

DECISION/DIRECTION NOTE

Title: Notices Published – 430 Topsail Road - DEV2300178

Date Prepared: November 6, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 3

Decision/Direction Required:

A Discretionary Use application has been submitted by the Village Shopping Centre (2006) Inc. for 430 Topsail Road.

Discussion – Background and Current Status:

An application has been submitted for a new building that will be located toward the north side of the property near Robinson’s Place. The new building is proposed to be six floors with a maximum height of 20 metres. The proposed Parking Garage will be located on the 1st storey and 110 residential Dwelling Units are proposed for the 2nd and higher storeys of the building; both are Discretionary Uses in the Commercial Regional (CR) Zone.

Twenty-nine (29) submissions were received. Many submissions were in favour of the application and felt it was an excellent location, close to the metrobus hub, near amenities (grocery and pharmacy) and walking trails, positive growth for the area, appropriate infill development and an ideal way to increase density and address the housing supply issues, that it would help to stimulate economic growth and development, and aligns well with the city’s goals for urban growth and community enhancement.

Concerns raised include traffic and the impact on adjacent streets and access from the building, that the overall building design was concerning, a lack of pedestrian connectivity in the area, proximity of the building to Robinsons Place, that private views and privacy would be lost from adjacent streets, that the Village Mall property is one of a few remaining commercial retail areas in the west end of the city and should be maintained, increase in crime, and an opinion that this should have been processed as a rezoning application rather than a discretionary use application. Additional suggestions also noted adding more green space, proper walkways, lighting, and signage to ensure safety and inclusivity and the provision of affordable housing.

The proposed site is zoned Commercial Regional; both a Parking Garage and Dwelling Unit – 2nd storey or higher are Discretionary Uses within the CR Zone. As noted in the Development Regulations, the singular includes the plural unless otherwise stated, therefore more than one dwelling unit can be considered. This application can therefore be processed as a



Discretionary Use. A Discretionary Use is subject to compliance with the Development Regulations and may be permitted if Council is satisfied that the Development would not be contrary to the general intent and purpose of the Municipal Plan or Development Regulations.

A key component of the St. John's Municipal Plan's Growth and Development Strategy is identification of undeveloped areas that are able to accommodate future, well planned growth, with an emphasis on encouraging intensification and a greater mix of uses through investment in infrastructure that supports higher density development along major transportation corridors and centres where there are opportunities for redevelopment. The Village Shopping Mall is one of these sites and was also identified as an Intensification Area; it has underutilized or vacant space, in the form of large parking lots, and is located adjacent to residential neighbourhoods and along key transportation corridors. Opportunities exist to revitalize these underutilized areas, by encouraging redevelopment into multi-use commercial areas that accommodate complementary retail, service and office uses, and higher story residential developments.

When the Discretionary Use application was advertised, the drawings (attachment) were not included as they are draft and conceptual. The applicant provided the drawing to illustrate the maximum limits of development on the site as part of the review process. This application is for Council to consider the Use; should the Discretionary Use be approved by Council, the applicant would move forward with a detailed design of the building and site, which is required to meet the Development Regulations and Development Design Manual.

The Village Mall remains unchanged. The property is proposed to be subdivided, and the new building is proposed at the north end of the site near Robinsons Place. The height is proposed at 20 metres (6 floors), which is the maximum height allowed in the CR Zone. Parking is provided on the first floor and the building will have 110 residential Dwelling Units on the 2nd floor and higher. View planes and right to light are not protected by the City. There is a grade difference from the proposed site and Robinsons Place, which may help to lessen the visual impact or perception of overall building height. The plans are conceptual, but the current setback proposed is approximately 25 metres between the building and the proposed property line closest to Robinsons Place; it should be noted that the minimum setback required for the Commercial Regional Zone is 6 metres and a privacy fence (buffer) of 1.8metres would be required between the commercial and residential zones.

Access to the new building will be from Hamlyn Road and a traffic study was undertaken. The study confirms that surrounding roads can accommodate additional traffic generated by this site. Pedestrian access from the building and the site would be further reviewed at the development review stage. A minimum Landscaping requirement of 20% is required by the Zone Standards.

The City does not regulate type of ownership (rental or condominium), the size/configuration of dwelling units, the price at which a developer chooses to rent/sell a unit or if they are provided as affordable units.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighboring 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.

Choose an item.
5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "Commercial Regional (CR) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public advertisement in accordance with **Section 4.8 Public Consultation of the St. John's Envision Development Regulations.** The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council approve the Discretionary Use for a new building at 430 Topsail Road that will have a Parking Garage on the 1st storey and Dwelling Units on the 2nd and higher storeys.

Prepared by:

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Approved by:

Jason Sinyard, P.Eng, MBA Deputy City Manager
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Report Approval Details

Document Title:	Notices Published- 430 Topsail Road.docx
Attachments:	- 430 TOPSAIL ROAD.pdf - Village Residence - Schematic Plans Nov 16 2023.pdf
Final Approval Date:	Nov 7, 2024

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

Lindsay Lyghtle Brushett - Nov 6, 2024 - 3:21 PM

Jason Sinyard - Nov 7, 2024 - 2:52 PM