

DECISION/DIRECTION NOTE

Title: 260 Paddy's Pond Road – REZ2000008

Date Prepared: April 27, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 5

Decision/Direction Required:

To consider rezoning 260 Paddy's Pond Road from the Rural (R) Zone to the Commercial Industrial (CI) Zone to allow a Commercial Garage and other commercial/industrial retail uses.

Discussion – Background and Current Status:

The City has received an application to rezone property at 260 Paddy's Pond Road from the Rural (R) Zone to the Commercial Industrial (CI) Zone. The existing building (originally a gas station) has offices, a warehouse and service bays for a transport company. The owner wishes to renovate the building and rent a portion of it for a Commercial Garage (355 square metres of floor area) and related retail (235 square metres). The current operation will remain but will include the operation and servicing of equipment in their fleet.

The Rural Zone does not permit a Commercial Garage or retail, therefore rezoning is required. Permitted uses in the CI Zone include a Commercial Garage, a Retail Use associated with a light industrial use or wholesale business, and a Service Shop associated with other permitted uses. This would serve the applicant's intent.

The property is designated Rural by the St. John's Municipal Plan. Under Section 1.3.2 of the Plan, subject to a land use assessment report (LUAR) the City may permit commercial zones on properties near a major arterial identified by the Regional Plan to serve regional highway traffic. The subject property is along the Trans-Canada Highway, and so the CI Zone can be considered without having to amend the Municipal Plan. Section 3 of the Plan enables Council to accept a staff report as an LUAR where the scale or circumstances of a development proposal do not merit extensive analysis. Given the small scale of the proposal here, staff recommend that Council accept this staff report as the LUAR.

The application was referred to the City's Development Committee to determine the extent of the site upgrades necessary, given that it is a developed lot needing only internal changes to the building. The Committee advised of the usual requirements for parking and public access and to ensure landscaping for the minimum required 20% of the lot.

The applicant's site plan attached shows 20% landscaping. Once further development occurs, they will have to adhere to the City's Commercial Development Policy, meet the 20%

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landscaping requirement, and use the parking spaces on the site plan for customer parking, not for the storage or display of vehicles for servicing or sale. The City's Development and Engineering staff have no other concerns. Further review will occur at the development stage.

Should Council consider the rezoning, the application will be advertised for public review and comment, including in *The Telegram* newspaper, on the City's website, and in a mail-out to neighbouring properties. Due to the location of the site and the nature of the application, staff are not recommending a public meeting, though Council is free to require one.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring property owners and businesses.
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: A map amendment (rezoning) to the St. John's Development Regulations is required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Should the amendment proceed, the application will be advertised in *The Telegram* newspaper and on the City's website, and notices mailed to property owners within 150 metres of the application site.
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 the property at 260 Paddy's Pond Road from the Rural (R) Zone to the Commercial Industrial (CI) Zone to allow a Commercial Garage and other commercial/industrial retail uses; 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:	260 Paddy's Pond Road - REZ2000008.docx
Attachments:	- 260 Paddy's Pond Road - Attachments.pdf
Final Approval Date:	Apr 29, 2021

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

Ken O'Brien - Apr 28, 2021 - 3:41 PM

Jason Sinyard - Apr 29, 2021 - 11:13 AM