

ST. JOHN'S

March 24, 2021

9:30 a.m.

4th Floor City Hall

Pages

1. Call to Order	
2. Approval of the Agenda	
3. Adoption of the Minutes	
3.1. Minutes of March 10, 2021	3
4. Presentations/Delegations	
4.1. Mark and Leah Richards will be present to discuss 42-44 Fourth Pond Road - File REZ2000011 (see also item 13.2 - Driveways in Floodplains)	
5. Finance & Administration - Councillor Shawn Skinner	
6. Public Works - Councillor Sandy Hickman	
7. Community Services - Councillor Jamie Korab	
8. Special Events - Councillor Shawn Skinner	
9. Housing - Deputy Mayor Sheilagh O'Leary	
10. Economic Development - Mayor Danny Breen	
11. Tourism and Culture - Councillor Debbie Hanlon	
11.1. Downtown Pedestrian Mall Road Closure 2021	9
12. Governance & Strategic Priorities - Mayor Danny Breen	
13. Planning & Development - Councillor Maggie Burton	
13.1. 142 Old Pennywell Road, REZ2000012	34
13.2. Driveways in Floodplains	47
13.3. Draft Heritage By-Law for Public Consultation	58

14.	Transportation and Regulatory Services & Sustainability - Councillor Ian Froude	
14.1.	Kelly's Brook Shared-Use Path - WWH	122
14.2.	Traffic Calming Policy - Update on Review	150
15.	Other Business	
16.	Adjournment	

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

March 10, 2021, 9:30 a.m.

Present:	Mayor Danny Breen Deputy Mayor Sheilagh O'Leary Councillor Maggie Burton Councillor Sandy Hickman Councillor Debbie Hanlon Councillor Deanne Stapleton Councillor Jamie Korab Councillor Ian Froude Councillor Wally Collins Councillor Shawn Skinner
Staff:	Kevin Breen, City Manager Derek Coffey, Deputy City Manager of Finance & Administration Tanya Haywood, Deputy City Manager of Community Services Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services Lynnann Winsor, Deputy City Manager of Public Works Cheryl Mullett, City Solicitor Susan Bonnell, Manager - Communications & Office Services Elaine Henley, City Clerk Ken O'Brien, Chief Municipal Planner Maureen Harvey, Legislative Assistant
Others	Jennifer Langmead, Supervisor - Tourism & Culture Garrett Donaher, Manager of Transportation Engineering

1. **Call to Order**
2. **Approval of the Agenda**

Recommendation

Moved By Councillor Korab

Seconded By Councillor Skinner

That the agenda be adopted as presented.

MOTION CARRIED

3. Adoption of the Minutes

3.1 Adoption of Minutes - February 24, 2021

Recommendation

Moved By Councillor Stapleton

Seconded By Councillor Froude

That the minutes of February 24, 2021 be adopted as presented.

MOTION CARRIED

4. Presentations/Delegations

5. Finance & Administration - Councillor Shawn Skinner

5.1 Travel Report for the Year Ended December 31, 2020

Councillor Skinner presented the report for information.

6. Public Works - Councillor Sandy Hickman

7. Community Services - Councillor Jamie Korab

7.1 Inclusion Advisory Committee Report - February 9, 2021

1. APS and Key 2 Access Update

Councillor Stapleton presented the attached report for information.

7.2 Capital Grant Allocations 2021

The Committee considered the Capital Grant Allocations for 2021.

Recommendation

Moved By Councillor Korab

Seconded By Councillor Hickman

That Council approve the 2021 Capital Grant as attached.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

Recommendation

Moved By Councillor Froude

Seconded By Councillor Skinner

That consideration be given to the Autism Society application despite having missed the deadline for submission.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

7.3 Grant Allocations 2021

Councillor Hickman declared a conflict of interest in this matter, removed himself from the meeting and abstained from voting.

Recommendation

Moved By Councillor Korab

Seconded By Councillor Skinner

That Council approve the 2021 Grant Allocations for Community, Sport, Special Events and Festivals, Artists and Artist Organizations as attached, subject to clarification and consideration upon receipt of additional information from the Goulds Daffodil 50+ and two other groups.

For (7): Mayor Breen, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (7 to 0)

8. **Special Events - Councillor Shawn Skinner**

9. **Housing - Deputy Mayor Sheilagh O'Leary**

9.1 **Housing Division Update**

Councillor delivered the Housing Division Update as attached.

10. **Economic Development - Mayor Danny Breen**

11. **Tourism and Culture - Councillor Debbie Hanlon**

12. **Governance & Strategic Priorities - Mayor Danny Breen**

13. **Planning & Development - Councillor Maggie Burton**

13.1 **22 Shaw Street, REZ2000013**

Recommendation

Moved By Councillor Skinner

Seconded By Councillor Korab

That Council consider rezoning the property at 22 Shaw Street from the Residential – Special (RA) Zone to the Residential High Density (R3) Zone; and advertise the application for public review and comment.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

13.2 **350 Kenmount Road and 9 Kiwanis Street, MPA2000011**

Recommendation

Moved By Councillor Froude

Seconded By Councillor Skinner

That Council consider rezoning a portion of the property at 350 Kenmount Road / 9 Kiwanis Street from the Open Space (O) Zone to the Commercial Kenmount (CK) Zone; and following confirmation from the Minister of Environment, Climate Change and Municipalities to consider a Regional Plan amendment, advertise the application for public review and comment.

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

14. Transportation and Regulatory Services & Sustainability - Councillor Ian Froude

14.1 St. John's Collision Report (2012

Councillor Froude delivered the attached report and introduced the following recommendation:

Recommendation

Moved By Councillor Froude

Seconded By Councillor Stapleton

That Council:

- adopt the seven recommendations of the St. John's Collision Report (2012 – 2019)
- direct staff to procure the services of a professional engineering firm to complete detailed evaluations and design drawings for top locations identified in the report (at such time as budget is allocated)
- direct staff to update the collision report on an annual basis, generally delivering the report by Q4 for the preceding year's data (for example, the 2016-2020 report would be delivered by Q4 2021)

For (8): Mayor Breen, Councillor Hickman, Councillor Hanlon, Councillor Stapleton, Councillor Korab, Councillor Froude, Councillor Collins, and Councillor Skinner

MOTION CARRIED (8 to 0)

14.2 What We Heard – Initial Community Conversations for Resilient St. John's Community Climate Plan

Councillor Froude delivered the attached report for information.

15. Other Business

16. Adjournment

There being no further business the meeting adjourned at 10:40 am.

Mayor

DECISION/DIRECTION NOTE

Title: Downtown Pedestrian Mall Road Closure 2021

Date Prepared: March 18, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Debbie Hanlon, Tourism, Culture & Immigration

Ward: N/A

Decision/Direction Required:

Council approval for the 2021 Downtown Pedestrian Mall.

Discussion – Background and Current Status:

Planning for the 2021 Downtown Pedestrian Mall is ongoing. The proposed event plan was presented to downtown businesses during a virtual meeting on February 25, and businesses were given until March 12 to provide their feedback. Since this meeting, we have received comment from several downtown businesses as well as the public, expressing strong opinions of the proposed event. All feedback was considered and research completed by City staff to determine the viability of all suggestions that include a fully pedestrianized zone.

While an all-inclusive downtown event would be preferred by many, there are challenges with many sections of downtown that, in staff's opinion, cannot be reasonably overcome.

The proposed road closure options below, provided for Council consideration, are based on input from St. John's Regional Fire Department, City of St. John's Traffic Division, Parking Services, and Metrobus. Any combination of closures below can occur simultaneously:

1. Water Street (Adelaide Street to Prescott Street)
 - Road closure unchanged from 2020
 - See attachment for map
 - Current budget allocation \$200,000
2. Duckworth Street (New Gower Street to Bates Hill)
 - Barricades with security required at New Gower Street/Duckworth Street and Bates Hill/Duckworth Street
 - See attachment for map
 - Estimated cost \$35,300 for road closure, budget allocated \$0

3. Duckworth Street (Cathedral Street to Prescott Street)

- Barricades with security required at Cathedral Street/Duckworth Street and Duckworth Street/Prescott Street
- See attachment for map
- Estimated cost \$35,300 for road closure, budget allocated \$0

An additional \$97,000 would be added for any combination of Duckworth closures to account for overnight security, event staff, and garbage removal. This cost is also not allocated in the 2021 budget.

