

DECISION/DIRECTION NOTE

Title: 364 Groves Road – REZ2400025

Date Prepared: December 10, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 4

Decision/Direction Required:

To consider rezoning land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone to accommodate unserviced residential development.

Discussion – Background and Current Status:

The City has received an application to rezone land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone to enable residential development. The applicant is proposing to subdivide the land into four (4) unserviced lots and develop a Single Detached Dwelling on each lot. The subject property is primarily zoned Rural (RUR) and within the Rural District of the Envision St. John's Municipal Plan. A small portion at the back of the property is zoned C.A. Pippy Park (CAPP) and within the C.A Pippy Park District of the Municipal Plan.

Policy 7.6 of the Municipal Plan establishes the limits of servicing and restricts development above the 190-metre contour. This servicing limit is based on the capacity of the City's water and wastewater infrastructure, including stormwater systems, which were originally designed to accommodate development up to the 190-metre contour elevation. The subject property is located above the 190-metre elevation contour, shown on the attached map.

Municipal Plan policy 7.7 sets restrictions on unserviced development, acknowledging the significant financial costs incurred when well and septic systems failed and the City had to extend municipal water services to address health and safety concerns. Policy 7.7.1 states that unserviced residential development shall be allowed only on existing properties already zoned as Rural Residential Infill (RRI) or Rural Residential (RR), and no additional lands will be rezoned for residential infill development. Rezoning the subject property to the RRI Zone to accommodate unserviced residential development would contradict this policy.

Policy 9.5 of the Municipal Plan states that lands shall not be considered for rezoning where the development is premature by virtue of being beyond the limits of servicing. Staff acknowledge the applicant's wish to develop the land for residential use; however, the subject property is beyond the 190-metre limit of servicing and the proposed rezoning does not comply

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with the policies of the Municipal Plan. If there was a failure of on-site systems, the municipal systems are not designed to extend that high.

The proposed rezoning from the CAPP Zone would normally be referred to the Pippy Park Commission for review, but since staff are recommending against rezoning, this referral may not be needed.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner; neighbouring residents and 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.
An Effective City: Ensure accountability and good governance through transparent and open decision making.
4. Alignment with Adopted Plans: Envision St. John's Municipal Plan and the St. John's Urban Region's Regional Plan.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: Envision St. John's Municipal Plan policies for unserviced development and limits of servicing.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
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 reject the application to rezone land at 364 Groves Road from the Rural (RUR) and C.A. Pippy Park (CAPP) Zones to the Rural Residential Infill (RRI) Zone as it is beyond the limits of servicing and conflicts with Municipal Plan policies for unserviced development.

Prepared by: Faith Ford, MCIP, Planner III

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

Report Approval Details

Document Title:	364 Groves Road - REZ2400025.docx
Attachments:	- 364 GROVES ROAD.pdf - 364 GROVES ROAD-Contours.pdf
Final Approval Date:	Dec 11, 2024

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

Ken O'Brien - Dec 10, 2024 - 2:41 PM

Jason Sinyard - Dec 11, 2024 - 4:51 PM