

COMMISSIONER'S REPORT REGARDING:

**ST. JOHN'S MUNICIPAL PLAN AMENDMENT NO. 16, 2024 &
ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NO 48, 2024**

**AMENDMENTS PERTAINING TO PROPERTY LOCATED AT
CIVIC NUMBER 34 NEW COVE ROAD, ST. JOHN'S**

**CLIFFORD JOHNSTON
COMMISSIONER
MARCH 6, 2025**

INTRODUCTION

I, Clifford Johnston, was appointed by the St. John's Municipal Council on January 14, 2025, as an independent Commissioner to chair a public hearing and prepare a report with recommendations for Council with respect to a proposed map amendment to the Envision St. John's Municipal Plan and the proposed map and text amendments to the Envision St. John's Development Regulations which were adopted by Council on January 14, 2025 which pertain to the property located at Civic No. 34 New Cove Road, St. John's. **The subject property is identified in an air photo attached to this Commissioner's Report as Appendix A.**

The intent of these proposed planning amendments is as follows:

Municipal Plan Amendment Number 16 2024

Redesignate land located at Civic No. 34 New Cove Road, from the Institutional (INST) Land Use District to the Residential (R) Land Use District.

There are no text amendments proposed to the Municipal Plan as part of this amendment package.

A copy of the proposed Municipal Plan Amendment Number 16, 2024 is attached to this Commissioner's Report as Appendix B.

Development Regulations Amendment Number 48, 2024

1. Rezone land located at Civic No. 34 New Cove Road, from the Institutional (INST) Land Use Zone to the Apartment 3 (A3) Land Use Zone and further,
2. Add the following wording to Section 4.9(2) ("Land Use Report") of the Development Regulations:
"9(2)(i) buildings with an alternative Building Stepback in accordance with Subsection 7.1.4(b), which Land Use Report shall address wind, shadowing, precipitation, and privacy impacts on adjacent residential properties and pedestrians"; and further,
3. Repeal Section 7.1.4 ("Building Stepback") of the Development Regulations which states:
*"7.1.4 Building Stepback
All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45-degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres."*
And substituting the following:
*"7.1.4 Building Stepback
(a) All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45-degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.*

(b) Where an applicant wishes to propose a Building Stepback that differs from that required in Subsection 7.1.4(a), Council shall require a Land Use Report in accordance with Section 4.9.”

A copy of the proposed Development Regulations Amendment Number 48, 2024 is attached to this Commissioner’s Report as Appendix C.

These proposed amendments to the Municipal Plan and the Development Regulations are in response to a formal application submitted to the City by KMK Capital Inc. (“KMK”) to rezone the property at Civic No. 34, New Cove Road, to allow the construction of a ten (10) storey apartment building with 107 apartment units with outdoor surface parking and access to the site from McNaughton Drive. The subject property is the MAX Athletics building (originally constructed as the former YM-YWCA building). The subject property is bordered by New Cove Road, Chalker Place, McNaughton Drive and Kenna’s Hill.

An apartment building is not permitted under the current Institutional (INST) Land Use Zone designation of the property. KMK has applied to rezone the subject property to the Apartment 3 (A3) Land Use Zone. An apartment building is allowed as a Permitted Use in the A3 Zone. The maximum allowed building height in the A3 Zone is 52 metres.

In accordance with Section 4.9(2)(a) of the Development Regulations, which requires a Land Use Report (“LUR”) for all applications to amend the Municipal Plan and Development Regulations, KMK was required by City Council to prepare an LUR under terms of reference set by Council on the proposed apartment building project. When completed, the LUR was reviewed by City staff and made available for public review prior to the February 12, 2025, public hearing.

PROCESS

My appointment as an independent Commissioner by the St. John’s Municipal Council was made under the authority of Section 19 of the Urban and Rural Planning Act, 2000 with the accompanying duties established in Sections 21(2) and 22(1) of the Act. These sections of the Act provide that the appointed Commissioner is to hear objections and representations orally or in writing and subsequently to submit a written report with recommendations on the proposed planning amendments to Council for its consideration and decision on the amendments.

The City of St. John’s determined that the public hearing would take place at St. John’s City Hall on the evening of February 12, 2025. The public hearing was scheduled and organized as a hybrid hearing; interested persons had the option to either attend the hearing in person or to attend virtually.

Printed notice of Council’s decision of January 14, 2025, to adopt the subject planning amendments and the scheduling of the February 12, 2025, public hearing to provide an opportunity for public comment on the amendments was placed on the City’s website and

printed in The Telegram Newspaper- on January 24th and 31st, 2025 and February 7th, 2025. In addition, the City sent by mail, written notice of the February 12, 2025, public hearing to those persons identified on the City's Assessment Role as owning property within a radius of 150 metres from the subject property at Civic No. 34 New Cove Road.

THE PUBLIC HEARING-FEBRUARY 12, 2025

The public hearing was held on the evening of February 12, 2025, at St. John's City Hall. The hearing commenced at 7pm and concluded at approximately 8:30 pm.

In attendance at the hearing was the appointed Commissioner, along with City staff members- Ken O'Brien, MCIP, Anne Marie Cashin, MCIP, Lindsay Church, MCIP. and Faith Ford, MCIP., all with the City's Department of Planning, Engineering and Regulatory Services. Mr. O'Brien, Ms. Cashin and Ms. Ford attended as observers. City Councillors Tom Davis and Ron Ellsworth attended the meeting as observers.

Messrs. Justin Lhada, Keith Hannon, P.Eng., and Keith Noseworthy all with KMK, attended the public hearing to respond to questions regarding their firm's proposed apartment budling project.

There were approximately twenty-five (25) persons in attendance at the public hearing. I understand that approximately twenty (20) persons had registered with the City to attend the public hearing virtually.

In my role as the appointed Commissioner, I made formal introductions at the beginning of the hearing and explained the purpose and format of the hearing. I advised those in attendance that in writing my report for City Council on the proposed planning amendments, that in accordance with current City privacy protection measures, that my report would not reference the names and addresses and contact information of any individuals who chose to make either a written and/or a verbal submission. I further advised that any written public submissions received by the City Clerk's Office on the amendments would be attached in my report to Council, with names, addresses and contact information redacted. I noted that there was no formal recording being made of the hearing. I also indicated that I would accept further written public representations on the amendments up to the end of the day two (2) days after the completion of the public hearing-the last date for written public representations would thereby be Friday, February 14, 2025. There were several written public submissions received subsequent to the public hearing.

I advised those in attendance at the public hearing that as the appointed Commissioner and in accordance with the provisions of the Urban and Rural Planning Act, 2000, that my report to Council would contain recommendations only with respect to the potential approval of the planning amendments. I further advised those in attendance that Council has the authority to accept, reject or accept in part, any/all my recsommendations.

At the request of the Commissioner, and for the benefit of those attending the public hearing, Ms. Church, through a power point presentation, outlined the background and purpose of the proposed planning amendments and gave an overview of the proposed apartment building development. As part of her presentation, Ms. Church provided a chronology of the City's processing of KMK's rezoning application for the site and the next steps in the processing of this application.

An opportunity was then provided by the Commissioner from those members of the public in attendance at City Hall or attending virtually, to ask questions of both Ms. Church and the representatives from KMK.

PUBLIC REPRESENTATIONS ON THE PROPOSED PLANNING AMENDMENTS

The following is a summary of the written and verbal public representations which have been made on the proposed planning amendments. Please note that the summary deals with all written representations received by the City Clerk's Office. It should be noted that the written representations include both those submitted in response to the City's advertising of the February 12, 2025d public hearing; and written representations received subsequent to the February 12, 2025, public hearing; and, the City's public notification process carried out in late October/early November of 2024 when it notified the public about City Council's consideration of adopting planning amendments pertaining to the subject property. Please note that my summary also includes the verbal representations made at the February 12, 2025, public hearing. **Please note that it very likely that some persons submitted than one written submission to the City Clerk's Office and may have submitted written comments in both the October/November 2024 and January/February 2025 public consultation cycles.**

Copies of all written representations received by the City Clerk's Office on the proposed planning amendments are attached to this report as Appendix D. The personal contact information on all written submissions has been redacted by the City Clerk's Office.

As members of City Council and City staff are aware, a number of rezoning applications that are submitted to the City are initiated by a specific development project that an applicant wishes to construct. As a result, many of the written and verbal public representations that have been received in respect to Civic No. 34 New Cove Road are related to the KMK apartment building project rather than the proposed planning amendments themselves. This is a common occurrence in municipal public consultations for planning amendments.

There was a total of 45 written submissions received by the City Clerk's Office. Seven (7) of those submissions were in clear support of the proposed rezoning to allow the KMK apartment building project. The remaining 37 submissions were a mixture of support for the construction of an apartment building on the subject property but with a building height of not more than 5 metres; and some submissions did not want to see an apartment building of any height constructed on the site.

A bullet form summary of the written and verbal representations is as follows:

- There is a clear need for additional housing in St. John's. Some of the housing demand can be satisfied by the construction of an apartment building on the site. Some of the apartment units in the new building should be units for lower-income persons/families.
- The subject property is a suitable site for an apartment building as it is the urban core of the city, and is near shopping, walking trails and Metrobus stops.
- A small number of submissions thought a 10 storey apartment building was appropriate for the site.
- A number of submissions indicated that a 10-storey building was not appropriate for the site; that 10 storeys was not in keeping with the scale of the primarily lower height homes in the area; that existing homes would be "overwhelmed".
- Some submissions called for the construction of a 4 or 5 storey apartment building on the site. Some submissions indicated that two (2) smaller buildings could instead be built on the site thereby providing the same number of apartment units as the KMK 10-storey proposal.
- A number of submissions expressed concerns about shadowing effects of a 10-storey apartment building on existing homes in the area.
- A number of submissions expressed concerns about a 10-storey apartment building being very much out of character with the existing homes in the area and overwhelming the skyline in the neighbourhood and views of existing homes.
- Some submissions indicated that if a 10-storey apartment building is allowed to be constructed on the site that the setback requirements of Section 7.1.4 of the Development Regulations should definitely be applied by City Council.
- Several written submissions have indicated that the developer, KMK, is only asking for an exemption to the building setback requirement in order to have more apartment units. These submissions have indicated that in other municipalities where developers have requested exemptions/variances from planning requirements for their development, that the developer will offer, or the municipality may require something in return that will benefit the municipality such as funding to improve an existing neighbourhood park/playgrounds or a commitment from the developer that a certain percentage of the dwelling units in their residential development will be reserved for lower income households. It has been noted in some submissions that KMK is not offering anything in return to the City if an exemption to the building setback is granted by the City.

- A number of submissions expressed concern on the volume of vehicular traffic that would be generated by the apartment building particularly in the morning and afternoon peak traffic hours. There is a general concern among area residents that the apartment building would generate more vehicular traffic than the former MAX fitness building which currently occupies the site.
- Suggestions that the City should have required KMK to undertake a full traffic impact study for their development.
- Suggestion to have vehicles access and exit the apartment building via Kenna's Hill.
- Some concern about safety of children currently living in the neighbourhood with the additional vehicular traffic generated by a large apartment building.
- A number of concerns expressed on pedestrian/vehicle traffic safety if the apartment building proceeds given the amount of vehicle traffic currently on New Cove Road and the current configuration of New Cove Road.
- A number of concerns expressed on the number of vehicle parking spaces to be made available on the application site; a general concern about potential parking spillage from the apartment building onto nearby streets which are already full capacity for on-street parking.
- Some concerns expressed about amount of snow storage capacity on the application site if the apartment building is constructed; concerns about snow being plowed onto adjacent properties.
- Some concern that the City's snow clearing efforts will not be able to keep the streets in the area sufficiently clear in a timely manner to handle the extra number of vehicles generated by a large apartment building.
- Some concern about potential loss of current pedestrian access over the application site between Kenna's Hill and New Cove Road.
- One submission concerned about the future of an existing retaining wall near the application site.

As the appointed Commissioner, it is my opinion that there are three (3) primary public concerns regarding the proposed planning amendments/proposed apartment building that have been expressed during the City's public consultation process:

- (1) Vehicular traffic that would be generated by the apartment building; and
- (2) The number of on-stie parking spaces to be provided for the apartment building and KMK's request to City for parking relief of 6 parking spaces; and
- (3) The building height and massing of the proposed apartment building.

In the next section of my report, I analyze and comment on these three matters in detail.

COMMISSIONER'S COMMENTARY/ANALYSIS OF THE PROPOSED PLANNING AMENDMENTS AND THE PRIMARY PUBLIC SUBMISSIONS/CONCERNS

In preparation for my role as the City Council's appointed Commissioner to consider the proposed amendments to the Envision St. John's Municipal Plan and the Envision St. John's Development Regulations for the subject property, I have received and reviewed the applicable written background materials provided to me by City staff, along with a copy of all written public representations on the proposed amendments received prior to and subsequent to the February 12, 2025 public hearing. The written materials from the City included the LUR that KMK was required by the City to prepare on the proposed apartment building development. I have also received and reviewed the applicable City staff reports on the proposed planning amendments and proposed apartment building development. I have also visited the application site.

As part of my work on the preparation of this Commissioner's report on the proposed planning amendments, I have reviewed the Envision St. John's Municipal Plan. The Municipal Plan is the City's principal planning document. The Municipal Plan serves as the City's blueprint for future growth in St. John's. The Plan establishes Land Use Districts that allow for the creation of land use policies that are designed to guide development throughout the entirety of the city. It is both good and standard municipal planning practice for municipal authorities to review applications for the rezoning of a property to allow a new development against the municipality's adopted planning objectives and policies set out in its municipal plan.

In reviewing the objectives and policies of the Municipal Plan, I do note that the proposed redesignation/rezoning of the subject property to the Residential (R) Land Use District and the Apartment 3 (A3) Zone to allow the proposed apartment building development is in accordance with both certain good municipal planning practices and certain specific housing policies of the Municipal Plan. Specifically:

1. Section 2.2 of the Municipal Plan ("Growth and Development Strategy") notes that one of the keys for balanced growth in the city will be ...
"Identification of undeveloped areas that are able to accommodate future well-planned growth, an emphasis on encouraging intensification, and a greater mix of uses through investment in infrastructure that supports higher density development along major corridors and centres where there are opportunities for development."

The proposed apartment building development would utilize/redevelop a currently unused property located in the urban core of the city that presently has municipal water and sewer services with frontage on New Cove Road.

2. Section 4.1 of the Municipal Plan (“Housing-Strategic Objectives) advises that among the City’s strategic objectives for housing will be to encourage a range of housing options that contribute to community health, sustainable growth and economic security. As another strategic objective, this section of the Municipal Plan indicates that the City of St. John’s will promote higher density development in and around key transportation corridors to support increased access to housing and transportation options to reduce service and infrastructure costs.

The proposed apartment building would provide a higher density form of housing option for interested persons and would be in a part of the city that is near good transportation corridors, on Metrobus routes in proximity of shopping, places of employment, and recreational facilities and walking trails.

3. Section 4.1 of the Municipal Plan indicates that the City will enable a range of housing to increase diverse neighbourhoods that include a mix of housing forms and tenures, including single, semi-detached, townhousing, medium and higher density and mixed-use residential developments.

4.. Policy 8.4(2) of the Municipal Plan states that the City will support the retention of existing housing stock, with provision for moderate intensification, in a form that respects the scale and character of the neighbourhood.

- 5 Policy 8.4.8 of the Municipal Plan supports a variety of residential forms in all medium and high-density zones that is reflective of existing demographics and provides housing options for various socio-economic groups.

It should be noted in the review of the suitability of the proposed planning amendments, that the subject property is not now zoned for low density residential development like the surrounding properties which are primarily zoned as Residential 1 (R1) and Residential 2 (R2). The current Institutional (INST) Zone designation of the property reflects its past use a fitness/community centre. The INST Zone allows higher intensity land uses including adult day centres, clinics, childcare centres, funeral homes, institutional uses, long term care facility, parks, personal care home, place of assembly, place of worship, public uses, public utilities, residential care facility, schools and training schools, all as Permitted Uses. Except for parks, public uses, public utilities, and places of worship, the maximum allowed building height in the INST Zone is 23 metres as measured from all property boundaries, such that height is adjusted to follow grades of Streets or property boundaries provided height does not exceed 23 metres from established grade. The current provisions of Section 7.1.4 (“Building Stepback”) of the Development Regulations would apply to any potential applications for redevelopment of the property under the current Institutional (INST) Zoning of the property.

Given the current zoning of the subject property which allows higher intensity land uses, its location in the urban core of the city with access to municipal water and sewer services, proximity to good transportation routes, bus routes, shopping, places of employment and recreational facilities and walking trails along with a recognized need of the City of St. John's for the construction of more housing units, it is my view as the appointed Commissioner that it is certainly anticipated that a developer would make application to the City for the construction of a higher density residential development on the property. KMK. apparently sees the site as very suitable for an apartment building project containing over 100 apartment units.

While there are certain planning objectives and policies in the City's Municipal Plan as noted in the above section of this report that recognize the subject property as a suitable location for a new apartment building development, there are other planning policies and objectives found in the Municipal Plan that determine some factors that the City Council should be cognizant of in their review of applications for new developments in established neighbourhoods.

Section 4.4 ("Good Neighbours: Reducing Land-Use Conflict") of the Municipal Plan states that: *"Conflict often arises where a land use or building is proposed next to a residential or open space use, or where a building is proposed that is considered out of scale or character with the form of adjacent buildings. Many different uses and building forms can co-exist, provided proper consideration is given to site and building design and measures to reduce or eliminate potential land-use conflicts."*

- 1. Ensure that the review of development proposals considers how new development may affect abutting properties and uses.*
- 2. Establish a set of requirements that address compatibility between land uses, buildings and sites, such as shadow impacts on adjacent properties, parks and open spaces, separation distances, odours, lighting, transportation and noise."*

Subsections (2), (5) and (6) of Section 8.4 ("Residential Land Use District") of the Municipal Plan are applicable to review of the rezoning application from KMK.

"2. Recognize and protect established residential areas. Support the retention of existing housing stock, with provision for moderate intensification, in a form that respects the scale and character of the neighbourhood."

"5. New development should be complementary to existing adjacent neighbourhoods in scale, form, massing, style and materials and will incorporate design elements that create a transition between the new and existing development."

"6. Apartment Zones shall be permitted within the Residential District outside Planning Area 1-the Downtown. Their location should be compatible with surrounding uses, ensuring that overall size and scale is sensitive to the surrounding residential neighbourhood."

"

In reviewing the written and verbal public representations on the proposed planning amendments, I note that there is some level of public support for the proposed amendments/proposed apartment building development. Some persons believe there is a significant need in the city for additional housing units; that the challenge of constructing new units will necessitate the construction of higher density developments and that the subject property at New Cove Road is very suitable for such a higher density residential apartment building development.

The major common public concerns regarding the proposed planning amendments/proposed apartment building are noted and discussed below.

1. Public Concerns on Traffic

Some persons feel that New Cove Road already handles a significant amount of traffic and serves as a major route to the downtown area. They are concerned that the development of the proposed ten (10) storey apartment building with 107 apartment units will significantly increase the amount of traffic in the area particularly in the peak hour when people are leaving for and returning from work/school, etc. in addition to service people visiting the site, deliveries, visitors, etc. They question the ability of New Cove Road to handle the additional volumes of traffic.

As noted above, part of people's concerns on the traffic matter relates to timing of the traffic that would be leaving and returning to the apartment building. They believe the traffic visiting the former MAX building and before that the former YM-YWCA building, was spread out during the entire day and not necessarily concentrated in the peak traffic morning and afternoon hours.

Some persons are concerned with the capacity of McNaughton Drive and its intersection with New Cove Road to safely handle additional traffic that will be generated by the new apartment building. Concerns have also been raised about pedestrian safety, particularly in winter months, noting the safety of the residents of Chalker Place along McNaughton Drive where there are no sidewalks to reach the Metrobus Stop located on New Cove Road.

As part of the preparation of the LUR, a Traffic Memo was prepared by consultants for KMK. Using the Institute of Traffic Engineers "Trip Generation Manual" 11th Edition", vehicle trips were determined for the peak hour for both the proposed new apartment building and a fitness centre use of the property. The results show that fewer vehicle trips will be generated by the proposed apartment building during peak morning and afternoon hours than a fitness facility use of the size of the existing MAX Fitness building.

During the application review process, the proposed rezoning/apartment building project was reviewed by the City's Transportation Engineers and no concerns were raised based on the Transportation Impact Memo.

As the Commissioner appointed to review the proposed planning amendments, I understand the concerns of some of the area residents regarding potential future increase in traffic/traffic congestion if the new apartment building proceeds. I also understand that because the proposed apartment building is anticipated to generate fewer than 100 vehicle trips during peak hours, that the City did not require KMK to undertake a formal traffic impact study. So, while formal traffic counts of the use of the MAX recreational building are apparently not available, the City's Transportation Engineering staff have reviewed the proposed apartment building project and do not have concerns. Their expertise in municipal traffic matters is acknowledged by the Commissioner. I further understand that the KMK has, in their LUR, committed to change the access to the subject property at McNaughton Drive to define a single point of entry and access to the property with the aim of improving safety for vehicles and pedestrians. Further, the City will require KMK to increase the right-of-way for McNaughton Drive from New Cove Road to provide the minimums outlined on the City's Development Design Manual.

2. Public Concerns Regarding the Number of On-Site Parking Spaces Proposed for the Apartment Building

In its LUR, KMK proposes that the new apartment building will be ten (10) storeys, with 107 apartment units. It will include 39 one-bedroom units and 69 2-bedroom units. The new apartment building will have a total of 111 parking spaces, including 7 accessible parking spaces that will be located at the front of the building. The existing parking area is to be redeveloped, paved and organized to accommodate resident, visitor and accessible parking, with drive lanes and turning areas for emergency vehicles.

The LUR notes that the City's requirements for off-street parking for apartment buildings is set out in Section 8.3 of the St. John's Development Regulations. The LUR notes that based on the requirements of the Development Regulations, the apartment building will require 103 parking spaces for residents and 14 spaces for visitor parking; 7 spaces are required for accessible parking, making the total parking requirement to be 117 spaces. The LUR indicates that a total of 111 parking spaces are to be provided on-site, including 7 accessible spaces. This total of number of 111 parking spaces is 6 short of what is required under Section 8.3 of the Development Regulations. KMK is seeking parking relief from the City for the deficiency of 6 parking spaces, noting the location of the new building in the urban core of St. John's allows its future residents to be well-served by public transit and within easy walking distance of a major supermarket, a trail system, shopping and other amenities. It is anticipated by KMK that not all apartments will require a parking stall and thereby not all units will have a vehicle.