Event Logistics

- Events date: Friday July 2 – Monday September 6
- Hours of operation: 12:00pm – 10:00pm daily
- Deliveries: before noon daily
- Security: 8:00am – 10:00pm daily, with roaming security after hours

Key Considerations/Implications:

1. Budget/Financial Implications: The Downtown Pedestrian Mall, Water Street closure, operates under the allocated budget for 2021. The addition of a Duckworth Street closure will impact the budget as noted above.
2. Partners or Other Stakeholders: Downtown St. John's, and Downtown Businesses.
3. Alignment with Strategic Directions/Adopted Plans: A Connected City – a city where people feel connected, having a sense of belonging, and are actively engaged in community life. This would be accomplished through the goal of developing and delivering programs, services and public spaces that build a safe, healthy, and vibrant community.
4. Legal or Policy Implications: N/A
5. Privacy Implications: N/A
6. Engagement and Communications Considerations: Engagement with Downtown St. John's and various Downtown Business was undertaken as part of the review process.
7. Human Resource Implications: N/A
8. Procurement Implications: N/A

9. Information Technology Implications: N/A

10. Other Implications: N/A

Recommendation:

That Council approve the following from July 2 to September 6:

1. Close Water Street from Adelaide Street to Prescott Street.
2. Due to the reasons outlined in the presentation at the March 24 Committee of the Whole, that sections 2, 4, and 5 of Duckworth Street are not included in the road closure.
3. As sections 1 and 3 have no identified barriers preventing a road closure, that Council include both of these sections in the 2021 Downtown Pedestrian Mall.

Prepared by: Christa Norman, Special Projects Coordinator

Approved by: Jennifer Langmead, Supervisor – Tourism and Events

Report Approval Details

Document Title:	Downtown Pedestrian Mall Road Closure 2021.docx
Attachments:	
Final Approval Date:	Mar 18, 2021

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

Jennifer Langmead - Mar 18, 2021 - 10:17 AM

Tanya Haywood - Mar 18, 2021 - 2:25 PM



2021 City of St. John's Downtown Pedestrian Mall

Public Feedback on the 2020 Downtown Pedestrian Mall

Should the Downtown Pedestrian Mall be considered for the future?



98%
Yes

n = 481

Deciding to go downtown



89%

The availability of the pedestrian mall influenced the decision to go downtown

n = 486

Discovering new services



63%

The pedestrian mall helped the patron discover new services or businesses in the downtown

n = 486

Choosing the downtown in the future



82%

Experience with the pedestrian mall increased the likelihood the patron would shop/dine etc. in the downtown in the future

n = 476

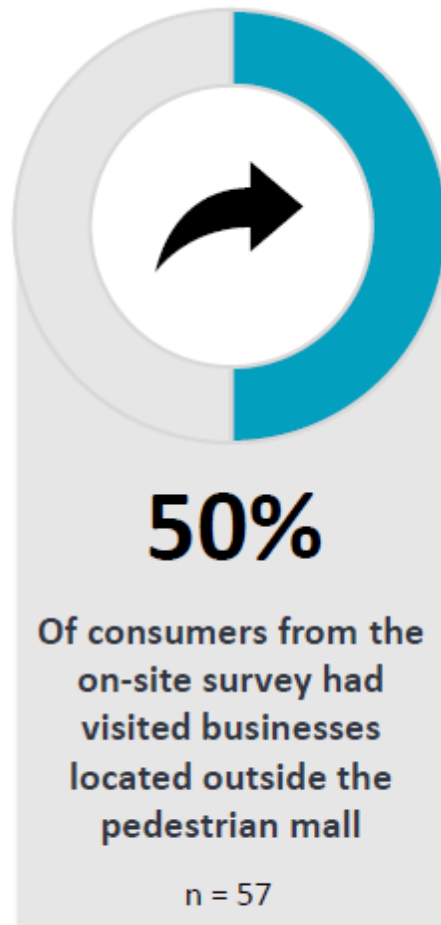
75%

Of respondents that were previously infrequent visitors to the downtown (yearly or never) indicated they were now more likely to choose the downtown in the future

