

DECISION/DIRECTION NOTE

Title: 424 Kenmount Road – MPA2400013

Date Prepared: January 9, 2025

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning

Ward: Ward 4

Decision/Direction Required:

To consider rezoning land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone to allow a Cluster Development of seven (7) Apartment Buildings.

Discussion – Background and Current Status:

The City has received an application from Bristol Development Inc. to rezone a portion of land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone to enable a Cluster Development. The subject site is partially located within the Commercial District of the Envision St. John's Municipal Plan, and a Municipal Plan amendment is required to re-designate that portion to the Residential District.

The applicant is proposing to develop seven (7) Apartment Buildings, with a total of 112 dwelling units. The applicant has asked to rezone the property to the A2 Zone, which allows Cluster Development uses. Should rezoning be approved, any uses allowed in the A2 Zone could be developed on the site. The proposed buildings are 3.5 storeys, or approximately 12.2 metres in height. The maximum height for a Cluster Development in the A2 Zone is 24 metres.

The subject site is vacant land with an approximate area of 1.71 hectares (4.2 acres) and is part of a much larger piece of land that is left over from the development of Bristolwood subdivision in Kenmount Terrace (see attached map). That large piece of land will be subdivided, and the area of land to be rezoned will become its own parcel. The subject site is adjacent to Ken Brook, which runs alongside Kenmount Road. While there was previously a wetland designated near this property, the area was field assessed as part of the City's Wetland Study Phase 2A and determined not to be a protected wetland.

Alignment with Envision St. John's Municipal Plan

The proposed development aligns with a number of Municipal Plan policies. Policy 4.1.2 of the Municipal Plan enables a range of housing types to create diverse neighbourhoods, including single, semi-detached, townhousing, and medium and higher density residential developments. The proposed development will introduce a new type of housing to the neighbourhood and add to the range of housing options available.

ST. JOHN'S

The Municipal Plan encourages higher density developments along main transportation corridors and promotes infill developments that use existing infrastructure and services. Municipal Plan policies 8.4.3 and 8.4.9 support residential infill that is sensitive to existing development and encourage increased density in residential areas where appropriate. The subject site is adjacent to Kenmount Road, is on a Metrobus transit route, and there is a future shared-use path proposed by the City to run through the property. These factors, combined with nearby stores, make the subject site appropriate for higher-density development.

A portion of the subject site is currently designated for commercial use. Policy 5.1.6 of the Municipal Plan encourages the retention of commercially-zoned land and restricts the conversion of commercial land to non-commercial uses, except where there is a demonstrated need for the conversion, sufficient infrastructure in place to support the development, and the lands are not be required over the long-term for commercial uses. The subject site is well-suited for high-density residential development and the proposed development aligns with the policies of the plan. Should the land be rezoned, there are commercial lands nearby along Kiwanis Street and Kenmount Road that can accommodate future commercial demand.

Land Use Report

Section 4.9(2)(a) of the Envision St. John's Development Regulations requires a Land Use Report (LUR) for rezonings. While the applicant has provided detailed information in the first submission, additional information is required. A planned shared-use path connection runs along the property, and this will need to be shown on the site plan. Draft LUR terms of reference are attached for Council's consideration.

Public Consultation

Should Council decide to consider this amendment and approve the terms of reference for the LUR, the applicant will be required to consult the neighbouring residents and property owners before submitting the report. The City will carry out public notification once the applicant submits a satisfactory report. As this application involves a Municipal Plan amendment, a commissioner's public hearing will be required later in the process.

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: Any accessibility requirements from the National Building Code or Service NL will be applied at the building permit stage.
7. Legal or Policy Implications: Map amendments to the Municipal Plan and Development Regulations will be required.
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public engagement will be carried out as per Section 4.8 of the Development Regulations. Staff recommend public notification, not a public meeting. A commissioner's public hearing would come later.
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 consider rezoning land at 424 Kenmount Road from the Commercial Neighbourhood (CN) and Residential 1 (R1) Zones to the Apartment 2 (A2) Zone and approve the attached terms of reference for a Land Use Report (LUR).

Further, upon receiving a satisfactory LUR, that the application be advertised for public input and feedback.

