

DECISION/DIRECTION NOTE

Title: 50 Bennett Avenue – Approval – MPA2300007
Date Prepared: October 8, 2024
Report To: Regular Meeting of Council
Councillor and Role: Councillor Maggie Burton, Planning
Ward: Ward 2

Decision/Direction Required:

Following the commissioner’s public hearing, Council can proceed with the final steps in the amendment process for Envision St. John’s Municipal Plan Amendment Number 13, 2024, and Envision St. John’s Development Regulations Amendment Number 39, 2024, regarding a Cluster Development at 50 Bennett Avenue.

Discussion – Background and Current Status:

The City has received an application to rezone land at 50 Bennett Avenue (the former I. J. Samson School site) from the Institutional (INST) Zone to the Apartment 1 (A1) Zone to accommodate a Four-Plex and three Apartment Buildings, with a total of 50 dwelling units on the site. The combination of a Four-Plex and Apartment Buildings on one lot will fall under the City’s new Cluster Development use, which is a permitted use in the A1 Zone. A Municipal Plan amendment is also required, to redesignate the property from the Institutional District to the Residential District.

Commissioner’s Report

The commissioner’s report prepared by Marie Ryan is attached for Council’s consideration. It outlines the process leading to the hearing and the concerns raised by residents. The Commissioner recommends the following:

- Accept the Envision St. John’s Municipal Plan Amendment Number 13, 2024, to redesignate 50 Bennett Avenue [parcel ID# 46400] from the Institutional District to the Residential District.
- Accept the Envision St. John’s Development Regulations Amendment Number 39, 2024, to rezone 50 Bennett Avenue [parcel ID# 46400] from the Institutional (INST) Zone to the Apartment 1 (A1) Zone.

Staff agree with the Commissioner’s recommendations. Should Council agree, the amendments will be sent to the NL Dept. of Municipal and Provincial Affairs for registration.

Building Line and Entryway Buffer

Due to the shape of the lot with a narrow entryway, the minimum Lot Frontage of 20 metres cannot be met as measured at the 6-metre Building Line setback in the A1 Zone. As per Section 7.2.1(a) of the Development Regulations, Council can establish or re-establish the

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Building Line for any street or lot, at any place that Council deems appropriate. The minimum 20-metre Frontage requirement can be met at the proposed setback of 34.17 metres.

Further, the entryway requires 6 metres width of asphalt for vehicles and 1.8 metres sidewalk, leaving a 1.64-metre buffer on the east side of the entryway, and between 0.68 and 3.65 metres of buffer on the west side. Section 8.8(1)(b) of the Development Regulations requires a parking lot to have a 3-metre buffer from any lot line, unless otherwise approved by Council. The applicant meets this requirement around most of the lot perimeter but not along the entryway, as it is too narrow to do so. As the lot was previously established with the current entryway width (before the current Regulations came into effect), it is recommended that Council accept the buffer alongside the entryway as shown on the attached site plan dated October 2023.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Is this a New Plan or Strategy: No
4. 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.

5. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.
6. Accessibility and Inclusion: Not applicable at this stage.
4. Legal or Policy Implications: Municipal Plan and Development Regulations map amendments are required to consider this development.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Engagement was carried out in accordance with Section 4.8 of the Development Regulations.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.

9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable.

Recommendation:

That Council:

- 1) approve the attached resolutions for Envision St. John's Municipal Plan Amendment Number 13, 2024 and Envision St. John's Development Regulations Amendment Number 39, 2024, as adopted, regarding a Cluster Development at 50 Bennett Avenue;
- 2) as per Section 4.9(3) of the St. John's Development Regulations, accept this staff report in lieu of a Land Use Report (LUR);
- 3) approve a Building Line setback at 34.17 metres to accommodate the Cluster Development at 50 Bennett Avenue;
- 4) as per Section 8.8(1)(b) of the Development Regulations, accept the parking lot buffer as shown on the attached Preliminary Site Plan dated October 2023.

Prepared by: Ann-Marie Cashin, MCIP, Planner III

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

Report Approval Details

Document Title:	50 Bennett Avenue - Approval - MPA2300007.docx
Attachments:	- 50 Bennett Avenue - Aerial.pdf - 50 Bennett Avenue - Site Plan.pdf - October 8 2024 Commissioner Report - 50 Bennett Avenue MR.pdf - MP Amend No. 13 and DR No. 39, 2024 - 50 Bennett Avenue - MAP (amc).pdf
Final Approval Date:	Oct 11, 2024

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

Ken O'Brien - Oct 11, 2024 - 11:35 AM

Jason Sinyard - Oct 11, 2024 - 11:48 AM