

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

## **St. John's Development Regulations Amendment Number 3, 2022**

**Commercial Regional (CR) Land Use Zone to  
Apartment 2 (A2), Residential 3 (R3)  
and Open Space (O) Land Use Zones  
130 Aberdeen Avenue**

**August 2022**



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO ADOPT**

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

**Amendment Number 3, 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 Development Regulations Amendment Number 3, 2022.

Adopted by the City Council of St. John's on the 13th day of June, 2022.

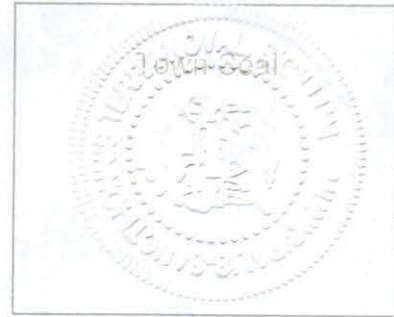
Signed and sealed this 9 day of Sept / 2022.

Mayor:

Ray B...

Clerk:

Karen Olofe



**Canadian Institute of Planners Certification**

I certify that the attached St. John's Development Regulations Amendment Number 3, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP:

Ann-Marie Cashin



**URBAN AND RURAL PLANNING ACT, 2000**

**RESOLUTION TO APPROVE**

**St. John's Development Regulations, 2021**

**Amendment Number 3, 2022**

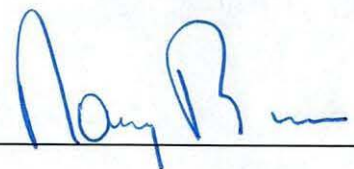
Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's:

1. Adopted the St. John's Development Regulations Amendment Number 3, 2022 on the 13th day of June, 2022;
2. Gave notice of the adoption of the St. John's Development Regulations Amendment Number 3, 2022 by way of an advertisement inserted in the Telegram newspaper on the 18th day of June, 2022, on the 25th day of June, 2022, the 2nd day of July, 2022, and on the 9th day of July, 2022; and
3. Accepted written objections and submissions for the paper public hearing until the 19<sup>th</sup> day of July, 2022; and
4. Set the 6th day of July, 2022 at 7:00 p.m. via Zoom for the holding of an additional virtual session.

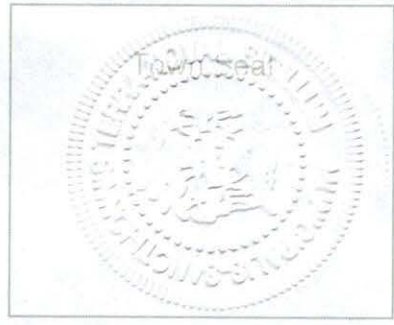
Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's approves the St. John's Development Regulations Amendment Number 3, 2022 on the 6th day of September, 2022 as amended with the changes outlined below.

The area to be rezoned from the Commercial Regional (CR) Zone to the Open Space (O) Zone has been updated to align with the most recent floodplain and floodplain buffer information. Further, Map 5 – Waterways and Flood Hazard Area in the Envision St. John's Development Regulations Appendix C has been updated to incorporate the updated floodplain and floodplain buffer adjacent to 130 Aberdeen Avenue.

Signed and sealed this 9 day of Sept. / 2022.

Mayor: 

Clerk: 



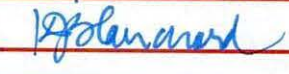
**Canadian Institute of Planners Certification**

I certify that the attached City of St. John's Development Regulations Amendment Number 3, 2022 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: 



Development Regulations/Amendment  
**REGISTERED**

Number 4400-2022-012  
 Date Sept 29/2022  
 Signature 

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

### **Development Regulations Amendment Number 3, 2022**

#### **BACKGROUND**

The City of St. John's wishes to allow a residential development comprised of a mix of Single-Detached Dwellings, Semi-Detached Dwellings, Townhouses and Apartment Buildings at 130 Aberdeen Avenue.

The 4.781-hectare parcel is vacant land at the end of Aberdeen Avenue, with the Walmart store east of the property and other commercial businesses opposite the property along Aberdeen Avenue and White Rose Drive. Outer Cove Brook runs north of the property and is designated and zoned Open Space (O). Under the Envision St. John's Development Regulations, the property is zoned Commercial Regional (CR) and therefore a rezoning is required in order to allow residential development.