Prepared by: Faith Ford, MCIP, Planner III

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

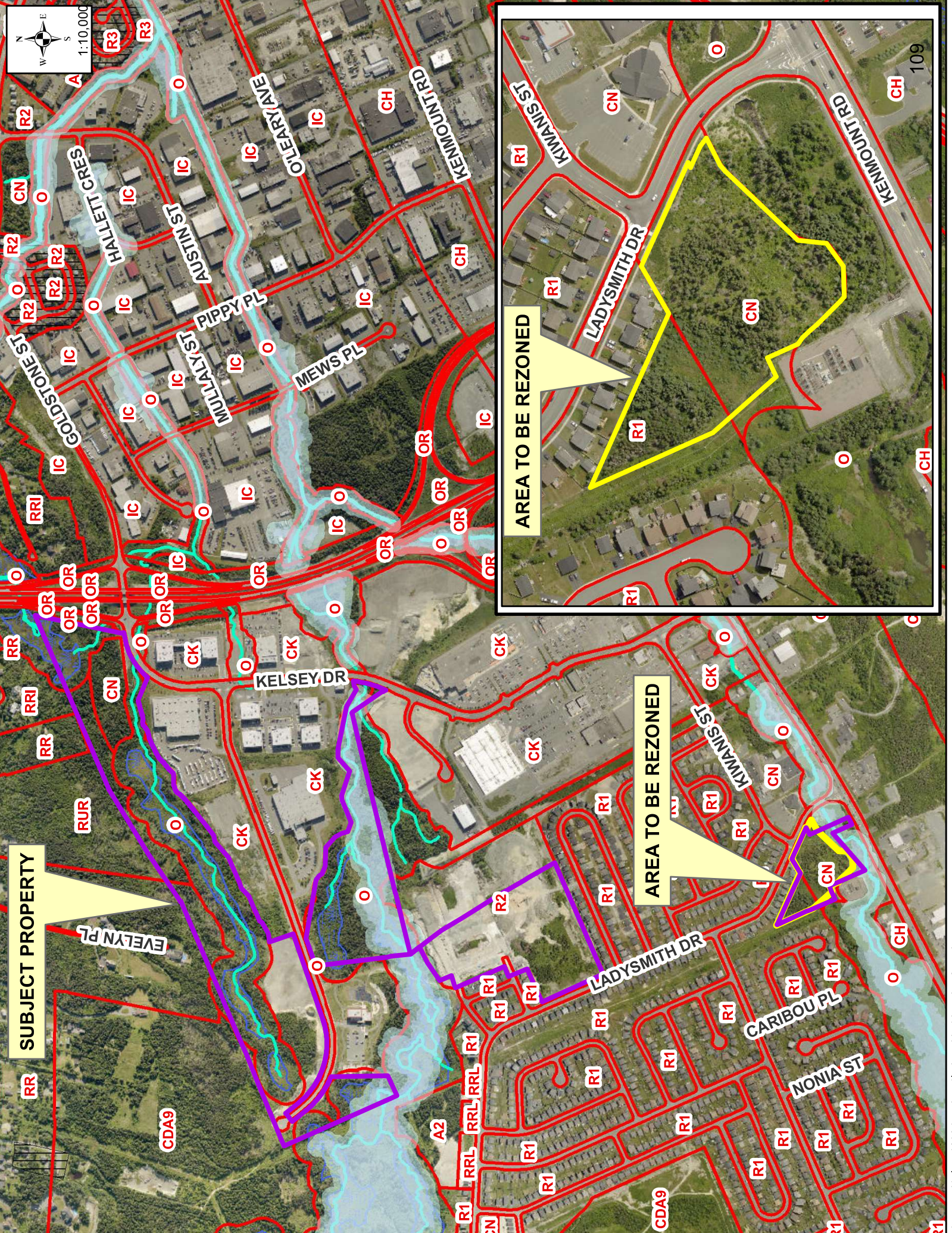
Report Approval Details

Document Title:	424 Kenmount Road - MPA 2400013.docx
Attachments:	- LADYSMITH DRIVE SITE_2.pdf - Site plan.pdf - aerial.jpg - TOR - 424 Kenmount Road January 6, 2025.pdf - A2Zone_Development Regulations.pdf
Final Approval Date:	Jan 9, 2025