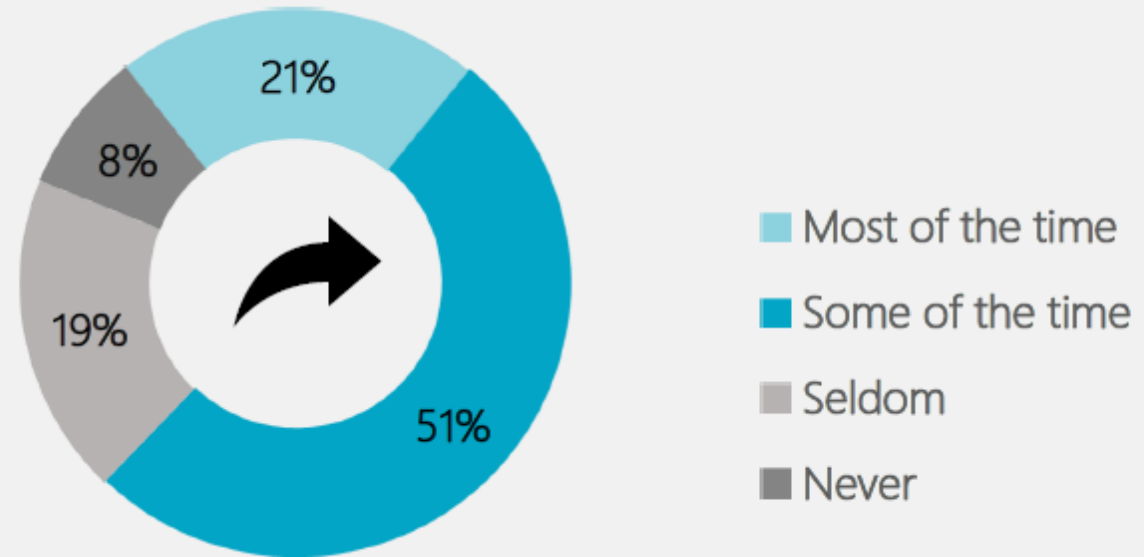
n = 73

Visiting downtown businesses located outside the footprint of mall

On-site survey respondents



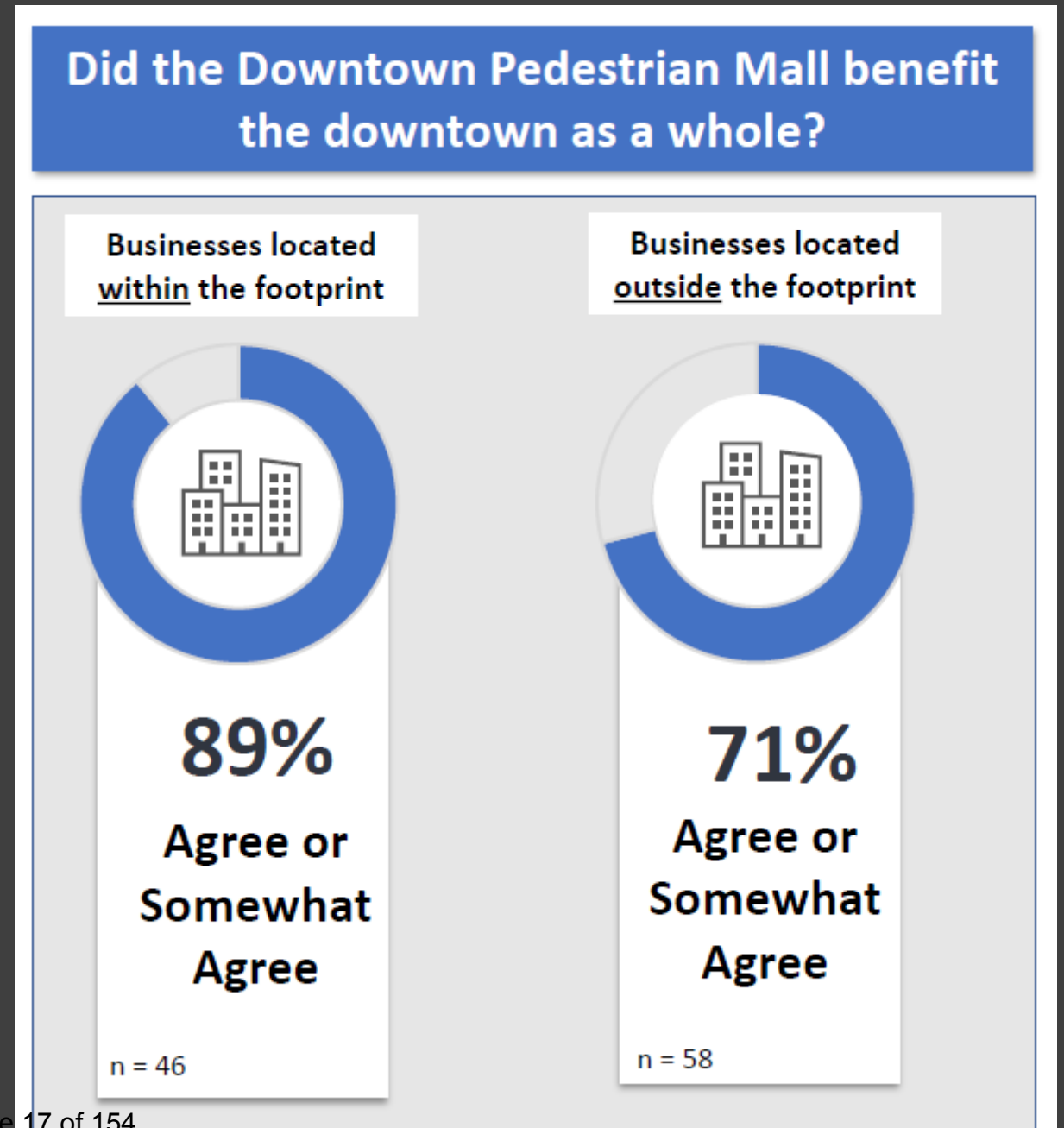
Online survey respondents



- 72% had visited businesses outside the mall at least some of the time

n = 432

Business Feedback on the 2020 Downtown Pedestrian Mall



Should the Downtown Pedestrian Mall be considered for the future?

Businesses located within the footprint



89%
Yes

7%
Maybe

n = 44

Businesses located outside the footprint



67%
Yes

19%
Maybe

n = 58

Would your business participate in future pedestrian malls?

Businesses located within the footprint



95%
Yes

5%
Maybe

n = 42

Businesses located outside the footprint



66%
Yes

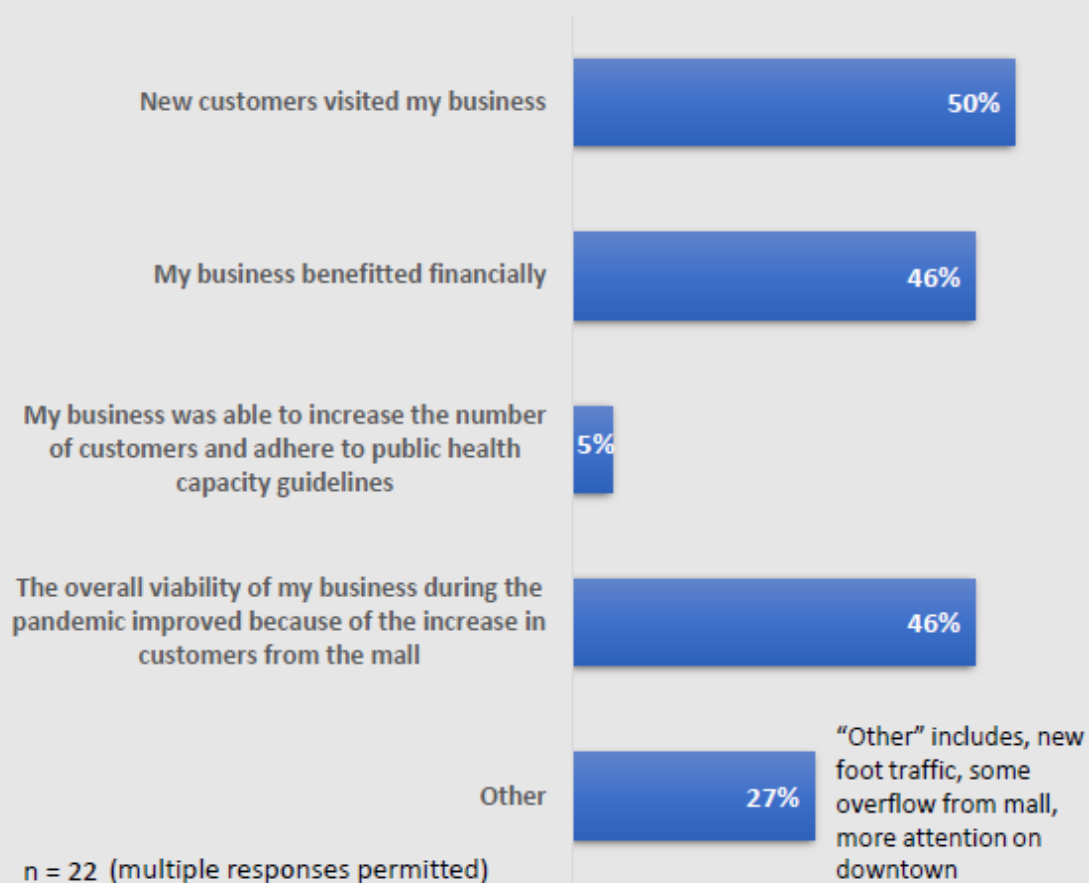
10%
Maybe

n = 50

Impacts on businesses located OUTSIDE the pedestrian mall

POSITIVE IMPACTS

22 of the businesses located outside the mall reported positive impacts. Results shown below reflect that sample.



NEGATIVE IMPACTS

34 of the businesses located outside the mall reported negative impacts. Results shown below reflect that sample.