Written and verbal public representations on the proposed apartment building have expressed concern that this development will have an on-site parking deficiency. These representations note that over 50% of the apartment units will be 2-bedroom units, resulting in many apartments having more than one vehicle. There is a concern from

some area residents that there will be “overflow spillage parking” from the apartment building onto neighbouring streets which are already at their maximum capacity for on-street parking from existing residents and land uses. It has been noted to the Commissioner by area residents that on-street parking on McNaughton Drive is not possible given the current design constraints of the street; that the City currently prohibits parking on the north side of New Cove Road; there is already resident parking and a Metrobus stop on the south side of New Cove Road near the application site; and parking is currently not allowed by the City on Kenna’s Hill.

The Commissioner has been advised that the parking shortfall has been reviewed by City staff who have not expressed any concerns given that in their LUR, KMK has committed to providing more than the required number of bicycle parking spaces for the apartment building (60 bicycle parking spaces to be provided vs the 54 bicycle parking spaces required under the Development Regulations) and further given the location of the proposed apartment building within walking distance of a grocery store, and other amenities and is located in close proximity to public transit.

The Commissioner understands that Section 8.12 (“Parking Plans”) of the City’s Development Regulations gives authority to City Council to grant parking relief where Council receives such requests from development applicants and where Council determines it is appropriate to approve such requests. I further understand that Council will consider the KMK request for parking relief of 6 parking spaces for the apartment building project when the proposed planning amendments go to Council for consideration of approval.

In their LUR, KMK has noted that while it is yet to be determined, tenant parking on the property will be managed either by a permit system or other means to ensure the capacity of the apartment building’s parking lot is not exceeded.

Like the public representations on traffic noted earlier in this report, as Commissioner, I appreciate the concerns of area residents regarding potential traffic overflow spillage from the proposed apartment building onto neighbouring streets. However, I have reviewed the City staff reports and LUR and note that the proposed apartment development is close to satisfying the parking requirements of the Development Regulations (111 parking spaces to be provided vs 117 parking spaces required.)

Given the number of on-site parking spaces to be provided and City’s ability to take measures to deal with new on-street parking concerns if these should arise in the future with the construction of the apartment building, I do not have any specific concerns about the number of on-site parking spaces to be provide by the developer for the apartment building.

3. Public Concerns on the Height and Massing of the Proposed Apartment Building

The proposed rezoning of the property is to the Apartment 3 (A3) Zone. The A3 Zone allow a maximum building height of 52 metres.

KMK has indicated in their LUR that the new apartment building measuring approximately 49 metres by 24 metres, and 10 storeys in height, will be sited on the subject property in the same location as the existing MAX building. The new apartment building will have a smaller footprint than the MAX building which is approximately 1430 square metres. Total lot coverage of the apartment building will be 11% which is well within the maximum lot coverage of 50% as set out in the Apartment (A3) Zone which is the proposed new zone designation for the property.

Section 7.1.4 (“Building Stepback”) of the St. John’s Development Regulations presently requires that all buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in building height shall not project above a 45-degree angle as measured from the rear yard lot line and/or side yard lot line at a height of 12 metres. Due to the height of the proposed 10 storey apartment building, and the fact that it abuts residential zones, a building stepback is required as per Section 7.1.4 of the Development Regulations. I understand from reviewing City staff reports that the stepback is applicable to the north and south sides of the proposed apartment building, facing houses on Chalker Place and houses on New Cove and Kenna’s Hill. A stepback is not required on the east side of the building that faces the sidewalk on Kenna’s Hill, nor is it required on the west side facing houses n McNaughton Drive.

KMK has formally asked the City Council for an exemption from the building stepback requirement for their project. Their rationale is based on what the company believes will be minimal impact on neighbouring properties without a stepback as well as the construction economics of the project. In their LUR, KMK notes that requiring the budling stepbacks on higher levels of the apartment building will both reduce density of apartment units and increase the cost of the building due to more complicated structural and other designs. KMK advises that these two factors combined will render the project unfeasible from a financial perspective. An analysis undertaken by KMK as part of the preparation of their LUR indicates that the setback requirement would eliminate 15 of the apartment units if it is applied to the north side of the building. The LUR also notes that a similar loss of apartment units would apply if the stepback requirement is also applied to the south side of the building.

KMK has noted in their LUR that it has considered other options for placement of the apartment building on the subject property and that while options such as an east/west orientation of the building are possible, a greater shadow effect would be created on the adjoining properties, particularly those along Chalker Place. KMK has advised that sited as presently proposed, the building has the least impact on adjoining properties, in terms of shadow effects and the height of the building relative to surrounding buildings.

I understand that City staff made a recommendation to City Council in October 2024 that the setback requirements of Section 7.1.4 of the Development Regulations should be applied to the KMK project and that a setback exemption is not recommended.

A number of written and verbal public representations made to the Commissioner have expressed concern on the proposed height and massing of the people. While some persons have expressed support for the construction of an apartment building on the subject property, some feel that a 10 storey building is too large-that it will dominate the view scape of the neighbourhood, towering over/shadowing the primarily one and two-storey homes in the area, and that the project is out of scale with the neighbourhood. Some persons would prefer the construction of a 4 or 5 storey apartment building and/or the construction of two 5-storey buildings. In some cases, the public representations feel that that KMK should be required to adhere to the current building setback requirements of Section 7.1.4 of the Development Regulations.

In reviewing the City staff reports prepared for City Council on the proposed planning amendments/proposed apartment building, I note that building setbacks are a common urban-design practice employed in many cities to regulate building form to reduce negative effects of tall buildings on existing properties. During the preparation of the current Envision St. John's Development Regulations, City staff reviewed how some other Canadian cities regulate tall buildings. Limiting the base of a building to approximately 12 metres in height helps to reduce the impact of taller buildings on surrounding neighbouring residential properties, especially from back yards. The setback above 12 metres reduces the visual scale of the tall building and reduces the looming effect on adjacent properties. Building setbacks have the advantage of helping to mitigate wind, shadowing, and increasing privacy for neighbouring properties.

In reviewing and ultimately adopting the Envision St. John's Municipal Plan in 2021, Council made a determination that it is important to consider how proposed new developments may affect nearby properties in established neighbourhoods and to consider measures for the protection of established neighbourhoods. This is reflected in Section 4.4 "Good Neighbourhoods-Reducing Land Use Conflict" of the Municipal Plan and certain subsections of Section 8.4 ("Residential District") of the Municipal Plan.

While the shadow study which forms part of KMK's LUR shows only minor differences between the apartment building with a setback and without a setback, it appears to me from a municipal planning perspective, that requiring the apartment building to adhere to the building setback requirement would still have advantageous effects of limiting the effects of a 10-storey building being constructed near low rise homes with regards to privacy, wind generation, amount of precipitation falling onto adjoining properties and the overall massing of the proposed apartment building.

While making the recommendation for the requirements for building setbacks, I do recognize that Council has received and must consider the representations from KMK regarding the economics/cost feasibility of constructing an apartment building on the site if the building setback requirements of Section 7.1.4 of the Development regulations are applied by the City to the project.

COMMISSIONER'S CONCLUSIONS REGARDING THE PROPOSED PLANNING AMENDMENTS

The following conclusions in my role as the appointed Commissioner, are based on my review of the LUR prepared by KMK, a review of the City staff reports provided to me, my review and consideration of the written and verbal public representations made during the public consultation process and my inspection of the subject property.

In my opinion, the proposed planning amendments to redesignate the subject property at Civic No. 34 New Cove Road to the Residential (R)Land Use District and the Apartment 3 (A3) Land Use Zone to allow the construction of a 10-storey apartment building, are appropriate planning designations for the property and are in harmony with several planning objectives and policies with respect to residential development which are endorsed in the Envision St. John's Municipal Plan. The proposed 10-storey height is within the limitations of the A3 Zone.

The proposed apartment building project itself would offer the option of a higher-density housing living for interested individuals, which would make good use of an existing unused property in the urban core of the city which has good access to the existing municipal road infrastructure, municipal water and sewer services, Metrobus service and proximity to a grocery store, the Downtown and the Rennie's River trail system.

In my opinion, the proposed 10-storey height of the apartment building would be an appropriate residential for the property provided that the requirement for a building setback as per Section 7.1.4 of the Development Regulations be upheld. While the shadow study contained in KMK's LUR shows only minor differences between the apartment building with a setback and without a setback, it is my view that the building setback would still have the advantage of reducing the scale and "looming effect" of a tall building on the neighbouring properties which would help in protection of the existing character of the neighbourhood-a Council adopted planning objective of the Envision St. John's Municipal Plan. It is important to note that at 10 storeys, the proposed apartment building would be one of the tallest buildings in the St. John's Metro Region.

I would note that if the apartment building design follows the requirement for building setback set out in Section 7.1.4 of the Development Regulations, the number of apartment units would be reduced by approximately 15 units, and the number of on-site parking spaces required for the apartment building would thereby be reduced.

In regard to the written and verbal public representations respecting traffic and parking concerns if the proposed apartment building is constructed, I note that City staff have not expressed any concerns/objections to the development in regard to traffic and parking and further, that the City will require KMK to complete certain access infrastructure improvements.

While not explicitly part of my mandate as the appointed Commissioner to consider the proposed planning amendments, I believe it appropriate that City Council grant KMK's request for parking relief for 6 vehicle parking spaces for the apartment building.

COMMISSIONER'S DETERMINATIONS AND RECOMMENDATIONS

1. It is my determination as the appointed Commissioner, that an appropriate public notification process for the public hearing held on February 12, 2025, for this set of proposed planning amendments, has been carried out by the City of St. John's and that the City's public notification process satisfies the applicable requirements of the Urban and Rural Planning Act, 2000 and the Provincial Department of Municipal and Provincial Affairs.
2. The proposed redesignation/rezoning of the subject property at Civic No. 34 New Cove Road to allow the construction of a 10-storey apartment building, by KMK is, in my opinion, in accordance with several planning objectives and policies of the Envision of the St. John's Municipal Plan.
3. The proposed new Municipal Plan designation of Residential (R) Land Use District and the proposed new Zone designation of Apartment 3 (A3) Land Use Zone for the entirety of the subject property at Civic No. 34 New Cove Road is, in my opinion, appropriate for the subject site.
4. It is my recommendation that if the St. John's Municipal Council decides to proceed to approve the rezoning of the subject property at Civic No. 34 New Cove Road to the Apartment 3 (A3) Land Use Zone, and should the application from KMK to construct a 10-storey apartment building on the site proceed, that Council should require the future redevelopment of the property to adhere to the current requirements of Section 7.1.4 ("Building Stepback") of the Envision St. Johns Development Regulations which requires that all Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and the Side Yard Lot Line at a height of 12 metres. I believe the proposed apartment building will negatively affect the existing character of the neighbourhood unless building setbacks are applied; the apartment building would be sited quite close to existing low-rise homes.
5. It is recommended that the St. John's Municipal Plan Amendment Number 16 2024 in its present form as adopted by the St. Johns Municipal Council on January 14, 2025, to redesignate the subject property at Civic No. 34 New Cove Road from the Institutional (INST) and Use District to the Residential (R) Land Use District, now be approved by Council.
6. It is recommended that the portion of the St. John's Development Regulations Amendment Number 48, 2024, to rezone the subject property at Civic No. 34 New Cove Road from the Institutional (INST) Land Use Zone to the Apartment 3 (A3) Land Use Zone, Road, as adopted by the St. John's Municipal Council on January 14, 2025, now be approved by Council.

7. With regards to that the portion of the St. John's Development Regulations Amendment Number 48, 2024, which would have the effect of:

- a) Adding the following to Section 4.9(2) "(Land Use Report")
"4. (9)(i) buildings with an alternative Building Setback in accordance with Subsection 7.1.4(b), which Land Use Report shall address wind, shadowing, precipitation, and privacy impacts on adjacent residential properties and pedestrians."

And further; repealing Section 7.1.4 ('Building Stepback') which states:

"7.1.4 Building Stepback

All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres"

Ans substituting the following:

"7.1.4 Building Stepback

- (a) All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45-degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.*
(b) Where an applicant wishes to propose a Building Stepback that differs from that required in Subsection 7.1.4(a), Council shall require a Land Use Report in accordance with Section 4.9."

It is my recommendation that the changes to Section 4.9(2) ("Land Use Report") and Section 7.1.4 ("Building Stepback") as currently proposed under St. John's Development Regulations Amendment Number 48, 2024, now be approved by Council.

It is anticipated that the City will receive other future development applications for the construction of taller buildings in St. John's and there may be circumstances where it is appropriate to allow a Building Stepback that differs from that required under Section 7.1.4 as it presently requires. If approved by Council, St. John's Development Regulations Amendment Number 48, 2024 would give Council authority to vary the Building Stepback where Council determines it appropriate to do so.

Thereby I recommend that portion of St. John's Development Regulations Amendment Number 48, 2024 which deals with Section 7.1.4 ("Building Stepback"), now be approved by Council as adopted on January 14, 2025.

8. Notwithstanding my Recommendation No. 7 with respect to St. Johns Development Amendment Number 48, 2024 pertaining to Section 4.(9(2) (“Land Use Report”) and Section 7.1.4 (“Building Stepback”), it is my further recommendation, that even should Council decide to approve this amendment, that the proposed development of the property at Civic No. 34 New Cove Road by KMK for the construction of a 10 storey apartment building, should still require the proposed apartment building to not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres. This is in accordance with my Recommendation No. 4 noted earlier. As noted under Recommendation No. 4, I believe building stepbacks should be applied to the KMK project.

It is my opinion that for the protection of the existing character of the neighbourhood/properties in the vicinity of the property at Civic No. 34 New Cove Road, that the proposed 10-storey apartment building should be required to provide building stepbacks.

As noted earlier in my report, I do recognize that City Council, in its role of decision-maker on the proposed approval of the planning amendments, will need to weigh the planning benefits for existing neighbourhood residents of requiring the apartment building to be designed with building stepbacks, against KMK’s written representation expressing concerns about the additional costs to design and construct an apartment building with building stepbacks.

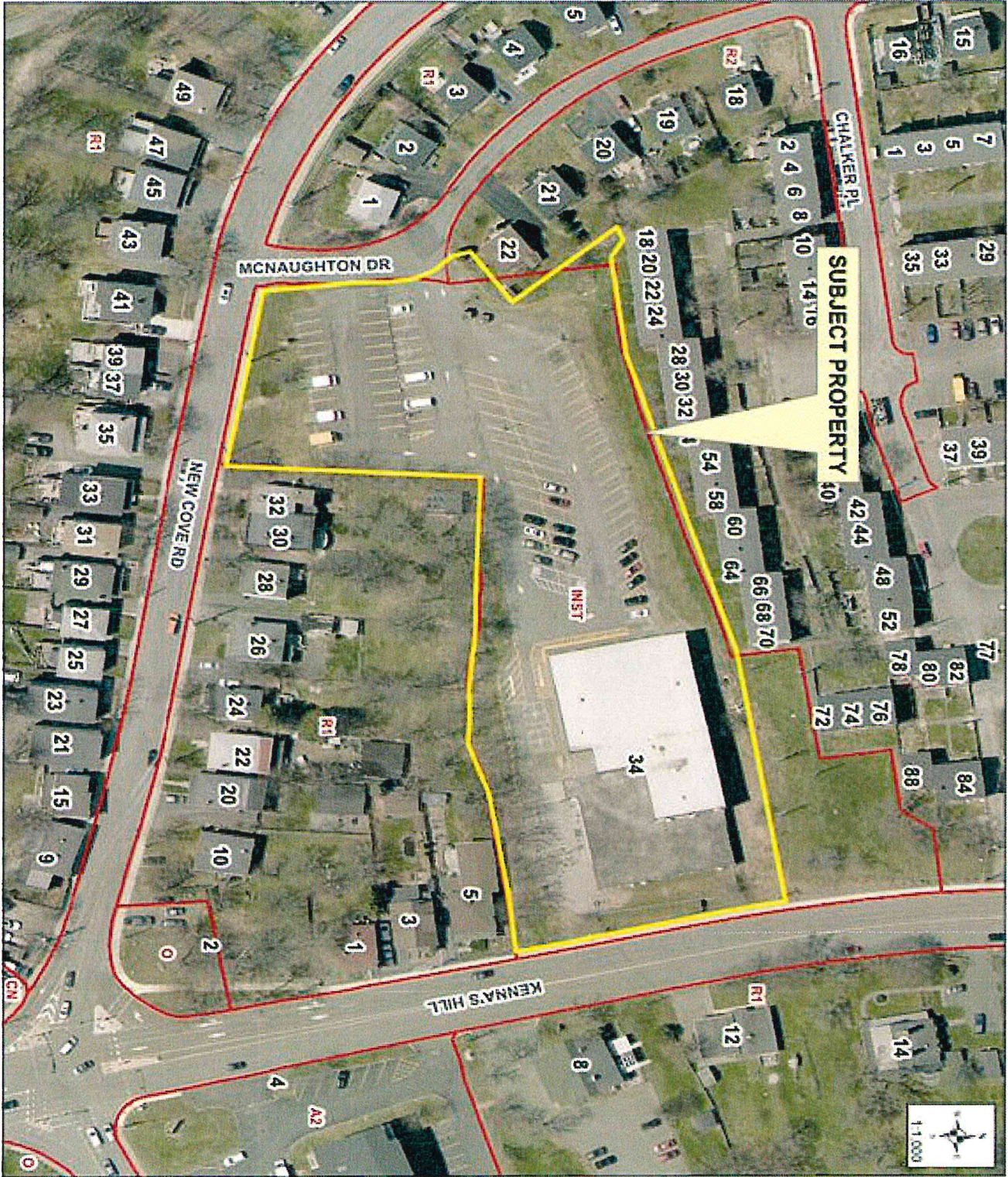
9. I see no concerns with respect to KMK’s request to City Council for parking relief of six (6) vehicle parking spaces for the proposed apartment building development.

Respectfully submitted,

Clifford Johnston,
Commissioner

Attachments

**APPENDIX A: AIRPHOTO SHOWING THE PROPERTY
AT CIVIC NO. 34 NEW COVE ROAD, ST. JOHN'S**



S

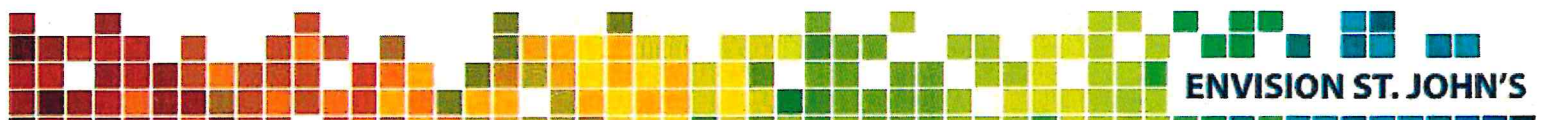
APPENDIX B: COPY OF ST. JOHN'S MUNICIPAL PLAN AMENDMENT NO. 16, 2024

City of St. John's Municipal Plan, 2021

St. John's Municipal Plan Amendment Number 16, 2024

**Institutional Land Use District to
Residential Land Use District
34 New Cove Road**

December 2024



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

St. John's Municipal Plan, 2021

Amendment Number 16, 2024

Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's:

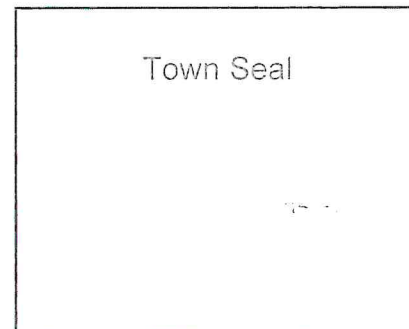
1. Adopted the St. John's Municipal Plan Amendment Number 16, 2024 on the 14th day of January, 2025;
2. Gave notice of the adoption of the St. John's Municipal Plan Amendment Number 16, 2024 by way of an advertisement inserted in the Telegram newspaper on the 24th day of January, 2025, on the 31st day of January, 2025, and on the 7th day of February, 2025; and
3. Set the 12th day of February at 7:00 p.m. at the St. John's City Hall in the City of St. John's for the holding of a public hearing to consider objections and submissions.

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's approves the St. John's Municipal Plan Amendment Number 16, 2024 on the ____ day of _____, 2025 as was originally adopted.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____



Canadian Institute of Planners Certification

I certify that the attached City of St. John's Municipal Plan Amendment Number 16, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____

MCIP/FCIP Stamp

Municipal Plan/Amendment
REGISTERED

Number _____
Date _____
Signature _____

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

ST. JOHN'S Municipal Plan, 2021

Amendment Number 16, 2024

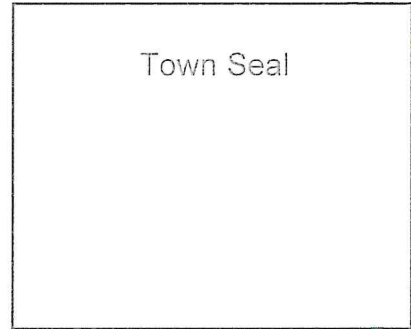
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the St. John's Municipal Plan Amendment Number 16, 2024.

Adopted by the City Council of St. John's on the 14th day of January, 2025.

Signed and sealed this ____ day of _____.

Mayor: _____

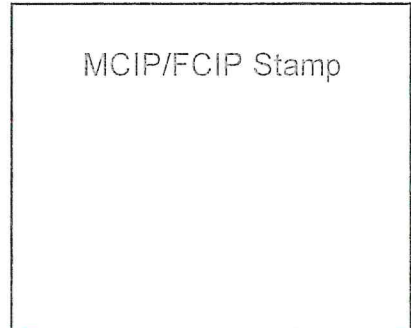
Clerk: _____



Canadian Institute of Planners Certification

I certify that the attached St. John's Municipal Plan Amendment Number 16, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____



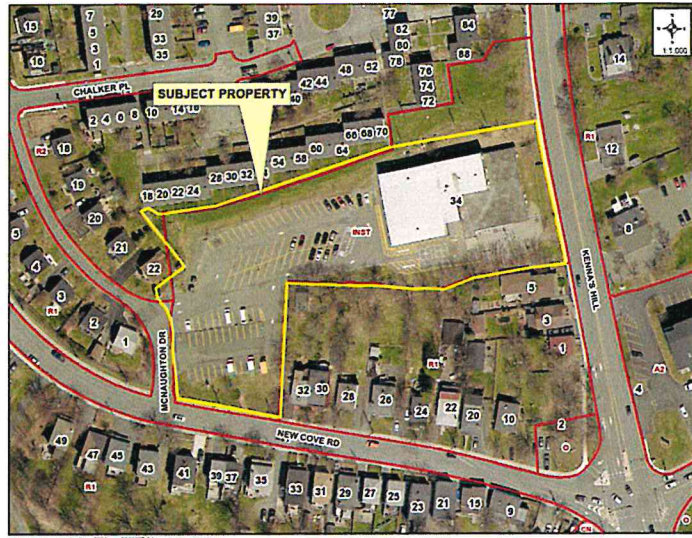
CITY OF ST. JOHN'S

Municipal Plan Amendment Number 16, 2024

BACKGROUND AND ANALYSIS

Background

The City has received an application from KMK Capital Inc. to rezone 34 New Cove Road to develop a 10 storey Apartment Building. The subject property is currently within the Institutional District and Zone. A Municipal Plan amendment is required to redesignate the property to the Residential District and rezone to the Apartment 3 (A3) Zone. Apartment Building is a Permitted Use within the A3 Zone.