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

Ken O'Brien - Jan 9, 2025 - 3:57 PM

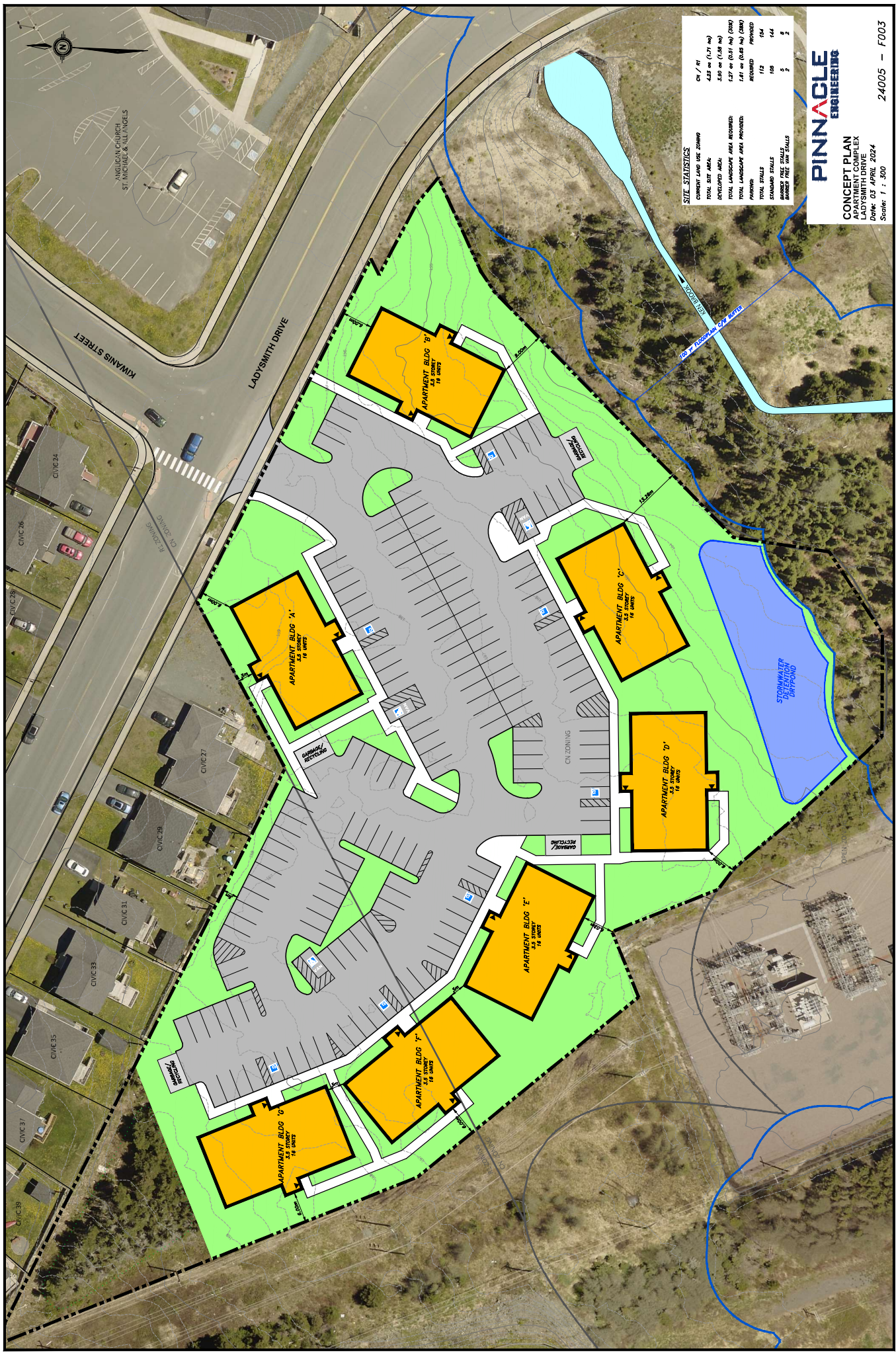
Jason Sinyard - Jan 9, 2025 - 4:31 PM



SUBJECT PROPERTY

AREA TO BE REZONED

AREA TO BE REZONED



SITE STATISTICS			
CUR / RT	4.25 ac (1.21 ha)	CURRENT LAND USE ZONING	
TOTAL SITE AREA	5.50 ac (1.58 ha)	TOTAL SITE AREA	
DEVELOPED AREA	1.27 ac (0.51 ha) (23%)	DEVELOPED AREA	
TOTAL LANDSCAPE AREA REQUIRED	1.81 ac (0.65 ha) (33%)	TOTAL LANDSCAPE AREA REQUIRED	
TOTAL LANDSCAPE AREA PROVIDED	1.81 ac (0.65 ha) (33%)	TOTAL LANDSCAPE AREA PROVIDED	
PARKING	112	PARKING	
TOTAL STALLS	112	TOTAL STALLS	
STANDARD STALLS	108	STANDARD STALLS	
BARNDY FREE STALLS	5	BARNDY FREE STALLS	
BARNDY FREE TINY STALLS	5	BARNDY FREE TINY STALLS	

