

# DECISION/DIRECTION NOTE

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**Title:** 424 Kenmount Road – MPA2400013

**Date Prepared:** January 9, 2025

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Maggie Burton, Planning

**Ward:** Ward 4

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**Decision/Direction Required:**

To consider rezoning land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone to allow a Cluster Development of seven (7) Apartment Buildings.

**Discussion – Background and Current Status:**

The City has received an application from Bristol Development Inc. to rezone a portion of land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone to enable a Cluster Development. The subject site is partially located within the Commercial District of the Envision St. John's Municipal Plan, and a Municipal Plan amendment is required to re-designate that portion to the Residential District.

The applicant is proposing to develop seven (7) Apartment Buildings, with a total of 112 dwelling units. The applicant has asked to rezone the property to the A2 Zone, which allows Cluster Development uses. Should rezoning be approved, any uses allowed in the A2 Zone could be developed on the site. The proposed buildings are 3.5 storeys, or approximately 12.2 metres in height. The maximum height for a Cluster Development in the A2 Zone is 24 metres.

The subject site is vacant land with an approximate area of 1.71 hectares (4.2 acres) and is part of a much larger piece of land that is left over from the development of Bristolwood subdivision in Kenmount Terrace (see attached map). That large piece of land will be subdivided, and the area of land to be rezoned will become its own parcel. The subject site is adjacent to Ken Brook, which runs alongside Kenmount Road. While there was previously a wetland designated near this property, the area was field assessed as part of the City's Wetland Study Phase 2A and determined not to be a protected wetland.

Alignment with Envision St. John's Municipal Plan

The proposed development aligns with a number of Municipal Plan policies. Policy 4.1.2 of the Municipal Plan enables a range of housing types to create diverse neighbourhoods, including single, semi-detached, townhousing, and medium and higher density residential developments. The proposed development will introduce a new type of housing to the neighbourhood and add to the range of housing options available.

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The Municipal Plan encourages higher density developments along main transportation corridors and promotes infill developments that use existing infrastructure and services. Municipal Plan policies 8.4.3 and 8.4.9 support residential infill that is sensitive to existing development and encourage increased density in residential areas where appropriate. The subject site is adjacent to Kenmount Road, is on a Metrobus transit route, and there is a future shared-use path proposed by the City to run through the property. These factors, combined with nearby stores, make the subject site appropriate for higher-density development.

A portion of the subject site is currently designated for commercial use. Policy 5.1.6 of the Municipal Plan encourages the retention of commercially-zoned land and restricts the conversion of commercial land to non-commercial uses, except where there is a demonstrated need for the conversion, sufficient infrastructure in place to support the development, and the lands are not be required over the long-term for commercial uses. The subject site is well-suited for high-density residential development and the proposed development aligns with the policies of the plan. Should the land be rezoned, there are commercial lands nearby along Kiwanis Street and Kenmount Road that can accommodate future commercial demand.

#### Land Use Report

Section 4.9(2)(a) of the Envision St. John's Development Regulations requires a Land Use Report (LUR) for rezonings. While the applicant has provided detailed information in the first submission, additional information is required. A planned shared-use path connection runs along the property, and this will need to be shown on the site plan. Draft LUR terms of reference are attached for Council's consideration.

#### Public Consultation

Should Council decide to consider this amendment and approve the terms of reference for the LUR, the applicant will be required to consult the neighbouring residents and property owners before submitting the report. The City will carry out public notification once the applicant submits a satisfactory report. As this application involves a Municipal Plan amendment, a commissioner's public hearing will be required later in the process.

#### **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: Any accessibility requirements from the National Building Code or Service NL will be applied at the building permit stage.
7. Legal or Policy Implications: Map amendments to the Municipal Plan and Development Regulations will be required.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public engagement will be carried out as per Section 4.8 of the Development Regulations. Staff recommend public notification, not a public meeting. A commissioner's public hearing would come later.
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 consider rezoning land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone and approve the attached terms of reference for a Land Use Report (LUR).

Further, upon receiving a satisfactory LUR, that the application be advertised for public input and feedback.

**Prepared by: Faith Ford, MCIP, Planner III**

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

**Report Approval Details**

Document Title:	424 Kenmount Road - MPA 2400013.docx
Attachments:	- LADYSMITH DRIVE SITE_2.pdf - Site plan.pdf - aerial.jpg - TOR - 424 Kenmount Road January 6, 2025.pdf - A2Zone_Development Regulations.pdf
Final Approval Date:	Jan 9, 2025

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

**Ken O'Brien - Jan 9, 2025 - 3:57 PM**

**Jason Sinyard - Jan 9, 2025 - 4:31 PM**