

DECISION/DIRECTION NOTE

Title: St. John's Municipal Plan Amendment Number 150, 2018 and St. John's Development Regulations Amendment Number 686, 2018
Application to Rezone Land to the Residential Medium Density (R2) Zone for development of 32 Semi-Detached Dwellings
MPA1800004
47A Heavy Tree Road – Diamond Marsh Subdivision Stage 4
Applicant: Fairview Investment Limited

Date Prepared: September 25, 2019

Report To: His Worship the Mayor and Members of Council

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

Ward: 5

Decision/Direction Required:

Following Provincial release of the proposed amendments for 47A Heavy Tree Road (Diamond Marsh Subdivision Stage 4), Council may proceed and adopt St. John's Municipal Plan Amendment Number 150, 2018, and St. John's Development Regulations Amendment Number 686, 2018.

Discussion – Background and Current Status:

The City received an application to develop 32 Semi-Detached Dwellings at 47A Heavy Tree Road (Diamond Marsh subdivision stage 4). The area is currently zoned Rural and would need to be rezoned to Residential Medium Density (R2). Stage 4 is additional land the developer has incorporated into the larger Diamond Marsh development, which was originally redesignated and rezoned in 2010/2011 to the Residential Low Density (R1) Zone. Amendments to both the St. John's Urban Region Regional Plan and the St. John's Municipal Plan are required for this proposed development.

The proposed amendments were advertised and at the Council meeting held on September 17, 2018, the resolutions for St. John's Municipal Plan Amendment Number 150, 2018, and St. John's Development Regulations Amendment Number 686, 2018, were adopted-in-principle. The amendments were sent to the Department of Municipal Affairs and Environment, along with a request for the Minister to consider an amendment to the St. John's Urban Region Regional Plan in regard to the proposed development.

Following regional consultation, the Department of Municipal Affairs and Environment advised that Provincial release has been issued for St. John's Municipal Plan Amendment Number 150, 2018 and St. John's Development Regulations Amendment Number 686, 2018. The Department has also advised that St. John's Urban Region Regional Plan Amendment Number 4, 2018, has been adopted by the Minister, which would re-designate land at 47A

ST. JOHN'S

Heavy Tree Road to Urban Development. Council may now proceed with the next steps in the amendment process.

Key Considerations/Implications:

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders:
Municipalities under the St. John's Urban Region Regional Plan and neighbouring residents and property owners.
3. Alignment with Strategic Directions/Adopted Plans:
City'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:
Ensuring that our Municipal Plan conforms to the Regional Plan.
5. Engagement and Communications Considerations:
A Public Hearing chaired by an independent commissioner is required.
6. Human Resource Implications: Not Applicable.
7. Procurement Implications: Not Applicable.
8. Information Technology Implications: Not Applicable.
9. Other Implications: Not Applicable.

Recommendation:

It is recommended that Council now adopt the attached resolutions for St. John's Municipal Plan Amendment Number 150, 2018 and St. John's Development Regulations Amendment Number 686, 2018. If the resolutions are adopted by Council, it is further recommended that Council appoint Ms. Marie Ryan, a member of the City's commissioner list, to conduct a public hearing on the proposed amendments. Ms. Ryan would also consider the proposed St. John's Urban Region Regional Plan Amendment Number 4, 2018, at this same public hearing and would subsequently prepare a single report with recommendations for the consideration of both the Minister of Municipal Affairs & Environment and St. John's Council.

The proposed date for the public hearing is Wednesday, October 23, 2019, at 7pm at St. John's City Hall.

Prepared by/Signature:

Lindsay Lyghtle-Brushett, MCIP, Planner III

Signature: _____

Approved by - Date/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

LLB/dlm

Attachments:

Amendments

Location map

RESOLUTION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NUMBER 150, 2018

WHEREAS the City of St. John's wishes to allow the development of Semi-Detached Dwellings at 47A Heavy Tree Road (Diamond Marsh subdivision).

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 47A Heavy Tree Road from the Rural (R) Land Use District to the Residential Low Density (RLD) 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 Municipal Affairs and Environment 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 _____, 2018.

