

DECISION/DIRECTION NOTE

Title: 25 Sea Rose Avenue, Adoption REZ2000002

Date Prepared: July 14, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 1

Decision/Direction Required:

That Council adopt the attached resolution for St. John's Development Regulations Amendment 709, 2020.

Discussion – Background and Current Status:

The City received an application from 55732 Newfoundland and Labrador Inc./KMK Capital Inc. for an 8-storey office building and 10-storey parking garage at 25 Sea Rose Avenue. The subject property is designated Commercial General 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 an estimate of 5 metres per storey for a commercial building). Please note, the applicant has already applied for the 4-storey Building 'A' on the site plan, as that does not require an amendment.

In 2016, Council rejected an amendment to increase the building height in the CR Zone to 30 metres as it would affect the entire CR Zone. Council directed that individual applications should be left to Council's discretion. In 2017, the City increased the height in the CR Zone city-wide from 15 to 20 metres. Given Council's previous direction, the applicants have requested to rezone only the property at 25 Sea Rose Avenue to the CO Zone; the height increase would be limited to the subject property and would not affect properties along Hebron Way in the CR Zone. Office and Parking Area are both permitted uses in the CO Zone.

The proposed rezoning was advertised on two occasions in *The Telegram* newspaper and was posted on the City's website. Property owners within 150 metres of the application site were notified. Two written submissions were received by the City Clerk and are included in the agenda for the Regular Meeting of Council.

The St. John's International Airport Authority (SJIAA) was consulted during the staff review of the application and submitted a response to Council. The SJIAA conditionally supports the proposed re-zoning request. This support is conditional upon the completion of a noise analysis at the development stage and the further consideration of the results of this study into the overall design process. The Airport Authority advised that this will be critical for the long-term performance of this building as well as the comfort of its future occupants. NAV Canada, which regulates air navigation and safety, has advised that they will be reviewing the

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application and submitting a response. The review was not complete for the submission deadline, however, any conditions recommended by NAV Canada could be incorporated at the development approval stage.

The adjacent property owner objects to the proposed development and cites concerns that the development is incompatible with the surrounding area and will significantly increase traffic volumes. The submission notes that their building was designed so that the surrounding views and daylight would be maintained after the business park was fully developed. The attached shadow analysis indicates that their property will not be shadowed. The Open Space wetland and buffer area on the applicant's property will be affected by shadowing.

The adjacent property owner also cited concerns about the current traffic volumes and future congestion. The application was reviewed by the City's traffic engineers, who have no concerns with the proposed development and its impact on Hebron Way.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
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: An amendment to the St. John's Development Regulations is required to rezone the property on the Zoning Map.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: The application was advertised in the *Telegram* newspaper and on the City's website, and notices were mailed to property owners within 150 metres of the application site.
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 adopt St. John's Development Regulations Amendment Number 709, 2020, which will rezone land at 25 Sea Rose Avenue from the Commercial Regional (CR) Zone to the Commercial Office (CO) Zone.

Further, that Council require a noise analysis for the proposed development at the development approval stage, and consideration of the results of this study be incorporated into the overall design process.

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

Report Approval Details

Document Title:	25 Sea Rose Avenue, Adoption REZ2000002.docx
Attachments:	- 25 Sea Rose Avenue - Adoption Attachments.pdf
Final Approval Date:	Jul 16, 2020

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

Ken O'Brien - Jul 16, 2020 - 11:00 AM

Jason Sinyard - Jul 16, 2020 - 3:50 PM