

INFORMATION NOTE

Title:	Interpreting the Zone Boundary at 160 Southlands Boulevard DEV1900166
Date Prepared:	Nov. 12, 2019
Report To:	Committee of the Whole
Councillor and Role:	Councillor Maggie Burton, Council lead for Planning and Development
Ward:	5
Issue:	Property at 160 Southlands Boulevard is in the Institutional (INST) Zone but land in the Open Space (O) Zone has been acquired in order to line up its driveway with Teakwood Drive

Discussion – Background and Current Status:

The City is dealing with an application to develop the above noted property for an 88-suite personal care home. The subject property, zoned Institutional (INST), is bounded by Southlands Boulevard, Cottonwood Crescent and Jacaranda Place. There is an Open Space (O) Zone around the subject property separating it from the backyards of the nearby houses. The personal-care home is a permitted use in the INST Zone.

For traffic safety reasons, the City required the access point for the driveway to line up with Teakwood Drive which meant that a portion of the driveway would be outside the subject property. To meet this requirement, the developer purchased the required land from NL Housing Corporation in the adjacent O Zone.

Typically, zone boundaries follow features such as street lines, rivers, wetlands, or property boundaries. Under the rules of interpretation in Section 3.4 “Boundaries of the Zones” in the St. John’s Development Regulations state:

“where a zone boundary is shown as substantially following Lot Lines shown on an approved plan of subdivision or other suitable base map, the Lot Lines shall be deemed to be the boundary.”

The attached map shows the subject property and its zones. Most of the property is in the INST Zone, with a small portion in the O Zone to safely accommodate the driveway alignment. The O Zone ranges from approximately 25 metres to 100 metres wide. This change moves the driveway closer to the back yards of the houses on Jacaranda Place. However, there is still a wooded buffer in the Open Space Zone that will remain. Its width is approximately 12 metres at its narrowest. Under Section 8.5 “Landscaping and Screening” of the Development Regulations, the personal-care home would need a landscaped buffer of only 3 metres, or a

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1.8 metre screen fence. The 12 metres of wooded Open Space Zone is less than what was in place originally, however it exceeds the requirements under Section 8.5 of the Regulations.

In accordance with Section 3.4 of the St. John's Development Regulations, the zone line between the INST Zone and O Zone will be interpreted to align with the new subject property boundary at 160 Southlands Boulevard, including the small parcel of land added for the driveway. The adjacent Open Space Zone nearby remains in place for the surrounding lands.

Furthermore, the interpretation will be the same for the Future Land-Use Map of the St. John's Municipal Plan. The Institutional District alone will be used for the subject property, including the additional parcel added for the driveway. The Open Space District will remain on the surrounding lands.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
Owner of the subject property, and owners and residents of nearby properties.
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications:
In line with the rules of interpretation for zone boundaries in Section 3.4 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable
6. Engagement and Communications Considerations:
It would be advisable to inform the property owner and nearby residents and property owners of this zone interpretation.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Conclusion/Next Steps:

City staff will amend the Future Land Use Map of the St. John's Municipal Plan and the Zoning Map of the St. John's Development Regulations to show one land-use district (Institutional) and one land-use zone (Institutional or INST) on the subject property at 160 Southlands Boulevard, including the additional parcel added for the driveway, which, for safety reasons, must line up with the end of Teakwood Drive.

Prepared by/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

Approved by/Date/Signature:

Jason Sinyard, P.Eng., MBA, Deputy City Manager –
Planning, Engineering & Regulatory Services

Signature: _____

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Attachments: Map of the subject property and area.