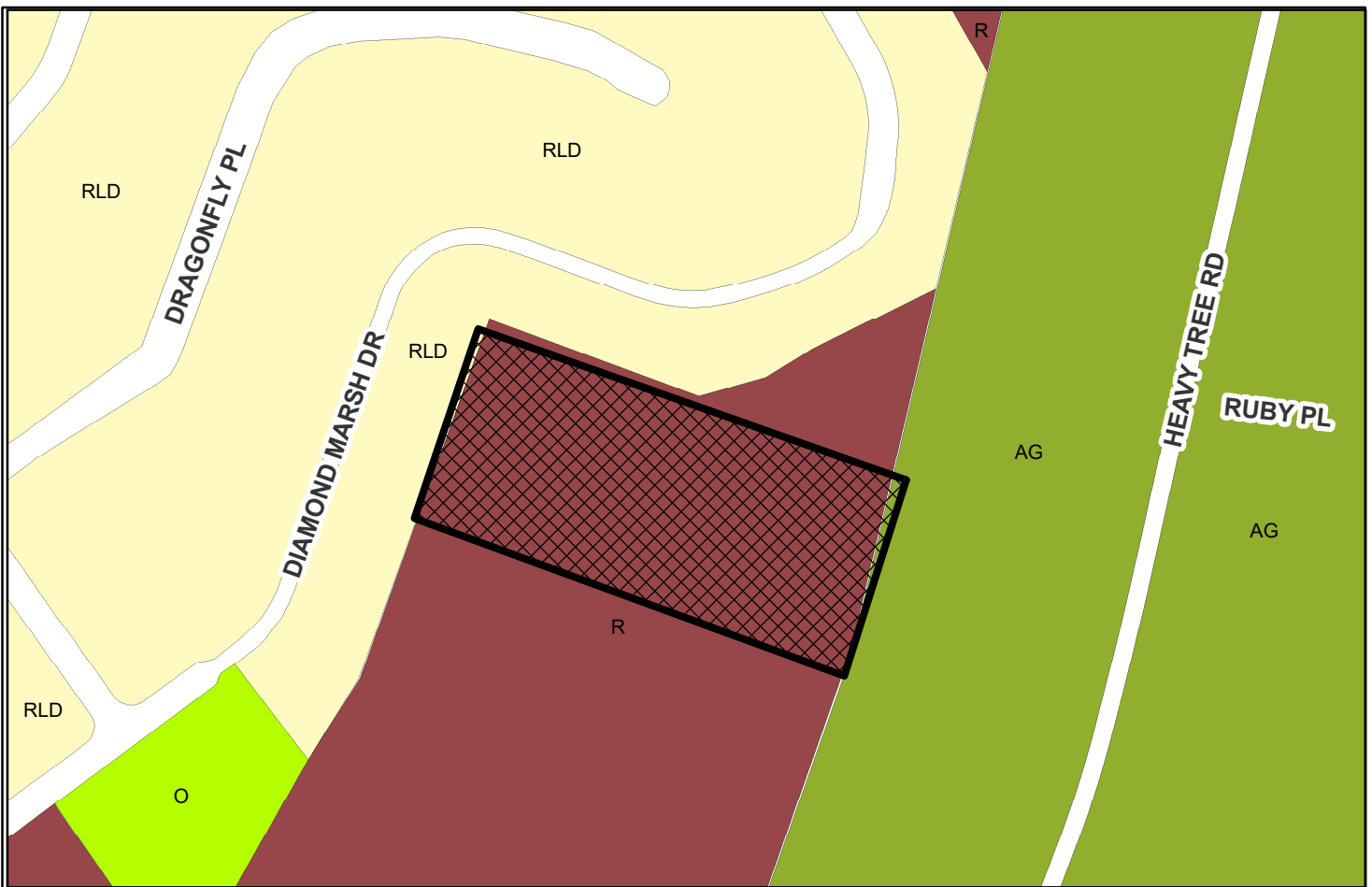
Mayor

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. 150, 2018
[Map Z-1A]**

2018 09 13 Scale: 1:750
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
RURAL (R) LAND USE DISTRICT TO
RESIDENTIAL LOW DENSITY (RLD) LAND USE DISTRICT**

47A HEAVY TREE RD

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Provincial Registration

RESOLUTION
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NUMBER 686, 2018

WHEREAS the City of St. John's wishes to allow the development of Semi-Detached Dwellings at 47A Heavy Tree Road (Diamond Marsh subdivision).

