

# DECISION/DIRECTION NOTE

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**Title:** 25 Sea Rose Avenue, REZ2000002

**Date Prepared:** June 2, 2020

**Report To:** Committee of the Whole

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

**Ward:** Ward 1

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## **Decision/Direction Required:**

To consider a rezoning application for land at 25 Sea Rose Avenue from the Commercial Regional (CR) Zone to the Commercial Office (CO) Zone to allow for an 8-storey office building and 10-storey parking garage.

## **Discussion – Background and Current Status:**

The City received an application for an 8-storey office building and 10-storey parking garage at 25 Sea Rose Avenue. The subject property is designated Commercial General (CG) under the St. John's Municipal Plan and is zoned Commercial Regional (CR). The maximum allowable building height in the CR Zone is 20 metres (approximately 4 storeys using a 5 metre per storey commercial building-height estimation). Please note, the applicant has already applied for the 4-storey Building 'A' on the site plan, as that does not require an amendment.

## History of Previous Applications

In 2016, the owners of the subject property applied to increase the maximum building height in the CR Zone from 15 metres to 30 metres. The purpose of this application was to accommodate the development of a 6-storey office building (7 storeys with the mechanical penthouse). Council proceeded to public consultation for the amendment and received objections from neighbouring property owners. Council rejected the amendment to increase the building height to 30 metres as it would affect the entire CR Zone. Council further directed that individual applications should be left to Council's discretion.

In 2017, the City received an application to increase the building height in the CR Zone from 15 metres to 20 metres to accommodate a 4-storey office building at 20 Hebron Way. This was essentially an increase in height from 3-storeys to 4-storeys. Council agreed to this amendment and it came into effect on September 22, 2017.

Should Council wish to increase the building height at 25 Sea Rose Avenue to accommodate an 8-storey office building and 10-storey parking garage, Council could either amend the CR Zone to increase the maximum building height, or zone the property at 25 Sea Rose Avenue as a commercial zone that can accommodate 10-storeys. Given Council's previous rejection of increasing the overall building height in the CR Zone, should Council wish to proceed with this application, it is recommended to consider rezoning the subject property to the Commercial

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Office (CO) Zone where the maximum building height is 10-storeys. Office and Parking Area are both permitted uses within the CO Zone and the maximum 10-storey building height would be limited to this site. This would not need a Municipal Plan amendment.

Given previous concerns raised by adjacent property owners, it is further recommended that the applicant provide a shadow analysis of the proposed buildings. This could show any impacts the increased building height would have on adjacent properties. The shadow analysis would be based on a simple massing at this stage, and not a detailed elevation.

There were no development or engineering concerns at this stage of the proposal. Prior to any development approval, the developer would be required to submit detailed engineering plans for review and approval and must meet all zone requirements of the Development Regulations. The application has also been forwarded to the St. John's International Airport Authority. The Authority has no issue with the parking garage and can conditionally support the office building, subject to the proponent conducting a noise analysis and ensuring appropriate noise insulation features are considered during the design process.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring property owners; St. John's International Airport Authority.
3. Alignment with Strategic Directions/Adopted Plans: *A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Amendment to the St. John's Development Regulations is required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Public notice of the proposed amendment.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council consider rezoning the property at 25 Sea Rose Avenue from the Commercial Regional (CR) Zone to the Commercial Office (CO) Zone.

That the application be advertised for public review and comment.

That the applicant provide a shadow analysis prior to public notification.

**Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage**  
**Approved by: Ken O'Brien, MCIP, Chief Municipal Planner**

**Report Approval Details**

Document Title:	25 Sea Rose Avenue, REZ2000002.docx
Attachments:	- 25 Sea Rose Avenue - Attachments.pdf
Final Approval Date:	Jun 4, 2020

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

**Ken O'Brien - Jun 4, 2020 - 11:57 AM**

**Jason Sinyard - Jun 4, 2020 - 12:18 PM**