

# **City of St. John's Development Regulations, 2021**

## **St. John's Development Regulations Amendment Number 15, 2022**

**Adding "Pedway" definition, conditions and use to Various Zones**

**August 2022**



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

**CITY OF ST. JOHN'S Development Regulations, 2021**

**Amendment Number 15, 2022**

Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the City of St. John's Development Regulations Amendment Number 15, 2022.

Adopted by the City Council of St. John's on the 6th day of September, 2022.

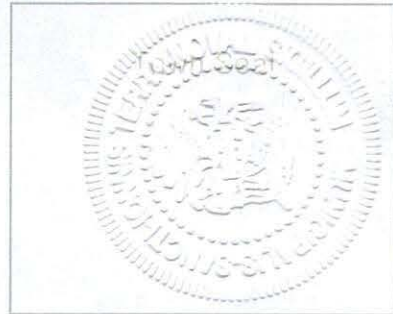
Signed and sealed this 9 day of Sept. 22.

Mayor:

Ray B...

Clerk:

Karen Chafe



**Canadian Institute of Planners Certification**

I certify that the attached City of St. John's Development Regulations Amendment Number 15, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:

Ann-Marie Cashin



Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>4450-2022-010</u>
Date	<u>Sept 27, 2022</u>
Signature	<u>[Signature]</u>



## **CITY OF ST. JOHN'S**

### **Development Regulations Amendment Number 15, 2022**

#### **BACKGROUND AND ANALYSIS**

The City of St. John's wishes to add the Pedway use to various zones. Under the Envision St. John's Development Regulations, most zones standards have minimum distances for side yard requirements. This does not permit a development to extend beyond the side yard or cross a property boundary. It is recommended to amend the Development Regulations to allow consideration of Pedways - a sheltered pedestrian connection that could cross property boundaries, streets, or rights of way.

An amendment to consider Pedways would include the addition of a new Pedway definition, as well as conditions to set standards for the development, such as required legal agreements and distance any elevated Pedway should be located above grade.

As this type of development may or may not be suitable to each property, it is recommended to add Pedway as a Discretionary Use to the following zones:

- Residential Mixed (RM)
- Apartment 1 (A1)
- Apartment 2 (A2)
- Apartment 3 (A3)
- Apartment Downtown (AD)
- Apartment Special (AA)
- Commercial Downtown (CD)
- Commercial Downtown Mixed (CDM)
- Commercial Downtown Mixed 2 (CDM2)
- Commercial Highway (CH)
- Commercial Kenmount (CK)
- Commercial Local (CL)
- Commercial Local – Downtown (CLD)
- Commercial Mixed Use (CM)
- Commercial Neighbourhood (CN)
- Commercial Office (CO)
- Commercial Office Hotel (COH)
- Commercial Regional (CR)
- Industrial Commercial (IC)
- Industrial General (IG)
- Industrial Quidi Vidi (IQV)
- Industrial Special (IS)
- Institutional (INST)
- Institutional Downtown (INST-DT)



This amendment was prompted by an application at 110 Hebron Way and 15 Verafin Way for an at-grade Pedway between the two properties.

### **PUBLIC CONSULTATION**

The proposed amendment was initially advertised on two occasions in The Telegram newspaper on July 16 and July 23, 2022. A notice of the amendment was also mailed to property owners within 150 metres of 110 Hebron Way and 15 Verafin Way and posted on the City's website.

The amendment was then revised to also include a Discretionary Use notice for the proposed Pedway at 110 Hebron Way and 15 Verafin Way. The revised notice was advertised on three occasions in The Telegram newspaper, on July 30, August 6, and August 14, 2022, and mailed to property owners within 150 metres of the site. The City's website was updated to include the Discretionary Use notice. There were two participants on the City's Engage Page. Both were supportive of the amendment.

### **ST. JOHN'S URBAN REGION REGIONAL PLAN**

The proposed amendment is in line with the St. John's Urban Region Regional Plan. An amendment to the St. John's Urban Region Regional Plan would not be required to add the Pedway use to Zones.

### **ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 15, 2022**

The City of St. John's Development Regulations, 2021 is amended by:

- 1) **Adding "Pedway" to Section 2 – Definitions as follows:**  
"PEDWAY means a walkway, usually enclosed, intended for pedestrian use between two buildings and may cross property boundaries, and is not a crosswalk."
- 2) **Repealing Section 2 – Definitions for "Floor Area – Gross" and substituting the following:**  
"FLOOR AREA – GROSS means the total floor area of all floors in a Building measured to the outside face of exterior walls, and includes basements and mezzanines but excluding any porches, verandas, sunrooms (unless habitable in all seasons of the year), garage, mechanical penthouse, or Pedway and any areas used exclusively for parking of motor vehicles."
- 3) **Adding the following to Section 6 – Specific Developments for "Pedways" and numbering the remaining sections:**  
"6.25 Pedway
  - (1) A Pedway may be underground, at grade or elevated.
  - (2) A Pedway is subject to the appropriate property rights agreements being in place.
    - (a) A copy of the agreement referenced above shall be registered in the Registry of Deeds for the Province of Newfoundland and Labrador.

**(3) Where a Pedway is elevated, the elevated portion must be constructed a minimum of 5.5 metres from grade.**

**(a) Notwithstanding the foregoing, authorized staff may extend the restrictions imposed by Section 6.25 (3) where it is appropriate to do so in the opinion of the authorized staff.”**

**4) Adding Pedway as a Discretionary Use to the following Zones:**

- Residential Mixed (RM)
- Apartment 1 (A1)
- Apartment 2 (A2)
- Apartment 3 (A3)
- Apartment Downtown (AD)
- Apartment Special (AA)
- Commercial Downtown (CD)
- Commercial Downtown Mixed (CDM)
- Commercial Downtown Mixed 2 (CDM2)
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