Land Use Report

As per Section 4.9 of the St. John's Development Regulations, a Land Use Report (LUR) is required for the rezoning. The applicant has prepared a LUR as per Council's terms of reference. A copy of the report is available at engagestjohns.ca.

Analysis

The Envision St. John's Municipal Plan maintains a number of policies that recommend developments that increase density within existing neighbourhoods. Such policies include:

Policy 4.1.2 - Enable a range of housing to create diverse neighbourhoods that include a mix of housing forms and tenures, including single, semi-detached, townhousing, medium and higher density and mixed-use residential developments.

Policy 4.4.1 - 1. Ensure that the review of development proposals considers how new development may affect abutting properties and uses.

Policy 4.6.8 - Require, where appropriate, that sidewalks, paths and lanes provide access to and from bus stops, schools, places of worship, shopping areas, and places of employment.

Policy 8.4.2 - Recognize and protect established residential areas. Support the retention of existing housing stock, with provision for moderate intensification, in a form that

respects the scale and character of the neighbourhood.

The subject property is surrounded by low to medium density residential uses. The Proposed location of the Apartment Building is within proximity to amenities, places of employment, commercial areas and public transit routes. The site is the location of the former Max building, and before that, the YM/YWCA. The existing building will be demolished and replaced with the proposed Apartment Building. The proposed development is in line with the St. John's Municipal Plan.

PUBLIC CONSULTATION

The proposed Municipal Plan and Development Regulations amendment was advertised on three occasions in The Telegram newspaper on October 25, November 1, and November 8, 2024. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website. Background information on the amendment is available at the Engage St. John's project page.

Feedback on the proposal has been mixed. Some are supportive of the project, and feel housing is needed and the project should be expediated. Others have concerns that the proposal is too large and dense for the area and will create too much traffic and congestion along McNaughton Drive and New Cove Road. During the application review process, the proposal was reviewed by the City's Transportation Engineers and no concerns were raised based on the Transportation Impact Memo.

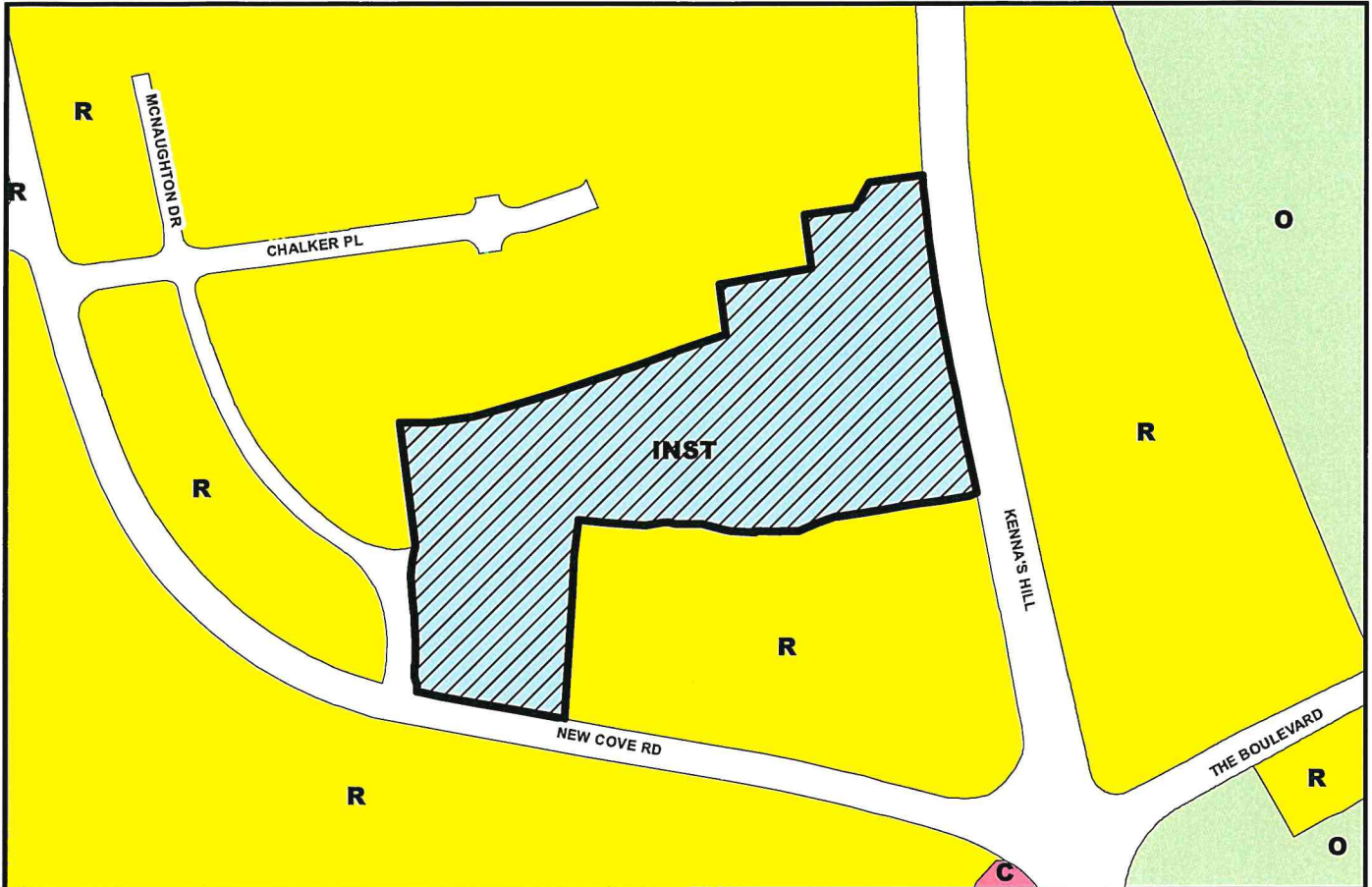
ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. The subject property is within the Urban Development designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan is not required.

ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 16, 2024

The St. John's Municipal Plan, 2021 is amended by:

- 1. Redesignating land at 34 New Cove Road [Parcel ID# 40638] from the Institutional Land Use District to the Residential Land Use District as shown on Future Land Use Map P-1 attached.**



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 16, 2024**

Future Land Use Map P-1

2024 12 09 Scale: 1:2000
City of St. John's
Department of Planning, Development
& Regulatory Services

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REDESIGNATED FROM
INSTITUTIONAL (INST) LAND USE DISTRICT TO
RESIDENTIAL (R) LAND USE DISTRICT

34 NEW COVE ROAD
Parcel ID 40638

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Municipal Plan/Amendment	
REGISTERED	
Number	_____
Date	_____
Signature	_____

Provincial Registration

APPENDIX C: COPY OF ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NO. 48, 2024

City of St. John's Development Regulations, 2021

St. John's Development Regulations Amendment Number 48, 2024

Institutional (INST) Zone to Apartment 3 (A3) Zone
34 New Cove Road

December 2024



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

St. John's Development Regulations, 2021

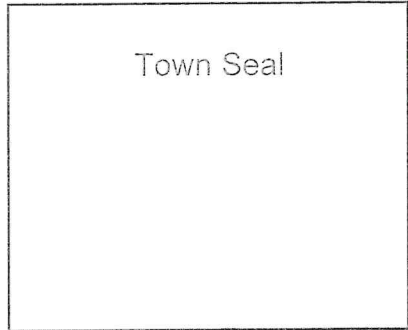
Amendment Number 48, 2024

Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's:

1. Adopted the St. John's Development Regulations Amendment Number 48, 2024 on the 14th day of January, 2025;
2. Gave notice of the adoption of the St. John's Development Regulations Amendment Number 48, 2024 by way of an advertisement inserted in the Telegram newspaper on the 24th day of January, 2025, on the 31st day of January, 2025, and the 7th day of February, 2025; and
3. Set the 12th day of February, 2025 at 7:00 p.m. at the St. John's City Hall in the City of St. John's for the holding of a public hearing to consider objections and submissions.

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's approves the St. John's Development Regulations Amendment Number 48, 2024 on the ____ day of Click or tap to enter a date. as was originally adopted.

Signed and sealed this ____ day of _____.



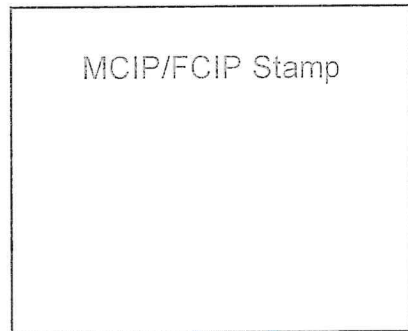
Mayor: _____

Clerk: _____

Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 48, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____



Development Regulations/Amendment
REGISTERED
Number _____
Date _____
Signature _____

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

ST. JOHN'S Development Regulations, 2021

Amendment Number 48, 2024

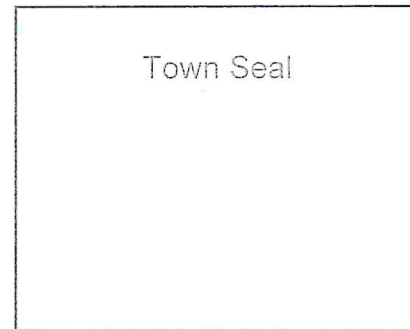
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the St. John's Development Regulations Amendment Number 48, 2024.

Adopted by the City Council of St. John's on the 14th day of January, 2025.

Signed and sealed this ____ day of _____.

Mayor: _____

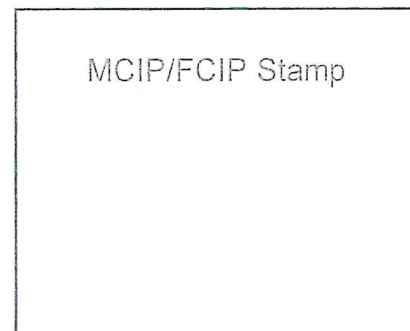
Clerk: _____



Canadian Institute of Planners Certification

I certify that the attached St. John's Development Regulations Amendment Number 48, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____



CITY OF ST. JOHN'S

Development Regulations Amendment Number 48, 2024

BACKGROUND

The City of St. John's wishes to allow an Apartment Building at 34 New Cove Road. The subject property is currently within the Institutional District and Zone and therefore an amendment is required to rezone the property to the Apartment 3 (A3) Zone. Within the A3 Zone, Apartment Building is a Permitted Use.

This amendment implements St. John's Municipal Plan Amendment 16, 2024, which is being processed concurrently.

PUBLIC CONSULTATION

The proposed Municipal Plan and Development Regulations amendment was advertised on three occasions in The Telegram newspaper on October 25, November 1, and November 8, 2024. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website. Background information on the amendment is available at the Engage St. John's project page.

Feedback on the proposal has been mixed. Some are supportive of the project, and feel housing is needed and the project should be expediated. Others have concerns that the proposal is too large and dense for the area and will create too much traffic and congestion along McNaughton Drive. During the application review process, the proposal was reviewed by the City's Transportation Engineers and no concerns were raised based on the Transportation Impact Memo.

ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. The subject property is within the Urban Development designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan is not required.

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 47, 2024

The St. John's Development Regulations, 2021 is amended by:

1. **Rezoning land at 34 New Cove Road [Parcel ID# 40638] from the Institutional (INST) Zone to the Apartment 3 (A3) Zone as shown on City of St. John's Zoning Map attached.**

2. Adding the following to Section 4.9(2) Land Use Report:

"4.9(2)(i) buildings with an alternative Building Stepback in accordance with Subsection 7.1.4(b), which Land Use Report shall address wind, shadowing, precipitation, and privacy impacts on adjacent residential properties and pedestrians."

3. Repealing Section 7.1.4 Building Stepback, which states:

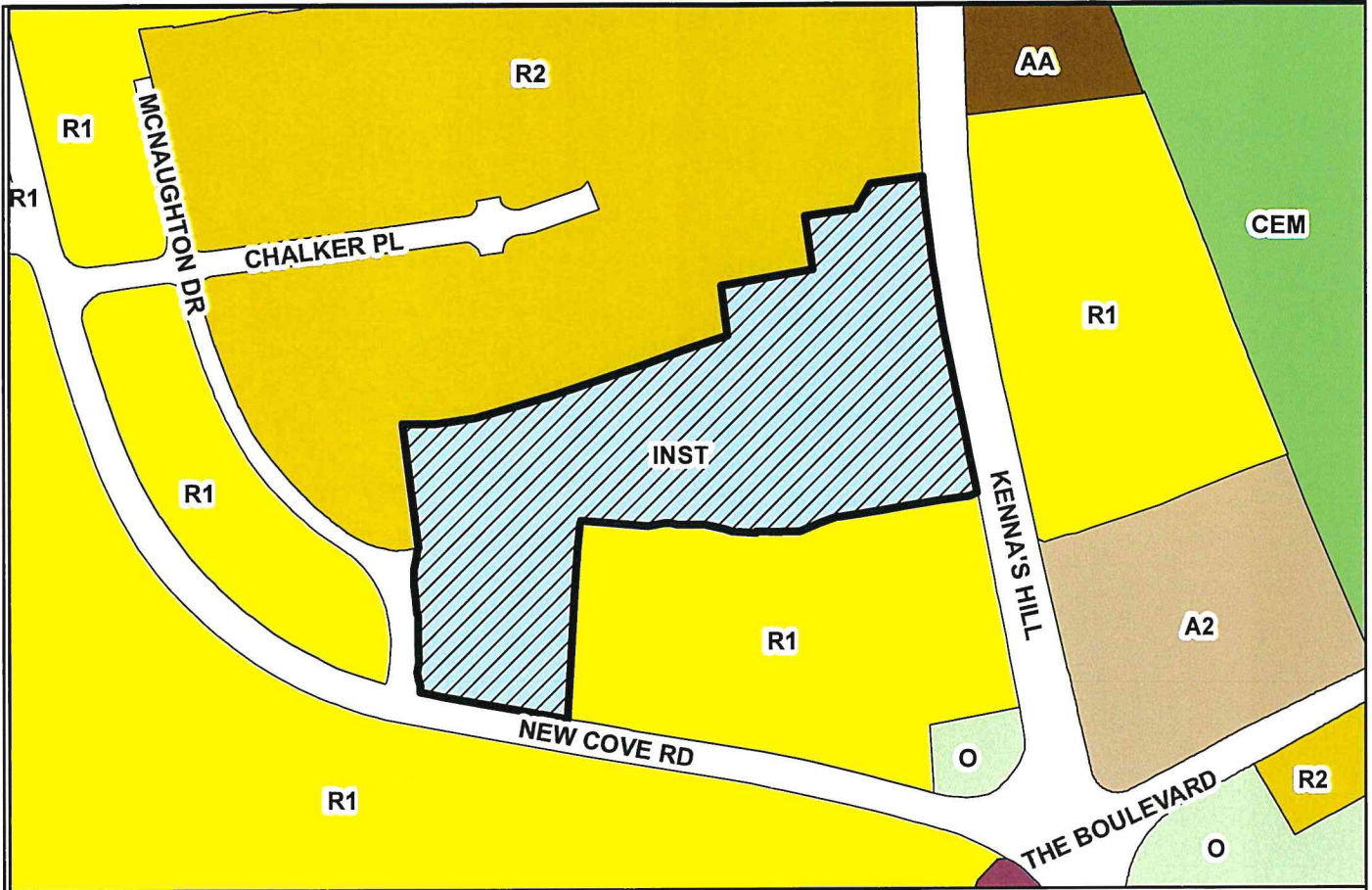
“7.1.4 Building Stepback

All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.”

And substituting the following:

“7.1.4 Building Stepback

- (a) All Buildings on a Lot which is in or abuts a Residential Zone and being 12 metres or greater in Building Height shall not project above a 45 degree angle as measured from the Rear Yard Lot Line and/or Side Yard Lot Line at a height of 12 metres.**
- (b) Where an applicant wishes to propose a Building Stepback that differs from that required in Subsection 7.1.4(a), Council shall require a Land Use Report in accordance with Section 4.9.”**



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 48, 2024**
[City of St. John's Zoning Map]

2024 12 09 Scale: 1:2000
City of St. John's
Department of Planning, Development
& Regulatory Services

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REZONED FROM
INSTITUTIONAL (INST) LAND USE ZONE TO
APARTMENT 3 (A3) LAND USE ZONE

34 NEW COVE ROAD
Parcel ID 40638

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Development Regulations/Amendment
REGISTERED

Number _____

Date _____

Signature _____

Provincial Registration

**APPENDIX D: COPIES OF ALL PUBLIC WRITTEN SUBMISSIONS RECEIVED BY
THE CITY CLERK'S OFFICE ON THE PROPOSED PLANNING
AMENDMENTS RESPECTING THE PROPERTY AT CIVIC NO. 34 NEW COVE ROAD**

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 10:33 PM
To: CityClerk
Subject: RE: 34 New Cove Road Development
Attachments: 34 New Cove Road Development Comments.pdf

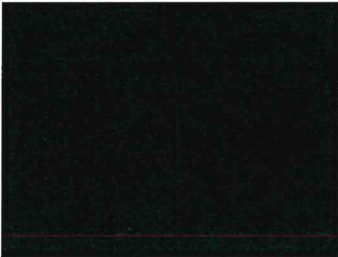
You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

My name is [REDACTED] Please see
[REDACTED] attached our comments regarding the proposal.

Thank you,







November 11, 2024

Office of the City Clerk
P.O. Box 908
St. John's, NL
A1C 5M2

Re: 34 New Cove Road Development

 impacted by this development, I am compelled to speak out against the scale of the proposal and the developers request for a relaxation of Section 7.1.4 Building Stepback regulation. As a 

Building Mass & Stepback Relaxation

It is in my experience that when a relaxation in guidelines is requested, it is because of some constraint or issue with the building site that would otherwise make the project unfeasible. However in this case, the developers bid for relaxation is for the sole purpose of including additional rental units to improve their own profit margin at the expense of the neighbourhood in which they are inserting themselves. It would also be typical for a developer to offer, or the authority having jurisdiction to require, something in exchange for the granting of a guideline relaxation in the form of a community amenity, public green space, or a guarantee that a certain number of the rental units will be provided at below market rate. The developer in this case has offered nothing in return for their request to a relaxation of the building stepback and claims that the relaxation should be granted since the effect on neighbouring properties would be negligible. However the stepback guidelines are in place for this exact scenario, with a large scale building abutting directly onto residential properties. Its purpose is to reduce the scale and looming effect a tall building can have on the neighbouring properties and ensure a suitable transition in intensity, use and form.

Stepback guidelines are not enforced solely to mitigate the shadows cast by a building, but the visual mass of the building itself when taken in context with its surroundings. A building of this size would dominate the area and have considerable negative impacts on the value and character of the neighbourhood. At 10 storeys this development would be on par with some of the tallest buildings in the province, and is simply not to scale with a residential neighbourhood of 2 and 3 storey homes in such close proximity.

An earlier application for this proposal had also included a parking structure on site, which is no longer present in the current rendition. If the site is larger enough for a second structure, has the developer explored the possibility of two smaller 6 storey buildings to distribute the building mass over a larger area of the site? If one level of parking and 5-storeys of residential suites was included, it would be possible to achieve the same number of rental units and parking spaces, while avoiding the stepback issue altogether. It could be argued that two smaller buildings would fit the neighbouring area better than the 10-storey single building currently being put forward.

The developer has claimed that if the stepback guidelines were to be enforced that the project would not be financially viable, tying the relaxation of the guideline to the project moving forward. In using the housing crisis, the developer is attempting to apply political pressure on council to achieve its own goal of maximized profit.

Affordability

The developer notes the housing crisis and need for purpose built apartment buildings throughout their application as the justification for additional building height and relaxation to stepback guidelines. However as noted in the media and their most recent development at One Churchill Park, these rental units will not meet the most basic need of the housing crisis which is affordability. The developer has not committed to capping rents at market rate and given the precedent set by One Churchill Park, the rental units in this new development will not be attainable by the majority of renters in the city, regardless of relaxation of the stepback guideline.

Community Loss

Although I am not opposed to an apartment building of an appropriate size on this site, it should be noted that this development would in fact be a net loss to the community; in the purchase and demolition of the Max Fitness facility, the neighbourhood and community at large are losing a valuable recreation and multipurpose space as well as much needed and well attended after-school and childcare programming. The development does include a fitness facility within the building, however it is solely for the use of the building occupants. No community amenities are being provided by the proposed development to alleviate the loss of the existing facility.

Public Consultation

There has also been a lack of public consultation in regards to this development application. In distributing their initial notice on December 22nd, 2023 with a deadline for comments on January 8th, 2024, many residents of the effected community would have missed their opportunity to express their concerns over the busy holiday season. The distribution was also limited and did not reach all effected parties, [REDACTED] did not receive a notice. Given the implications of the rezoning and the scale of the proposed development, an open public consultation should take place so that the effected residents can voice their concerns directly to the developer and city staff.

Parking & Traffic

The developer has noted in their application that they cannot achieve the minimum required parking spaces for the number of rental units they are proposing. Their justification in that many residents may not own a vehicle given the close proximity to public transit and walking trails is ill-informed and not based on the realities of renters whom they will be marketing the project, given the expected above-market rental rates.

Given more than half of the rental units are two-bedroom suites, it is more likely that many units will have more than one vehicle per household, resulting in significantly higher parking requirements than proposed and shifting the burden of overflow parking on all the neighbouring streets, which are already at their maximum capacity for parking. Parking on McNaughton Drive is not possible given it's own constraints, New Cove Road is limited given parking is prohibited on the North side of the road and Metrobus stops and existing resident

parking on the South, and parking on Kenna's Hill is not possible. The expectations of the developer that parking will not be an issue for the building occupants and the existing neighbouring residents is wholly unrealistic and should be of immediate concern to city staff when reviewing this application.

