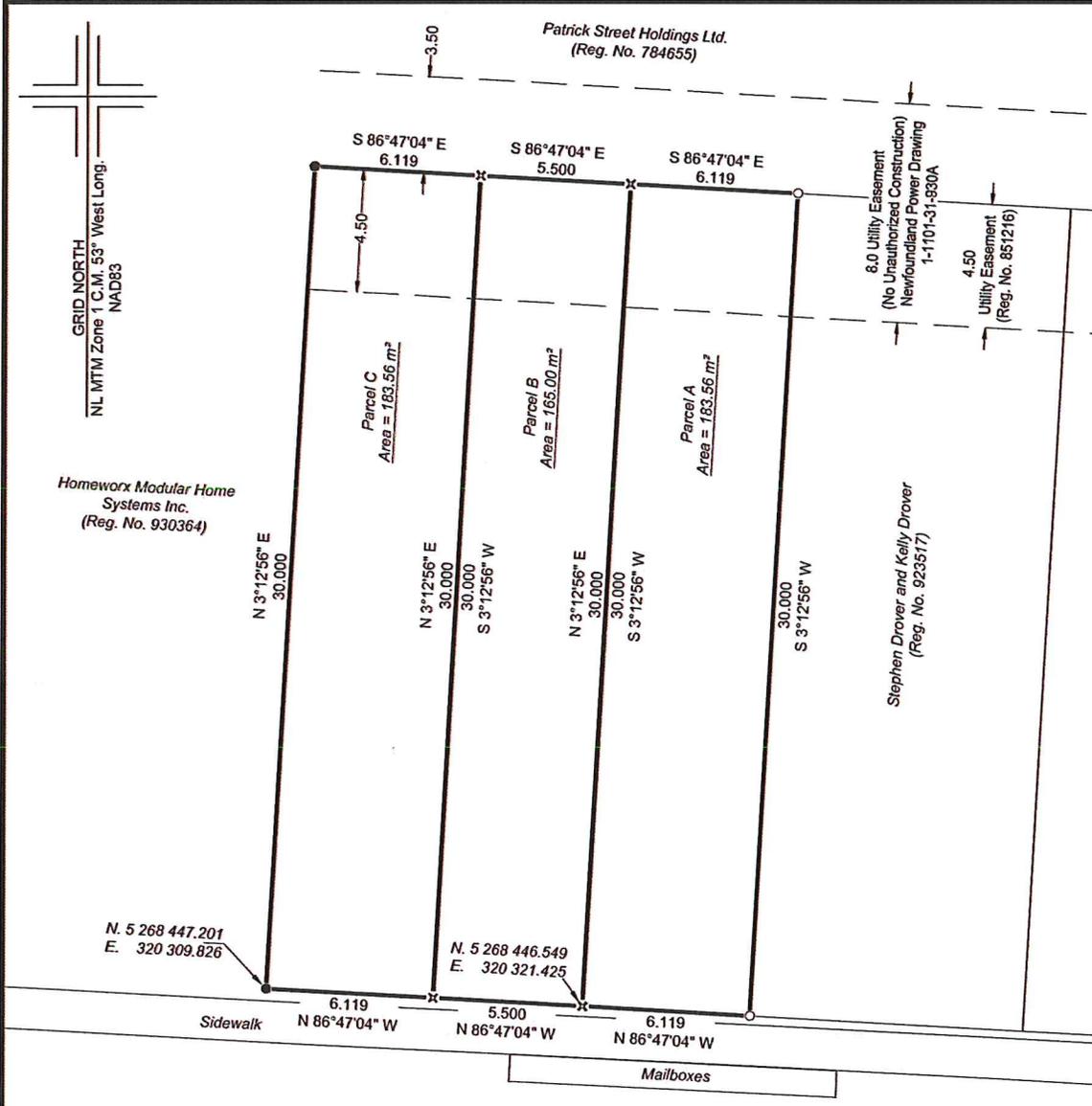
V:\Engwork\Plans\Applications 2020\mpa2000097-138 ladysmith drive.mxd