PINNACLE ENGINEERING

CONCEPT PLAN
APARTMENT COMPLEX
LADYSMITH DRIVE
DATE: 03 APRIL 2024
Scale: 1 : 500

24005 - F003



**TERMS OF REFERENCE
LAND USE REPORT (LUR)
APPLICATION FOR CLUSTER DEVELOPMENT CONSISTING OF
SEVEN APARTMENT BUILDINGS AT
424 KENMOUNT ROAD
January 6, 2025**

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 and residents. The Land Use Report must include a section which discusses feedback and/or concerns from the neighbourhood and how the proposed development/design addresses the concerns.
- Should the site plan change following this consultation, additional neighbourhood consultation may be required.

B. Building Use

- Identify the size of the proposed buildings by Gross Floor Area.
- Indicate dwelling size (number of bedrooms) of each unit.
- If Micro Units are proposed (unit with floor area less than 42m²), indicate the floor area of each unit.
- If there are any proposed commercial uses within the Apartment Buildings, the days and hours of operation of each proposed use, number of employees on site at one time, and a description of the activities in the space (if applicable).

C. Site Location and Lot Layout

- Identify graphically the exact location with a dimensioned civil site plan:
 - Lot area, lot coverage, and frontage;
 - Required 1.2 m buffer from Floodplain Buffer
 - Location of the proposed buildings in relation to neighbouring buildings;
 - Proximity of the buildings to property lines and identify setbacks;
 - Illustrate any building setbacks of higher storeys from lower storeys or building overhangs (if applicable);
 - Identify any encroachment over property lines (if applicable);
 - Identify building entrances and if applicable, door swing over pedestrian connections;
 - Information on the proposed construction of patios/balconies (if applicable); and
 - Identify any rooftop structures.
- Provide a Legal Survey of the property.
- Identify any existing or proposed easements.

- Provide streetscape views/renderings of the proposed buildings from Ladysmith Drive, looking northwards toward the dwellings on Ladysmith Drive. Include immediately adjacent buildings and spaces to inform scale/massing/context.

D. Elevation and Building Height

- Provide elevations of the proposed buildings.
- Identify the height of the buildings in metres, as per the definition of Building Height from the Development Regulations.

E. Exterior Equipment and Lighting

- Identify the location and type of exterior lighting to be utilized. Identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior HVAC equipment to be used to service the proposed buildings and identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.

F. Municipal Services

- Provide a preliminary site servicing plan.
- Identify if the buildings will be sprinklered or not, and location of the nearest hydrant and siamese connections.
- 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.
- Provide the proposed sanitary and storm sewer generation rates along with the sanitary and storm sewer drainage area plans.

G. Landscaping, Buffering and Snow Clearing/Snow Storage

- Identify with a landscaping plan, details of site landscaping (hard and soft) that illustrates:
 - Proposed placement of trees or other plant material;
 - Show areas of hard and soft landscaping;
 - A calculation of the total landscaped area;
 - Proposed snow storage area;
 - Buffering and screening.
- Indicate which trees will be preserved.
- Identify the location and proposed methods of screening of any electrical transformers and waste containers to be used at the site.
- Identify the required usable green space for the Cluster Development as per Section 6.9 of the Development Regulations.
- Show the required Parking Lot buffer/screening as per Section 8.8 of the Development Regulations.
- Provide information on any snow clearing/snow removal operations.

H. Transportation, Off-street Parking, and Site Access

- Provide trip generation information for the development including the area of the development, the number of trips generated (ITE trip generation manual) for weekday and weekend by peak periods (AM and PM).
- Provide a dimensioned parking plan, including circulation details and parking lot buffers.
 - Provide design vehicle turning movements for garbage truck and firetrucks demonstrating feasibility of site circulation. Design vehicle profiles must be shown for each design vehicle.
- Identify the number and location of off-street parking spaces to be provided, including accessible parking spaces.
 - Where an applicant wishes to provide a different number of parking spaces than required in the Development Regulations, a detailed Parking Report is required.
- Identify the number and location of bicycle parking spaces to be provided.
- Identify the location of all access and egress points, including pedestrian access.
- A direct pedestrian connection must be provided between the sidewalk and building entrances.
- Indicate how exterior bins will be accessed. If residents are to carry their garbage to the bins, the bins must be connected to the side walk. Outside waste containers must be located minimum 7.6 metres from structures.
- Identify the location of the planned shared-use path (SUP) route through the site.