Were the stepback guidelines to be enforced and the number of rental units reduced, the proposal could in fact meet the minimum required parking on its own site, alleviating at least some concern of nearby residents.

Beyond parking, increased vehicle traffic caused by the proposed development will have significant negative impact on the existing residents of McNaughton Drive and New Cove Road. With the sole entrance to the new development off of McNaughton Drive, which is narrower than a typical residential street and does not have sidewalks, it is impossible to imagine a steady flow of traffic would be possible to the development site. If to address the concerns on McNaughton access is limited and all vehicle traffic is directed south on New Cove Road, a significant bottleneck will occur given the limited visibility on the blind curve and Metrobus stop immediately adjacent to the vehicle entrance. It also impossible to imagine the intersection at New Cove Road, Kenna's Hill, The Boulevard, and King's Bridge, can handle the increased traffic at peak hours that this development would cause.

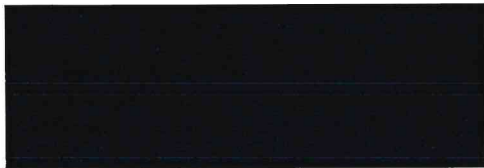
The LUA report indicates that the proposed development will somehow reduce traffic in comparison to the existing Max Fitness facility, however those numbers seem unrealistic and detached from the realities of this specific site and circumstance.

Conclusion

The need for purpose built apartment buildings to help alleviate the housing crisis is clear, however there are several significant issues with this proposed development that council and city staff need to consider when reviewing this application. Increased density is required in the city, however it must be done in a respectful manner to the existing neighbourhood in which these projects are proposed. This project in its current form would have detrimental impacts on the neighbouring properties and as such should not be approved as submitted.

I would implore council to heed the advice of city staff, standby the well researched and considered guidelines that are in place to protect residential properties from new large scale developments, and not set the precedent of allowing a developer to set their own rules, by rejecting this proposal and denying a relaxation of Section 7.1.4.

Sincerely,



Theresa K. Walsh

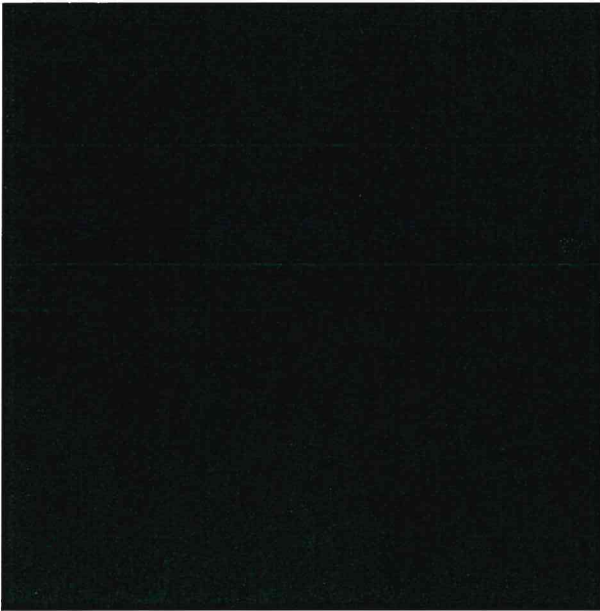
From: [REDACTED]
Sent: Saturday, November 9, 2024 10:20 AM
To: CityClerk
Cc: Lindsay Church
Subject: 34 New Cove Road
Attachments: 34 New Cove Road.pdf

Some people who received this message don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

Please find attached my comments further to your invitation for comments on this development.



While I am not opposed to a development on that site, I do believe that a development of the scale proposed in the Land Use Report will present significant traffic flow and parking issues that will adversely affect both building residents and neighbours, particularly on McNaughton Drive and New Cove Road.

Before anything, I urge city planners and councillors to hop in their vehicles and take a drive up McNaughton Drive and around the immediate area. You will see that McNaughton Drive is not a regular city street. There are no sidewalks and the road is just wide enough for two vehicles to pass with caution. McNaughton Drive was an extension of the US military base at Fort Pepperrell. It was not designed for steady two-way traffic, it still isn't, nor is it perceived as such by residents. Kids from Chalker Place routinely play on the street without anyone being fussed about it.

A picture is worth a thousand words. The pics in Figure 1 were taken last winter. The first pic looks southeast from the perspective of #4 McNaughton Drive. The second looks northwest on McNaughton Drive taken from the entrance to 34 New Cove Road. In winter, McNaughton Drive for all intents and purposes is a one-way street. How can this street deal with the addition of more than 117 new vehicles, coming and going at all hours, not to mention service vehicles, taxis, etc?

Figure 1



Sure, the street can be made one-way, but I doubt that will deter the vehicles that have to deal with the bottleneck that will be created at the bottom of the street as morning and evening traffic squeeze on to that small hill that separates the building access on McNaughton to New Cove Road. Many vehicles will avoid the inevitable bottleneck by turning up McNaughton Drive to exit onto New Cove Road via Chalker Place adding to traffic flow on a street not designed for two-way traffic.

Appendix 9 of the Land Use Report, suggests that the peak AM traffic anticipated by the new building will be less than that at Max Fitness. I am not at all familiar with the Institute of Transportation Engineers "Trip Generation Manual" 11th Edition, but the am statistics seem counter intuitive. Max

Fitness traffic flow is spread over a long period of time, even in the morning. My guess is that there will be major congestion at the bottom of the street between 7:30 to 9:00 am and 4:30 to 6:00 pm, exceeding that of Max Fitness, as building residents and the residents of McNaughton Drive go to and from work.

No information about rental rates have been made public to date, but my guess is that a two-bedroom in such a lovely building with air conditioning, a gym, nicely landscaped grounds in an ideal location close to all amenities will cost in the neighbourhood of \$2,000 per month. I see typical tenants not as ones who work minimum wage jobs and take the metrobus to and from work, but as younger professionals and other people with good-paying jobs, the kind of tenants who are far more likely to use their own vehicles versus city transit.

Parking is equally, if not more, problematic. In Section H of the Land Use Report, the developer “is confident that given that the site is well served by public transit and is within easy walking distance....it is not anticipated that all units will require a parking stall”. I hope that confidence is not mere wishful thinking, the kind that saves the developer the expense of providing adequate parking to building residents. Great if KMK Capital gets it right. Bad if they don’t – bad for building residents and their visitors, and bad for residents of McNaughton Drive and New Cove Road who will be saddled with illegally parked overflow potentially blocking access by emergency vehicles, and impeding access by residents, particularly on McNaughton Drive, and particularly in winter.

In Section H of the Land Use Report the developer suggests that that the development as described is contingent on the City accepting its proposal the 111 parking stalls, not the 117 required by the formula in Section 8.3 of the Development Regulations, be permitted. In my view, 117 parking spaces is inadequate. In an area where there is absolutely no other place near for overflow to park legally, and on a street that for all intents and purposes is a one-way street, the city should be insisting that the developer design a layout that considers maximum parking spaces, not minimum, and certainly not 94% of the minimum as proposed in Section H of the Land Use Report. At least the original proposal had a parking garage, albeit in my view still with insufficient parking. Now the grounds are designed to cram 111 parking stalls on the property.

Figure 2 below shows some pics of the Max Fitness parking lot a few days after a dump of snow last winter.

Figure 2



Figure 2 cont'd



- The top left looks east from the upper entrance to Max Fitness parking lot on McNaughton Drive. The gym is in the back and the units on Chalker Place to the left. That snow pile covers 2-3 parking space as seen on the Site Concept Plan.
- The top right is the same snow pile looking west. 1 McNaughton Drive is in the background.
- The bottom left looks southwest from the Max parking lot [REDACTED] [REDACTED] That particular snowbank occupies two parking spaces and a part of the roadway as seen on the Site Concept Plan.
- The bottom right faces south along the fence at 32 New Cove Road to the left. That particular snowbank takes out three parking spaces as seen on the Site Concept Plan.

I look at the proposed site plan, filled with access routes and parking spaces and surrounded by fences and retaining walls, and wonder where the snow will get ploughed up. On the New Cove Road border there is a designated city snow storage area, but that appears to be on a steep embankment down to the sidewalk. I try to imagine the pandemonium on the property when there is any kind of snow at all. I wonder where the city will now plough up the snow on McNaughton Drive. A parking garage would eliminate all of these issues.

As far as city regulations go, the developer is already requesting exemption from Section 7.1.4. Building Step Back as it will affect residents of the north side of New Cove Road. In Section H of the Land Use Report, the developer suggests that it will be seeking a further exemption from parking regulations in Section 8.3 of the Development Regulations. By granting exemptions such as these, what kind of precedent is being set for the citizens of St. John's? I hear talk in media to the effect "...the city has to get out of its own way to deal with the housing crisis...", etc. To those I would say development regulations exist for a very good reason, for the good of all citizens of this city. Despite the external pressures on the city to approve developments to deal with the affordable housing crisis, the city cannot buckle to developers who claim their profit margin will not be sufficient unless certain regulations are relaxed. There are other places in this city more suitable to a development of this scale.

Again, I am really not a 'not in my backyard' kind of person. This development, if approved, will add new housing units to the city. It will certainly beautify the area. It may even increase the value of my own property. It's hard to imagine an uglier property in the city than what 34 New Cove Road presently is. But a building of this size, in a locale unsuited to a building of this size, and requiring exemptions from city development regulations, has potential to cause long-lasting troubles.

From: [REDACTED]
To: [CityClerk](#)
Subject: 34 New Cove Rd.
Date: Sunday, November 3, 2024 7:47:18 PM

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

This email is in response to the letter my household received re 34 New Cove Road for exemption from section 7.1.4. I object to the building completely as it will impact my view and likely the property value of my home. It will drastically alter the neighborhood and not necessarily for the better. 10 stories is way too high for that piece of land and would impact everyone around for the worse. There is no need to put something so high there. I object to anything the developer wants to do on the grounds of that property that will impact the neighbors to such a degree.

Theresa K. Walsh

From: Engage
Sent: Wednesday, November 13, 2024 9:15 AM
To: City Clerk
Subject: FW: Application re development for 34 New Cove Rd., St.John's

Follow Up Flag: Follow up
Flag Status: Flagged

Please confirm receipt.

Thanks

From: [REDACTED]
Sent: Tuesday, November 12, 2024 8:59 PM
To: Engage <engage@stjohns.ca>
Subject: Application re development for 34 New Cove Rd., St.John's

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Thank you for opportunity to respond to application.

[REDACTED] have 2 concerns re this proposed development.

1st. At present the amount of traffic on New Cove and Kenna's Hill is already at level that if this building is developed...the increase caused by 107 units would be of a definite concern for safety.

We have a low income housing area...known as Chalker Place...with a high number of children living there.

They use New Cove for getting to and from Tunis Park [REDACTED]

2nd. It has not been designated yet as to whether this development of 107 units will be designated as low income or not. If, so...that is going to be a danger zone for the increase of children in an already very busy area.

Thank you for your consideration.

Theresa K. Walsh

From: [REDACTED] >
Sent: Monday, November 11, 2024 12:04 PM
To: CityClerk
Subject: Re: 34 New Cove Road
Attachments: 34 New Cove Rd [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Good Morning,

Please see attached comment letter and [link](#) to related photos concerning the proposed rezoning of 34 New Cove Road.

Please acknowledge receipt of all documents.

Regards,

[REDACTED]

Office of the City Clerk
City of St. John's

November 6, 2024

Re : 34 New Cove Road

[REDACTED] to the proposed ten-story apartment building at 34 New Cove. [REDACTED]
[REDACTED]

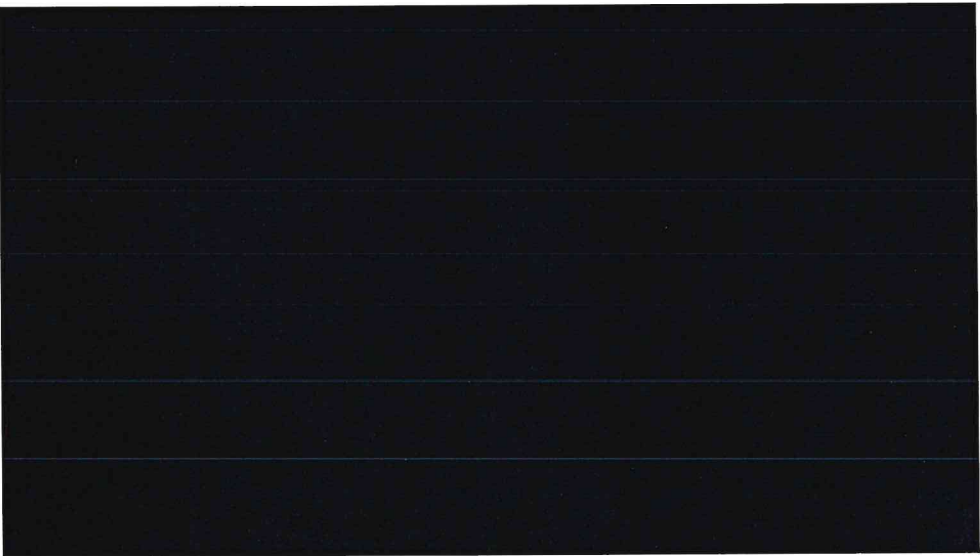
[REDACTED]
[REDACTED] After the
[REDACTED] trees were allowed to grow wildly on the embankment, and the fence, knocked down by a storm, was removed by the MAX but never replaced.

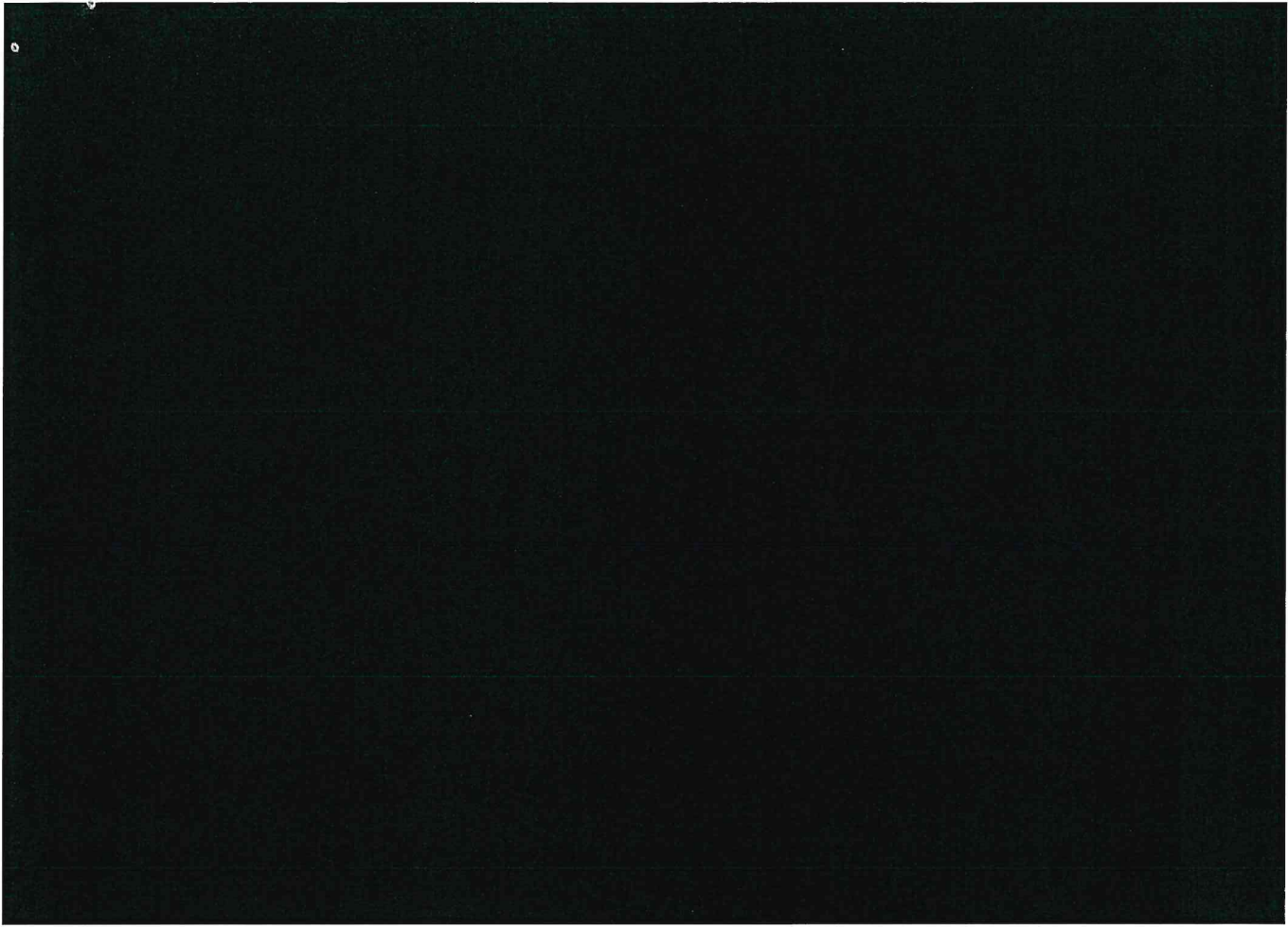
As it stands now (please see attached photos,) a chain link fence at the top of the embankment prevents people from sliding down [REDACTED], and the low retaining wall at the bottom, supposedly keeping the man-made "hill" stable, is crumbling.

We have grave concerns about how this proposed apartment building (ten-story high and much bigger and taller than the current structure,) will affect the embankment and the small, damaged retaining wall [REDACTED] Now, as this proposed apartment building is being considered, we feel that our issue must be addressed before rezoning takes place.

We are also concerned by the amount of additional traffic that a building with 107 rental units will have on our neighborhood. The New Cove Road access was certainly not built for such additional traffic!

Please contact us if you need more information.





Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, November 7, 2024 3:40 PM
To: [REDACTED]
Subject: 34 New Cove Road

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Dear City of St. John's,

I am writing you today to express concern over the application received from KNK Capital to rezone 34 New Cove Road.

[REDACTED]

New Cove is already a busy street with heavy traffic volume that travels too quickly for the posted speed limit. The stretch of New Cove Road where McMaughton intersects it is on a turn and it is already dangerous [REDACTED]

Further development of 34 New Cove Road with a large residential building of the scope proposed would bring additional unwanted traffic that would further lessen safety and also, in my opinion, affect my quiet enjoyment of my property.

The development would not enhance or increase my property or its value in any way.

A ten storey building on that property would also be out of place compared to the top of current residential and multiplex housing that exists. Our city has very few tall or 10 storey buildings and they are mostly concentrated in the downtown.

I am not anti-development but I fail to see why KMK Capital should be allowed to have this parcel of land rezoned to place a building that is too large, and will interfere with current traffic issues. The proposal also calls for allowance of variances to the current step back regulations and I also think that this should not be granted.

Respectfully,

[REDACTED]

From: [Engage](#)
To: [CityClerk](#)
Subject: FW: New Planning Application Open for Feedback; Other Feedback Reminder
Date: Monday, October 28, 2024 2:26:27 PM

Re: 34 Portugal Cove rd.

From: [REDACTED]
Sent: Monday, October 28, 2024 1:31 PM
To: Engage <engage@stjohns.ca>
Subject: Re: New Planning Application Open for Feedback; Other Feedback Reminder

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Thanks for this opportunity to support the proposed development at 34 Portugal cove road.
We need apartments in our city I am in full support.
Thank you



On Oct 28, 2024, at 12:45 PM, Engage St John's <notifications@engagementhq.com> wrote:



[REDACTED]

New Planning Application Open for Comments

34 New Cove Road

The City received an application from KMK Capital Inc. to rezone 34 New Cove Road from the Institutional (INST) Zone to the Apartment 3 (A3) Zone to enable the development of a new 10-storey Apartment Building, with a total of 107 residential units. Apartment Building is a Permitted Use in the A3 Zone. A Municipal Plan Amendment is also required to redesignate the property from the Institutional District to the Residential District. Check out the [project page](#) for additional details including the Land Use Report. Deadline to provide feedback is Tuesday, November 12.

Planning Application Reminder:

Main Road and Shoal Bay Road, Goulds

The City is considering extending the Residential 1 (R1) Zone along Main Road and

Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, November 12, 2024 7:17 AM
To: CityClerk; Tom Davis
Subject: resident comment regarding development proposal at 34 New Cove Road
Attachments: letter to city.pdf

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

08/11/2024

To whom it may concern,

I am writing to share my concerns regarding the proposed apartment building being planned for the MAX fitness site at 34 New Cove Road.

I am a local resident and have [REDACTED] lived in the broader neighbourhood on and off for most of my life and am very familiar with the area. I have a few issues with the development as planned which I have summarized below:

1. Parking

The development is seeking to build 107 new housing units yet only providing 111 spaces which includes parking for visitors. This is not only below what the proposal itself states is the city's minimum requirement but also I believe woefully unrealistic for what will be needed.

It is wishful thinking to assume that most dwellings will not own at least one car and considering the new residents will likely include affluent students, adult children of owners, and young professional couples, more often than not they will have two or more. And this is even before you consider visitors which along with family and friends also includes visiting professionals such as personal care workers, community nurses, child minders, and tradespeople.

[REDACTED] that used the same logic allowing for around 1 to 1.5 spaces per household (1 and 2 bedroom homes/apartments) and it was a nightmare for the surrounding community. Some were either awash in cars blocking smaller roads from emergency vehicles and blocking sidewalks from pedestrians with mobility issues, or in the more heavily regulated ones, full of traffic officers handing out tickets, clamping wheels, and towing cars. And this was in cities, unlike St. John's, with no snow, mild weather, and more robust public transport options such as multiple buses and street cars.

The fact is residents will for the most part have cars and use them daily to either shop or travel to and from work. It is unlikely, as suggested by the proposal, that they will walk to the closest grocery store which is 650m door to door across a busy 4-lane road that is often unwalkable in wintertime due to slush and snow and traverses everything from uneven sidewalks to a gravel part of the Rennies Trail and carry home their groceries, or walk to the nearest restaurant, which is at least 1km away, also on sidewalks that can be dangerous in wintertime and across another busy 4-lane road. Furthermore, much of the city's retail businesses are in areas like Stavanger, Kelsey, and Galway thus ensuring most residents will need a car to obtain anything beyond the most basic necessities. The most walkable planned development in the city was Churchill Park and even there most, if not all, households have at least one car.

As for roadside parking, there is already a shortage on New Cove Road. You cannot park on the northside of the street and for the houses like mine on the southside, for the whole time the snow ban isn't in place, there is typically a car parked outside making it already a challenge to safely pull in and out of my driveway.

