

City of St. John's Municipal Plan, 2021

St. John's Municipal Plan Amendment Number 5, 2022

**Open Space Land Use District to
Commercial Land Use District for an existing Car Sales Lot
350 Kenmount Road / 9 Kiwanis Street**

January 2022



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

ST. JOHN'S Municipal Plan, 2021

Amendment Number 5, 2022

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the St. John's Municipal Plan Amendment Number 5, 2022.

Adopted by the City Council of St. John's on the 13th day of December, 2021.

Signed and sealed this 7 day of February, 2022.

Mayor:

Ray B...



Clerk:

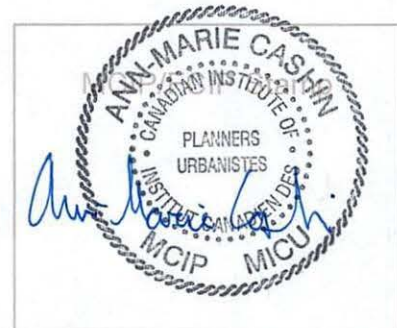
Karen Chap...

Canadian Institute of Planners Certification

I certify that the attached St. John's Municipal Plan Amendment Number 5, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:

Ann-Marie Caslin



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

St. John's Municipal Plan, 2021

Amendment Number 5, 2022

Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's:

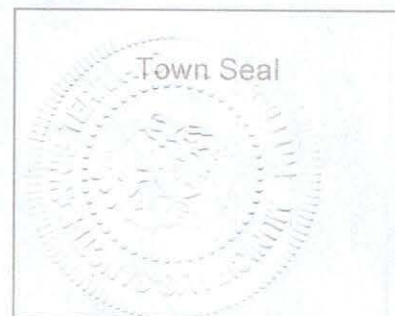
1. Adopted the St. John's Municipal Plan Amendment Number 5, 2022 on the 13th day of December, 2021;
2. Gave notice of the adoption of the St. John's Municipal Plan Amendment Number 5, 2022 by way of an advertisement inserted in the Telegram newspaper on the 18th day of December, 2021, on the 24th day of December, 2021,; and on the 8th day of January, 2022;
3. Set the 12th day of January, 2022 at 7:00 p.m. virtually via Zoom for the holding of a public hearing to consider objections and submissions; and
4. Accepted written submissions until the 18th day of January, 2022.

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's approves the St. John's Municipal Plan Amendment Number 5, 2022 on the 31st day of January, 2022 as was originally adopted.

Signed and sealed this 7 day of January, 2022.

Mayor:

Nay B



Clerk:

Karen Chef

Municipal Plan/Amendment

REGISTERED

Number 1100-2022-001

Date 13 JUNE 2022

Signature [Handwritten Signature]

Canadian Institute of Planners Certification

I certify that the attached City of St. John's Municipal Plan Amendment Number 5, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: Ann Marie Cashin



CITY OF ST. JOHN'S

Municipal Plan Amendment Number 5, 2022

BACKGROUND AND PURPOSE

The City of St. John's wishes to bring an existing car dealership into conformance by redesignating land at 350 Kenmount Road/9 Kiwanis Street from the Open Space Land Use District to the Commercial Land Use District and rezoning the land from the Open Space (O) Zone to the Commercial Kenmount (CK) Zone.

The subject property is one lot with a dual civic address because it fronts on both Kiwanis Street and Kenmount Road. The property contains a car rental business and a car dealership. Ken Brook, part of the Rennie's River system, flows across the property in a long culvert roughly parallel to Kenmount Road.

A portion of the property fronting Kiwanis Street is within the CK Zone and the portion fronting Kenmount Road is within the O Zone, making the car dealership a non-conforming use. The purpose of this amendment is to bring the use into conformance as a permitted use in the CK Zone.

There is no development proposed at this time, however if the rezoning proceeds, the applicant would be able to redevelop the site for any uses in the CK Zone. Development would be required to meet all City policies and regulations.

