

DECISION/DIRECTION NOTE

Title: 188 New Pennywell Road – MPA2400008 - Approval

Date Prepared: April 1, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 4

Decision/Direction Required:

Following the commissioner's public hearing, Council can proceed with the final steps in the amendment process for Envision St. John's Municipal Plan Amendment Number 14, 2024, and Envision St. John's Development Regulations Amendment Number 40, 2024, regarding a Cluster Development (a Townhouse Cluster) at 188 New Pennywell Road.

Discussion – Background and Current Status:

The City has received an application to rezone land at 188 New Pennywell Road from the Residential 1 (R1) and Rural (RUR) Zones to the Residential 2 Cluster (R2C) Zone to accommodate a Cluster Development comprised of 4 Townhouse Cluster buildings with a total of 32 one-bedroom dwelling units. A Municipal Plan amendment is also required to redesignate land at the rear of the property from the Rural District to the Residential District.

Commissioner's Report

The attached commissioner's report prepared by Clifford Johnston is for Council's consideration. It outlines the process leading to the hearing, details on public notification, number of attendees, and the concerns raised by residents. The commissioner notes that the proposed development is in line with good planning practices and with specific housing policies of the Envision St. John's Municipal Plan, and is a good location for a townhouse development.

The commissioner recommends the following:

- That Municipal Plan Amendment Number 14, 2024 in its present form as adopted by Council on September 3, 2024, now be approved by Council.
- That Development Regulations Amendment Number 40, 2024 in its present form as adopted by Council on the same date now be approved by Council.
- That the proponent work with the Municipal Arborist and applicable City staff to maintain as much of the existing trees and vegetation on the site as possible.

Staff agree with the commissioner's recommendations. Should Council agree, the amendments will be sent to the NL Dept. of Municipal and Provincial Affairs for registration. Should the amendment proceed, a detailed landscape plan will be required for development approval and the applicant will have to meet the City's landscape development policy.

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Housing Terminology

At the time of the initial application and advertisement of this amendment, the proposed development was classed as a Townhouse Cluster in the Development Regulations. Since then, the City updated the Regulations with new definitions. When there is more than one Townhouse Cluster building on a lot, as proposed here, we now class it as a Cluster Development. The proposed development has not changed but the City's terminology has. Therefore, some of the public notices and the amendment use the term "Townhouse Cluster". Both Cluster Development and Townhouse Cluster are permitted uses in the R2C Zone. Should the amendment be approved, any permitted use in the R2C Zone can be considered.

Consolidation of Lot

The City has agreed to sell a portion of 178 New Pennywell Road to the applicant. The sale is conditional upon the applicant obtaining development approval and building permits and also consolidated the property with 188 New Pennywell Road. Further, the applicant recently went through a quieting of title for a small parcel at the rear of the lot. As the applicant did not own that parcel at the time of application, it was not included in the amendment. Should the amendment proceed, the applicant will have to consolidate the subject property with the land obtained from the City and the small parcel at the rear to form one new lot. A zone line interpretation will be done to add the small triangular parcel at the rear of the lot.

Land Use Report

The land use report (LUR) is attached for Council's review and approval. Should the amendment proceed, small changes may be required at the development approval stage. This may include adjusting the location of the fence or light poles, and possibly installing a drainage swale. Any major changes to the LUR at the development stage will be brought back to Council for approval.

Key Considerations/Implications:

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

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

5. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

6. Accessibility and Inclusion: Not applicable at this stage, however the applicant is proposing accessible units in the proposed residential development.
7. Legal or Policy Implications: Map amendments to the Municipal Plan and Development Regulations are required to consider the development.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Not applicable.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council:

- 1) approve the attached resolutions for Envision St. John's Municipal Plan Amendment Number 14, 2024, and Envision St. John's Development Regulations Amendment Number 40, 2024, as adopted, regarding a Cluster Development (a Townhouse Cluster) at 188 New Pennywell Road; and
- 2) as per Section 4.9(2) of the Development Regulations, approve the attached land use report for 188 New Pennywell Road dated January 22, 2025.

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

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

Report Approval Details

Document Title:	188 New Pennywell Road - MPA2400008 - Approval.docx
Attachments:	<ul style="list-style-type: none">- MP Amend No. 14 and DR Amend No. 40, 2024 - 188 New Pennywell Road - MAP (amc).pdf- 188 New Pennywell Road - Commissioner's Report.pdf- LAND USE REPORT 188 New Pennywell final (online version).pdf
Final Approval Date:	Apr 3, 2025

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

Ken O'Brien - Apr 2, 2025 - 10:46 AM

Jason Sinyard - Apr 3, 2025 - 9:31 AM