2. Traffic


The proposal's traffic estimates I believe are not accurate. I doubt the MAX fitness centre ever approached near the traffic figures estimated (and if it did then why did it close?). Likewise, the old YMCA which I attended frequently was never that busy and it moved to a new site I believe partially because the New Cove site couldn't accommodate its traffic.

New Cove Road is already a small residential street that is trying to accommodate traffic better suited to a larger throughfare being as its one of the few access points to downtown east of Bonaventure that is being used by the ever expanding communities and neighbourhoods in the Northeast trying to get to downtown or to Pitts Memorial. I do not think adding another 107 households directly onto it is fair to the people already living here nor to the new residents. Furthermore, as the new building's entrance onto New Cove

Road is on a curve, anyone of the 107 households looking to make a left to go downtown (or to the grocery store) will be doing so with a chance of being hit by a car speeding, and many do speed, as they use the road to commute. Traffic at this turn from McNaughton is minimal at present but I would imagine 107 new households using it would make it dangerous without some serious traffic calming measures added up the hill from it. Mind you, seeing as I believe we are on a route used by emergency vehicles (ambulances and fire trucks) I doubt measures like speed bumps would even be possible.

3. Building height/stepback

I do not understand why the city would bother having a stepback regulation and then even consider a development seeking an exemption. If such regulations can be excused then why bother making them. The city needs more housing and more density will be a part of that but things like the stepback regulation exist so that development will lead to a more liveable city for both new and current residents. No one wants to live in the shadow of a tower. This is especially true in our city where being in the shade can make even a summer day feel cold. Think of your own home. I bet the snow lasts a lot longer on the northside in the spring than on the southside. I do not understand why I even need to list this issue. I respect that the developer needs to make a profit and the city needs housing but surely this can be done without breaking the rules already set such as with this regulation. And if it cannot then perhaps it is not the right development for this property.

 if my solution to a problem included the caveat that I break one of the pre-set rules then I have not solved it and should just start over.

In summary, I understand the desire to increase density within the city but this proposal is not suitable for this property. It is too large for the property and does not realistically address the challenges of parking or traffic that it will create. This is not progress nor will it lead to a better St. John's.

Sincerely,



Theresa K. Walsh

From: Engage
Sent: Wednesday, November 13, 2024 9:14 AM
To: City Clerk
Subject: FW: Re 34 New Cove Road.

Please confirm receipt.

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, November 12, 2024 9:15 PM
To: Engage <engage@stjohns.ca>
Subject: Re 34 New Cove Road.

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the Report a Phish button to report it.

I would like to respond to the proposal for the development of a 10 story apartment building at 34 New Cove Road.

First of all, I would like to know if any of this housing will be low income. I absolutely understand the need for low Income Housing but we already have a large number of Low Income Housing located there at Chauker Place. More low Income Housing in that area would definitely be too much concentrated in the same area.

Also, a 10 story building is way too high for this area. The highest that should be considered is 5 stories.

Traffic on New Cove Road is also a big consideration. We walk on this street very often and traffic is already a big concern.

[REDACTED] and surrounding area come over and use the park here. Our park is small and cannot handle any more people using it. If there is going to be a public meeting on this, I would very much like to attend.

[REDACTED]

Disclaimer: This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 8:42 PM
To: CityClerk
Cc: Tom Davis
Subject: 34 New Cove Road - Resident Comment re. Developer Application
Attachments: [REDACTED]

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.



November 8, 2024

To whom it may concern:

We are writing to express our concerns regarding the proposed construction of the 10-story building proposed for 34 New Cove Road.

[REDACTED] believe this development as currently proposed would have a significant negative impact on our community.

1) Height of Building

The proposed height of the building is incompatible with the character of our neighborhood, which consists predominantly of single-family homes and low-rise buildings. A structure of this size would not only disrupt the aesthetic appeal of the area but also overshadow surrounding properties, diminishing privacy and natural light.

No recent developments in this area, including one currently underway, rise as high as 10 stories.

2) New Cove Road Traffic and Congestion

There are great concerns about increased traffic and congestion along New Cove Road, which is already an extremely busy street. The addition of a larger residential structure is sure to exacerbate these issues, making it more difficult for residents to navigate and also creating potential safety risks for pedestrians, cyclists and Metrobus commuters.

3) New Cove Road Speed

This is a major issue which threatens public safety; as such it deserves its own category.

The steep incline of New Cove Road heading south/southeast around the blind curve makes the current posted speed limit of 50 km profoundly dangerous. Vehicles are blazing down the hill ever faster, and vehicles are also speeding up the hill in the other direction.

As such, we request the City of St. John's enact a street speed reduction from 50 km to 35 km with the addition of flashing speed indicators to warn drivers of the blind curve and impending downhill danger (a good location for south/southeast-bound flashing speed indicators would, in our opinion, be located at approximately 59 New Cove Road).

An alternative to flashing speed indicators would be a new stoplight, located at New Cove Road and McNaughton Drive. Given the dangers of 3) and 4) plus the developer's proposed number of 107 unit-associated vehicles, a stoplight is almost certainly required as a result of any development taking place—either as proposed or in a reduced capacity.

However, said stoplight would no doubt cause all kinds of problems at the bottom of New Cove Road, at the four-way intersection of Kenna's Hill, Kings Bridge Road, The Blvd. and New Cove Road.

Please note that the business located at the bottom of New Cove Road, Kings Bridge Auto (69 Kings Bridge Road), fell victim to a south/southeast-bound speeding driver just last week, and a customer's vehicle was damaged upon violent impact.

New Cove Road needs to be made safe, regardless of development at 34 New Cove Road, and such steps to make it safe are immediately requested of the City.

4) New Cove Road Parking

While parking along New Cove Road is banned during winter months, the road features many parked vehicles in spring, summer and fall, to the point that guest parking becomes unavailable to residents.

The developer's own documents seem to reveal insufficient parking spaces would be available at 34 New Cove Road, which would lead to intolerable parking pressures elsewhere on New Cove Road.

In addition, two-way New Cove traffic—when combined with parked vehicles—causes difficulty for residents attempting to both leave and enter their driveways, and only increases the dangers listed in 3) above.

5) Developer Shenanigans

KMK Capital Inc. has apparently stated that their Developer Proposal issued on Dec. 22, 2023 did not elicit many responses. This may be due to the fact that only "immediately adjacent" homes received the Proposal, and none of them from the south side of New Cove Road, where the current street parking problems occur.

Even if KMK Capital Inc. adhered to City of St. John's requirements re. distribution of the Proposal, such distribution to a small, select group of specifically targeted households is unethical, and the City should consider this moving forward.

In addition, KMK's Traffic Impact assertion showing "that fewer vehicle trips will be generated by the proposed apartment during peak morning and afternoon hours than... the existing MAX fitness

building” is utterly ridiculous. It’s not fooling anyone in the neighborhood, nor should it fool the City of St. John’s.

6) Conclusion

For the many reasons outlined above, our household protests the applicant’s requested exemption to Section 7.1.4 and we ask the City of St. John’s to reject said exemption.

We urge that the City consider our concerns and advocate for a development that better aligns with our neighborhood’s existing structure and character.

We support growth and progress—and the need for affordable housing—but believe it must be in harmony with the community’s needs and values.

Thank you for your attention to this matter. We look forward to your support in addressing our concerns in attempting to find a more suitable approach to development on New Cove Road.

Sincerely,



Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, November 12, 2024 9:06 AM
To: CityClerk
Subject: 34 New Cove Road Application

You don't often get email from [REDACTED] [why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

There cannot be development of that scale in that area without an adequate traffic plan. [REDACTED]. Adding that many units to that area without a traffic plan will be insane.

Also, these units should be mixed use, as in a mix of all income levels, not just low income. I have a concern about the city getting provincial kick backs to put 10 floors of drug addicts and prostitutes [REDACTED] to avoid another "tent city". I would not welcome that and will fight it will all of my might.

Someone said it is the same developer as the churchill square condos. This is a positive in that there wont be ten stories of riff raff [REDACTED] but it still doesn't address the traffic issue.

Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, November 12, 2024 8:38 AM
To: CityClerk
Subject: Fwd: Send to City

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

To the Office of the City Clerk:

Re: 34 New Cove Road - Comments

Concern 1: Access to 34 New Cove Road via McNaughton Drive

- McNaughton Drive is a narrow road with no sidewalks.
- Road often narrows to one lane in winter with snow, requiring vehicles to wait for oncoming vehicles to exit the road completely before entering.
- Popular walking route for locals residing in Chalker Place, however, there are no sidewalks so people walk in the street.
- Developers claim that the traffic impact during and after construction will be less than when the site operated as a gym. This is difficult to believe. Where is the traffic study?
- Reconfigure entrance so people are not inclined to use far end of McNaughton Drive as an alternate entrance to apartment.

Concern 2: Applicant Request for Exemption from Section 7.1.4, Building Stepback, of the Development Regulations

The developer's concerns of losing 6 apartment due to this regulation must be weighed against the reason for the existing regulation.

The City of St. John's (CoSJ) employs land use planners to assess applications from developers and make recommendations to council. The CoSJ planners do not recommend council approval of the applicant's request. As the CoSJ's planners are educated, experienced, professionals with expertise on these concerns, I urge you follow your planners' advice and recommendations on this matter not to allow an exemption.

Theresa K. Walsh

From: Engage
Sent: Tuesday, November 12, 2024 9:17 AM
To: CityClerk
Subject: FW: 34 New Cove Rd

FYI for your feedback. Please confirm receipt.

From: Access St. John's <access@stjohns.ca>
Sent: Tuesday, November 12, 2024 9:09 AM
To: Engage <engage@stjohns.ca>
Subject: Fw: 34 New Cove Rd

Regards
Mona

Access St. John's

Web Service

Call: 311 or 709-754-2489

Fax: 709-576-7688

From: noreply@stjohns.ca <noreply@stjohns.ca> on behalf of [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

<https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the Report a Phish button to report it.

[REDACTED] I would like to offer our comments on the proposed construction of the 10-storey apartment building at 34 New Cove Road. Although we fully support the need for good housing options in St. John's, we have a couple of concerns with this proposal and the impact of traffic, parking, and snow clearing that comes with it. To begin with, the proposal does not seem to account for enough parking spaces. The suggestion that overflow parking could go onto New Cove Rd is not practical, and is, in fact, unfair to the current residents of the street.

There are very few actual legal spots, and the ones that exist currently serve visitors, deliveries, etc to the residents. Also, New Cove is already a very busy street. The addition of so much traffic coming in and out of the parking lot will impact heavily on our ability to get in and out of our driveways. At the very least there needs to be a traffic light installed at the corner of New Cove and McNaughton Dr to manage it all. We also want to make sure that snow clearing in the parking lot [REDACTED] The density increase of 107 units is significant in this residential area. Perhaps an 8-storey option is more practical? In any case, traffic flow will be significantly increased. The statistics comparing traffic flow to the Maxx traffic situation do not seem accurate based on our lived experience here.

[REDACTED]

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 10:35 PM
To: CityClerk; Maggie Burton; Ken O'Brien
Cc: [REDACTED]
Subject: 34 NEW COVE ROAD: KMK PROPOSAL

[Some people who received this message don't often get email from [REDACTED]
Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the Report a Phish button to report it.

- > We have reviewed documents regarding KMK's proposal to build a 10 story building on the property at 34 New Cove Road now occupied by MAX and submit the following questions and comments:
 - >
 - > 1. Two applications from KMK have been submitted to Council for consideration:
 - >
 - > (i) to have the property at 34 New Cove Road rezoned from institutional to residential Apartment 3 to permit construction of the proposed 10 story building
 - > (ii) to be granted an exemption from Section 7.1.4 ,Building Stepback, of Development Regulations.
 - >
 - > With respect to the rezoning application, we are fully aware of the pressing need for additional housing in the City and have no objection to having apartments built on the 34 New Cove Road site but we strongly object to the construction of a ten-story building that is totally out of scale with existing buildings.
 - >
 - > With respect to the application for exemption from the setback requirements, we see no reason for granting this exemption. As the City itself has noted, the pupose of setback regulations is to reduce the visual scale of the building and to reduce the looming effect on adjacent properties. Not only is KMK asking to construct a building totally out of scale in the area, they are asking for an exemption from regulations put in place to mitigate the negative impact of such a huge building. KMK argues that compliance with setback will result in loss of units. Such a loss KMK contends, will make the project financially unfeasible. Within this frequent financial feasibility complaint by developers rests a veiled threat that a project won't go ahead unless the City allows them to proceed unimpeded by existing regulations.
 - >
 - > . What does KMK mean by "financial feasibility"? Do they mean loss of profit? Does the developer's cited loss of profit outweigh the negative impact on current residents in the area resulting from the intrusion of this enormous building?
 - >
 - > .Has the City asked the developer to go back to the drawing board and come up with a proposal for apartment housing in scale with the existing neighborhood? 34 New Cove Road is a big property. Could two buildings of smaller scale comprising as many units as originally proposed address the housing needs without threatening this neighborhood?

- >
- > . Has Council considered that allowing rezoning and granting exemptions from stepback regulations in this case would set a dangerous precedent, particularly when KMK is already associated with many significant properties in the City?
- >
- > .Is the City intending to hold public hearings on the rezoning application and on the stepback exemption?



Theresa K. Walsh

From: [REDACTED]
To: CityClerk
Cc: [REDACTED]
Subject: Comments on Proposed Development - 34 New Cove Road
Attachments: Proposed Development - 34 New Cove Road.pdf

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Good Morning,

Our comments on the proposed development at 34 New Cove are attached.

[REDACTED]

In response the notice we received from the City of St. John's on **the proposed development of 34 New Cove Road.** A proposal submitted by KMK Capital Limited to develop a 10-story building with 107 units: 38 one bedroom units and 69 two bedroom units.

We feel this proposed development is far too big for the location/area. Our specific concerns relate to the height/size of the building, the traffic flow, the availability of parking, and the entrance in and out of the property.

[REDACTED]
[REDACTED]
[REDACTED] we would hope that the city will fully investigate how such a large development would impact this residential area and ensure any development that is approved does not adversely affect the residents currently living on New Cove Road.

Height/Size of the Development:

The building is too tall for the surrounding residential area. It will tower over the existing residences. It is incompatible with the character of our neighborhood, which consists predominantly of single-family homes and low-rise buildings. Other rental buildings in this area are not as large as the one proposed by KMK. For example, the rental property on the corner of King's Bridge/ Boulevard/Kenna's Hill is only '4' stories.

Traffic Flow:

New Cove Road from Elizabeth Avenue to King's Bridge Road currently has approximately 55 homes and a couple of small businesses (as viewed from a google map search). The developer is proposing adding over double the number of 'residences' to the street/area in the form of a 107 unit apartment building. New Cove Road is already a very highly trafficked street. It seems to be used as a connector street for people coming in from the outer ring road and getting to the downtown area as well as from residents in this part of the city finding their way to downtown or down the boulevard to meet up with White Hills Road to Stavanger Drive. Traffic is often backed up at the intersecting lights at New Cove/the Boulevard/Kings Bridge Road at peak traffic periods. This will only get worse with 107 new 'residences' added to the lower part of New Cove Road.

In their land use report, the developer did compare peak time anticipated traffic flow from the development with the Max operation. They report suggested the Max operation generated more traffic during peak times. [REDACTED] when Max and the YMCA were in business and we have not witnessed that. Max users came and went at varying times during the day. As we witnessed while [REDACTED] certain patrons came quite early morning to get their work out in prior to going to work; some patrons came during the later morning or afternoon, [REDACTED] some used the facilities after work; some used the facilities at night. The parking lot was never full to our recollection and there are only we believe 65-70 parking spots on the upper parking lot of the property (the lower section was used for hop on/hop off and other buses). I

can't see how this type of sporadic traffic flow can be compared to the potential traffic flow that would be created if 107 residents' cars were coming in and out of the property during peak 'to work' and 'from work' periods. Add to that increased traffic that would be generated with family and friends visiting the 107 residences.

Availability of Parking:

The current proposed development does not provide enough parking spaces for the number of units proposed. The developer is 6 short on the number of parking spaces for the proposed units and have only assigned 14 spaces for visitors. There is also the possibility of certain units having renters with more than one vehicle.

██████████ street parking on New Cove Road is already a major issue. New Cove Road has parking on one side of the street. From the entrance to the former Max property to King's Bridge Road there are only 7 street parking spaces. There are 4 multi-unit rental properties on the lower half of New Cove Road near King's Bridge Road. At least two of these rentals have 4 apartment units. Many of the renters have cars. There is already high demand for the limited street parking spaces. Over the years we have encountered issues where there was no street parking available for visitors to our home.

New Cove Road cannot accommodate overflow parking from the development. Any proposed development should be required to provide adequate parking for residents and visitors.

The land use report states " KMK is confident that given that the site is well served by public transit and is within easy walking distance of a major supermarket, trail system, restaurants and other amenities it is not anticipated that all units will require a parking stall." The developer cannot guarantee this to be accurate. Most of the current homes owners and renters on New Cove Road have one or more vehicles despite living near public transit and other amenities.

Entrance/Exit to 34 New Cove Road:

New Cove Road is a busy street. The road curves as it approaches the entrance to the former Max property creating a blind spot. Cars travel at a high rate of speed down this road and increasing traffic in and out of this property is a concern. Increasing traffic by 100+ vehicles moving in and out of this parking lot at peak working time will potentially cause many safety issues. This should be addressed.

Summary:

We do not support the developer's request for exemptions.

We urge that the City of St. John's to consider our concerns. We feel strongly that any development should align with our neighborhood's existing structure and character and should not adversely affect current residents.

Comment on the Developer's Consultation

In developing the land use report, the developer said they contacted the residents who properties bordered their development. [REDACTED]

[REDACTED] We were not contacted and, from our understanding, most of our neighbors were also not contacted. Surely a development of this size and with the potential impacts in terms of traffic, etc. would warrant that all residents living in this general area be consulted versus just the few that physically border the developer's property. The developer said in the land use report that they "received several inquiries in response to their notice. Two written submissions...and one requesting additional information about the project, and one which indicated concerns about the development from residents of McNaughton Drive." I suspect they would have receive many more comments/concerns had they contacted more residents [REDACTED] We certainly would have responded at that stage had we been approached.

[REDACTED]

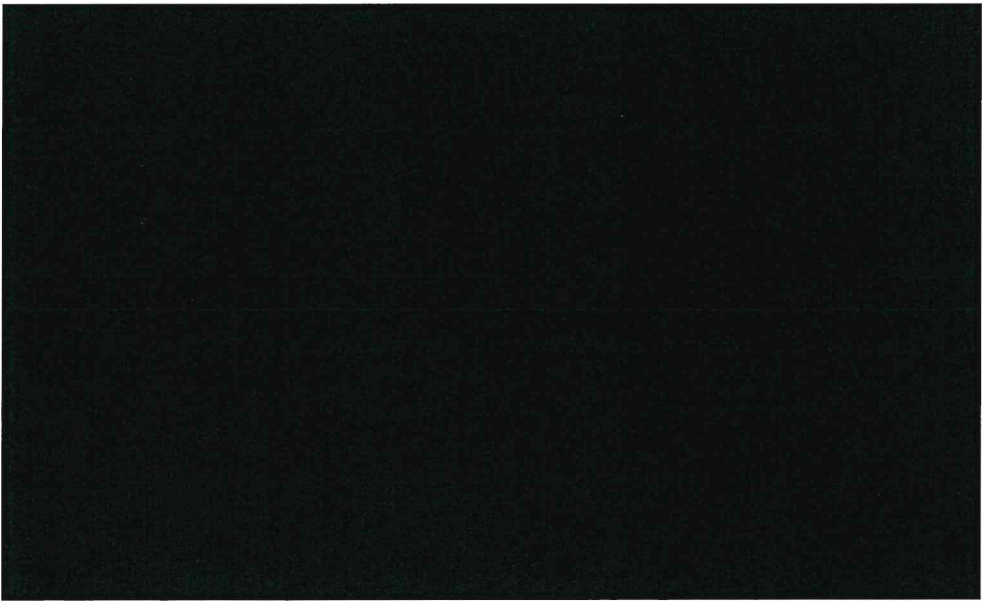
From: [REDACTED]
To: [CityClerk](#)
Subject: Application – 34 New Cove Road
Date: Monday, November 4, 2024 10:49:48 AM
Attachments: [image001.png](#)
[image002.png](#)

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Application – 34 New Cove Road

This is a great idea. I'm fully in support of more dense housing like this being built, especially in the downtown core. Being so near downtown, and immediately adjacent to a grocery store, and two core bus routes makes this particular proposal/location especially fitting for the city's housing needs. The more people who can live in the heart of the city and access the things they need within a short walk, the better off we all are.



From: [REDACTED]
To: [CityClerk](#)
Subject: Comments - 34 New Cove Road Proposed Zoning Change and Development
Date: Saturday, November 2, 2024 1:27:42 PM

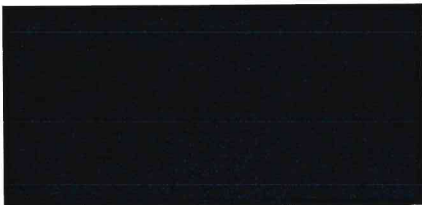
You don't often get email from [REDACTED].com. [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Dear City Clerk

The following brief comments are offered in response to this proposal:

1. I support the rezoning from INST to A3. Higher density housing is a principle the city should employ AS A GENERAL RULE, with exceptions associated with the continuity of particular neighborhoods that express clear, majority objection to same.
2. The height of the proposed apartment block is quite excessive and ought to be halved. A ten story building on that site (particularly with an exemption from Section 7.1.4, an exemption that absolutely should not be granted) would cause significant harm to residents of the southeast side of the Chalker Place neighborhood. They will be entirely shaded from sunlight for half the year, and would feel under seige from this massive apartment block.
3. One hundred and seven residential units on this site is far too many. There may well be adequate land for parking, though it will be very tight. Of greater concern will be traffic access and egress on New Cove. A second access/egress point on Kenna's Hill would be a significant safety hazard, for reasons apparent to anyone who drives on Kenna's Hill regularly.
4. I wonder if water and sewer infrastructure can handle delivery of services to seceral dozen bew housing units.
4. The applicant ought to be ordered to resubmit an application for (approximately) a maximum 5 story block, with a maximum 50 units. This is assuming munifical infrastructure may handle the increased load.



Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 1:47 PM
To: CityClerk
Subject: 34 New Cove Road.

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the Report a Phish button to report it.

As a long-term resident of east end St. John's, I wish to register my strong opposition to the proposed building at 34 New Cove Road.