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 47A Heavy Tree Road from the Rural (R) Zone to the Residential Medium Density (R2) Zone as shown on Map Z-1A attached.

BE IT FURTHER RESOLVED that the City of St. John's requests the Minister of Municipal Affairs and Environment 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 _____, 2018.

Mayor

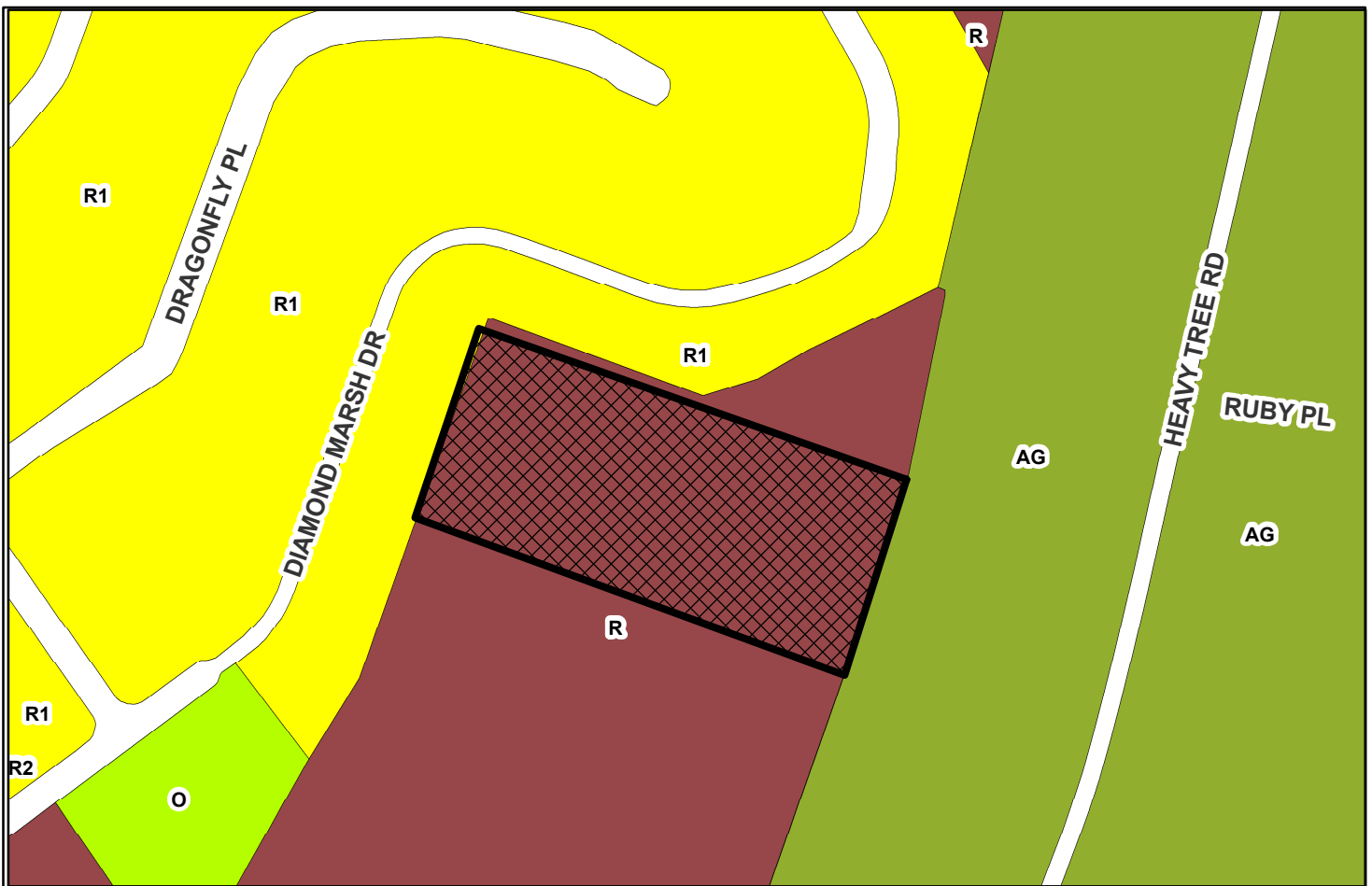
MCIP

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. 686, 2018
[Map Z-1A]**

2018 09 13 Scale: 1:750
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
RURAL (R) ZONE TO THE RESIDENTIAL MEDIUM DENSITY (R2) ZONE

47A HEAVY TREE RD

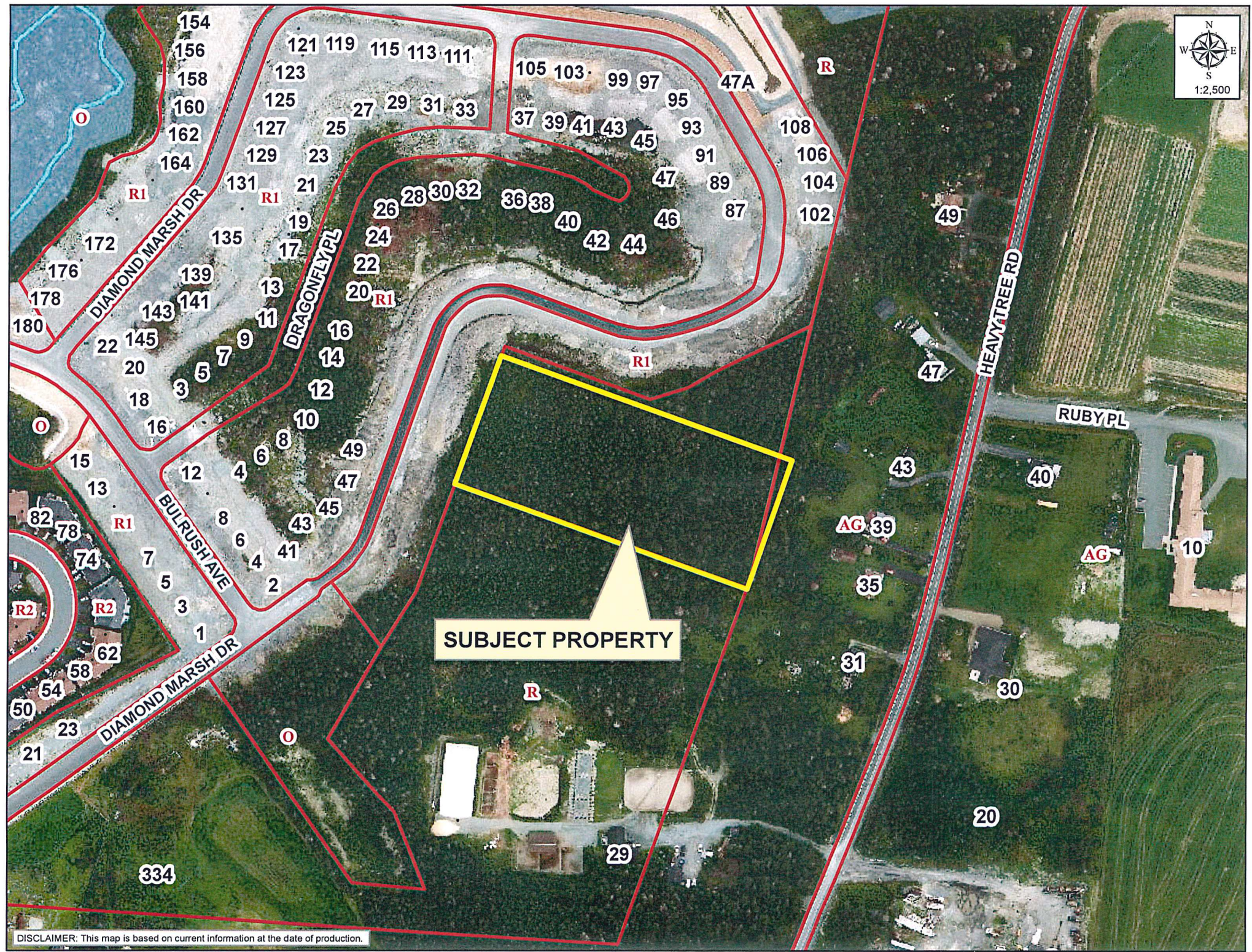
M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

