

DECISION/DIRECTION NOTE

Title: 121-125 Bay Bulls Road – MPA240003

Date Prepared: April 16, 2024

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton

Ward: Ward 5

Decision/Direction Required:

To consider rezoning 121-125 Bay Bulls Road from the Open Space (O) Zone to the Residential 1 (R1) Zone for ten (10) Single Detached Dwellings.

Discussion – Background and Current Status:

The City has received an application to rezone land at 121-125 Bay Bulls Road from the Open Space (O) Zone to the Residential 1 (R1) Zoned to accommodate a new cul-de-sac with ten (10) Single Detached Dwellings. Currently, the three properties each have an existing Single Detached Dwelling. The applicant is proposing to demolish the building at 123 Bay Bulls Road and reconfigure the lots to develop the land at the rear as a cul-de sac. The rear of the subject properties is designated and zoned Open Space in the St. John's Municipal Plan and are also designated Public Open Space under the St. John's Urban Region Regional Plan. A Regional Plan and Municipal Plan amendment is required to consider the proposed development.

Alignment with Municipal Plan Policies

Section 4.1 of the Envision Municipal Plan enables a range of housing to create diverse neighbourhoods. Section 8.4.11 promotes the development of infill, rehabilitation, and redevelopment projects, thereby better utilizing existing infrastructure. Rezoning this land will allow additional housing on land that is currently underutilized private land.

While the land is zoned Open Space, it is not public land. It is privately owned land at the rear of existing dwellings. The land does not contain any recognized floodplains or wetlands. The land does increase in elevation toward Silverton Street, and the grading will be further evaluated at the development approval stage, should the rezoning proceed.

From the St. John's Urban Region Regional Plan, the Public Open Space designation is applied to certain key areas in the region that should be preserved solely for public use. Such areas include existing provincial or national parks, proposed new ones or extensions to existing parks. These areas include Signal Hill Park, C.A. Pippy Park and its control area, Butterpot and Cochrane Pond Provincial Parks, Cape Spear and the proposed provincial park south of Petty Harbour. As the subject property does not form part of the listed areas, it is recommended that the City send a request to the Minister of Municipal and Provincial Affairs to amend the St. John's Urban Region Regional Plan at 121-123 Bay Bulls Road from the Public

ST. JOHN'S

Open Space designation to the Urban Development designation. Should the Minister agree, the amendment will be carried out alongside the City's Municipal Plan amendment.

Section 4.9(2)(a) of the Envision Development Regulations requires a Land Use Report (LUR) for rezonings. The applicant has provided some information in the attached proposal, however 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 a LUR, the applicant will be required to consult with the neighbourhood prior to submitting the LUR. Upon receiving an acceptable LUR, the rezoning will be advertised for public review. As a Municipal Plan amendment is required, a public hearing will be held at a later stage should the rezoning proceed.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. 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.
4. Alignment with Adopted Plans: St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: A St. John's Municipal Plan and Development Regulations map amendment (rezoning) is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public notification will be carried out in accordance with Section 4.8 of the St. John's Development Regulations. The application will also have a project page on the Planning Engage Page.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.

11. Information Technology Implications: Not applicable.

12. Other Implications: Not applicable.

Recommendation:

That Council:

- (1) Consider rezoning 121-125 Bay Bulls Road from the Open Space (O) Zone to the Residential 1 (R1) for a new residential cul-de-sac;
- (2) Send a request to the Minister of Municipal and Provincial Affairs to amend the St. John's Urban Region Regional Plan at 121-125 Bay Bulls Road from the Public Open Space designation to the Urban Development designation;
- (3) Upon receiving a satisfactory Land Use Report (LUR), advertise the amendment for public review and comment.

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

Approved by: Jason Sinyard, P. Eng., MBA, Deputy City Manager, PERS

**TERMS OF REFERENCE
LAND USE REPORT (LUR)
APPLICATION FOR SINGLE DETACHED DWELLINGS AT
121-125 BAY BULLS ROAD
APRIL 16, 2024**

The proponent shall identify significant impacts and, where appropriate, also identify measures to mitigate impacts on land uses adjoining the subject property. All information is to be submitted under one report in a form that can be reproduced for public information and review. The numbering and ordering scheme used in the report shall correspond with that used in this Terms of Reference and a copy of the Terms of Reference shall be included as part of the report (include an electronic PDF version with a maximum file size of 15MB). A list of those persons/agencies who prepared the Land Use Report shall be provided as part of the report. The following items shall be addressed by the proponent at its expense:

A. Public Consultation

- Prior to submitting a first draft of the Land Use Report to the City for review, the applicant must consult with neighbouring property owners. The Land Use Report must include a section which discusses feedback and/or concerns from the neighbourhood and how the proposal addresses the concerns.