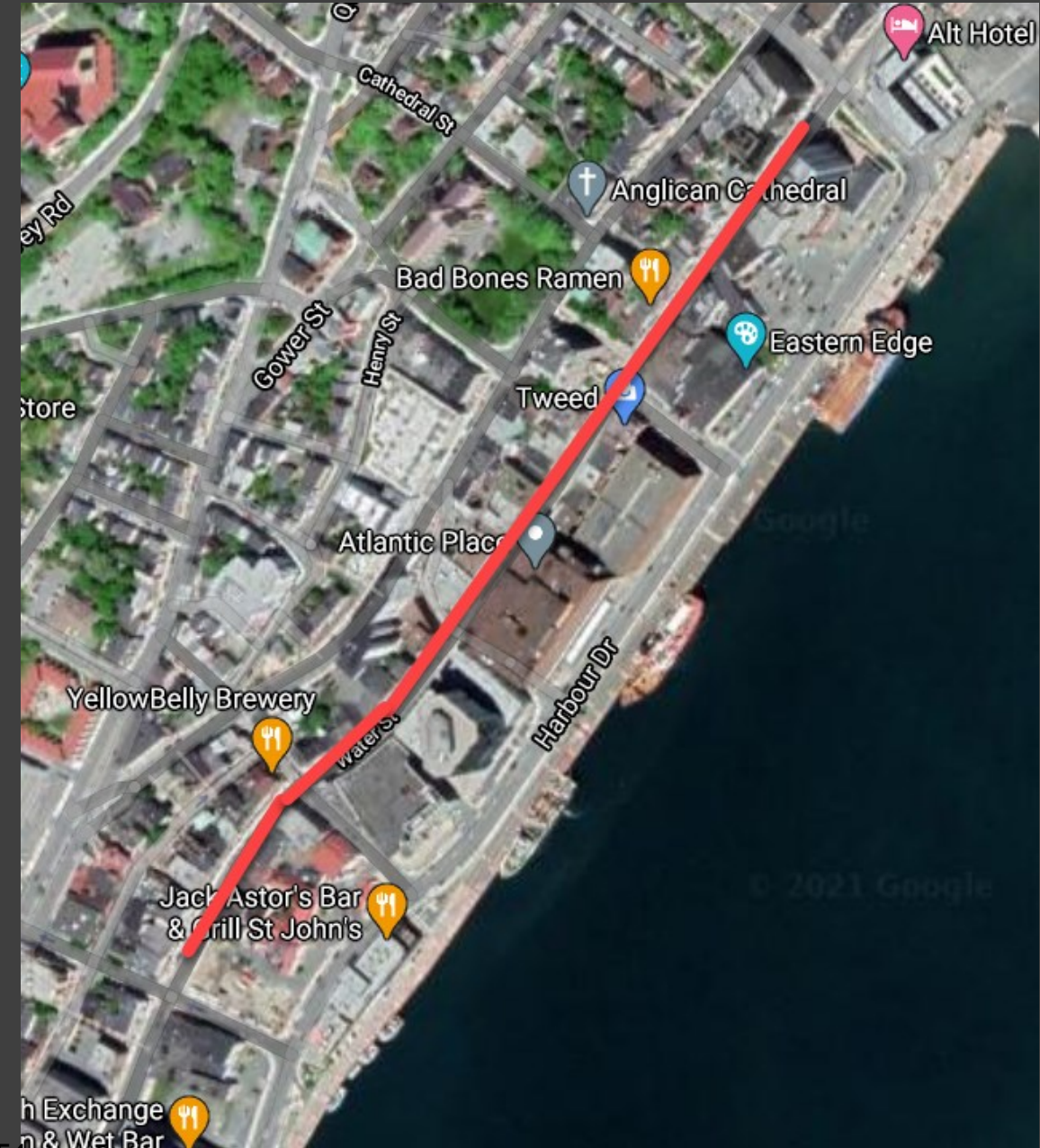
2021 Downtown Pedestrian Mall

July 2 to September 6

- The goal is to ensure the Downtown Pedestrian Mall encapsulates the greater downtown area.
- Parklets will be standardized:
 - Parklet Program - operating between May 22 and October 31
 - Operating hours of parklets - 7am to 11pm
 - Open accessibility on sidewalks which contributes to the universal design of decks.
 - Opportunity for downtown businesses to occupy the parking stalls in front of vacant properties within the road closure (excluding alcohol service).
- Enhanced arts and entertainment programming throughout the downtown:
 - Various outdoor markets
 - Musical performances
 - Other attractions

Water Street Evaluation

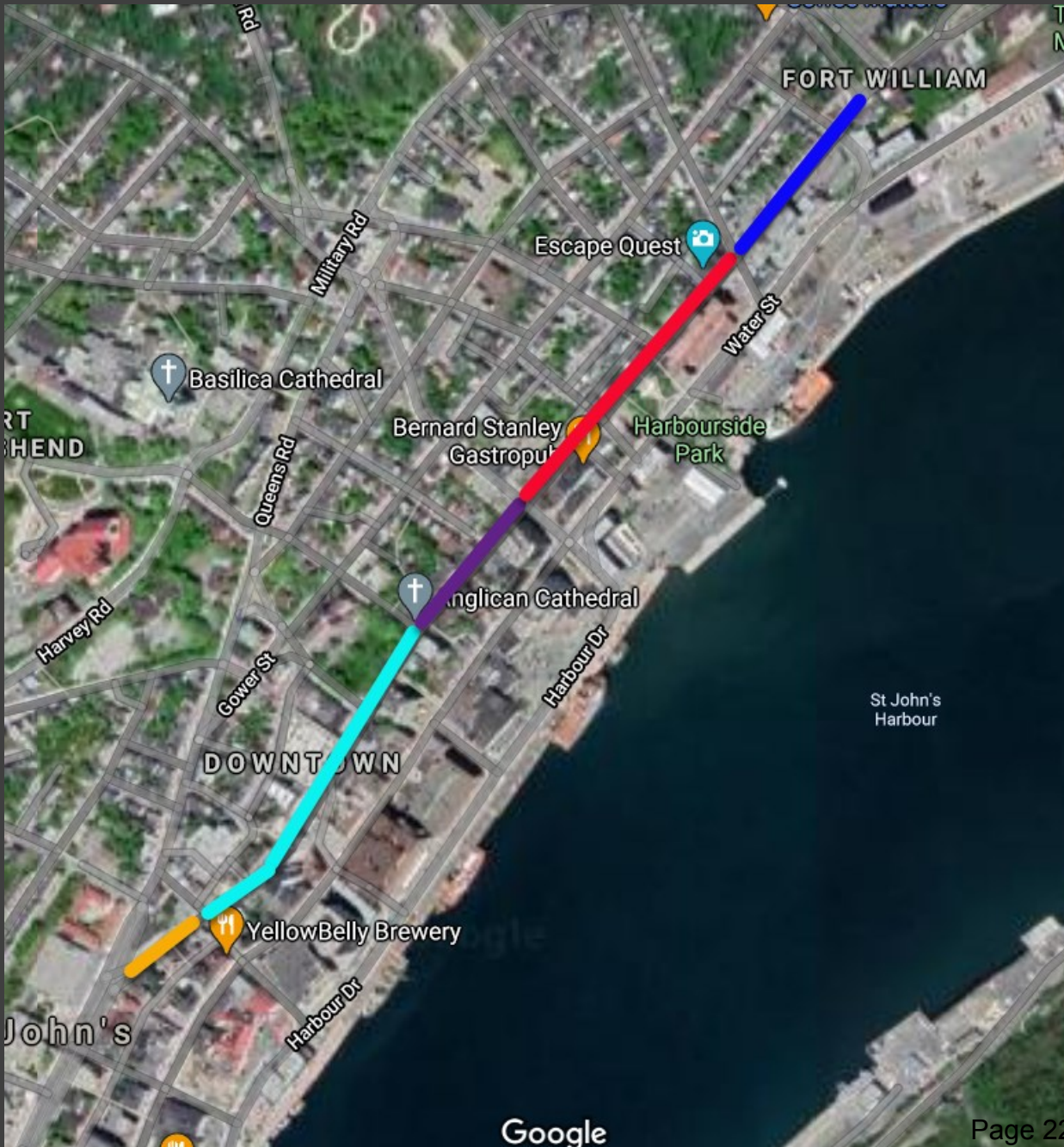
Proposed road closure the same as the 2020 event, Adelaide Street to Prescott Street.



Duckworth Street Evaluation

For the purpose of this evaluation, Duckworth Street has been divided into 5 sections:

1. New Gower Street to Bates Hill
2. Bates Hill to Cathedral Street
3. Cathedral Street to Prescott Street
4. Prescott Street to Cochrane Street
5. Cochrane Street to Ordnance Street