I am opposed for several reasons: the proposed building is completely disproportionate to the size and scale of all neighbouring buildings; it will overshadow a significant number of residences — to their detriment; it will be a visual blot on an otherwise pleasant urban landscape, and it will exacerbate the traffic problem on New Cove Road, which is already too narrow for the artery it has become.

Thank you,

[REDACTED]

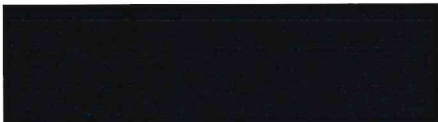
Sent from my iPhone

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, November 11, 2024 7:33 PM
To: CityClerk
Subject: Proposed Development 34 New Cove Road St. John's
Importance: High

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.



In response to the development proposal for 34 New cove Road on the former Max Athletics site by KMK Capital Inc.

Although we are pro development and housing is a current hot topic we do have concerns for the proposed development for this site.

Building Height/population density: We feel that overall the proposed 107 apartment complex is too much for this site and this area. 10 storeys is too tall and too imposing for the current streetscape of the area. In the area Rutledge Manor is 4 storeys, and further down the Boulevard Regency Tower is 7 storeys, same side of the street ie north and on a higher elevation than the surrounding dwelling units. This proposal would be much more imposing.

Traffic: The traffic from this development will create havoc on New Cove Road which is already a busy street, which intersects with two other busy streets, Elizabeth and Kings Bridge Road. The proposed location of the access to this development is in a precarious location. There is limited visibility for a left turn. Especially challenging with drivers that speed.

McNaughton Drive will be inundated with apartment residents wishing to skip the line up at high traffic times. Partial access from Kenna's hill would help alleviate this with access on and off the site from north to south traffic. However Kenna's hill is already a busy street.

Parking: The proposal does not provide enough parking for this development. The suggestion that the balance of the parking could be made up by street parking on New Cove is unacceptable. There is only street parking allowed on the south side of New Cove Road. From Bristol Street to Kings Bridge Road there are approximately 18 parking spaces and 2 bus stops. This street parking serves 38+ Dwelling units (apartments no included) on New Cove either as visitor or service vehicle parking. And from experience when there is a lot of street parked cars traffic is affected because the street is not really wide enough.

This is of course in the ideal months and not during the snow months. During those months everything is worse. Street parking is less during the day and no overnight parking due to the winter parking ban. There also doesn't appear to have any area allocated for snow storage on the site, even with a management plan to remove snow from the site (creating extra traffic for NCR), there will be times when present proposed parking on the site will be insufficient.

Current property fencing borders a lot of the parking areas could be impacted by snow clearing, also the hill facing NCR could be impacted with falling snow from the parking lot above during and after clearing. The City plows the north sidewalk, it is a designated route for the CNIB (located further down The Boulevard), the closest fire hydrant is located just below the hill, and also a bus stop.

We do not support this proposal!



From: [REDACTED]
To: [CityClerk](#)
Subject: Ref; Proposed 10 story apt. bldg at 34 New Cove Rd.
Date: Friday, October 25, 2024 1:28:49 PM

You don't often get email from [REDACTED] learn why this is important

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

To Whom it may concern;

We, as registered voters of St. John's, are concerned regarding this proposal. Not enough information is given, especially as to access. Currently, all traffic must enter or leave this address via McNaughton Dr or Chalker Pl and neither of these intersections is suitable to take another hundred or so vehicles on a regular basis. Unless direct egress to Kenna's hill is provided, as was the case in the 1940's, 50's and 60's, then we will remain firmly opposed to this project.



Theresa K. Walsh

From: [REDACTED]
Sent: Sunday, November 10, 2024 7:18 PM
To: [REDACTED]
Subject: 34 New Cove Comments 10 story building Rezone

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hi;

[REDACTED]
[REDACTED]

I understand there is a rezone request for 34 New Cove Road.

This area is a very residential background. [REDACTED] and the change over to the current YMCA (2-3 Stories) was a bit of a shock, but something that we felt still fit in with the nature of the area. Traffic changed but was still acceptable.

Having a new 10 story building put in its place would seem to be a very significant change to the environmental nature and the traffic flow. Our enjoyment of the area will be seriously impacted. I could see an increase to perhaps 5-6 stories might be acceptable but higher than that is very troublesome. Traffic, police support, buses, fire support would be quite pressed to properly deal with a 10 story building.

[REDACTED] our enjoyment of the area will be drastically reduced. If you were to consider this anyway, please consider as well that the entrance and exit only be via Kenna's hill, not New Cove Road, so as to control traffic in the New Cove area.

[REDACTED]

From: [REDACTED]
To: [CityClerk](#)
Subject: Application - 34 New Cove Road
Date: Friday, October 25, 2024 7:18:04 AM

You don't often get email from [REDACTED] learn why this is important

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hi there,

I want to support the application for the 10 story apartment building proposal at 34 New Cove Road. This is a step in the right direction for much needed housing in the city assuming these apartments won't be incredibly expensive like the ones they built in Churchill Square. However, I do think that having surface parking which takes up the majority of this plot of land especially in this area is a big mistake. Building garage/underground parking could enable another building or two to be built on this site creating even more density and housing which is sorely needed here. Not to mention in our climate covered parking is a fantastic amenity on rainy days and in the winter. For this reason, I hesitate to support this project. Should the developer decide to construct garage/underground parking and free up more space on the lot for another building or two then I'll fully support this development. Thank you.

Theresa K. Walsh

From: [REDACTED]
Sent: Wednesday, January 15, 2025 11:01 AM
To: CityClerk
Subject: 34 New Cove Road Public Hearing
Attachments: RE: 34 New Cove Road

Follow Up Flag: Follow up
Flag Status: Completed

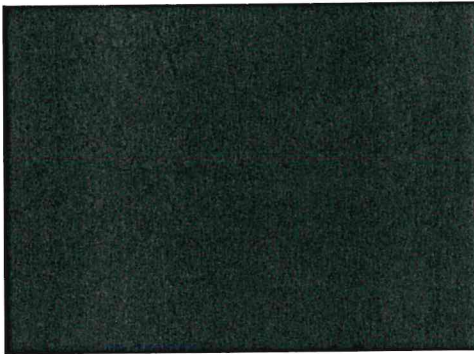
You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello:

Please register this email as my objection to the proposed development at 34 New Cove Road. I have already sent a written submission expressing my objections as per the attached message.

Rgds,



Theresa K. Walsh

From: CityClerk <cityclerk@stjohns.ca>
Sent: Tuesday, November 12, 2024 4:31 PM
To: [REDACTED]
Cc: Andrea Roberts; Ann-Marie Cashin; Faith Ford; Jason Sinyard; Ken O'Brien; Lindsay Church; Lindsay Lyghtle Brushett; Planning; Tracy-Lynn Goosney
Subject: RE: 34 New Cove Road

Good afternoon,

Thank you for your feedback. Via this email, I am forwarding it to the Planning and Development team for their input and review.

Please be advised, all submissions sent to the Office of the City Clerk will be redacted of private contact information prior to being placed on the Council agenda. For more information on the application, please visit [our Engage page!](#)

Thank you kindly,
Theresa

Theresa Walsh
City Clerk, Office of the City Clerk
Tel. (709) 576-8619 | twalsh@stjohns.ca
www.stjohns.ca



From: [REDACTED]
Sent: Saturday, November 9, 2024 10:20 AM
To: CityClerk <cityclerk@stjohns.ca>
Cc: Lindsay Church <lchurch@stjohns.ca>
Subject: 34 New Cove Road

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

Please find attached my comments further to your invitation for comments on this development.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 7, 2025 8:41 AM
To: CityClerk
Cc: [REDACTED]
Subject: 34 New Cove Road

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

I wish to comment on the proposed 10-storey apartment on New Cove Road.

First, I would like to inform you that despite the letter I received in the mail stating that comments would be accepted until "9:30 am Monday, February 10, 2025," your website states that "The period for public feedback has closed" – and thus not possible comment there. This should be resolved ASAP.

I encourage the city to create new housing in the city core (i.e. increasing density), however, this needs to be done in a reasonable and respectful way regarding the urban landscape. A 10-storey building is completely out of character for the area. It would stick out like a sore thumb (much like the Miller Centre), cast a large shadow on the surrounding area, block neighbouring views and destroy the "city scape." The apartment building should be limited to 5-storeys (preferably 4), and the footprint could be increased to include two such apartment complexes, thus the number of units could remain close to the same without destroying the "city scape."

I urge the city to take a responsible approach to how it develops its core areas (only look at the way European cities have effectively done this).

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 7, 2025 10:23 AM
To: CityClerk
Subject: 34 New Cove Road

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hi,

I'd rather if my comments weren't posted on the webpage, but I support the development and look forward to seeing this move forward.

We need to increase density and this is an excellent use of this property near parks and amenities. To build an active community we need to build walkable neighbourhoods.

I believe the community of Chalker Place will be supported with a new retaining wall.

When you consider apartment buildings on the Boulevard and South Cott Hall, this is actually quite fitting on a hillside.

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 7, 2025 10:48 AM
To: CityClerk
Subject: Comment on new housing proposals new Cove Road for example

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

i would hope that in this day and age all new apartments or condos should have adequate accessibility required, as so many people moving into units out of their homes Etc use canes walkers wheelchairs whatever. I would also hope that there is a requirement that a significant percentage of new housing built would be affordable. Accessibility and affordability are critical but mostly completely ignored. It is long past time that when approving projects these requirements be built in to the approval.
Thank you

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 7, 2025 12:09 PM
To: CityClerk
Subject: 34 New Cove Road

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hi,

I would like to share my support for this project. [REDACTED] I think we desperately need more housing and I think densification is key for that. I am feeling frustrated by the parking minimum requirements. I think it's a fairly walkable neighbourhood and public transit is available.



Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 7, 2025 1:17 PM
To: CityClerk
Subject: Comments in Support: 34 New Cove Rd

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hi All;

I'm writing to express support for the rezoning of 34 New Cove Rd, for the purposes of adding an apartment building. [REDACTED]. This seems to me to be an appropriate shift, and one broadly in keeping with the character of the overall area (e.g. residential area, with nearby apartments off Quidi Vidi), that would require only minimal changes to the existing building/parking lot footprint. The area also feels well-positioned for densification, as it is located on transit lines and within walking distance to groceries and other amenities -including greenspace, walking trails, and commonly used lower-traffic cycling routes.

Best wishes;

[REDACTED]

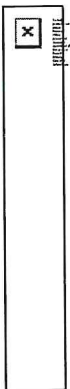
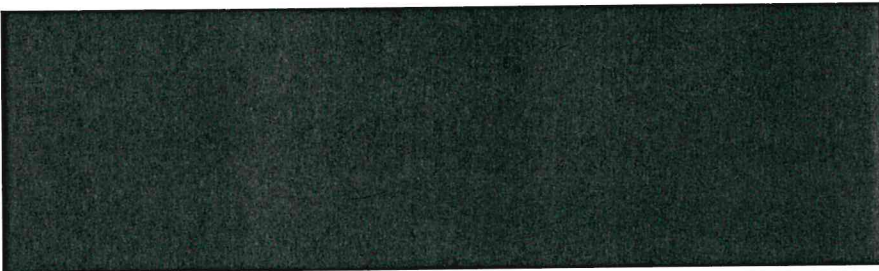
Theresa K. Walsh

From: [REDACTED]
Sent: Friday, January 24, 2025 4:08 PM
To: CityClerk
Subject: Re: City of St Johns News - Public Hearing - 34 New Cove Road

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

I wanted to write in support of the application to rezone land at 34 New Cove Road to allow an Apartment Building. I think that the addition of 100+ new apartments to the rental supply is much needed. I also think that this location is excellent for this purpose given all of the nearby amenities, including supermarkets and bus stops, and its proximity to downtown.



City of St Johns News

1/24/2025 1:20:08 PM

Theresa K. Walsh

From: [REDACTED]
Sent: Sunday, February 9, 2025 9:25 PM
To: CityClerk
Subject: 34 New Cove Road: Written Objection

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello Office of the City Clerk,

Please see below a written objection for the development of a new 10-storey Rental Apartment Building @ 34 New Cove Road (with a brief summary of the request and rationale for the objection.)

The Applicant's Request:

"The applicant has asked Council to amend the Development Regulations so that the proposed development can proceed without a building setback. The applicant's rationale is based on what they believe to be a negligible impact on neighbouring properties as well as building economics in that construction costs increase with a setback and the building will lose between 12-16 units."

--

Section 7.1.4 Building Setback of the Development Regulations requires the higher storeys of a Building, when located next to a Residential Zone, be stepped back so that the Building Height does not project above 45 degrees measured from the Rear and/or Side Lot Lines. KMK Capital Inc. has requested an exemption from Section 7.1.4 of the Development Regulations to allow the proposed Apartment Building without a Building Setback. To enable an exemption, a text amendment to Section 7.1.4 Building Setback of the Development Regulations is required. A text amendment to Section 4.9 Land Use Report is also required.

--

DECISION/DIRECTION NOTE - October 1, 2024

9. Engagement and Communications Considerations: Public consultation is required if Council wishes to make changes to section 7.1.4 "Building Setback". The changes would be prompted by 34 New Cove Road but would apply city-wide.

Staff Recommendation:

That Council uphold the Envision St. John's Development Regulations and require the applicant for 34 New Cove Road to comply with section 7.1.4 "Building Setback".

--

Written Objection Rationale:

: The approval of the request for an exemption from Section 7.1.4 of the Development Regulations to allow the proposed Apartment Building without a Building Setback prompted by 34 New Cove Road would apply city-wide.

: Staff Recommendation is that Council uphold the Envision St. John's Development Regulations and require the applicant for 34 New Cove Road to comply with section 7.1.4 "Building Stepback".



Theresa K. Walsh

From: Engage
Sent: Monday, January 27, 2025 4:07 PM
To: CityClerk
Subject: FW: Public Hearing for 34 New Cove Road

Hi,

Please see the email below related to 34 New Cove Road application. Sending so you have a copy for your files, if needed.

Thanks,
Angela

From: [REDACTED]
Sent: Monday, January 27, 2025 3:33 PM
To: Engage <engage@stjohns.ca>
Subject: Re: Public Hearing for 34 New Cove Road

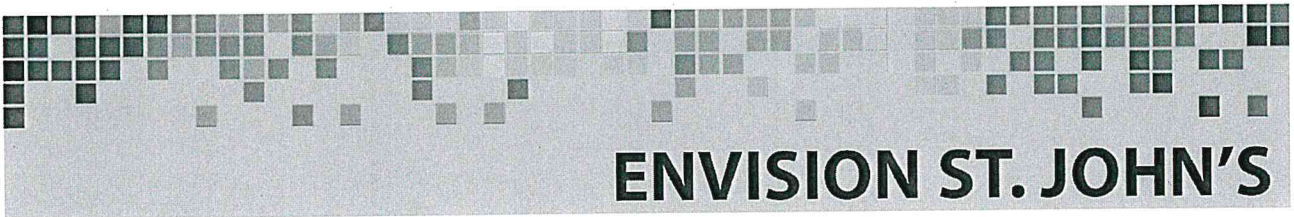
You don't often get email from [REDACTED]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Am for it, but not at that height. It must conform with the current planning (planned or infill) of that area.

[REDACTED]

From: Engage St John's <notifications@engagementhq.com>
Sent: 27 January 2025 15:21
To: [REDACTED]
Subject: Public Hearing for 34 New Cove Road



[REDACTED]

Planning Application - Public Hearing

Theresa K. Walsh

From: [REDACTED]
Sent: Monday, January 27, 2025 5:34 PM
To: CityClerk
Subject: 34 new cove road

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Yes to apartment buildings! Yes to denser housing! Please make it affordable and accessible.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, January 28, 2025 12:26 PM
To: CityClerk
Subject: Planning Application - 34 New Cove Road

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the Report a Phish button to report it.

Dear Sir/Madam,

Re: Planning Application for 34 New Cove Road

It is my considered opinion that the rezoning of 34 New Cove Road to enable the development of a new 10-storey Apartment Building is totally out of keeping with the surrounding area and the application should be rejected by the Office of the City Clerk. There is a 4-storey apartment building, located a short distance from 34 New Cove Road at the junction of New Cove Road and Kings Bridge Road, that represents the type of apartment building that would be more suited for the site at 34 New Cove Road. You can take from this that I do not object to the rezoning of the location for an apartment building, but I take exception to the construction of a 10-storey building and would find a 4-storey building a lot more acceptable .

Theresa K. Walsh

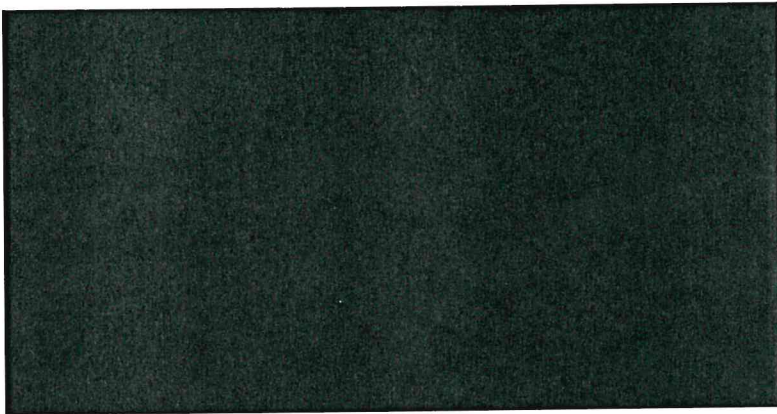
From: [REDACTED]
Sent: Tuesday, February 4, 2025 11:03 AM
To: CityClerk
Subject: Re: 34 New Cove Road- Public Hearing

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

i will be attending as I want to see a concise plan as to how they are proposing to deal with the increased traffic in that area. I can barely back into my driveway [REDACTED]. Putting that many units in that area without having a traffic plan is a recipe for disaster.

Regards,



Theresa K. Walsh

From: [REDACTED]
Sent: Tuesday, February 4, 2025 8:12 AM
To: CityClerk
Subject: Fw: Comments on Proposed Development - 34 New Cove Road
Attachments: Proposed Development - 34 New Cove Road.pdf

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Comments on the proposed development at 34 New Cove Road. We submitted these previously. Assuming the concerns will be addressed at the public meeting.

Please confirm receipt.

[REDACTED]

From: [REDACTED]
Sent: November 11, 2024 10:03 PM
To: cityclerk@stjohns.ca <cityclerk@stjohns.ca>
Cc: [REDACTED]
Subject: Comments on Proposed Development - 34 New Cove Road

Good Morning,

Our comments on the proposed development at 34 New Cove are attached.

[REDACTED]

In response the notice we received from the City of St. John's on **the proposed development of 34 New Cove Road.** A proposal submitted by KMK Capital Limited to develop a 10-story building with 107 units: 38 one bedroom units and 69 two bedroom units.

We feel this proposed development is far too big for the location/area. Our specific concerns relate to the height/size of the building, the traffic flow, the availability of parking, and the entrance in and out of the property.

[REDACTED]

[REDACTED] we would hope that the city will fully investigate how such a large development would impact this residential area and ensure any development that is approved does not adversely affect the residents currently living on New Cove Road.

Height/Size of the Development:

The building is too tall for the surrounding residential area. It will tower over the existing residences. It is incompatible with the character of our neighborhood, which consists predominantly of single-family homes and low-rise buildings. Other rental buildings in this area are not as large as the one proposed by KMK. For example, the rental property on the corner of King's Bridge/ Boulevard/Kenna's Hill is only '4' stories.

Traffic Flow:

New Cove Road from Elizabeth Avenue to King's Bridge Road currently has approximately 55 homes and a couple of small businesses (as viewed from a google map search). The developer is proposing adding over double the number of 'residences' to the street/area in the form of a 107 unit apartment building. New Cove Road is already a very highly trafficked street. It seems to be used as a connector street for people coming in from the outer ring road and getting to the downtown area as well as from residents in this part of the city finding their way to downtown or down the boulevard to meet up with White Hills Road to Stavanger Drive. Traffic is often backed up at the intersecting lights at New Cove/the Boulevard/Kings Bridge Road at peak traffic periods. This will only get worse with 107 new 'residences' added to the lower part of New Cove Road.

In their land use report, the developer did compare peak time anticipated traffic flow from the development with the Max operation. They report suggested the Max operation generated more traffic during peak times. [REDACTED] when Max and the YMCA were in business and we have not witnessed that. Max users came and went at varying times during the day. As we witnessed [REDACTED], certain patrons came quite early morning to get their work out in prior to going to work; some patrons came during the later morning or afternoon, which we witnessed after retirement and was home more often during the day; some used the facilities after work; some used the facilities at night. The parking lot was never full to our recollection and there are only we believe 65-70 parking spots on the upper parking lot of the property (the lower section was used for hop on/hop off and other buses). I

can't see how this type of sporadic traffic flow can be compared to the potential traffic flow that would be created if 107 residents' cars were coming in and out of the property during peak 'to work' and 'from work' periods. Add to that increased traffic that would be generate with family and friends visiting the 107 residences.

Availability of Parking:

The current proposed development does not provide enough parking spaces for the number of units proposed. The developer is 6 short on the number of parking spaces for the proposed units and have only assigned 14 spaces for visitors. There is also the possibility of certain units having renters with more than one vehicle.

Parking is a big concern for us as street parking on New Cove Road is already a major issue. New Cove Road has parking on one side of the street. From the entrance to the former Max property to King's Bridge Road there are only 7 street parking spaces. There are 4 multi-unit rental properties on the lower half of New Cove Road near King's Bridge Road. At least two of these rentals have 4 apartment units. Many of the renters have cars. There is already high demand for the limited street parking spaces. Over the years we have encountered issues where there was no street parking available for visitors to our home.

New Cove Road cannot accommodate overflow parking from the development. Any proposed development should be required to provide adequate parking for residents and visitors.

The land use report states "KMK is confident that given that the site is well served by public transit and is within easy walking distance of a major supermarket, trail system, restaurants and other amenities it is not anticipated that all units will require a parking stall." The developer cannot guarantee this to be accurate. Most of the current homes owners and renters on New Cove Road have one or more vehicles despite living near public transit and other amenities.

Entrance/Exit to 34 New Cove Road:

New Cove Road is a busy street. The road curves as it approaches the entrance to the former Max property creating a blind spot. Cars travel at a high rate of speed down this road and increasing traffic in and out of this property is a concern. Increasing traffic by 100+ vehicles moving in and out of this parking lot at peak working time will potentially cause many safety issues. This should be addressed.

Summary:

We do not support the developer's request for exemptions.

