

# DECISION/DIRECTION NOTE

**Title:** 4 Merrymeeting Road, MPA2200003  
**Date Prepared:** June 30, 2022  
**Report To:** Committee of the Whole  
**Councillor and Role:** Councillor Ian Froude, Planning  
**Ward:** Ward 2

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## Decision/Direction Required:

To consider a rezoning to allow two Apartment Buildings at 4 Merrymeeting Road (Mount St. Francis Monastery property, designated Heritage Building).

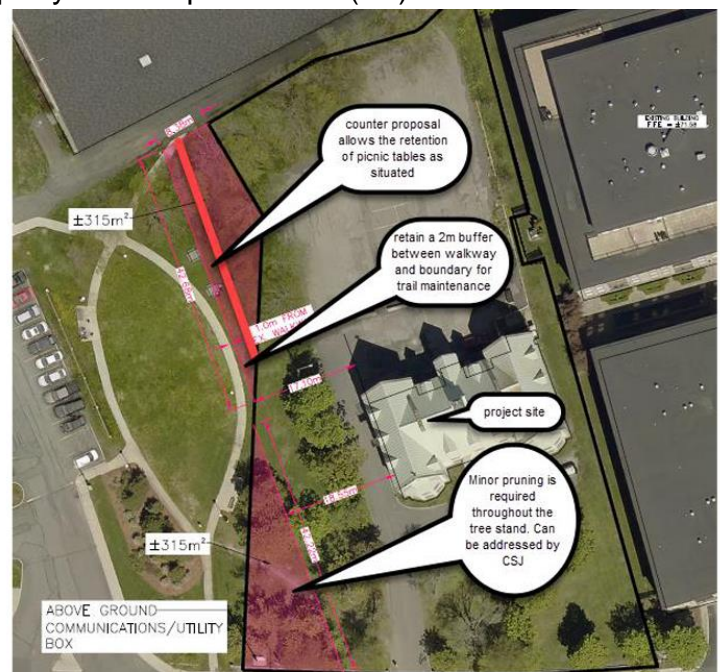
## Discussion – Background and Current Status:

The City has received an application from Brookfield Plains Inc. for two Apartment Buildings, with a total of twenty-two (22) dwelling units at 4 Merrymeeting Road. The subject property is within the Institutional District and Zone, Heritage Area 1, the St. John's Ecclesiastical District and Mount St. Francis Monastery is designated by both the city and province. The applicant is proposing to renovate the Heritage Building to accommodate six residential units and build a second 4-storey Apartment Building on the property that will house sixteen dwelling units.

The Apartment Building within the monastery could be considered a discretionary Heritage Use under the current zone, however the applicant has opted to apply for both buildings under one application. They are seeking to rezone the property to the Apartment 1 (A1) Zone in which Apartment Buildings are a permitted use. Applying for both buildings under the one application presents a clear picture of the overall development, is transparent for public consultation purposes and staff are able to better coordinate comments on the full site development, such as servicing, etc.

### Land Swap

The property at 4 Merrymeeting Road is an irregular shape. At the March 28, 2022 Council meeting, Council approved the land swap between the City and the owners of 4 Merrymeeting Road. This allowed the applicant to square the property to better facilitate development of the site. The property owner is responsible for all required surveys, application to consolidate their property and any required



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Development approvals and permits. This land swap does not constitute development approval.

### Heritage and Land Use Report

As per Section 4.9 of the St. John's Development Regulations, a Land Use Report (LUR) is required for the property rezoning. Further, as per Section 8(2)(d), a Heritage Report is required for a new development adjacent to a Heritage Building. Staff have drafted a combined Heritage and Land Use Report terms of reference for Council's review.

The applicant is proposing a small extension to the rear of the Heritage Building and the new Apartment Building will be adjacent to the Heritage Building. The impacts of these developments on the Heritage Building, as well as the Heritage Area and Ecclesiastical District will be evaluated in the Heritage Report, and where possibly mitigation measures should be recommended in the report.

The applicants have attended the June 1, 2022 Built Heritage Experts Panel (BHEP) meeting and the Panel provided some initial commentary on the development. The attached renderings of the new Apartment Building are included for scale only. Design details will be required in the Heritage and Land Use Report and will incorporate the Panel's feedback.

The applicant has indicated that they will be requesting a 10% variance on the building height of the new Apartment Building. This will be reviewed and confirmed in the LUR and advertised for public comments prior to Council's consideration.

Should Council decide to consider the amendment, public consultation will be held following acceptance of a satisfactory Heritage and Land Use Report. In addition, as part of the LUR terms of reference, the applicant will be required to consult the neighbouring residents and property owners prior to submitting the first LUR submission. This will allow the applicant to consider concerns from the neighbourhood and try to mitigate any issues through the site design.

### **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners; Heritage NL.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

4. Alignment with Adopted Plans: Sy. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Any accessibility requirements from the National Building Code or Service NL will be applied at the building permit stage.
6. Legal or Policy Implications: A map amendment to the St. John's Municipal Plan and Development Regulations is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public consultation, as required by the St. John's Development Regulations, will be required after a Land Use Report acceptable to staff is submitted.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council consider a rezoning from the Institutional (INST) Zone to the Apartment 1 (A1) Zone at 4 Merrymeeting Road and approve the attached draft terms of reference for a Heritage and Land Use Report (LUR).

Further, upon receiving a satisfactory Heritage and Land Use Report, that Council refer the application to a public meeting chaired by an independent facilitator for public input and feedback.

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

**Report Approval Details**

Document Title:	4 Merrymeeting Road, MPA2200003.docx
Attachments:	- 4 Merrymeeting Road - Attachments(reduced).pdf
Final Approval Date:	Jul 7, 2022

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

**Ken O'Brien - Jul 6, 2022 - 4:07 PM**

**Jason Sinyard - Jul 7, 2022 - 9:39 AM**