The applicant has proposed to rezone the area to the Apartment 2 (A2) (formerly called Apartment Medium Density) and Residential 3 (R3) (formerly called Residential High Density) Zones. The R3 Zone will include a mix of Single Detached Dwellings, Semi-Detached Dwellings and Townhouses, and the A2 Zone will contain four 4-storey Apartment Buildings along Aberdeen Avenue and one 4-storey Apartment Building in the northeast corner of the parcel.

Further, it is recommended to expand the Open Space Zone alongside the subject property to include parts of the current floodplain buffer and wetland buffer. The applicant is completing floodplain analysis and the Open Space Zone will reflect any identified floodplains and buffers.

Should the amendment proceed, the applicant will have to prepare a Transportation Impact Study at the development approval stage. This may change the proposed street network.

#### **PUBLIC CONSULTATION**

The proposed amendments were advertised on three occasions in The Telegram newspaper on October 2, October 9, and October 16, 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. No submissions were received by the City Clerk's Office.

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

The Province's St. John's Urban Region Regional Plan recognizes that aircraft and helicopter movements are noisy and aims to minimize adverse impacts. The Plan sets minimum requirements for development, limits new residential uses to areas outside (or

lower than) the 35 NEF line, and recommends that any residential development between 30 and 35 NEF have sufficient sound insulation.

The application was referred to the St. John's International Airport Authority for comment. There were no concerns from the Airport Authority with respect to the building heights, but they did express concern with airport noise. According to their most recent noise exposure forecast (NEF) maps, the proposed development is bisected by the 30 NEF line, and they assert that new residential development is not suitable above 30 NEF. The higher the NEF number, the louder the noise. The aim is to ensure that land uses which are sensitive to airport noise, such as residential uses where people could be awakened by noise, are kept away from the airport.

If the responsible authority (in this case, the City) chooses to proceed contrary to Transport Canada's recommendation, then Transport Canada advises that:

- a) appropriate acoustic insulation features must be considered, and
- b) a noise impact assessment study must be completed. Further, the developer should be required to inform all prospective tenants or purchasers that airport noise (creating annoyance and interfering with speech) is a problem at 30 NEF and is very significant by 35 NEF.

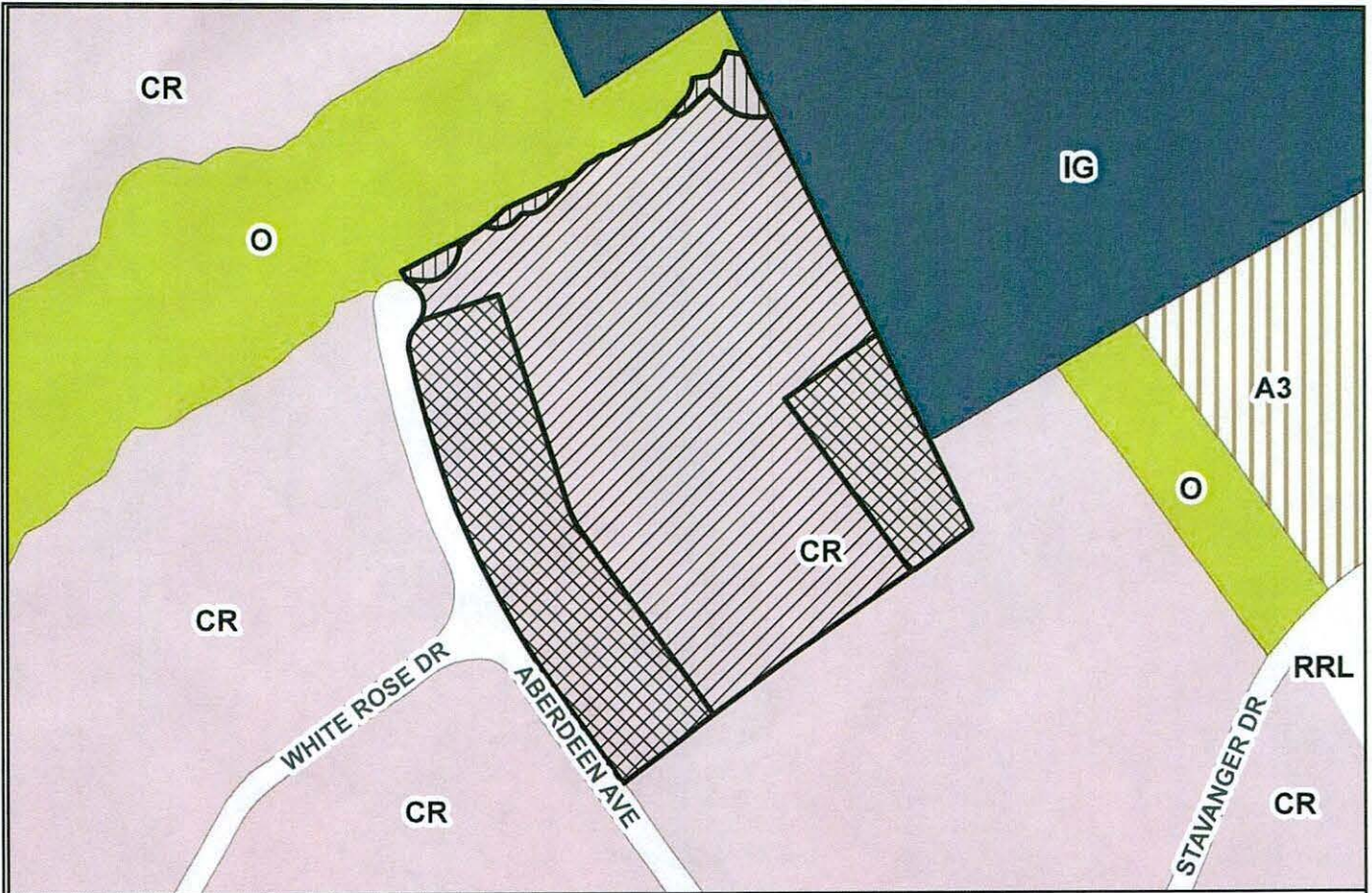
Section 7.4(2) of the St. John's Municipal Plan states that the City will "Manage land use to reduce conflicts arising from air traffic noise by preventing residential development in accordance with the Noise Exposure Forecast (NEF) contours prepared by Transport Canada, and in accordance with the policies of the St. John's Urban Region Regional Plan.", and the current Regional Plan policies could allow new residential development between the 30-35 NEF.