CITY OF ST. JOHN'S



138 Ladysmith Drive and surrounding area

**PLAN SHOWING PROPOSED SUBDIVISION
FOR RTO CAPITAL INC.
138 LADYSMITH DRIVE
ST. JOHN'S, NL**

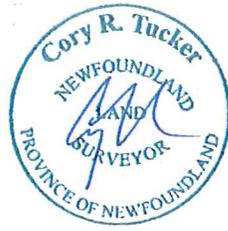


**REFERENCE MONUMENTS USED FOR CONTROL
(NEWFOUNDLAND 3° MTM - NAD 83)**

DESCRIPTION	NORTHING	EASTING
80G2181	5267822.526	321320.272
026513	5267439.125	320647.822

NOTES:
This plan certifies the information shown as of September 25, 2020 and only as of that date. Combined Scale Factor = 0.999878. Distances are horizontal ground shown in metres and decimals thereof.

LEGEND
Temporary Position: x
Iron Bar Found: ●
Iron Bar Placed: ○



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Portions referred to are shown thus:

McElhanney Land Surveys (NL) Ltd.
34 Pippy Place,
St. John's, NL, A1B 3X4
T 709-722-0564 F 709-722-0361
Email ctucker@mcehanney.net

REV.	DATE	DESCRIPTION	DRAF	CHKD	SURV
0	Sept. 25/20	Plan Issued	AM	CRT	---

REVISIONS



UNIT 3

UNIT 2

UNIT 1

Proposed Townhomes Elevation 138 Ladysmith Drive

www.rjrobere
designplanning.ca
709-753-8169

Proposed Plot Plan
138 Ladysmith Drive

date July 2 2020	drawn by rjr	S-2 187
project		

**RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 156, 2020**

WHEREAS the City of St. John's wishes to allow the development of three (3) Townhouses at 138 Ladysmith Drive.

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 land at 138 Ladysmith Drive [Parcel ID# 404650] from the Residential Low Density (RLD) Land Use District to the Residential Medium Density (RMD) 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 Climate Change, Environment and Municipalities 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 _____, 2020.

