

Decision Note

Title: 366-374 Empire Avenue – REZ2600001

Date Prepared: February 9, 2026

Report To: Committee of the Whole

Councillor and Role: Councillor Tom Davis, Planning

Ward: Ward 4

Decision/Direction Required:

To consider rezoning 366-374 Empire Avenue from the Residential 3 (R3) Zone to the Apartment 1 (A1) Zone for a Cluster Development (Apartment Buildings).

Discussion – Background and Current Status:

The City has received an application to rezone land at 366-374 Empire Avenue from the Residential 3 (R3) Zone to the Apartment 1 (A1) Zone for a Cluster Development comprised of Apartment Buildings. The applicant is proposing to develop six buildings with a total of 54 units. The land is within the Residential District of the Envision St. John's Municipal Plan, so a Municipal Plan amendment is not required. A preliminary site plan is attached, however more information is required before staff can fully review the application.

This site was previously rezoned from A1 to R3 in 2023 for a cul-de-sac development that did not proceed. The property owner is now seeking the A1 Zone for Apartment Buildings. A public street is no longer proposed. The Apartment Buildings will have a parking lot and will be entirely privately-owned land.

Alignment with Envision St. John's Municipal Plan

The Municipal Plan sets policies to increase density in existing neighbourhoods and encourage a variety of housing forms. The following policies are from Section 4.1 of the Plan:

1. Support the implementation of the City's Affordable Housing Strategy, 2019- 2028.
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.
3. Promote a broad range of housing choice for all ages, income groups, and family types by supporting the development of housing that is appropriate, accessible and affordable for low-income and moderate-income households.

Further, within the Residential Land Use District, Policy 8.4.1 enables that Council shall establish low, medium and high-density residential land use zones that consider a variety of residential forms. Policy 8.4 also states:

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.
3. Support neighbourhood revitalization, redevelopment and residential infill that contributes to the livability and adaptability of established neighbourhoods, is sensitive to existing development and is economically viable for a range of socio-economic groups.
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.

The site is vacant land. The proposed development will increase density in a way that blends with the existing neighbourhood. This area of Empire Avenue has a mix of apartment buildings, single detached houses and commercial uses. The maximum height permitted within the A1 Zone is 14 metres which can blend with the surrounding area.

Land Use Report

Section 4.9(2)(a) of the Development Regulations requires a land use report (LUR) for rezonings. The applicant has provided an initial site plan but additional information is required before staff can fully evaluate the proposal. Draft terms of reference for an LUR are attached for Council's consideration.

Public Consultation

Should Council consider this amendment and approve the terms of reference for an LUR, the applicant will have to consult with the neighbourhood before submitting the report. Upon receiving an acceptable LUR, the rezoning will be advertised for a public meeting chaired by an independent facilitator.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Interested Parties: Neighbouring residents and property owners.
3. Is this a New Plan, Master Plan, Strategy, Report, or Framework: 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: Accessibility considerations will be taken into account during review of the site plan.
7. Legal or Policy Implications: A map amendment (rezoning) to the Development Regulations is required.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Engagement will be carried out in accordance with Section 4.8 of the Development Regulations. A public meeting will be held at a later date.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Information Management Implications: Not applicable.
14. Other Implications: Not applicable.

Recommendation:

That Council consider rezoning 366-374 Empire Avenue from the Residential 3 (R3) Zone to the Apartment 1 (A1) Zone for a Cluster Development. Further, that Council approve the attached land use report (LUR) terms of reference for 366-374 Empire Avenue and upon receiving a satisfactory LUR, that the application be advertised and referred to a public meeting chaired by an independent facilitator.

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

Report Approval Details

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| Document Title: | 366-374 Empire Avenue - REZ2600001.docx |
| Attachments: | - 366-374 Empire Avenue - Aerial.pdf - R3 and A2 Zone Tables.pdf - 366-374 Empire Avenue - Preliminary Site Plan.pdf - TOR - 366-374 Empire Avenue February 9, 2026.pdf |
| Final Approval Date: | Feb 11, 2026 |

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

Ken O'Brien - Feb 11, 2026 - 1:13 PM

Jason Sinyard - Feb 11, 2026 - 1:20 PM