

DECISION/DIRECTION NOTE

Title: 34 New Cove Road – MPA2300005 – Terms of Reference

Date Prepared: November 14, 2023

Report To: Committee of the Whole

Councillor and Role: Councillor Ian Froude, Planning

Ward: Ward 4

Decision/Direction Required:

To consider changing the land use district and zone at 34 New Cove Road to enable the development of an apartment building.

Discussion – Background and Current Status:

The City received an application from KMK Capital Inc. to rezone 34 New Cove Road from the Institutional (INST) Zone to the Apartment 3 (A3) Zone to enable the development of a new Apartment Building. To rezone the property, the Institutional District would need to be redesignated to the Residential District.

The application is for a 10 story building with a separate 2 level parking structure as shown in the attachments. It should be noted that the second level of parking as shown on the attached site plan is to demonstrate the amount of parking only not the location of the parking structure. The location is atop the first level of parking and is wholly contained within the property boundary.

In accordance with section 4.9(2)(a) of the Envision St. John's Development Regulations, Council requires a land use report (LUR) for all applications to amend the Municipal Plan and Development Regulations. The terms of reference for the LUR must be approved by Council. The draft terms of reference for 34 New Cove Road are attached.

Should Council decide to consider amendments, public consultation will be held after the applicant submits a satisfactory LUR. Knowing a commissioner's public hearing will be required later, staff recommend public notification. In addition, as part of the terms of reference, the applicant must consult the neighbouring residents and property owners before submitting the LUR. This will allow the applicant to learn about any concerns and mitigate any issues.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.

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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: Envision St. 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: Map amendments to the Envision St. John's Municipal Plan and Development Regulations are required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public consultation, as per the Envision St. John's Development Regulations, will be required after an acceptable Land Use Report is submitted. Staff recommend public notification.
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 redesignating 34 New Cove Road from the Institutional District to the Residential District, and consider rezoning 34 New Cove Road from the Institutional Zone to the Apartment 3 (A3) Zone.

Further, that Council approve the attached draft terms of reference for a land use report.

Further, upon receiving a satisfactory land use report, that Council refer the application to public notification, as the application will require a commissioner's public hearing later in the amendment process.

Prepared by: Lindsay Church, MCIP, Planner III – Urban Design and Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	34 New Cove Road - MPA2300005 - Terms of Reference.docx
Attachments:	- 34 New Cove Road - Aerial1.pdf - Proposal.pdf - TOR - 34 New Cove Road - November 6, 2023.pdf
Final Approval Date:	Nov 16, 2023

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

Ken O'Brien - Nov 16, 2023 - 10:02 AM

Jason Sinyard - Nov 16, 2023 - 12:23 PM