Mayor

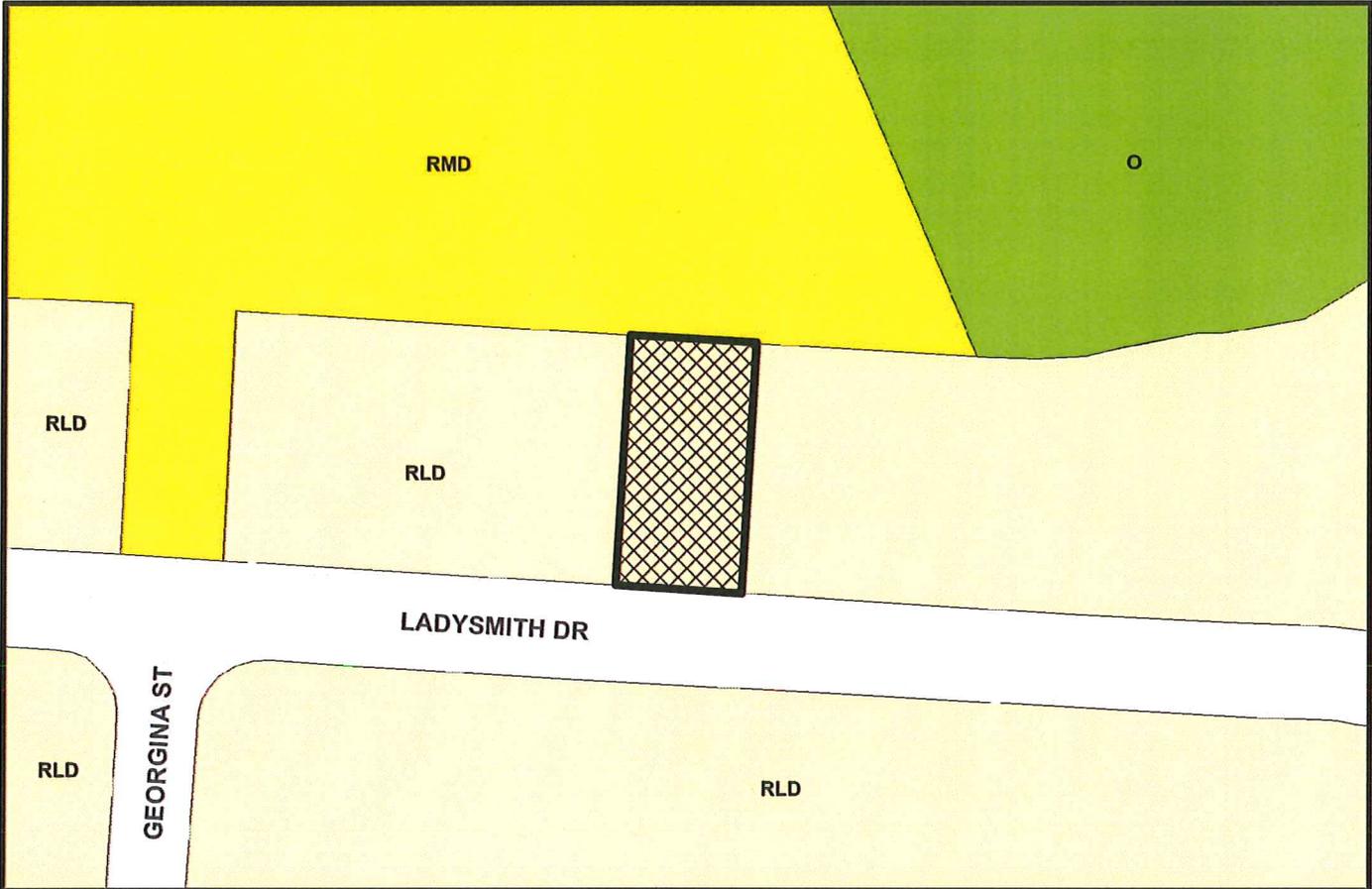
MCIP

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. 156, 2020
[Map III-1A]**

2020 10 20 Scale: 1:1000
City of St. John's
Department of Planning, Development
& Regulatory Services

**I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.**



**AREA PROPOSED TO BE REDESIGNATED FROM
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT TO
RESIDENTIAL MEDIUM DENSITY (RMD) LAND USE DISTRICT**

**138 LADYSMITH DRIVE
Parcel ID 404650**

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

**RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 712, 2020**

WHEREAS the City of St. John's wishes to allow the development of three (3) Townhouses at 138 Ladysmith Drive.

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

Rezone land at 138 Ladysmith Drive [Parcel ID# 404650] from the Residential Narrow Lot (RNL) Zone to the Apartment Medium Density (A2) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Climate Change, Environment and Municipalities 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 _____, 2020.