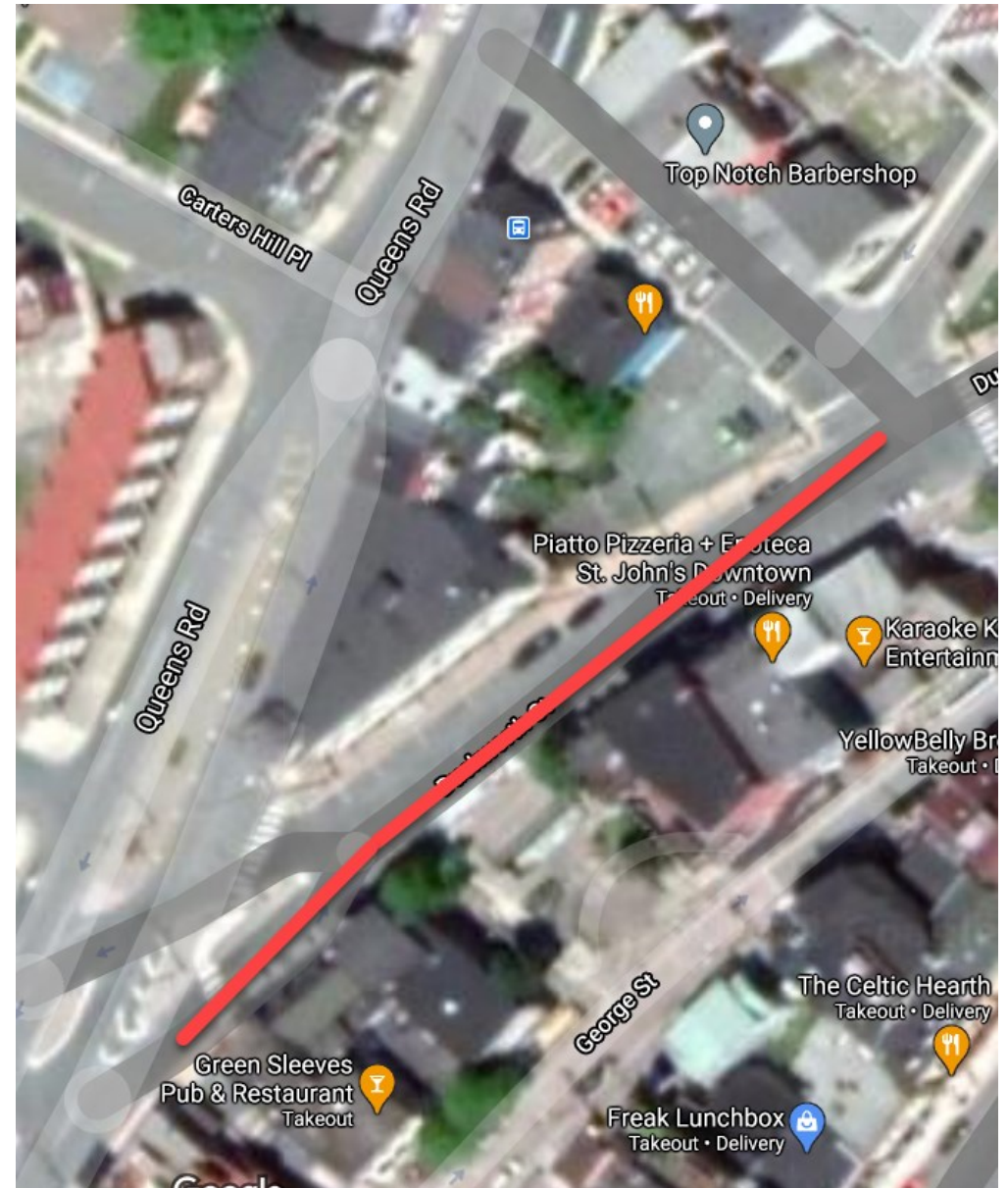


Section #1

New Gower Street to Bates Hill

No impediments to closing this section, allowing for the creation of a small pedestrianized zone.

This section of Duckworth Street connects to George Street and Water Street via existing sidewalks, as well as Prince Edward Plaza, George Street Steps (near Trinity Pub) and McMurdo's Lane.



Section #2

Bates Hill to Cathedral Street

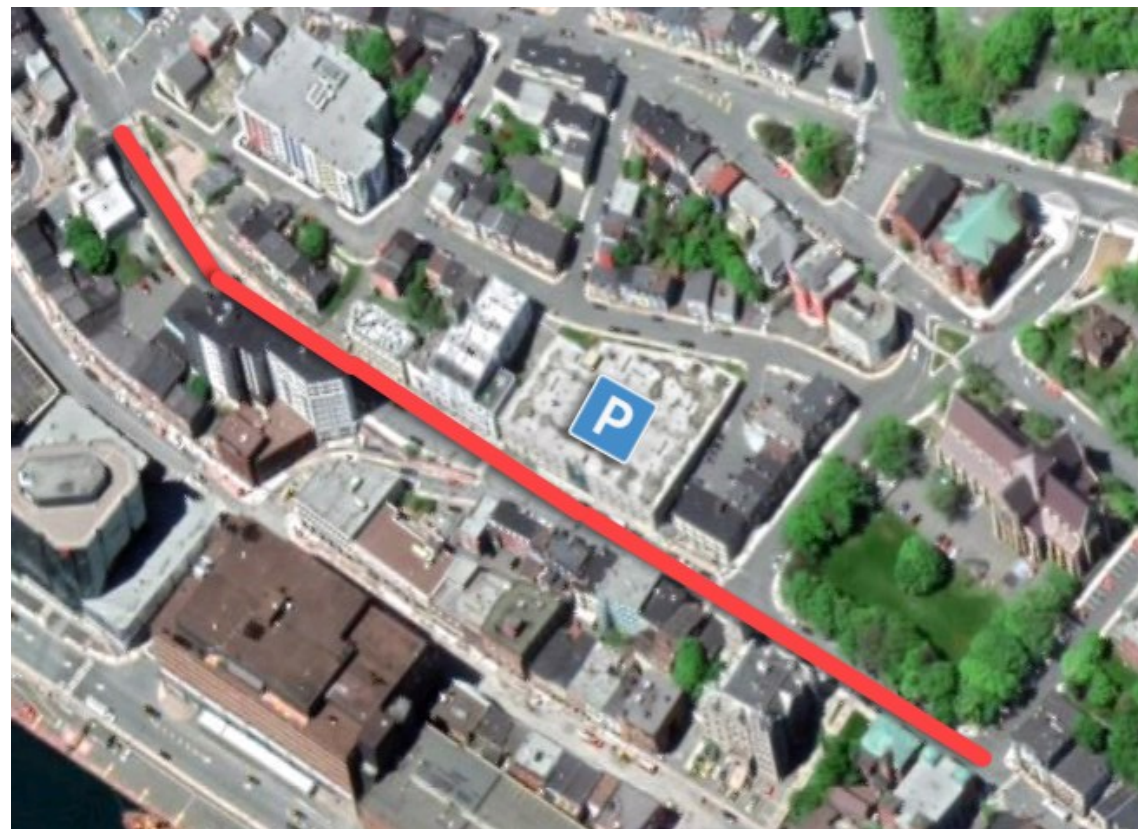
Must maintain access to MetroPark, Courthouse and Judge parking

Only public access to MetroPark is via Duckworth Street

- Unable to detour via McBride's Hill as there is no exit onto Water Street due to closure.

McBrides Hill will have essential vehicle north bound traffic only – waste dumpster removal, bank couriers, etc.