I. 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.

J. 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.

APARTMENT 2 (A2) ZONE**A2****(1) PERMITTED USES**

Accessory Building	Four-Plex
Apartment Building	Home Office
Backyard Suite (2024-07-19)	Park
Child Care Centre (2024-03-15)	Personal Care Home
Cluster Development (2024-07-19)	Townhouse Cluster (2024-07-19)
Community Garden	Triplex (2024-07-19)
Family Child Care Service (2024-03-15)	

(2) DISCRETIONARY USES

Adult Day Centre	Parking Lot
Convenience Store	Pedway (2022-10-14)
Heritage Use (2022-05-27)	Public Utility
Home Occupation	Service Shop
Office	Townhouse

(3) ZONE STANDARDS FOR APARTMENT BUILDING

(a)	Lot Area (minimum)	650 metres square
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum), except Margaret's Place (PID #46352)	24 metres
(e)	Building Height (maximum), Margaret's Place (PID #46352)	16 metres

(f)	Side Yards (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(g)	Rear Yard (minimum)	6 metres
(h)	Lot Coverage (maximum)	40%
(i)	Landscaping (minimum)	30%

(4) **ZONE STANDARDS FOR CLUSTER DEVELOPMENT (2024-07-19)**

(a)	Lot Area	Council discretion
(b)	Lot Frontage (minimum)	20 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	24 metres
(e)	Side Yards (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height, except on a Corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres
(g)	Lot Coverage (maximum)	40%
(h)	Landscaping (minimum)	30%

(5) ZONE STANDARDS FOR TOWNHOUSE

(a)	Lot Area (minimum)	140 metres square
(b)	Lot Frontage (minimum)	5.5 metres
(c)	Building Line (minimum)	0 metres (2024-07-19)
(d)	Building Height (maximum)	10 metres
(e)	Side Yards (minimum)	0 metres, 1.2 metres on unattached side, except on a corner Lot where the Side Yard abutting the Street shall be 6 metres
(f)	Rear Yard (minimum)	6 metres

(6) ZONE STANDARDS FOR TRIPLEX (2024-07-19)

(a)	Lot Area (minimum)	252 metres square
(b)	Lot Frontage (minimum)	14 metres
(c)	Building Line (minimum)	6 metres
(d)	Building Height (maximum)	10 metres
(e)	Side Yard (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
(g)	Landscaping (minimum)	30% of Front Yard

(7) STANDARDS FOR TOWNHOUSE CLUSTER (2024-07-19)

(a) Lot Area (minimum)	140 metres square per Dwelling Unit
(b) Lot Frontage (minimum)	20 metres
(c) Building Line (minimum)	6 metres
(d) Minimum Distance Between Townhouse Clusters	1.2 metres
(e) Side Yard (minimum)	6 metres
(f) Rear Yard (minimum)	6 metres
(g) Building Height (maximum)	10 metres
(h) Landscaping (minimum)	30%

(8) ZONE STANDARDS FOR PERSONAL CARE HOME

(a) Lot Area (minimum)	650 metres square
(b) Lot Frontage (minimum)	20 metres
(c) Building Line (minimum)	6 metres
(d) Building Height (maximum)	24 metres
(e) Side Yard (minimum)	Two, each equal to 1 metre for every 4 metres of Building Height
(f) Side Yard on Flanking Road (minimum)	6 metres
(g) Rear Yard (minimum)	6 metres
(h) Lot Coverage (maximum)	40%
(i) Landscaping (minimum)	30%

(9) ZONE STANDARDS FOR FOUR-PLEX (2024-07-19)

(a) Lot Area (minimum)	324 metres square
(b) Lot Frontage (minimum)	18 metres
(c) Building Line (minimum)	6 metres
(d) Building Height (maximum)	10 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
(g) Landscaping (minimum)	30% of Front Yard

(10) ZONE STANDARDS FOR ACCESSORY BUILDING SHALL BE IN ACCORDANCE WITH SECTION 6.2. (2024-07-19)

(11) ZONE STANDARDS FOR BACKYARD SUITES SHALL BE IN ACCORDANCE WITH SECTION 6.7 (2024-07-19)

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