The applicant has provided a noise assessment report which recommended that the dwelling units use appropriate acoustic insulation and that a detailed assessment of the acoustic insulation requirements be completed once the detailed site layout and building plans are available. At its April 19, 2021, regular meeting, Council reviewed the Airport Authority's concerns and the applicant's noise report and directed staff to consider rezoning the land for residential purposes. Should the amendment proceed, a detailed noise assessment should be completed at the development stage to address the concerns of the Airport Authority. The applicant has indicated residential development between the 30 and 35 NEF range is feasible at this location with appropriate acoustic insulation.

#### **ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 3, 2022**

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

- 1. Rezoning land at 130 Aberdeen Avenue [Parcel ID# 400271] from the Commercial Regional (CR) Zone to the Residential 3 (R3) Zone, Apartment 2 (A2) Zone and Open Space (O) Zone as shown on City of St. John's Zoning Map attached.**



**CITY OF ST. JOHN'S  
DEVELOPMENT REGULATIONS  
Amendment No. 3, 2022**

2021 10 28 Scale: 1:4000  
City of St. John's  
Department of Planning, Development  
& Regulatory Services

[City of St. John's Zoning Map]

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



AREA PROPOSED TO BE REZONED FROM  
COMMERCIAL REGIONAL (CR) LAND USE ZONE TO  
RESIDENTIAL 3 (R3) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM  
COMMERCIAL REGIONAL (CR) LAND USE ZONE TO  
APARTMENT 2 (A2) LAND USE ZONE



AREA PROPOSED TO BE REZONED FROM  
COMMERCIAL REGIONAL (CR) LAND USE ZONE  
TO OPEN SPACE (O) LAND USE ZONE

130 ABERDEEN AVENUE  
Parcel ID 400271

*Mayor*

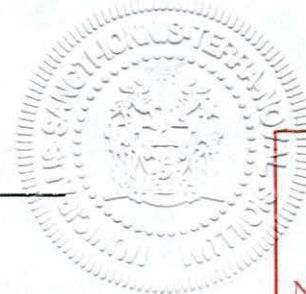
Mayor

*Karen Chife*

City Clerk

*June 13<sup>th</sup>, 2022*

Council Adoption



*Ann-Marie Cashin*  
M.C.I.P. signature and seal

Development Regulations/Amendment  
**REGISTERED**

Number 4400-2022-012  
Date Sept 29 / 2022  
Signature [Signature]

Provincial Registration