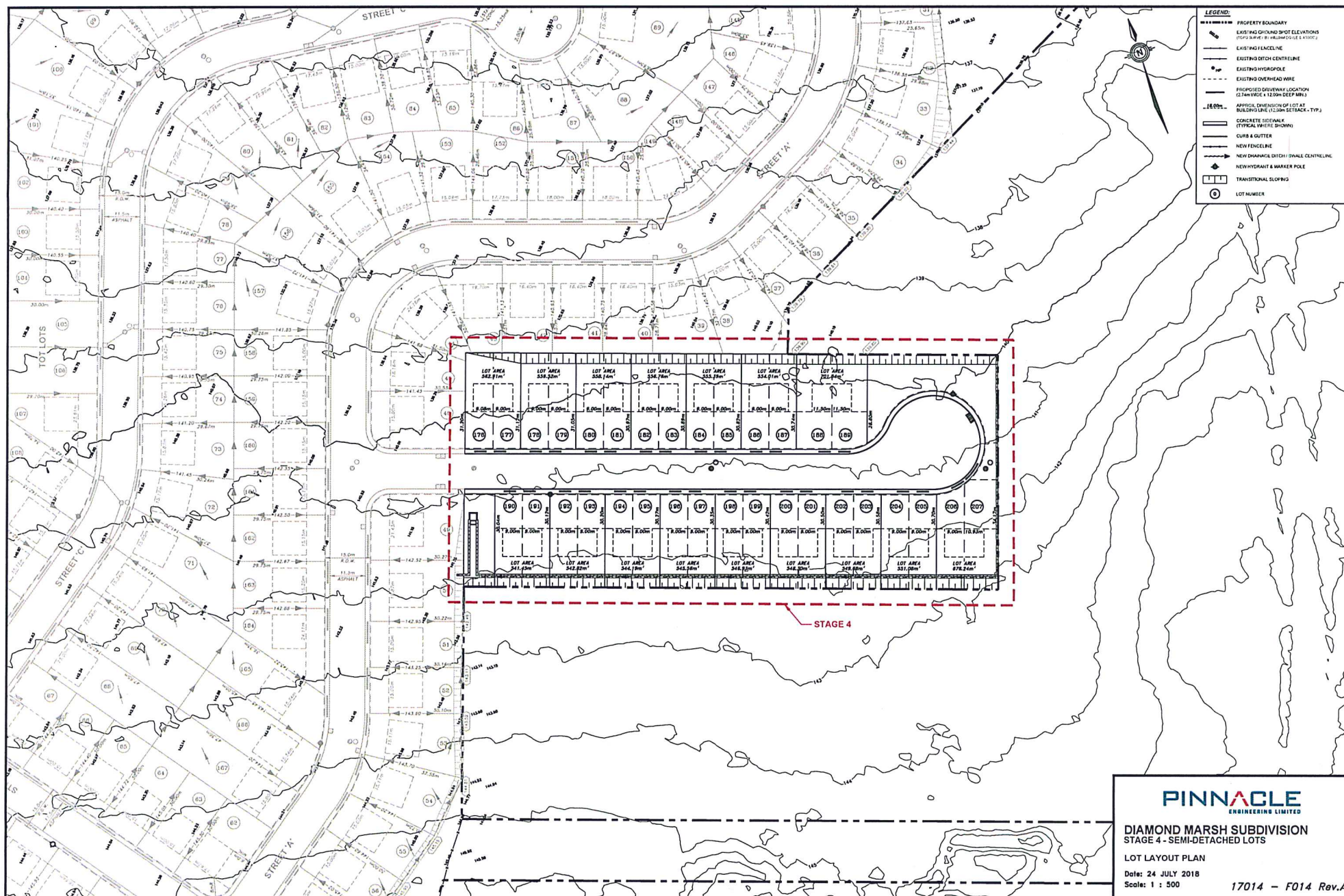
Provincial Registration



SUBJECT PROPERTY

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

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ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