B. Site Location and Lot Layout

- Identify the location of the proposed development in relation to adjoining properties and identify the use of each lot (i.e. dwelling type).
- Include all zone requirements on a subdivision plan, such as lot area, frontage, building line, all setbacks and building height.
- Indicate driveway locations and dimensions.
- Indicate front yard landscaping percentage for each lot.
- Identify any existing or proposed easements.
- Provide a Legal Survey of the properties.

C. Municipal Services

- Provide a preliminary site servicing plan.
- Identify points of connection to existing sanitary sewer, storm sewer and water system. The location of all existing sewers must be shown along with any existing or proposed easements.
- The proposed development will be required to comply with the City's Stormwater Detention Policy. Stormwater detention is required for this development. Indicate the location of the proposed stormwater detention facility.
- Provide the storm and sanitary drainage area plans along with proposed generation rates for each. Sanitary calculations provided in an Excel spreadsheet with formulas are required.
- If the proposed development requires a cut into the hill side, provide a plan to demonstrate how surface water and any exposed groundwater will be dealt with.

D. Transportation System

- Indicate the proposed right-of-way in accordance with the City's Development Design Manual.
 - The angle of intersection shall be 90 degrees. If this is not possible, include rationale for a reduce angle.

E. Public Transit

- Consult with St. John's Metrobus (St. John's Transportation Commission) regarding public transit infrastructure requirements and include their response and any recommendations in the report.

F. Construction Timeframe

- Indicate any phasing of the project and approximate timelines for beginning and completion of each phase or overall project.
- Indicate on a site plan any designated areas for equipment and materials during the construction period.

OPEN SPACE (O) ZONE

O

(1) PERMITTED USES

Community Garden Park	Recreational Use
--------------------------	------------------

(2) DISCRETIONARY USES

Accessory Building (2022-10-07)	Public Use
Place of Assembly	Wind Turbine – Small Scale
Public Utility	

(3) ZONE STANDARDS SHALL BE IN THE DISCRETION OF COUNCIL.

RESIDENTIAL 1 (R1) ZONE**R1****(1) PERMITTED USES**

Accessory Building	Park
Community Garden	Single Detached Dwelling
Family Child Care Service (2024-03-15)	Subsidiary Dwelling Unit
Home Office	

(2) DISCRETIONARY USES

Adult Day Centre	Home Occupation
Bed and Breakfast	Parking Lot
Child Care Centre (2024-03-15)	Public Utility
Heritage Use	

(3) ZONE STANDARDS FOR SINGLE DETACHED DWELLINGS

- (a) Lot Area (minimum) 450 metres square
- (b) Lot Frontage (minimum) 15 metres
- (c) Building Line (minimum) 6 metres
- (d) Building Height (maximum) 8 metres
- (e) Side Yards (minimum) Two of 1.2 metres, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
- (f) Rear Yard (minimum) 6 metres

(4) ZONE STANDARDS FOR ALL OTHER USES SHALL BE IN THE DISCRETION OF COUNCIL.

