

# DECISION/DIRECTION NOTE

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**Title:** 154 University Avenue – REZ2300004

**Date Prepared:** October 17, 2023

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Ian Froude, Planning

**Ward:** Ward 4

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## **Decision/Direction Required:**

To consider rezoning 154 University Avenue from the Residential 1 (R1) Zone to the Residential 2 (R2) Zone to allow a Four-Plex.

## **Discussion – Background and Current Status:**

The City has received an application to rezone property at 154 University Avenue from the Residential 1 (R1) Zone to the Residential 2 (R2) Zone to accommodate a Four-Plex development. This is a mature lot on the corner of University Avenue and Hatcher Street, close to St. Andrew's School, Prince of Wales Collegiate, and Memorial University.

The subject property is within the Residential District of the Envision St. John's Municipal Plan and is zoned R1. A Four-Plex is not a listed use in the zone and therefore rezoning is required. The existing house has 2 units (a single detached dwelling with a subsidiary apartment). The applicant is seeking to expand the building by adding 2 more units for a total of 4. A Four-Plex is a discretionary use within the R2 Zone. A Municipal Plan amendment is not needed.

The site plan is attached. There are no concerns from Development or Engineering staff at this stage. Should rezoning proceed, Newfoundland Power has advised on conditions regarding their easement on the lot, should development proceed. The subject property is a corner lot which allows the proposed development to have driveways for two cars along University Avenue and two cars along Hatcher Street while maintaining the required 50% front yard landscaping. The applicant has requested a 10% variance on the minimum 6.0-metre rear yard requirement, proposing a 5.4 metre rear yard. This will be subject to Council approval, should Council proceed with the rezoning.

## Alignment with Municipal Plan Policies

Section 4.1 of the Envision St. John's Municipal Plan enables a range of housing to create diverse neighbourhoods. Section 4.3 requires infill development to complement the existing character of an area. Further, Section 8.4.11 promotes the development of infill, rehabilitation, and redevelopment projects, thereby better utilizing existing infrastructure.

The surrounding properties are primarily single detached dwellings within the R1 Zone, with St. Andrew's Elementary nearby, within the Institutional (INST) Zone. While a Four-Plex is a

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different type of housing form for this area, the building heights in both the R1 and R2 Zones are limited to 8 metres and the minimum building setbacks are identical, so the building form of the development will be similar to the surrounding properties. This is an example of a gentle density increase in an older neighbourhood, which can help meet current housing demands and make better use of infrastructure like roads and water and sewage services.

Section 4.9(2)(a) of the Envision St. John's Development Regulations requires a land use report (LUR) for rezonings. However, as per Section 4.9(3), where the scale or circumstances of the proposed development do not merit a full LUR, Council may accept a staff report in lieu of one. Staff recommend that Council accept this staff report in lieu of a LUR as there is enough space on the lot to accommodate additional units.

#### Public Consultation

If Council decides to consider this amendment, staff recommend a public meeting chaired by an independent facilitator. It would be scheduled in late November, prior to the holiday season.

While this rezoning application is for a small increase of 2 units, staff recommend a public meeting due to precedent. A public notice is the minimum requirement, however the City usually holds public meetings for rezonings. For a similar application a few years ago on Shaw Street, the City used public notification, but after the neighbourhood raised concerns, Council held a public meeting. This is a similar situation and we recommend a public meeting.

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

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
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: Not applicable.
6. Legal or Policy Implications: A map amendment (rezoning) to the Development Regulations is required.
7. Privacy Implications: Not applicable.

8. Engagement and Communications Considerations: Public consultation will be carried out in accordance with Section 4.8 of the Development Regulations. A project page will be created on the Engage St. John's web page.
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 rezoning 154 University Avenue from the Residential 1 (R1) Zone to the Residential 2 (R2) Zone for a Four-Plex development, and that the application be advertised and referred to a public meeting chaired by an independent facilitator.

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

**Report Approval Details**

Document Title:	154 University Avenue - REZ2300004.docx
Attachments:	- 154 University Avenue - Attachments.pdf
Final Approval Date:	Oct 19, 2023

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

**Ken O'Brien - Oct 17, 2023 - 4:52 PM**

**No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Karen Chafe**

**Jason Sinyard - Oct 19, 2023 - 5:27 PM**