AMENDMENT 4, 2018

BACKGROUND

The St. John's City Council is proposing an amendment to its Municipal Plan and Development Regulations. The *Urban and Rural Planning Act, 2000* (the "Act") sets out the process for amending a Municipal Plan and Development Regulations.

The City's municipal amendment is intended to accommodate the development of 32 semi-detached dwellings. The land is designated and zoned "Rural" according to the City of St. John's Municipal Plan and Development Regulations, which does not permit residential uses.

The City Council proposes to amend the St. John's Municipal Plan by changing the Land Use District from "Rural" to "Residential Low Density (RLD)" on the City's Future Land Use Map III-1A. Additionally, the City Council proposes to amend its Development Regulations by changing the Land Use Zone from "Rural (R)" to "Residential Medium Density (R2)" on the city's Land Use Zone Map Z-1A.

The St. John's Urban Region Regional Plan, 1976 (SJURRP) sets out a framework for growth and development within the St. John's Urban Region. Amendments to Municipal Plans prepared by municipalities in the St. John's Urban Region must be consistent with the SJURRP. Currently, the SJURRP designates the subject area as "Rural". The proposed residential development is only allowed under the SJURRP designation of "Urban Development".

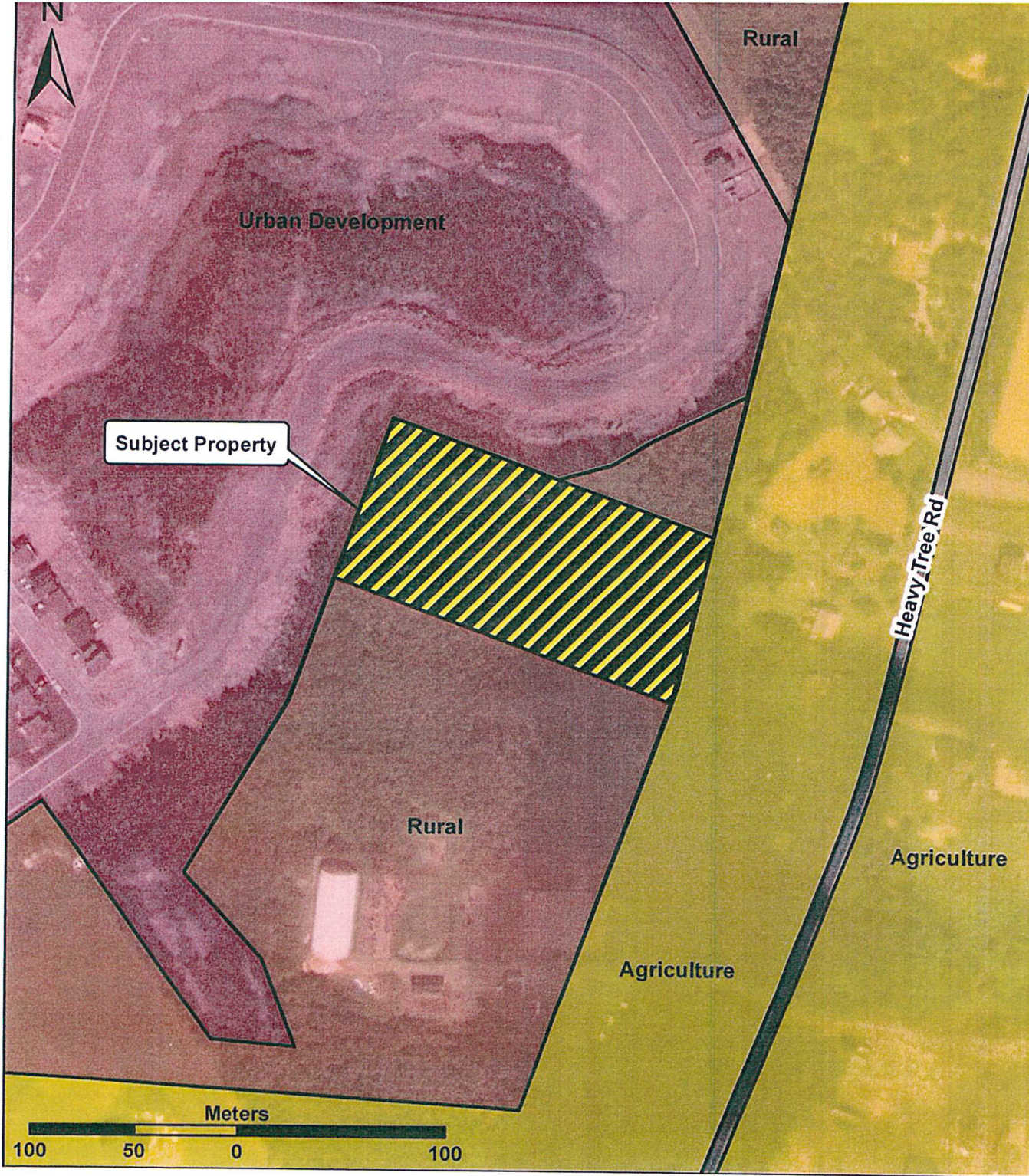
Therefore, in order to accommodate the proposed residential development, the St. John's City Council requested that the SJURRP be simultaneously amended so that the "Urban Development" designation is applied to the area where development is proposed.