We urge that the City of St. John's to consider our concerns. We feel strongly that any development should align with our neighborhood's existing structure and character and should not adversely affect current residents.

Comment on the Developer's Consultation

In developing the land use report, the developer said they contacted the residents who properties bordered their development. [REDACTED]

[REDACTED] We were not contacted and, from our understanding, most of our neighbors were also not contacted. Surely a development of this size and with the potential impacts in terms of traffic, etc. would warrant that all residents living in this general area be consulted versus just the few that physically border the developer's property. The developer said in the land use report that they "received several inquiries in response to their notice. Two written submissions...and one requesting additional information about the project, and one which indicated concerns about the development from residents of McNaughton Drive." I suspect they would have receive many more comments/concerns had they contacted more residents living on New Cove Road. We certainly would have responded at that stage had we been approached.

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, February 6, 2025 10:52 AM
To: CityClerk
Subject: 34 New Cove Road Development Objection
Attachments: 34 New Cove Road Development Comments.pdf


CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

As this development has continued to public hearing, please again find attached my written objection to this project as proposed. As residents [REDACTED] we and the rest of the neighbourhood around this project will be negatively affected by the scale of this proposal.


Thank you,






Office of the City Clerk
P.O. Box 908
St. John's, NL
A1C 5M2

Re: 34 New Cove Road Development



I am compelled to speak out against the scale of the proposal and the developers request for a relaxation of Section 7.1.4 Building Stepback regulation. As a



I am uniquely positioned to offer critique on this proposal.

Building Mass & Stepback Relaxation

It is in my experience that when a relaxation in guidelines is requested, it is because of some constraint or issue with the building site that would otherwise make the project unfeasible. However in this case, the developers bid for relaxation is for the sole purpose of including additional rental units to improve their own profit margin at the expense of the neighbourhood in which they are inserting themselves. It would also be typical for a developer to offer, or the authority having jurisdiction to require, something in exchange for the granting of a guideline relaxation in the form of a community amenity, public green space, or a guarantee that a certain number of the rental units will be provided at below market rate. The developer in this case has offered nothing in return for their request to a relaxation of the building stepback and claims that the relaxation should be granted since the effect on neighbouring properties would be negligible. However the stepback guidelines are in place for this exact scenario, with a large scale building abutting directly onto residential properties. Its purpose is to reduce the scale and looming effect a tall building can have on the neighbouring properties and ensure a suitable transition in intensity, use and form.

Stepback guidelines are not enforced solely to mitigate the shadows cast by a building, but the visual mass of the building itself when taken in context with its surroundings. A building of this size would dominate the area and have considerable negative impacts on the value and character of the neighbourhood. At 10 storeys this development would be on par with some of the tallest buildings in the province, and is simply not to scale with a residential neighbourhood of 2 and 3 storey homes in such close proximity.

An earlier application for this proposal had also included a parking structure on site, which is no longer present in the current rendition. If the site is larger enough for a second structure, has the developer explored the possibility of two smaller 6 storey buildings to distribute the building mass over a larger area of the site? If one level of parking and 5-storeys of residential suites was included, it would be possible to achieve the same number of rental units and parking spaces, while avoiding the stepback issue altogether. It could be argued that two smaller buildings would fit the neighbouring area better than the 10-storey single building currently being put forward.

The developer has claimed that if the stepback guidelines were to be enforced that the project would not be financially viable, tying the relaxation of the guideline to the project moving forward. In using the housing crisis, the developer is attempting to apply political pressure on council to achieve its own goal of maximized profit.

Affordability

The developer notes the housing crisis and need for purpose built apartment buildings throughout their application as the justification for additional building height and relaxation to stepback guidelines. However as noted in the media and their most recent development at One Churchill Park, these rental units will not meet the most basic need of the housing crisis which is affordability. The developer has not committed to capping rents at market rate and given the precedent set by One Churchill Park, the rental units in this new development will not be attainable by the majority of renters in the city, regardless of relaxation of the stepback guideline.

Community Loss

Although I am not opposed to an apartment building of an appropriate size on this site, it should be noted that this development would in fact be a net loss to the community; in the purchase and demolition of the Max Fitness facility, the neighbourhood and community at large are losing a valuable recreation and multipurpose space as well as much needed and well attended after-school and childcare programming. The development does include a fitness facility within the building, however it is solely for the use of the building occupants. No community amenities are being provided by the proposed development to alleviate the loss of the existing facility.

Public Consultation

There has also been a lack of public consultation in regards to this development application. In distributing their initial notice on December 22nd, 2023 with a deadline for comments on January 8th, 2024, many residents of the effected community would have missed their opportunity to express their concerns over the busy holiday season. The distribution was also limited and did not reach all effected parties, [REDACTED] did not receive a notice. Given the implications of the rezoning and the scale of the proposed development, an open public consultation should take place so that the effected residents can voice their concerns directly to the developer and city staff.

Parking & Traffic

The developer has noted in their application that they cannot achieve the minimum required parking spaces for the number of rental units they are proposing. Their justification in that many residents may not own a vehicle given the close proximity to public transit and walking trails is ill-informed and not based on the realities of renters whom they will be marketing the project, given the expected above-market rental rates.

Given more than half of the rental units are two-bedroom suites, it is more likely that many units will have more than one vehicle per household, resulting in significantly higher parking requirements than proposed and shifting the burden of overflow parking on all the neighbouring streets, which are already at their maximum capacity for parking. Parking on McNaughton Drive is not possible given it's own constraints, New Cove Road is limited given parking is prohibited on the North side of the road and Metrobus stops and existing resident

parking on the South, and parking on Kenna's Hill is not possible. The expectations of the developer that parking will not be an issue for the building occupants and the existing neighbouring residents is wholly unrealistic and should be of immediate concern to city staff when reviewing this application.

Were the stepback guidelines to be enforced and the number of rental units reduced, the proposal could in fact meet the minimum required parking on its own site; alleviating at least some concern of nearby residents.

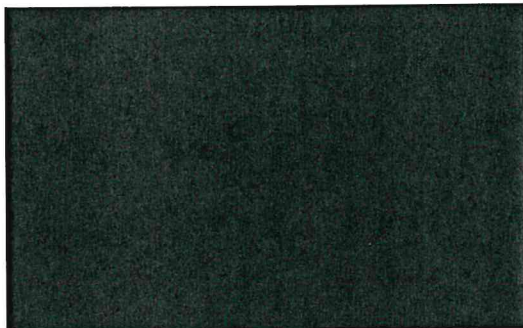
Beyond parking, increased vehicle traffic caused by the proposed development will have significant negative impact on the existing residents of McNaughton Drive and New Cove Road. With the sole entrance to the new development off of McNaughton Drive, which is narrower than a typical residential street and does not have sidewalks, it is impossible to imagine a steady flow of traffic would be possible to the development site. If to address the concerns on McNaughton access is limited and all vehicle traffic is directed south on New Cove Road, a significant bottleneck will occur given the limited visibility on the blind curve and Metrobus stop immediately adjacent to the vehicle entrance. It also impossible to imagine the intersection at New Cove Road, Kenna's Hill, The Boulevard, and King's Bridge, can handle the increased traffic at peak hours that this development would cause.

The LUA report indicates that the proposed development will somehow reduce traffic in comparison to the existing Max Fitness facility, however those numbers seem unrealistic and detached from the realities of this specific site and circumstance.

Conclusion

The need for purpose built apartment buildings to help alleviate the housing crisis is clear, however there are several significant issues with this proposed development that council and city staff need to consider when reviewing this application. Increased density is required in the city, however it must be done in a respectful manner to the existing neighbourhood in which these projects are proposed. This project in its current form would have detrimental impacts on the neighbouring properties and as such should not be approved as submitted.

I would implore council to heed the advice of city staff, stand by the well researched and considered guidelines that are in place to protect residential properties from new large scale developments, and not set the precedent of allowing a developer to set their own rules, by rejecting this proposal and denying a relaxation of Section 7.1.4.



Theresa K. Walsh

From: [REDACTED]
Sent: Monday, February 10, 2025 6:34 PM
To: CityClerk
Subject: 34 New Cove Road

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello,

I am writing to express my concerns at the development of a 10 story apartment building at 34 New Cove Road. [REDACTED]

With current planned development, I would object to this being built. 10 stories is significantly higher than anything else in this area. It does not fit well with the surrounding properties - something in the range of 5-6 stories would be more appropriate. I would also be skeptical that you could provide parking for 107 units in such a small parking area (comparable to the development size).

I would also be concerned about an increase in traffic in the intersections surrounding Kings Bridge as a result of the development. This is already an incredibly dangerous area to cross on foot, and turning at the stop sign at the bottom of Winter Avenue is often difficult due to traffic.

Sincerely

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent:
To: CityClerk
Subject: Follow up comments on proposed development at 34 New Cove Road
Attachments: Follow up comments related to the proposed development at 34 New Cove Road.pdf

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Please see attached follow up comments re: the proposed developments at 34 New Cove. The commissioner said we could pass along additional comments by noon today.

Please confirm receipt.



Follow up comments related to the proposed development at 34 New Cove Road.

We have already submitted a statement detailing our concerns with the proposed development at 34 New Cove Road.

[REDACTED]

It is obvious based on responses from the city and the developer at the meeting that a sufficient review of the effect on traffic flow and parking has not been adequately considered.

We the residents live in the area and deal with the traffic/parking on a daily basis. New Cove Road is a 'busy, busy' street. Adding 107 new residences in the area, with the prospect of 107 new cars moving in and out of the area during peak 'to' and 'from' work periods will make this already very busy street worse. As we said in our previous submissions, there are currently approximately 66 homes and a couple of small businesses on New Cove Road from Elizabeth Avenue to King's Bridge Road. The developer is proposing adding over double that number to the lower part of the road.

As noted in our previous submission.

- We already see backup of cars at the light's intersection of New Cove Road/King's Bridge Road/Boulevard during peak driving periods. With the new 'red' stop light at the cross walk near Memorial Market on King's Bridge Road this has gotten even worse. It is hard to get out of our driveway some mornings due to the backup in the traffic at the lights. This will only get worse if there are 107 new residences added to this section of New Cove Road.
- The developer said they did compare peak time anticipated traffic flow from the development with operations of similar facilities like the Max. I find this comparison hard to understand. Max facility parking lot was never full. People came to use the facility at different times of the day – some in the early, some during the mid-morning, some during lunch period, some late afternoon, some in the evening.

The developer cannot guarantee that residences in the proposed building will not all be working individuals or individuals who will be leaving the building during peak traffic time.

- The road curves as it approaches the entrance to the former Max property creating a blind spot. Cars travel at a high rate of speed down this road and increasing traffic in and out of this property is a concern. Increasing traffic by 100+ vehicles moving in and out of this parking lot at peak working time will potentially cause many safety issues. We do not feel this has been addressed sufficiently by the city planners.
- As stated in our previous submission, parking is a big concern for us as street parking on New Cove Road is already a major issue. New Cove Road has parking on one side of the

street. From the entrance to the former Max property to King's Bridge Road there are only 7 street parking spaces. There are 4 multi-unit rental properties on the lower half of New Cove Road near King's Bridge Road. At least two of these rentals have 4 apartment units. Many of the renters have cars. There is already high demand for the limited street parking spaces. Over the years we have encountered issues where there was no street parking available for visitors to our home. We even contacted the city about this in the past.

The developer seemed confident that there wouldn't be an issue with parking. However, they cannot guarantee that. There is a potential for at least 107 vehicles – one for every apartment. And, also, the possibility for more if there are people sharing apartments. Where will these people park.

New Cove Road cannot accommodate overflow parking from the development. Any proposed development should be required to provide adequate parking for residents and visitors.

- The proposed development is too big for this small residential area. A smaller development would be much more appropriate.

We urge that the City of St. John's to consider our concerns. We feel strongly that any development should align with our neighborhood's existing structure and character and should not adversely affect current residents.



Theresa K. Walsh

From: [REDACTED]
Sent:
To: CityClerk
Subject: 34 New Cove Road

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Hello City Clerk,

As follow up to the Public Hearing held on Wednesday, February 12, 2025, I would like to submit additional comments to be included in the Commissioner's Report for Council's consideration.

A fundamental principle and essence of Architecture is *Beauty, Proportion & Harmony*. What became apparent in the Public Hearing is that the proposed building development at 34 New Cove Road of 10 stories/107 units will be monolithic, creating disproportion & dissonance for the surrounding landscape & neighbourhood. The people living in this neighbourhood voiced their opinion on this specific development; to amend the Development Regulations & approve the Developer's request to proceed without building step-backs affects future developments for the entire City of St. John's. Without buildings that provide beauty, proportion & harmony, a city simply is not liveable nor is it sustainable.

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, February 13, 2025 12:08 PM
To: CityClerk
Subject: Written input to the Public Hearing Commissioner for the Development Application for 34 New Cove Road

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Attention: Cliff Johnston, Commissioner

Thank you for conducting a professional and courteous the Public Hearing last night.

This email is to register my objection to rezoning 34 New Cove Road to A3. A3 zoning allows construction of buildings to a maximum height of 54 meters. While the proposed 10 storey building is lower, its height and shape is completely out of context with the surrounding neighbour and environs in that section of the City resulting in many undesirable impacts noted in the meeting last night. In my opinion, the most appropriate residential zoning for this property would be A1 thereby allowing development of the property with minimized impact. Additionally, allowing such small isolated A3 zones will result in haphazard development of St. John's with undesirable impacts.

Also, please note my objection to the modification of Section 7.1.4 of the Development Regulations to allow the granting of setback exemptions. Setback is intended to reduce the impact of tall new buildings on adjacent residential neighbourhoods. For 34 New Cove Road, the only justification presented for an exemption is that setback reduces the number of apartments which can be built. In my opinion, this is not a valid reason as to why the neighbourhood should suffer increased impact from the granting of a setback exemption.

Finally, I believe the City should not exempt the development from the required parking spaces. The developer's reason, that not all the apartments will need parking, is purely supposition. Granting this request allows the developer to construct more apartments resulting in larger building contributing to the issues outlined above and in last night's meeting.

Respectfully

[REDACTED]

Theresa K. Walsh

From: [REDACTED]
Sent: Thursday, February 13, 2025 3:09 PM
To: Theresa K. Walsh
Cc: [REDACTED]
Subject: Rezoning 34 New Cove Rd.

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Dear Ms. Walsh,

I am writing to the City of St. John's to follow up on the public meeting last night to discuss the proposed building of a ten-story apartment complex at 34 New Cove Rd by KNK Capital. Although I am in favour of a housing development in that current location, I object to the proposed development as I strongly believe that a 10-story building is inappropriate for our community for a number of reasons.

Firstly, this development would set a precedent for our neighbourhood and others like ours to build more of these tall buildings in residential areas that are known for their small single and double-story homes. Currently, in St. John's, there are limited numbers of buildings over six stories tall, so I'm surprised that you are prepared to consider changing the zoning for a building as tall as this in our neighbourhood.

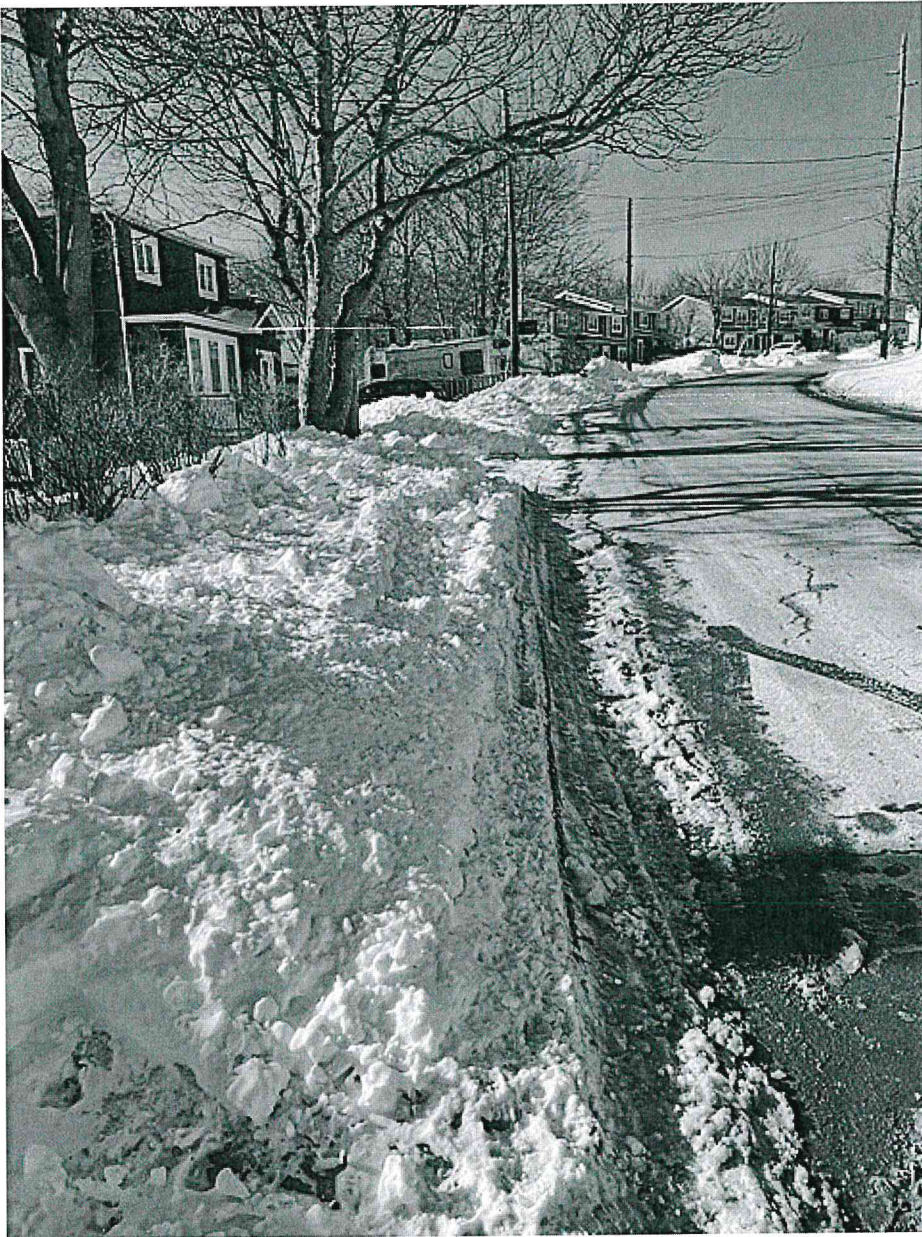
Additionally, the increased traffic resulting from a large development would exacerbate existing traffic issues in our neighbourhood. New Cove Road already has limited parking available to residents. Currently, parking is only permitted on one side of the street, so when families visit or service people come to attend to different issues, it can be problematic to find space. Further, the influx of vehicles from a 10-story building would increase congestion and safety concerns for both drivers and pedestrians. There are a lot of young families in this neighbourhood and walkers who access the Lake trail, who are already struggling to get around as the sidewalks. They are often not clear for a week or more after a snowstorm and only one side of the street is cleared (see photos). This is dangerous as folks have to walk on the street to get around often with their dogs, baby in strollers and young children in tow. New Cove Road is a complex street to navigate at the best of times as it has a number of blind spots along the road and there are no crosswalks between Elizabeth Avenue and Kings Bridge Road. This is a very busy road throughout the year as people park on this street for a number of public events in St. John's, including the Royal St. John's Regatta, the Santa Claus Parade, the New Year's Eve Fireworks, the Canada Day Fireworks, the Tely 10 at Bannerman Park to name a few events where we have seen an increase in traffic and drivers looking for a place to park in the neighbourhood.

Thirdly, I'm concerned that KNK Capital is seeking numerous modifications from the City to meet the needs of their for-profit development project. The City should be considering how this business is going to enhance this thriving community neighborhood and in turn the City.

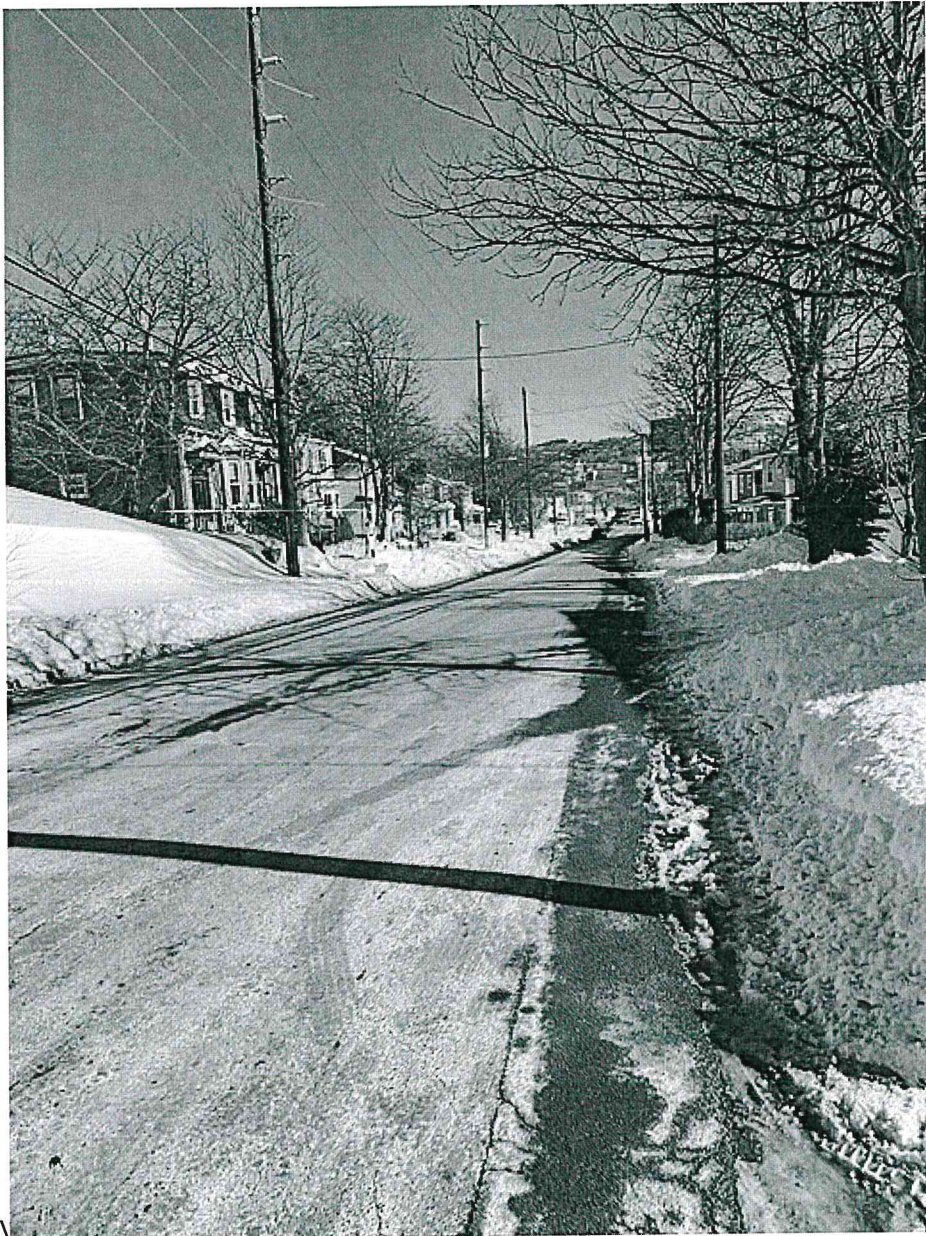
In conclusion, while I support the development of a new housing complex in our community, I urge you to reconsider the scale of this project. A more modest development would align with the existing character of our neighbourhood and address the concerns outlined above. Thank you for considering my thoughts on this matter. Please see pictures below.