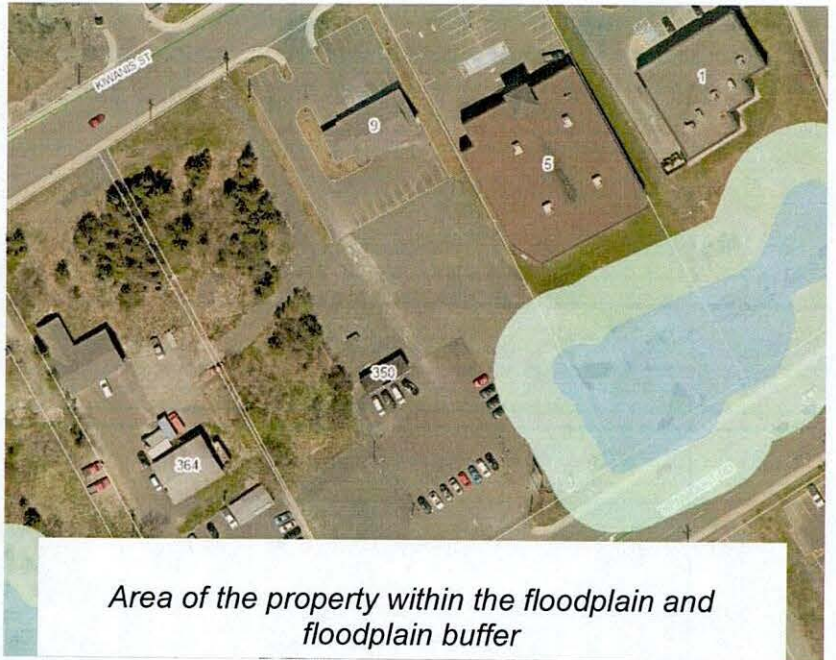
This portion of Kenmount Road is zoned Open Space (O) due to the floodplain and buffer for Ken Brook along the north side of the road. Ken Brook is part of the Rennie's River/Quidi Vidi Lake waterway system. In 2017 the property owner applied to install a long culvert on the property, replacing three (3) old culverts, which would remove the floodplain and buffer from a portion of the property and make the land more useable for commercial purposes. The culvert was approved and installed in 2017. The rezoning would reflect this change to the site.

ANAYLSIS

From Section 3.4 of the St. John's Municipal Plan, Development shall be prevented within the 1:100 year floodplain and within the buffer areas surrounding ponds, wetlands, rivers, major tributaries of rivers, or floodplain area, or any flood risk areas identified by the Department of Environment and Climate Change as identified under

the St. John's Development Regulations (Z-3 Flood Hazard Areas, Watersheds, Waterways and Wetlands Map).

A small portion of the property is still within the floodplain and buffer, so in the amendment below this area remains within the O Zone. The change to the CK Zone would apply to the portion of the lot that is no longer affected by the floodplain. As the flood hazard risk has been reduced for majority of the lot, it is recommended to proceed to redesignating the lot, as shown on the map, to the Commercial Land Use District and Commercial Kenmount Land Use Zone.



Area of the property within the floodplain and floodplain buffer

PUBLIC CONSULTATION

The proposed amendments were advertised on three occasions in The Telegram newspaper on September 11, September 18 and September 25, 2021. A notice of the amendments was also mailed to property owners within 150 metres of the application site and posted on the City's website and social media. Submissions received are included in the Council Decision Note dated October 5, 2021.

ST. JOHN'S URBAN REGION REGIONAL PLAN

An amendment to the St. John's Urban Region Regional Plan is also required. A map amendment from the Public Open Space designation to the Urban Development designation is required to support the City's amendments. A notice of the Regional Plan amendment was mailed to municipalities within the St. John's Urban Region, as required under the Urban and Rural Planning Act, 2000.

