

City of St. John's Development Regulations, 2021

St. John's Development Regulations Amendment Number 2, 2021

**Text Amendment to Reduce the Minimum Rear Yard Requirement
in the Residential Downtown (RD) Zone
Prompted by 120 Barnes Road**

December 2021



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

CITY OF ST. JOHN'S Development Regulations, 2021

Amendment Number 2, 2021

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 2, 2021.

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

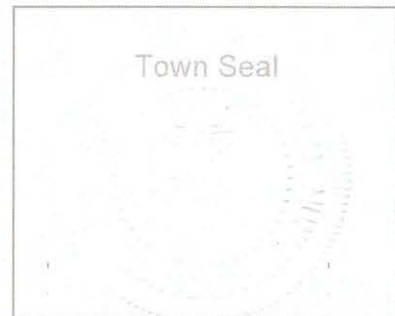
Signed and sealed this 20th day of December, 2021

Mayor:

May B...

Clerk:

Karen Chife

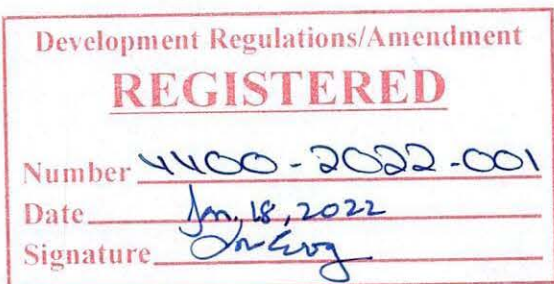


Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 2, 2021 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:

Ann-Marie Cash



CITY OF ST. JOHN'S

Development Regulations Amendment Number 2, 2021

BACKGROUND

The City of St. John's wishes to reduce the minimum Rear Yard for residential dwellings in the Residential Downtown (RD) Zone from 6 metres to 3.5 metres.

This amendment was prompted by an application to add an extension to an existing Semi-detached Dwelling at 120 Barnes Road. The dwelling has a non-conforming rear yard and the extension would not be permitted under the current minimum 6m rear yard standard. The recognition that many properties within the RD Zone have non-conforming rear yards came forward during the Envision St. John's public consultation. At one point the Envision St. John's Development Regulations proposed a reduced rear yard in the RD Zone, however Council requested more information prior to making a decision on the matter. As such, the Envision St. John's Development Regulations currently maintains a minimum 6 metres rear yard for all dwelling types in the RD Zone.

In order to get a better sense of existing rear yard distances, staff evaluated five sample areas in the RD Zone to determine what proportion of properties has rear yard less than 6m. While stats varied across the samples, overall almost 47.5% of properties sampled have a rear yard less than 6 metres. Therefore, in an effort to match the regulations to the reality of downtown neighbourhoods a minimum 3.5 metres rear yard is recommended.

The St. John's Regional Fire Department recommended that a rear yard should be no smaller than 3 metres, allowing safe access for firefighting and ensuring minimum separation between the backs of houses. If a minimum standard was set at 3 metres, then with a 10% variance, the rear yard could be reduced to 2.7 metres, which is too small. Therefore, the proposed minimum rear yard in the RD Zone is 3.5 metres. With a 10% variance, the smallest rear yard would be 3.15 metres, meeting the requirements of the Fire Department.

The proposed reduction in minimum rear yard from 6 metres to 3.5 metres would apply to all dwelling types in the RD Zone (Duplex Dwelling, Semi-detached Dwelling, Single Detached Dwelling, Townhouse, Apartment Building and Tiny Home Dwelling).

PUBLIC CONSULTATION

The proposed amendment was advertised on three occasions in The Telegram newspaper on July 17, July 24, and August 7, 2021. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website and social media.

Further, the amendment was referred to the St. John's Environment and Sustainability Experts Panel for input.

ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. Properties zoned Residential Downtown are within the Urban Development designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan would not be required to reduce the minimum rear yard requirements in the Residential Downtown (RD) Zone.

AMENDMENT REFERENCE NUMBER

This amendment was initially presented at the August 23, 2021 Regular Council Meeting. At that time the amendment was referenced St. John's Development Regulations Amendment Number 723, 2021. Council decided to defer adoption of the amendment and requested referral to the Environment and Sustainability Experts Panel and additional information on existing conditions. On November 5, 2021, the new St. John's Municipal Plan and Development Regulations, 2021 came into effect, replacing the previous St. John's Municipal Plan, 2003 and St. John's Development Regulations, 1994. Therefore, this amendment has been renumbered to St. John's Development Regulations Amendment Number 2, 2021.

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 2, 2021

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

- 1) Repealing Section (3)(f) of the Residential Downtown (RD) Zone for Single Detached Dwelling and substituting the following:

“(f) Rear Yard (minimum) 3.5 metres”

- 2) Repealing Section (4)(f) of the Residential Downtown (RD) Zone for Duplex Dwelling and substituting the following:

“(f) Rear Yard (minimum) 3.5 metres”

- 3) Repealing Section (5)(f) of the Residential Downtown (RD) Zone for Semi-detached Dwelling and substituting the following:

“(f) Rear Yard (minimum) 3.5 metres”

- 4) Repealing Section (6)(f) of the Residential Downtown (RD) Zone for Townhouse and substituting the following:

“(f) Rear Yard (minimum) 3.5 metres”

5) Repealing Section (7)(f) of the Residential Downtown (RD) Zone for Apartment Building and substituting the following:

“(f) Rear Yard (minimum) 3.5 metres”

6) Repealing Section (8)(f) of the Residential Downtown (RD) Zone for Tiny Home Dwelling and substituting the following:

“(f) Rear Yard (minimum) 3.5 metres”