Section not recommended for closure

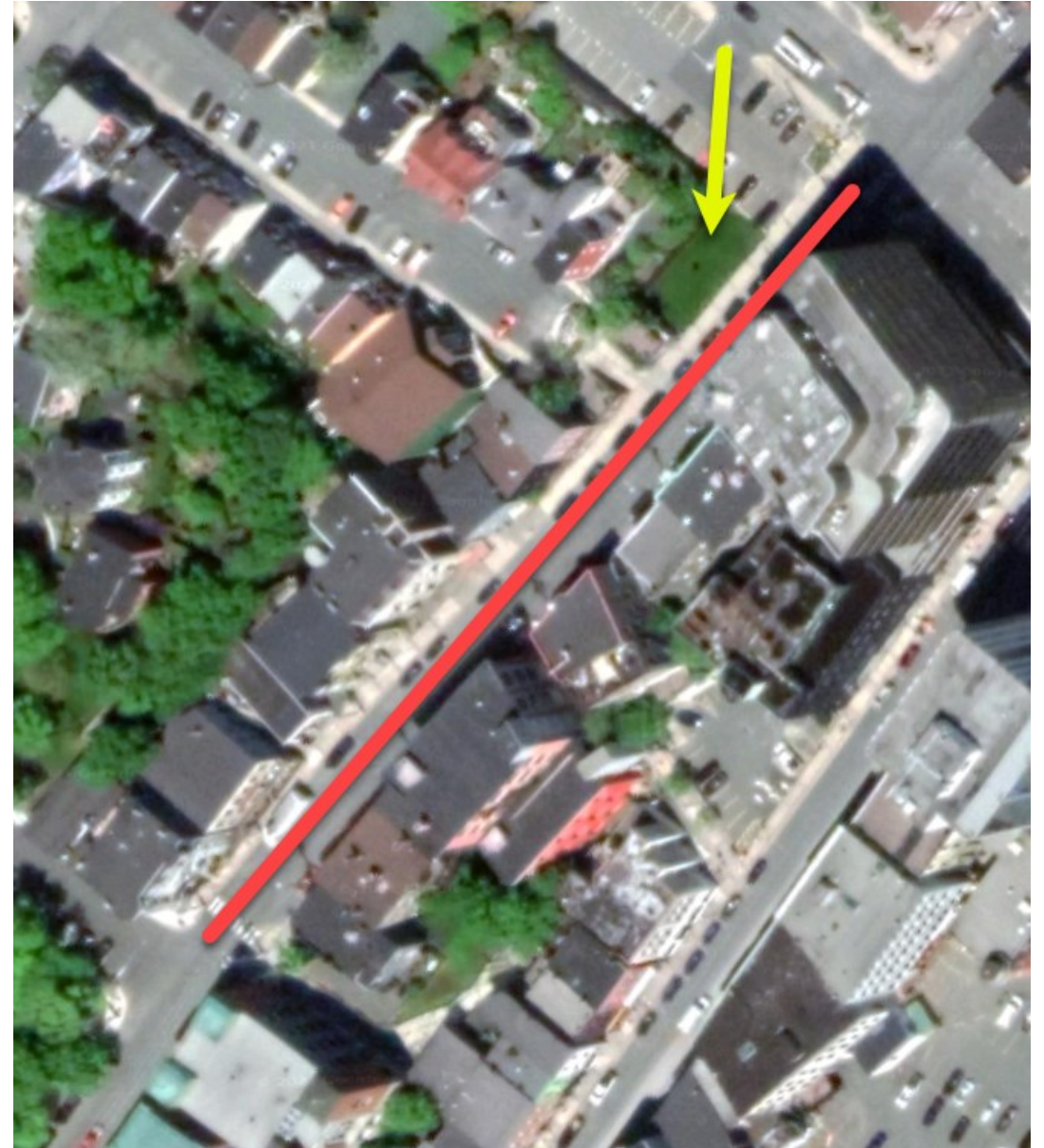


Section #3 Cathedral Street to Prescott Street

No impediments to closing this section, allowing for the creation of a small pedestrianized zone.

Section includes a grassy area that could be utilized for arts/entertainment programming space

This section of Duckworth Street is connected to Water Street via existing sidewalks, as well as the Courthouse steps and Solomon's Lane.



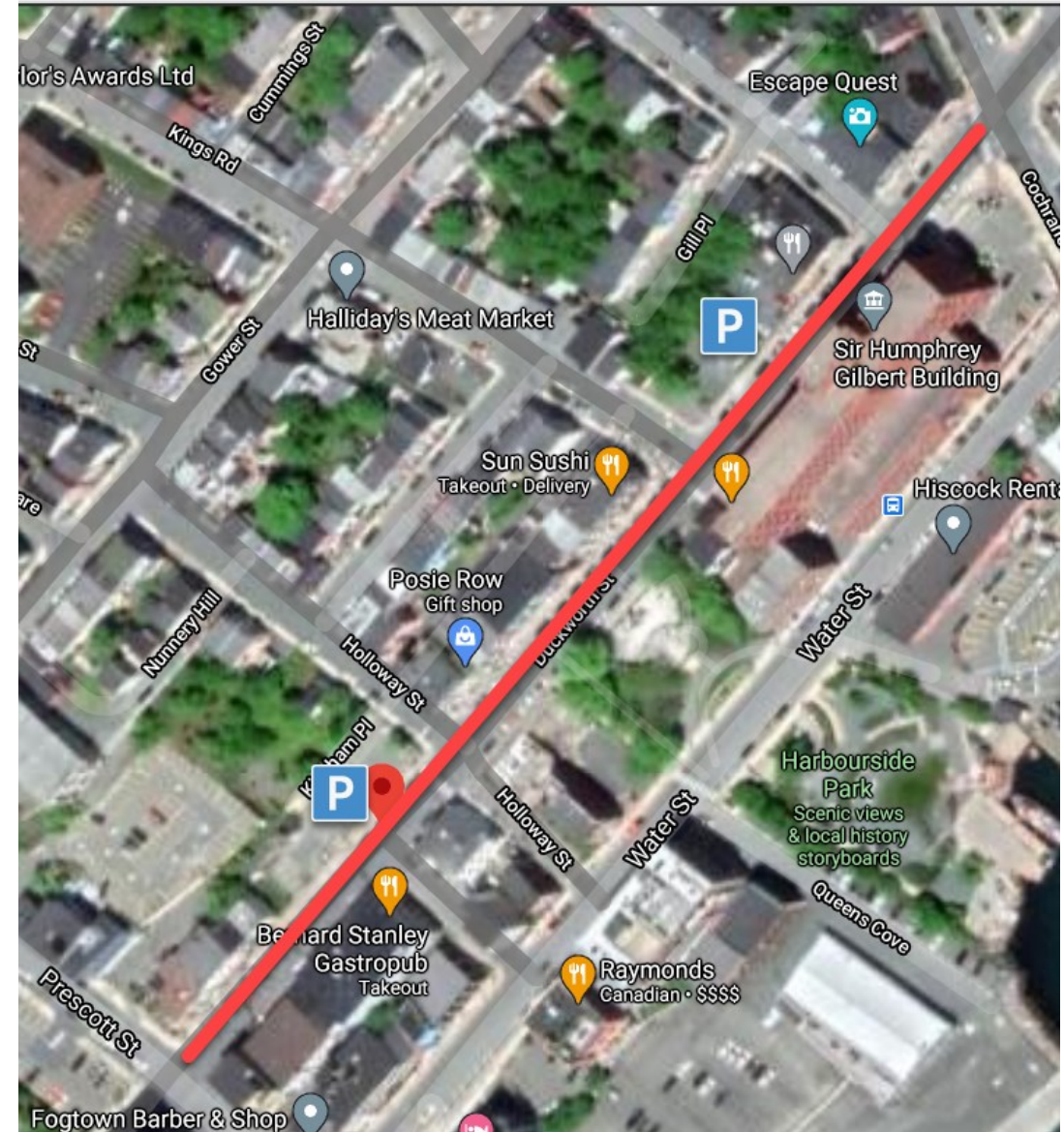
Section #4 Prescott Street to Cochrane Street

Includes 2 private parking lots

- Access must be maintained for existing permit holders.
- Both lots open after 6pm and on weekends for free public parking