[REDACTED]
New Cove Road on February 13th, 4 days after the snow storm, no sidewalks have been cleared. [REDACTED]
[REDACTED] it was unsafe for me to walk.



Looking down New Cove Road, again no sidewalks have been cleared.



Please note the buildings in the background: NL housing are 2 story buildings that are cream. and 32 New Cove Road a modest 2 story brown house and imagine a 10 story building between the two.



Sent from my iPhone

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 14, 2025 12:50 PM
To: CityClerk
Cc: Tom Davis
Subject: Second submission re. 34 New Cove Road - Resident Comment
Attachments: Submission [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

[REDACTED]

February 14, 2025

To whom it may concern:

This is a second written submission expressing our concerns regarding the proposed construction of the 10-storey building at 34 New Cove Road.

We would like to thank the City and the author of the final report for keeping the window for written submissions open through today, Feb. 14 2025, as per his oral notification made at the Public Hearing on Feb. 12, 2025.

The Public Hearing was quite interesting. All five points outlined in our household's initial written submission dated Nov. 8, 2024 were addressed by other neighborhood residents, who all shared these concerns.

We also believe that most of the concerns aired at the Public Hearing were not addressed by the developers or the city representatives to the satisfaction of the neighborhood residents.

I would urge the author of the final report to revisit our Nov. 8, 2024 submission, which has been attached for reference. The sections involving traffic congestion, speed and parking may be of particular interest given the ire of our neighborhood residents and the acknowledgement that, unbelievably, no specific traffic study was conducted.

As noted in our previous submission, the Traffic Impact assertion concluding that "fewer vehicle trips will be generated by the proposed apartment during peak morning and afternoon hours than... the existing MAX fitness building" remains utterly ridiculous.

I would also invite the author of the final report to consider the words of the neighborhood resident [REDACTED]. He made multiple criticisms and observations which we believe to be of value to the forthcoming report.

As a final note, we invite the author of the final report – and all city councilors who will subsequently vote on this proposal – to consider the recent rejection of the proposed 96-apartment development at Hoyles Avenue and Little Street.

In our opinion, the city should never have approved that development, which despite a height of the permitted six storeys was deemed “too big” for that neighborhood. The proposal for 34 New Cove Road is even bigger, requiring an amendment to permit 10 storeys, and the public outcry clearly shows it will be “too big” for our neighborhood as well.

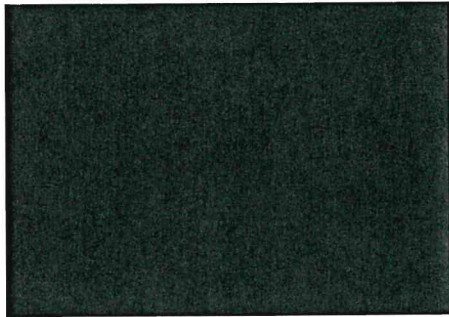
For the reasons outlined above and in our previous submission, our household continues to protest the applicant’s development proposal as submitted and we ask the final report of the City of St. John’s and/or an eventual vote by City councillors to withhold approval.

We urge that the City consider our concerns and advocate for a development that better aligns with our neighborhood’s existing structure and character.

We support growth and progress—and the need for affordable housing—but believe it must be in harmony with the community’s needs and values.

Thank you for your attention to this matter.





We are writing to express our concerns regarding the proposed construction of the 10-story building proposed for 34 New Cove Road.

As residents [REDACTED], we, along with many of our neighbours, believe this development as currently proposed would have a significant negative impact on our community.

1) Height of Building

The proposed height of the building is incompatible with the character of our neighborhood, which consists predominantly of single-family homes and low-rise buildings. A structure of this size would not only disrupt the aesthetic appeal of the area but also overshadow surrounding properties, diminishing privacy and natural light.

No recent developments in this area, including one currently underway, rise as high as 10 stories.

2) New Cove Road Traffic and Congestion

There are great concerns about increased traffic and congestion along New Cove Road, which is already an extremely busy street. The addition of a larger residential structure is sure to exacerbate these issues, making it more difficult for residents to navigate and also creating potential safety risks for pedestrians, cyclists and Metrobus commuters.

3) New Cove Road Speed

This is a major issue which threatens public safety; as such it deserves its own category.

The steep incline of New Cove Road heading south/southeast around the blind curve makes the current posted speed limit of 50 km profoundly dangerous. Vehicles are blazing down the hill ever faster, and vehicles are also speeding up the hill in the other direction.

As such, we request the City of St. John's enact a street speed reduction from 50 km to 35 km with the addition of flashing speed indicators to warn drivers of the blind curve and impending downhill danger (a good location for south/southeast-bound flashing

speed indicators would, in our opinion, be located at approximately 59 New Cove Road).

An alternative to flashing speed indicators would be a new stoplight, located at New Cove Road and McNaughton Drive. Given the dangers of 3) and 4) plus the developer's proposed number of 107 unit-associated vehicles, a stoplight is almost certainly required as a result of any development taking place—either as proposed or in a reduced capacity.

However, said stoplight would no doubt cause all kinds of problems at the bottom of New Cove Road, at the four-way intersection of Kenna's Hill, Kings Bridge Road, The Blvd. and New Cove Road.

Please note that the business located at the bottom of New Cove Road, Kings Bridge Auto (69 Kings Bridge Road), fell victim to a south/southeast-bound speeding driver just last week, and a customer's vehicle was damaged upon violent impact.

New Cove Road needs to be made safe, regardless of development at 34 New Cove Road, and such steps to make it safe are immediately requested of the City.

4) New Cove Road Parking

While parking along New Cove Road is banned during winter months, the road features many parked vehicles in spring, summer and fall, to the point that guest parking becomes unavailable to residents.

The developer's own documents seem to reveal insufficient parking spaces would be available at 34 New Cove Road, which would lead to intolerable parking pressures elsewhere on New Cove Road.

In addition, two-way New Cove traffic—when combined with parked vehicles—causes difficulty for residents attempting to both leave and enter their driveways, and only increases the dangers listed in 3) above.

5) Developer Shenanigans

KMK Capital Inc. has apparently stated that their Developer Proposal issued on Dec. 22, 2023 did not elicit many responses. This may be due to the fact that only "immediately adjacent" homes received the Proposal, and none of them from the south side of New Cove Road, where the current street parking problems occur.

Even if KMK Capital Inc. adhered to City of St. John's requirements re. distribution of the Proposal, such distribution to a small, select group of specifically targeted households is unethical, and the City should consider this moving forward.

In addition, KMK's Traffic Impact assertion showing "that fewer vehicle trips will be generated by the proposed apartment during peak morning and afternoon hours than... the existing MAX fitness building" is utterly ridiculous. It's not fooling anyone in the neighborhood, nor should it fool the City of St. John's.

6) Conclusion

For the many reasons outlined above, our household protests the applicant's requested exemption to Section 7.1.4 and we ask the City of St. John's to reject said exemption.

We urge that the City consider our concerns and advocate for a development that better aligns with our neighborhood's existing structure and character.

We support growth and progress—and the need for affordable housing—but believe it must be in harmony with the community's needs and values.

Thank you for your attention to this matter. We look forward to your support in addressing our concerns in attempting to find a more suitable approach to development on New Cove Road.

Sincerely,



Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 14, 2025 6:16 PM
To: CityClerk
Subject: 34 New Cove Road Suggestions

You don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

To whom it may concern,

My name is [REDACTED] Town Hall meeting on Wednesday Feb 12 for a Q&A regarding the proposed 10 storey apartment building at 34 New Cove Road, and I felt it important to reach out to you with a few of my concerns and perhaps some ideas that may (or may not) help.

I observed that the majority of the neighbourhood (myself included) are not against the construction of the building itself, but there is an overwhelming concern about the increase in traffic on New Cove Road, (and possibly more importantly) McNaughton Drive, both of which already have traffic issues, which the community felt was not satisfactorily addressed. I believe both sides are missing an opportunity to work with the city to not only accommodate the inevitable increase in traffic that will come with this construction, but also the current traffic related problems on New Cove Road and McNaughton Drive.

Most of the current traffic issues that came up were snow related. I agree with the City Council that the City is unable to remove the snow quickly from New Cove Road and McNaughton. This is not a knock on the snow removal workers, it is just the reality of living in Newfoundland. Removing snow can take some time, in this case four days for side walks (and counting) which is the norm for any 25cm+ snow storm. This presents a dangerous situation on New Cove Road for pedestrians as they are forced to walk on the road around a blind corner, day *'and night'*. There have been a number of close calls already as drivers frequently speed down New Cove Road and around that blind corner.

As the planning committee were keen to point out – they are assuming a lot of the potential new residents will not have cars. Logically this means they are expecting even more foot traffic on the road. Whether they are walking their dogs, catching the school, bus, walking to work, or running to bus stops on New Cove Road, they will all have to share the road, during the winter, with even more drivers, all trying to dodge each other, compounding the existing dangerous situation that frequently occurs on New Cove Road already. This layout feels like it is already an accident waiting to happen, adding more drivers and pedestrians to the area would be like throwing fuel on the fire. Additionally, without the sidewalks ploughed out, it is difficult to pull out onto New Cove Road as you are unable to see far enough down towards Kings Bridge Road, or around the blind corner on New Cove Road, to see oncoming traffic.

A potential solution to the existing issue *and* to accommodate more vehicle and foot traffic would be to add some speeding deterrents approaching the blind corner on New Cove Road. Perhaps some

consideration could be given to some infrastructure to help protect pedestrians, making the sidewalks more of a priority, pedestrian crossings, convex safety mirrors etc....

The snow also presents a problem on McNaughton Drive, albeit it more of an inconvenient one, but still a very significant practical problem which was not addressed. McNaughton Drive is currently reduced to one lane for both directions of travel, meaning someone somewhere will have to reverse the length of road to give way when coming to oncoming traffic. The snow further complicates matters as the snow banks create a blind corner at the top of McNaughton. As a minor street, McNaughton has low priority for snow clearance meaning these issues remain in place for a longer duration. Increasing its use as thoroughfare seems illogical.

Side Note: One member of the public speculated that the main entrance from McNaughton to New Cove could be 'right turn only', which inevitably would mean McNaughton, as a little side street, would have to accommodate everyone turning left. For a single track road in the snow, this is unfeasible.

As McNaughton Drive is so small (even without snow) I cannot see how it would officially be able to cater to so many residents. The fear is that it is already used as a 'turn-around' option or a shortcut by people who don't live there, and this will obviously increase with more residents in the area and their guests. Perhaps some deterrents to all non residential vehicles would appease the locals, which would concentrate all traffic in and out of the main New Cove entrance.

One last practical snow related problem was the issue of snow removal from the parking lot. [REDACTED] asked how the snow would be removed and was disappointed when contractor could not answer the question, stating only that they would be responsible for it. The question was significant as the snow clearing methods have caused issues [REDACTED] in the past. It is also worth pointing out that the current method is to sacrifice half of the parking lot to store the snow, an option that may well not be there with more vehicles.

Providing the community with a plan on how they will remove snow would alleviate some stress and fears of damage or encroachment to property by snow or vehicles as a result of snow removal activities.

Aside from snow related traffic problems, within the past six months I have noticed that traffic backs up New Cove Road as it tries to get onto Kings Bridge Road during rush hour. I think this is due to replacing a pedestrian crossing next to Winter Ave with a traffic light. This means there are three sets of traffic lights between the intersection at New Cove Road and Empire Avenue. For a short time during peak hours, cars are bumper to bumper on Kingsbridge road, cars approaching from New Cove Road are unable to make that turn and traffic builds back to the entrance of McNaughton. This is an issue that happens frequently, and not just when there are special events in Quidi Vidi.

Common sense would suggest that congestion and wait times would increase with more traffic in the area and this is the prevailing logic the community is going on. As the planning committee referenced, they did not expect the morning traffic to be impacted by any significant levels. If there was a meeting to provide some understanding to these conclusions I feel the neighbourhood would respond.

Lastly, one last question a community member posed at the end of the session would be 'what recourse would residents have if all their fears were realized'? Would they be anything they could do, if so, detailing any safeguards or safety nets for the community may help ease any tensions.



Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 14, 2025 3:03 PM
To: cityclerk@st.john's.ca
Subject: Proposed Development @ 34 New Cove Road St. John's
Importance: High

Response after Public Meeting of February 12, 2025 re Proposed Development @ 34 New Cove Road

This project may be attractive for the City re the housing shortage. It is not affordable housing but market priced rentals, and therefore does not address the situation of crisis and shouldn't be given a pass on meeting the City's design regulations. This is a profit driven project.

This development is too much for this site, and for this existing old neighbourhood. We are pro development, and development of this site but something in the size that is more in keeping with the restraints of the existing site.

Parking and the 'assumption' by the developers that there is enough parking provided is not an acceptable comment. They, however correct or incorrect, can not make a statement of assumption, but follow the City design regulations like any other developer. I could assume that there will not be enough parking based on the number of 2 bedroom units where you 'could' have friends renting together and therefore perhaps two cars. You could have a working couple who have two cars. You could have a senior and a grown child with two cars, and so on. So their assumption that there is plenty of parking is not a valid argument, they must adhere to the City regulations. Also, the snow clearing was not properly answered. This will be a problem for the neighbouring properties and also for the pedestrians when it comes to the City and the sidewalks.

Traffic, and the access onto New Cove Road will be problematic. The 'blind' corner, amount of traffic at peak periods and traffic speed are all issues turning onto New Cove Road. McNaughton Drive will be negatively impacted by an increase of traffic. Right now it is really only residential traffic. It is a narrow road with no sidewalks, really no more than a lane.

We hope you listen to all of our concerns and advise appropriately.



Virus-free www.avg.com

Theresa K. Walsh

From: [REDACTED]
Sent: Friday, February 14, 2025 3:59 PM
To: CityClerk
Subject: Comments re 34 New Cove Road Apartment Proposal

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

City Councilors:

I am writing to follow up on this week's public hearing regarding the proposal from KMK Capital for a 10-storey apartment building at 34 New Cove Road, former site of the YMCA. I want to register my strong opposition to KMK's request for exemption from section 7.1.4 of the City Development Regulations requiring setbacks for a building of this height.

My objection relates both to this specific proposal and to the fact that this amendment will eliminate setbacks as requirement for all future proposals.

I am not opposed to an apartment building on the New Cove Road site- though the one proposed is insensitive in scale. The surrounding residential neighbourhood is of small and mid-size modest older dwellings of one or two storeys on small lots and mostly narrow streets. The 10-storey building proposed will be an enormous monolithic structure dropped down among them - as well as a visually invasive structure for all those coming into the Kenna's Hill/ Quidi Vidi Lake area now occupied by a small apartment building, small businesses, sports field, and cemetery.

In my view, the REQUIRED setback will make the building a literally and visually lighter presence in this small-scale neighbourhood. Obviously it is in a developer's interest to maximize profit from the project by maximizing space. Equally obviously it is a responsibility of the City to safeguard the character and liveability of neighbourhoods for residents. Wasn't respect for neighbourhoods a promise coming out of the City's prolonged planning process?

Insisting on setbacks will go a small way to making this building block a less aggressive addition. It also will create a slightly more interesting building architecturally.

I would also suggest that it is unwise to eliminate setback requirements by approving an amendment for this one structure that then applies to all. It would give developers even freer rein to ignore the scale and nature of the places where they want to build. Questions raised in this hearing process have confirmed that, other than in the Heritage context, this City's planning process does not include any evaluation of or standards set for the exteriors of buildings. Thus our stock of today's unimaginative, "builder-basic" structures, with very rare exceptions.

The public hearing made clear residents' concerns about parking and traffic, also important to the insertion of such a large structure and many new occupants into the area. As someone living on a nearby small cul de sac and a frequent user of the New Cove/King's Bridge intersection, I support those concerns.



Theresa K. Walsh

From: Mayor
Sent: Tuesday, March 4, 2025 11:31 AM
To: CityClerk
Subject: FW: comments of concern re 34 New Cove Rd. proposed development
Attachments: 1_Follow up comments re proposed development at 34 New Cove Road.pdf

From: [REDACTED]
Sent: Tuesday, March 4, 2025 11:21 AM
To: Mayor <mayor@stjohns.ca>; Sheilagh O'Leary <soleary@stjohns.ca>; Jill Bruce <jbruce@stjohns.ca>; Ophelia Ravencroft <oravencroft@stjohns.ca>; Greg Noseworthy <gnoseworthy@stjohns.ca>; Carl Ridgeley <cridgeley@stjohns.ca>; Maggie Burton <mburton@stjohns.ca>; Ron Ellsworth <rellsworth@stjohns.ca>; Debbie Hanlon <dhanlon@stjohns.ca>; Tom Davis <tdavis@stjohns.ca>
Subject: comments of concern re 34 New Cove Rd. proposed development

Some people who received this message don't often get email from [REDACTED] [learn why this is important](#)

CAUTION: This is an EXTERNAL email. Do not click on any link, open any attachments, or action a QR code unless you recognize the sender and have confirmed that the content is valid. If you are suspicious of the message use the **Report a Phish** button to report it.

Good Morning,

As long-time residents of [REDACTED] we are asking the mayor and councillors to continue to give careful consideration to how the development of a 10-storey apartment building on the site of the old Max property, 34 New Cove Road will adversely affect our neighbourhood.

The proposed development is too large for this area and will create increased traffic/safety issues as well as parking concerns.

Specifics on our concerns are included in the documents that we have already submitted (initial comments in January and follow up comments after the public meeting in February – both attached here).

The proposed development appears to go against the city's own "Envision St. John's" plan that was developed a few years ago (<https://www.stjohns.ca/en/building-development/resources/Planning-Reports/Envision-Municipal-Plan.pdf> page 44 section 6.4).

A 10-storey building is certainly not compatible with the neighborhood. If the city provides the developer with exemptions and approval to move ahead with this development as is, it will be countering the guidelines and vision outlined in this document, and it will set a precedent for future building within the city.

The 'Envision St. John's' document talked about the need to maintain the essential character of neighborhoods, the need to try and minimize impacts on neighborhoods and working with citizens to come up community visions. Hopefully the council will keep these things in mind as they review the developer's proposal.

We note from attending the public meeting that a traffic impact assessment was not completed. As we stated in our documents, New Cove Road is a very busy traffic street. Parking is very limited. This development, as is, will create a more congested and busy street. We urge Council to undertake a full traffic assessment.

Finally, we understand the need for increased affordable housing in the city. But this building as proposed, is too big and will only create traffic, parking and safety issues for our neighborhood.

We would appreciate a response from all St John's City Council members. Thank you.



Follow up comments related to the proposed development at 34 New Cove Road.

We have already submitted a statement detailing our concerns with the proposed development at 34 New Cove Road.

After attending the public meeting on February 12th 2025 we would like to reiterate some of our points.

It is obvious based on responses from the city and the developer at the meeting that a sufficient review of the effect on traffic flow and parking has not been adequately considered.

We the residents live in the area and deal with the traffic/parking on a daily basis. New Cove Road is a 'busy, busy' street. Adding 107 new residences in the area, with the prospect of 107 new cars moving in and out of the area during peak 'to' and 'from' work periods will make this already very busy street worse. As we said in our previous submissions, there are currently approximately 66 homes and a couple of small businesses on New Cove Road from Elizabeth Avenue to King's Bridge Road. The developer is proposing adding over double that number to the lower part of the road.

As noted in our previous submission.

- We already see backup of cars at the light's intersection of New Cove Road/King's Bridge Road/Boulevard during peak driving periods. With the new 'red' stop light at the cross walk near Memorial Market on King's Bridge Road this has gotten even worse. It is hard to get out of our driveway some mornings due to the backup in the traffic at the lights. This will only get worse if there are 107 new residences added to this section of New Cove Road.
- The developer said they did compare peak time anticipated traffic flow from the development with operations of similar facilities like the Max. I find this comparison hard to understand. Max facility parking lot was never full. People came to use the facility at different times of the day – some in the early, some during the mid-morning, some during lunch period, some late afternoon, some in the evening.

The developer cannot guarantee that residences in the proposed building will not all be working individuals or individuals who will be leaving the building during peak traffic time.

- The road curves as it approaches the entrance to the former Max property creating a blind spot. Cars travel at a high rate of speed down this road and increasing traffic in and out of this property is a concern. Increasing traffic by 100+ vehicles moving in and out of this parking lot at peak working time will potentially cause many safety issues. We do not feel this has been addressed sufficiently by the city planners.
- As stated in our previous submission, parking is a big concern for us as street parking on New Cove Road is already a major issue. New Cove Road has parking on one side of the

street. From the entrance to the former Max property to King's Bridge Road there are only 7 street parking spaces. There are 4 multi-unit rental properties on the lower half of New Cove Road near King's Bridge Road. At least two of these rentals have 4 apartment units. Many of the renters have cars. There is already high demand for the limited street parking spaces. Over the years we have encountered issues where there was no street parking available for visitors to our home. We even contacted the city about this in the past.

The developer seemed confident that there wouldn't be an issue with parking. However, they cannot guarantee that. There is a potential for at least 107 vehicles – one for every apartment. And, also, the possibility for more if there are people sharing apartments. Where will these people park.

New Cove Road cannot accommodate overflow parking from the development. Any proposed development should be required to provide adequate parking for residents and visitors.

- The proposed development is too big for this small residential area. A smaller development would be much more appropriate.

We urge that the City of St. John's to consider our concerns. We feel strongly that any development should align with our neighborhood's existing structure and character and should not adversely affect current residents.