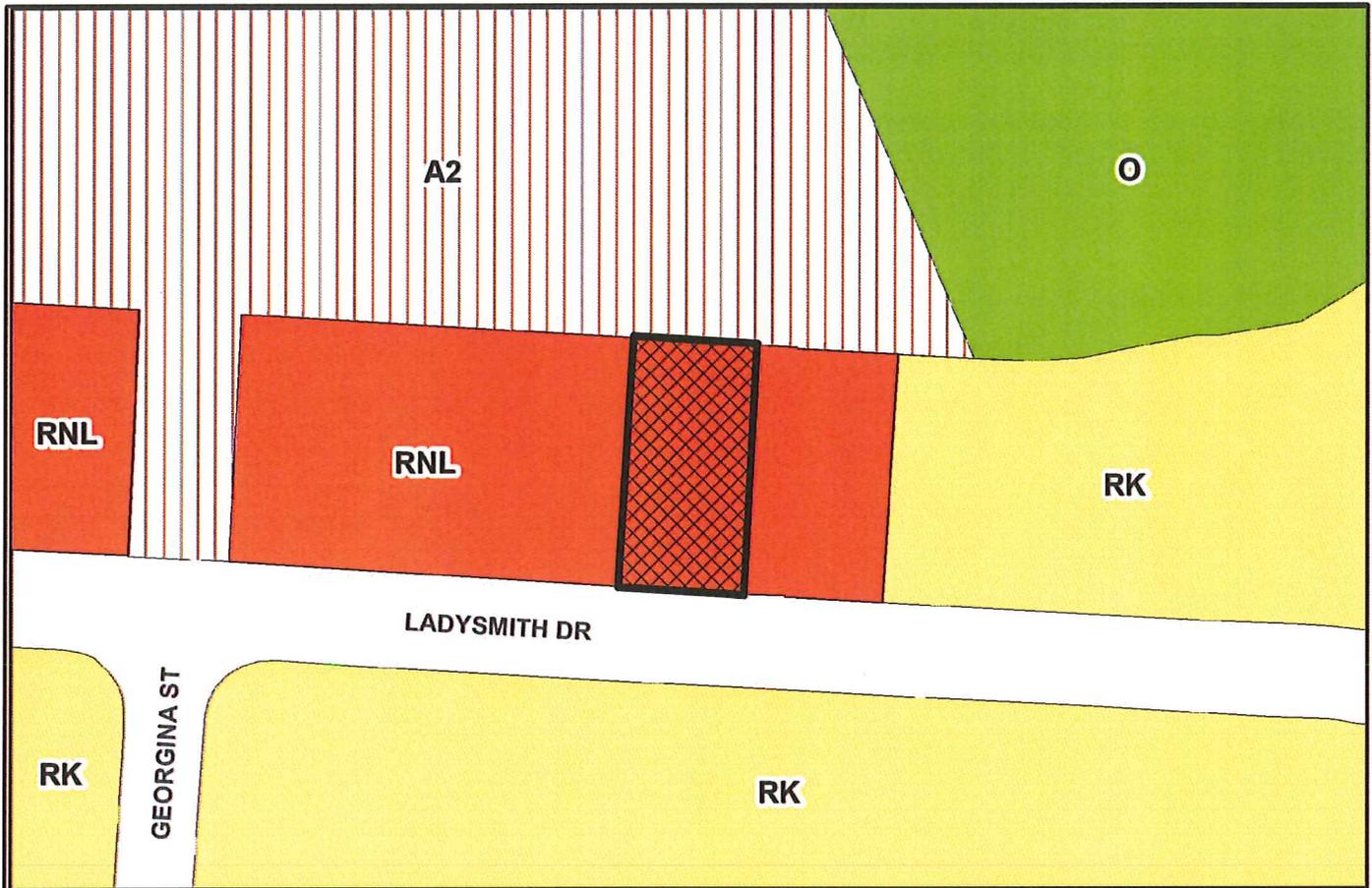
Mayor

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. 712, 2020
[Map Z-1A]**

2020 10 20 Scale: 1:1000
City of St. John's
Department of Planning, Development
& Regulatory Services

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 NARROW LOT (RNL) LAND USE ZONE
TO APARTMENT MEDIUM DENSITY (A2) LAND USE ZONE

138 LADYSMITH DRIVE
Parcel ID 404650

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

[REDACTED]
St. John's, NL
[REDACTED]

October 15, 2020.

To whom it may concern,

Regarding the application submitted by RTD Capital Inc. for three townhouses to be located at 138 Ladysmith drive.

I feel that construction of these townhouses will:

- Decrease property value in the area.
- Increase traffic flow.
- There has always been an issue with speeding on this street and nothing has been done to slow traffic (ex. speed bumps, police presence etc.) after numerous complaints from residents regarding this issue. Now due to townhouses and an increase traffic flow, there will be more vehicles speeding and making it unsafe for children and adults walking and playing.
- Crime rate has been up in this area and with townhouses providing more homes to more people, this increase in population density, would entice more criminals to visit the area.

- There are already numerous apartments in the area, and the vehicles from these apartments are parked on the streets. With townhouses, there will be an increase in vehicles parked on the street and this will add to the congestion of vehicles making it unsafe.

Thank-you for allowing me to voice my concerns. Kenmount Terrace has always been known as an elite group of people and well maintained housing. It would be a shame to change this.

Thank-you,