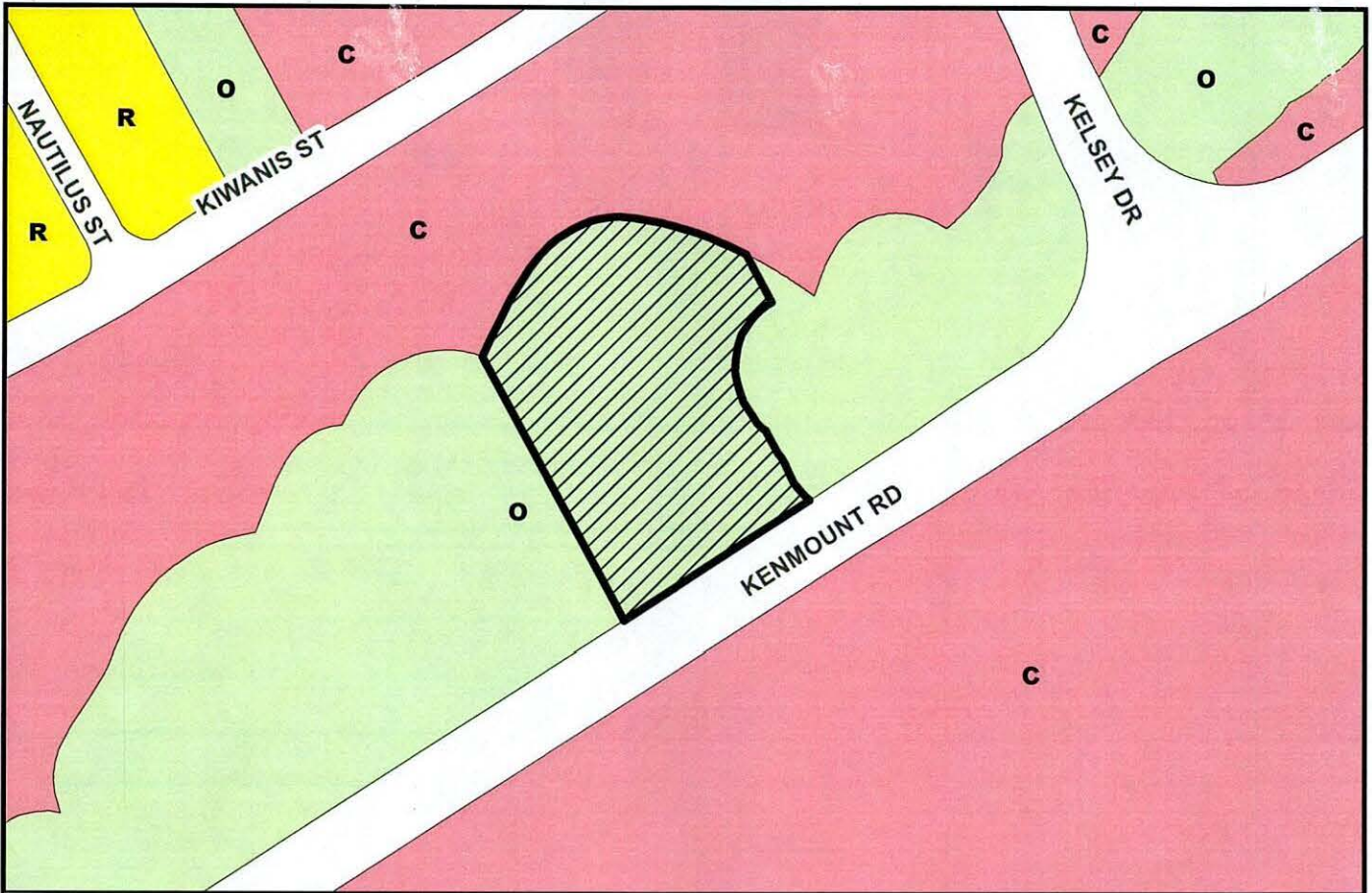
CHANGE IN AMENDMENT REFERENCE NUMBERS

At its regular meeting on October 12, 2021, Council decided to proceed with the proposed amendments and asked that Municipal and Provincial Affairs issue provincial release. At that time the amendments were referenced as St. John's Municipal Plan Amendment 159, 2021 and St. John's Development Regulations Amendment 727, 2021. Since then, Council has adopted the new Envision Municipal Plan and Development Regulations and the numbering for amendments reset. Further, the amendment year has been update from 2021 to 2022. These amendments are now referenced as Municipal Plan Amendment Number 5, 2022 and Development Regulations Amendment Number 7, 2022.

ST. JOHN'S MUNICIPAL PLAN AMENDMENT NUMBER 5, 2022

The St. John's Municipal Plan is amended by:


Redesignating land at 350 Kenmount Road/9 Kiwanis Street [Parcel ID# 5637] from the Open Space Land Use District to the Commercial Land Use District as shown on Future Land Use Map P-1 attached.



**CITY OF ST. JOHN'S
MUNICIPAL PLAN
Amendment No. 5, 2022**
[Future Land Use Map P-1]

2021 12 02 Scale: 1:1500
City of St. John's
Department of Planning, Development
& Regulatory Services

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.

 AREA PROPOSED TO BE REDESIGNATED FROM
OPEN SPACE (O) LAND USE DISTRICT TO
COMMERCIAL (C) LAND USE DISTRICT

350 KENMOUNT RD / 9 KIWANIS ST
Parcel ID 5637



Anni-Marie Cashin

M.C.I.P. signature and seal

Nancy B...

Mayor

Karen Chafe

City Clerk

December 13th, 2021

Council Adoption

Municipal Plan/Amendment
REGISTERED

Number 4400-2022-001

Date 13 JUNE 2022

Signature *[Signature]*

Provincial Registration