Appendix A

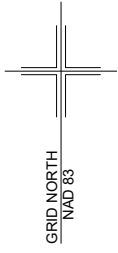
Aerial Photo

Combined Building Lots for Development

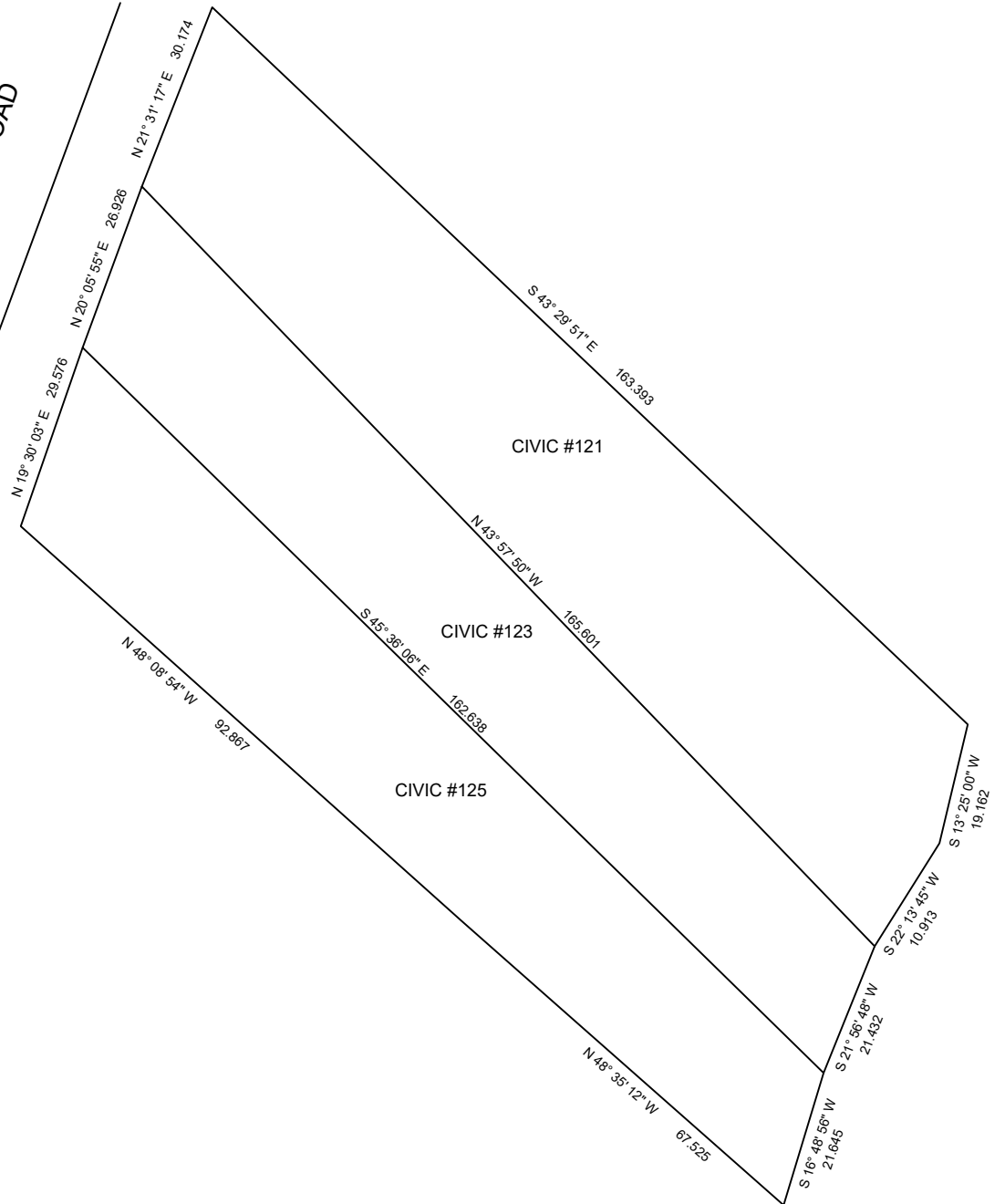


Appendix B

AutoCAD Sketch
Combined Building Lots



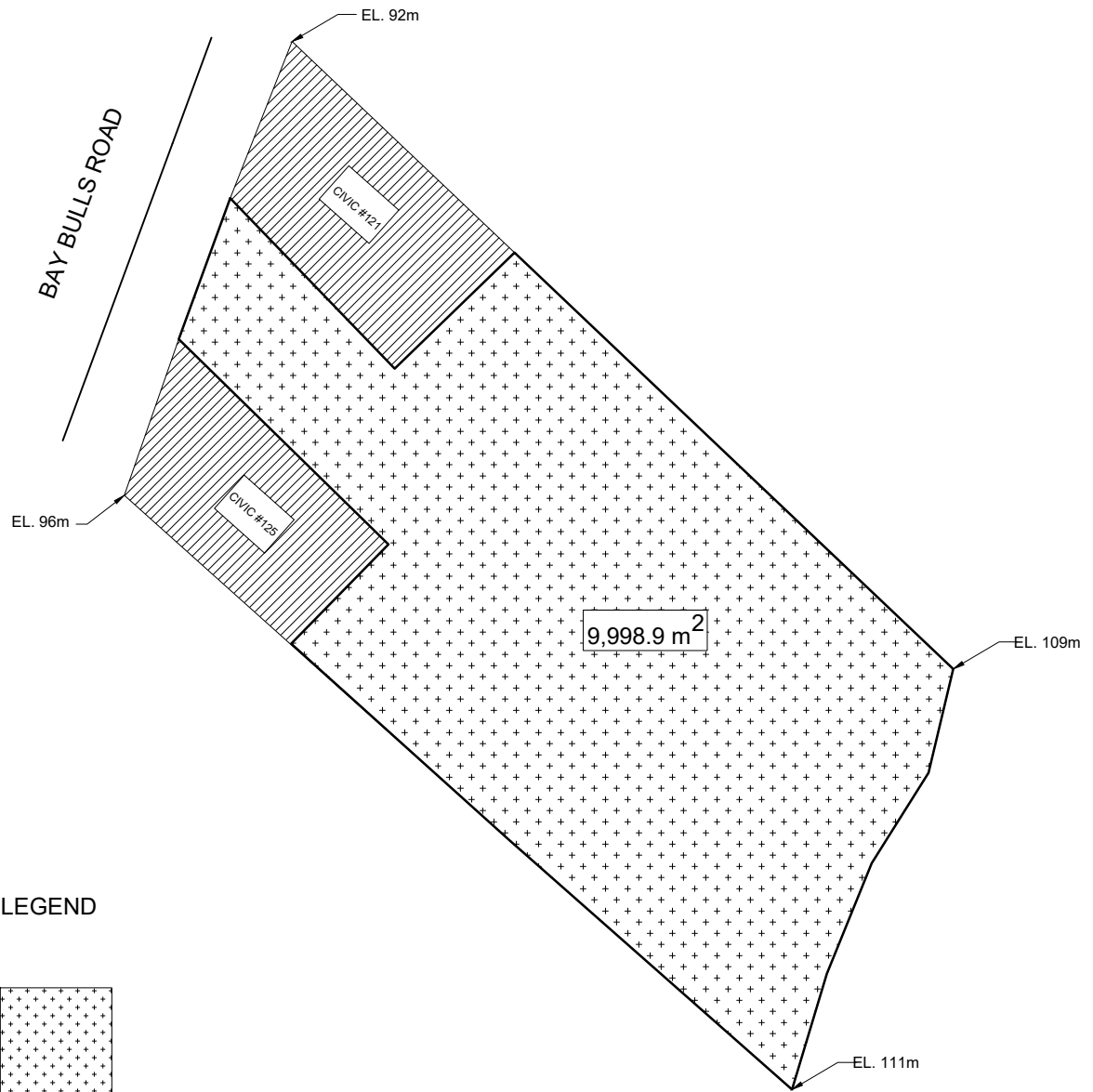
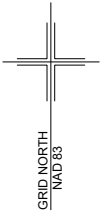
BAY BULLS ROAD



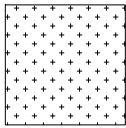
Appendix C

AutoCAD Sketch

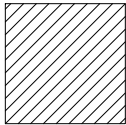
Proposed Development Area Size & Elevations



