

DECISION/DIRECTION NOTE

Title: 110 Higgins Line – Text Amendment – REZ2300010 - Adoption

Date Prepared: November 20, 2023

Report To: Regular Meeting of Council

Councillor and Role: Councillor Ian Froude, Planning

Ward: Ward 4

Decision/Direction Required:

That Council adopt Envision St. John's Development Regulations Amendment No. 29, 2023, to add Home Occupation to the Residential Special (RA) Zone, prompted by 110 Higgins Line..

Discussion – Background and Current Status:

The City received an application from the owner of 110 Higgins Line to add Home Occupation as a discretionary use to the Residential Special (RA) Zone. At the same time, the applicant applied for a discretionary use to operate a home care business at that address.

The home care business has operated at 110 Higgins Line since 2011. It started as an approved Home Office but transformed to a Home Occupation without approval from the City. The proposed amendment is an effort to bring the existing use into conformity.

This is a low-impact use in a house in an established residential neighbourhood. Home Occupation is listed as a use in many other residential zones but not in the RA Zone.

At its October 31, 2023, regular meeting, Council voted to consider the amendment and advertise it for public review. The amendment was advertised in *The Telegram* on three occasions, on the City's website, on the Planning Engage page, and mailed to property owners within 150 metres of the subject property. One submission was received opposing the Home Occupation at 110 Higgins Line, but not opposing the proposed amendment.

Council can now adopt the attached text amendment. Should Council adopt it, the documents will be forwarded to the NL Department of Municipal and Provincial Affairs for registration.

Key Considerations/Implications:

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

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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: Not applicable.
6. Legal or Policy Implications: An amendment to the Envision St. John's Development Regulations is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Publicly advertised as per the Envision St. John's Development Regulations.
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 adopt Envision St. John's Development Regulations Amendment Number 29, 2023, to add Home Occupation to the Residential Special (RA) Zone.

Further, that Council approve the discretionary use application to operate a home care business at 110 Higgins Line, subject to Development Regulations Amendment Number 29, 2023 coming into legal effect.

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:	110 Higgins Line - Text Amendment - REZ2300010 - Adoption.docx
Attachments:	- 110 Higgins Line - Location.pdf - DR Amend No. 29, 2023 - Home Occupation Use - TEXT (LJR).pdf
Final Approval Date:	Nov 22, 2023

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

Ken O'Brien - Nov 21, 2023 - 12:29 PM

Jason Sinyard - Nov 22, 2023 - 4:12 PM