Multiple side streets would require restricted access 24/7

Section not recommended for closure



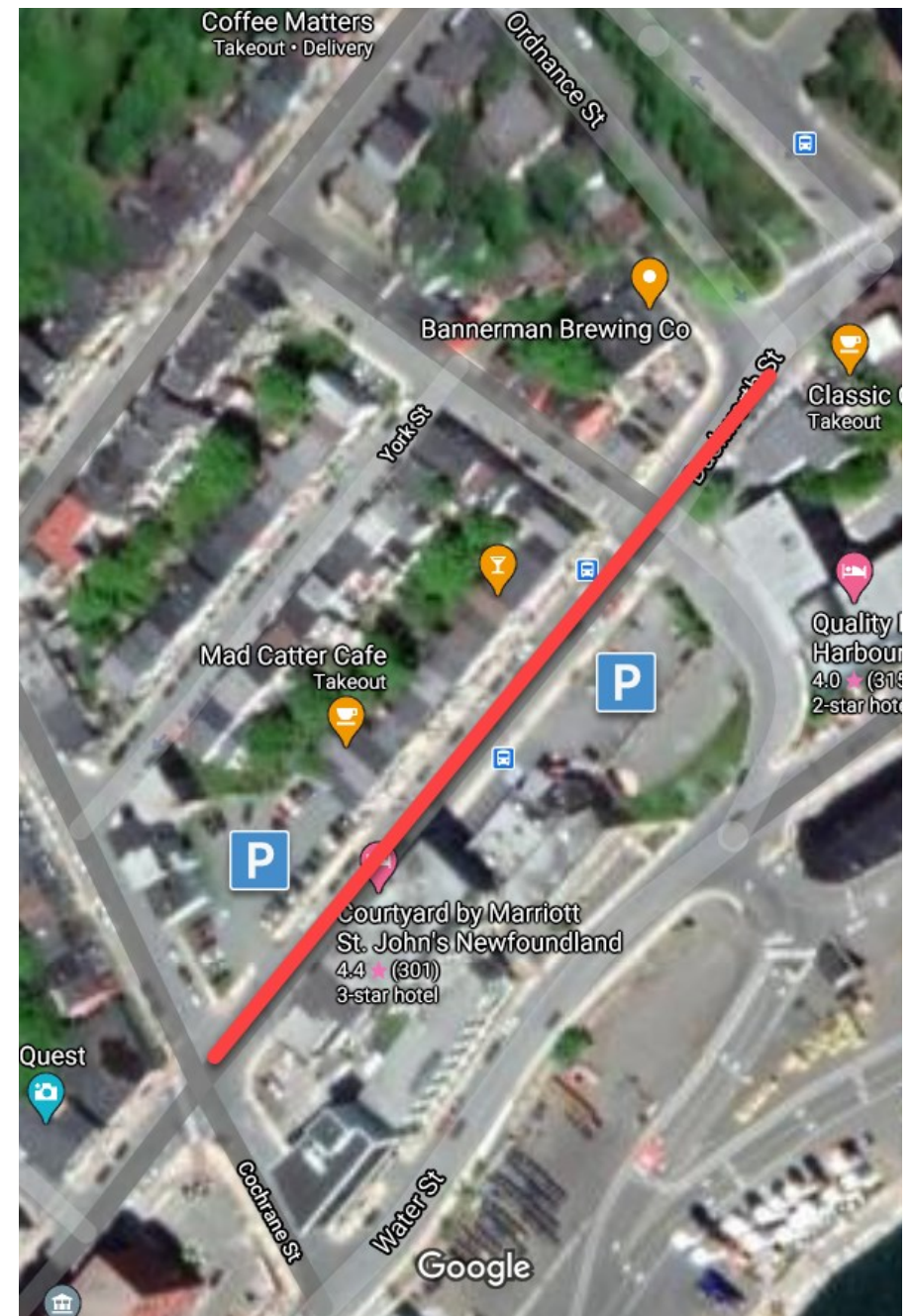
Section #5 Cochrane Street to Ordnance Street

Section includes hotel

Section includes 2 private parking lots

Section must remain open due to heavy truck
detour route and Metrobus route

Section not recommended for closure



Traffic Implications

Heavy Truck

As Duckworth Street is a heavy truck route, closure of any portion requires an alternate truck route.

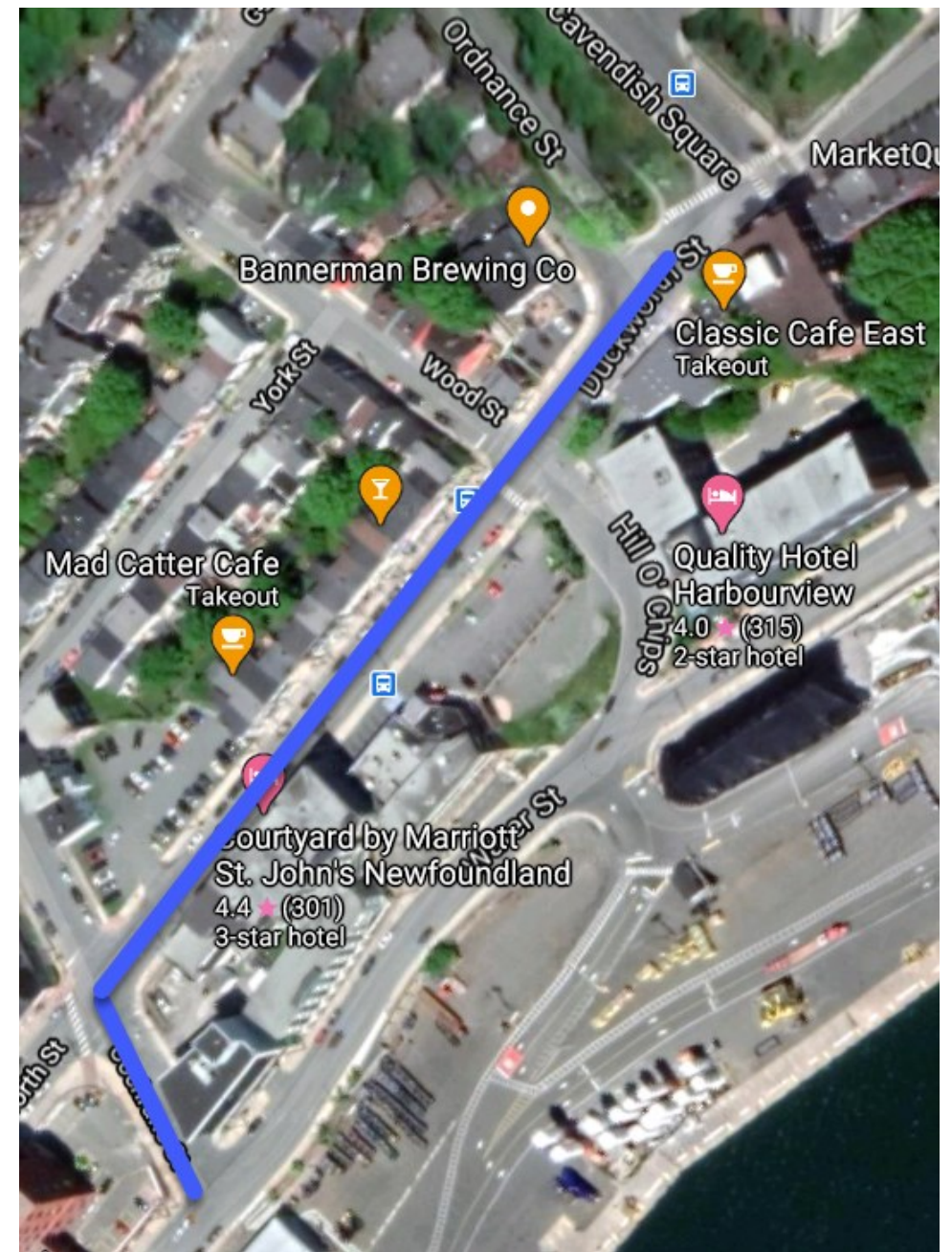
Alternate truck route:

- Water Street West /Harbour Drive/Job's Cove/Water Street East/Cochrane Street/Duckworth Street

Metrobus

There are two core Metrobus routes that travel Duckworth St/Cochrane St/Water St, in both directions.

- There are no alternate routes as Hill o' Chips and Temperance Street are unusable by bus.





Potential Duckworth Closures

New Gower to Bates Hill
Cathedral Street to Prescott Street

20 businesses included

- 10 supportive of a road closure
- 2 not supportive of a road closure
- 5 supportive providing effort was made to include as many businesses as possible



Duckworth Street Budget Considerations

Potential road closure sections include New Gower Street to Bates Hill and Cathedral Street to Prescott Street.