LEGEND



AREA TO DEVELOP



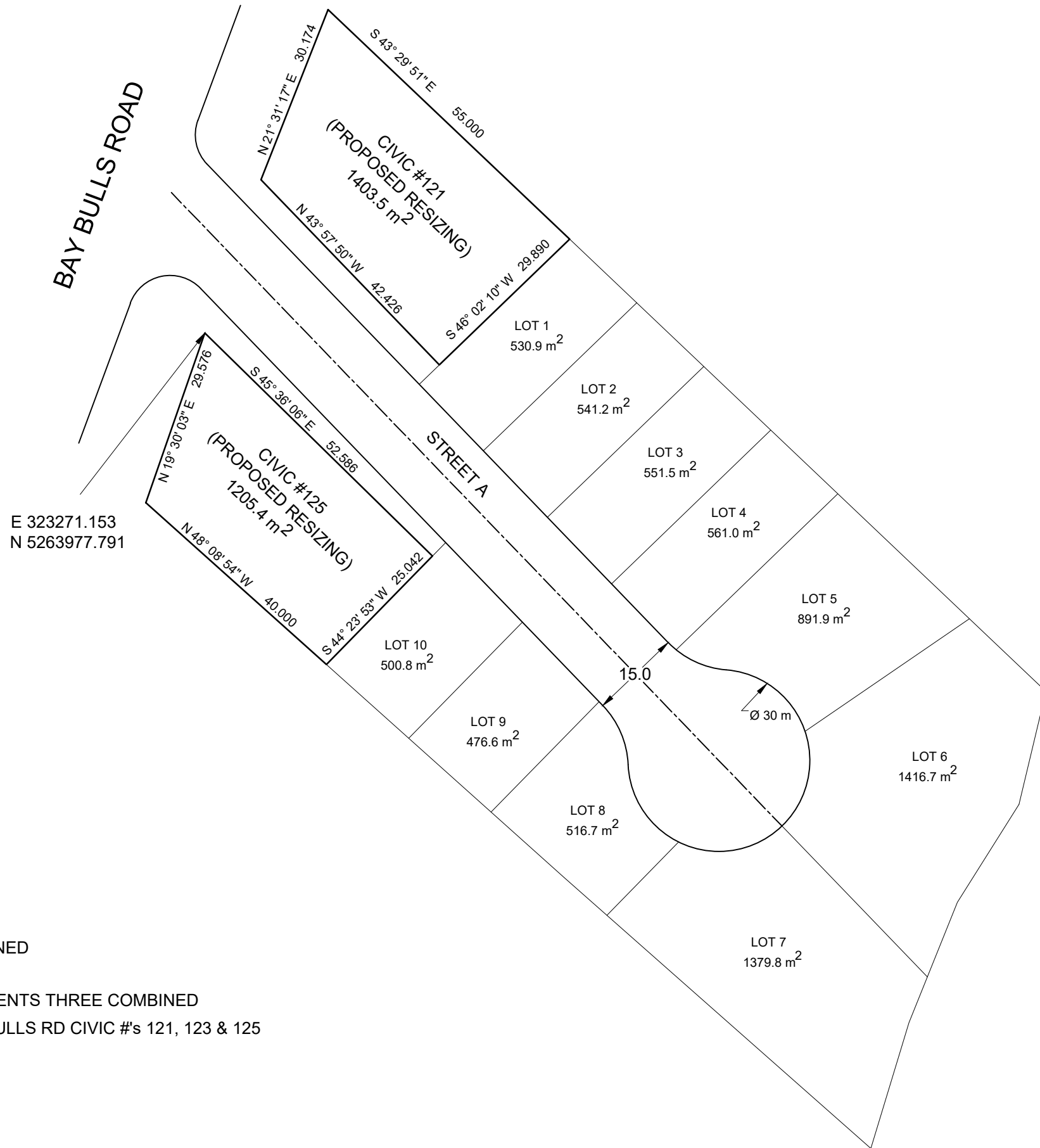
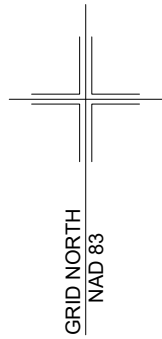
EXISTING LOTS

NOTES:

ELEVATIONS ARE WITH RESPECT TO
CURRENT GROUND TERRAIN

Appendix D

Concept Plan



- NOTES:
- ALL LOTS AND STREET HAVE BEEN DESIGNED USING CITY OF ST. JOHN'S REGULATIONS
 - PROPOSED DEVELOPMENT AREA REPRESENTS THREE COMBINED RESIDENTIAL LOTS CONSISTING OF BAY BULLS RD CIVIC #'s 121, 123 & 125



KEY PLAN

CONCEPT PLAN

KILBRIDE, NL

DATE OF ISSUE: 23 MAY 2023	DRAWN BY: R. Whitten	UNITS: METERS	SCALE: 1 : 1.11
----------------------------	----------------------	---------------	-----------------



4:29

◀ Search



map.stjohns.ca



I. JOHNS