PUBLIC CONSULTATION





The St. John's City Council published a notice in *The Telegram* on 9th and 16th days of March, 2019 soliciting comments on the proposed SJURRP Amendment 4, 2018. The information was also posted on the City's website. Comments or objections were invited up to 26th day of March, 2019. One written comment was received by the City. The City of St. John's also wrote to the other 14 municipalities subject to the proposed SJURRP amendment. Seven municipalities responded by the requested deadline, including: Mount Pearl, Portugal Cove-St. Philip's, Bay Bulls, Paradise, Torbay, Conception Bay South, Logy Bay-Middle Cove-Outer Cove. There were no objections to the proposed amendment from the neighbouring municipalities in the Region.

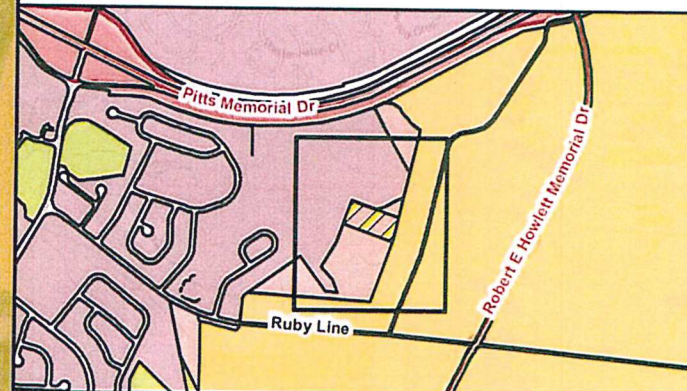
St. John's Region Regional Plan, 1976 Amendment 4, 2018

The St. John's Urban Region Regional Plan is amended by re-designating an area of land in the area of 47A Heavy Tree Road (Diamond Marsh Subdivision Phase 4) within the Municipal Planning Area of the City of St. John's from "Rural" to "Urban Development" as shown on the attached map.



**St. John's Urban Region
Regional Plan Amendment No. 4, 2018**

-  From 'Rural' to 'Urban Development'
-  Urban Development
-  Agriculture
-  Rural



St. John's Urban Region Regional Plan Amendment
REGISTERED

Number _____

Date _____

Signature _____

Signed this ____ day of _____, 20 ____.

Minister of Municipal Affairs and Environment

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region
Regional Plan Amendment No. 4, 2018 has
been prepared in accordance with requirements
of the *Urban and Rural Planning Act, 2000*.

MCIP: _____