Each section has a base cost of \$35,300

With the added requirement of overnight security, event staff, garbage removal, signage, etc. the total costs are:

Closure of one section \$132,300
Closure of both sections \$167,600



Summary of Feedback Received

- Maintain Clift's Baird's Cove to Prescott Street in the 2021 road closure.
- The Downtown Pedestrian Mall needs to be fair and equitable to all.
- Duckworth business raised concerns about their loss of revenue and lack of parking for Duckworth Street customers.
- Multiple recommendations on:
 - parklets only, no road closure
 - rotating weekends
 - rotating ½ summer on both Streets
 - one sided road closure
 - rotating yearly
 - one-way traffic on both Streets
 - no pedestrian mall if Duckworth Street cannot be included



Feedback Received

One way traffic on both Water Street and Duckworth Street

- Results in no pedestrianized area in downtown

Shared time between Water Street and Duckworth Street

- Results in higher costs vs one street only, as well as lack of consistency
- Sections of Duckworth Street cannot be closed, resulting in a segmented pedestrian mall

Yearly rotation between Water Street and Duckworth Street

- Sections of Duckworth Street cannot be closed, resulting in a segmented pedestrian mall

One sided Duckworth Street closure

- Doesn't allow the required access for fire and emergency vehicles

Recommendation Before Council

That Council approve the following from July 2 to September 6:

- ✓ Close Water Street from Adelaide Street to Prescott Street.
- ✓ As sections 1 and 3 of Duckworth Street have no identified barriers preventing a road closure, that Council include both sections in the 2021 Downtown Pedestrian Mall.
- ✓ Due to the reasons outlined, that sections 2, 4, and 5 of Duckworth Street are not included in the road closure for the 2021 Downtown Pedestrian Mall.

DECISION/DIRECTION NOTE

Title: 142 Old Pennywell Road, REZ2000012

Date Prepared: March 11, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 4

Decision/Direction Required:

To consider a rezoning application for land at 142 Old Pennywell Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone to allow three Townhouses.

Discussion – Background and Current Status:

The City has received an application to rezone land at 142 Old Pennywell Road from the Residential Low Density (R1) Zone to the Residential Medium Density (R2) Zone to allow the development of three Townhouses. A single-detached dwelling previously existed on the property but was demolished in early 2021. The R1 Zone does not permit Townhouses and therefore a zone amendment is required. A Municipal Plan amendment is not required, as the property is designated Residential Low Density which permits zones allowing for residential uses like Semi-detached Dwellings, Townhousing and Apartments.

This rezoning would be a spot zone along the northern side of Old Pennywell Road where the surrounding residential lots are zoned R1; however the southern side of Old Pennywell Road in this area is zoned R2 and includes a mix of Single-detached Dwellings and Semi-detached Dwellings. Slightly east off Lynch Place is Rotary Manor which contains 46-units and is zoned Apartment Special (AA). West of the subject property where sewer servicing ends the area is zoned Residential Rural Infill (RRI). Overall, with the combination of a multi-unit building and Semi-detached Dwellings in the neighbourhood, a three-unit Townhouse would be compatible. Further, while the design is not regulated, the height and roof style of the proposed dwellings mimics older homes in the area which will help the development blend with existing buildings.

From Section 1.2.3 of the Municipal Plan, the City shall increase densities in residential areas where feasible and desirable, and encourage a compatible mix of residential buildings of varying densities in all zones. This rezoning would be a gentle increase in density going from one-unit to three. From Section 2.3.1 of the Municipal Plan building height shall not exceed two storeys or a Floor Area Ratio (FAR) of 0.5. The applicant is proposing a one storey building and the FAR for each unit measures under 0.5. Should the height or FAR increase at the development stage, a Land Use Assessment Report may be required.

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The development was reviewed by Development and Engineering staff and there are no concerns at this stage. Should Council consider the amendment, the application will be advertised for public review and comment.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring neighbours and property owners.
3. Alignment with Strategic Directions/Adopted Plans:
St. John's Strategic Plan 2019-2029 – A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: A map amendment (rezoning) to the St. John's Development Regulations would be required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Should the amendment proceed, the application will be advertised in the Telegram newspaper and on the City's website, and notices mailed to property owners within 150 metres of the application site.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council consider rezoning the property at 142 Old Pennywell Road from the Residential Low Density (R1) to the Residential Medium Density (R2) Zone to allow three Townhouses; and advertise the application for public review and comment.

Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	142 Old Pennywell Road, REZ2000012.docx
Attachments:	- 142 Old Pennywell Road - Attachments.pdf
Final Approval Date:	Mar 11, 2021

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

Ken O'Brien - Mar 11, 2021 - 4:30 PM

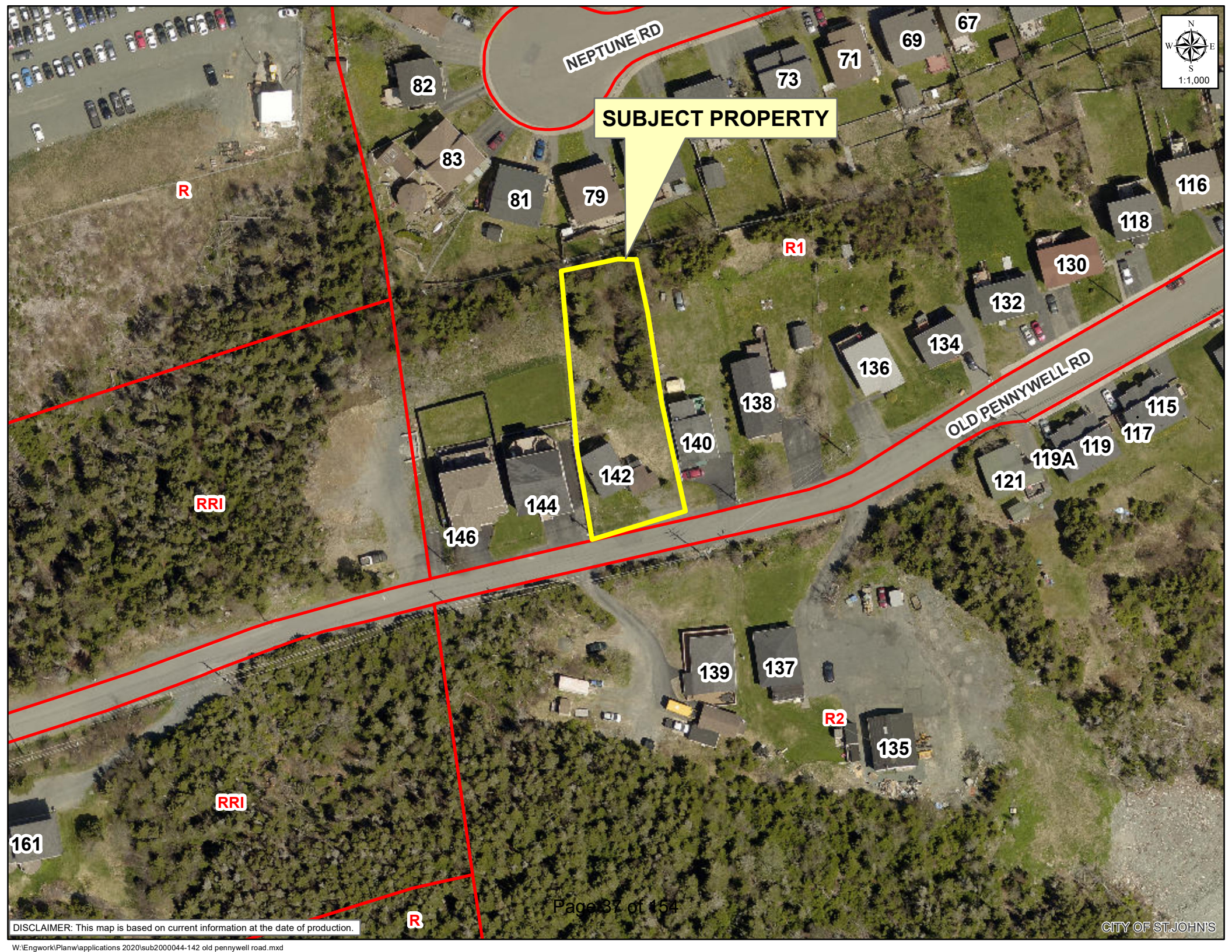
Jason Sinyard - Mar 11, 2021 - 4:36 PM

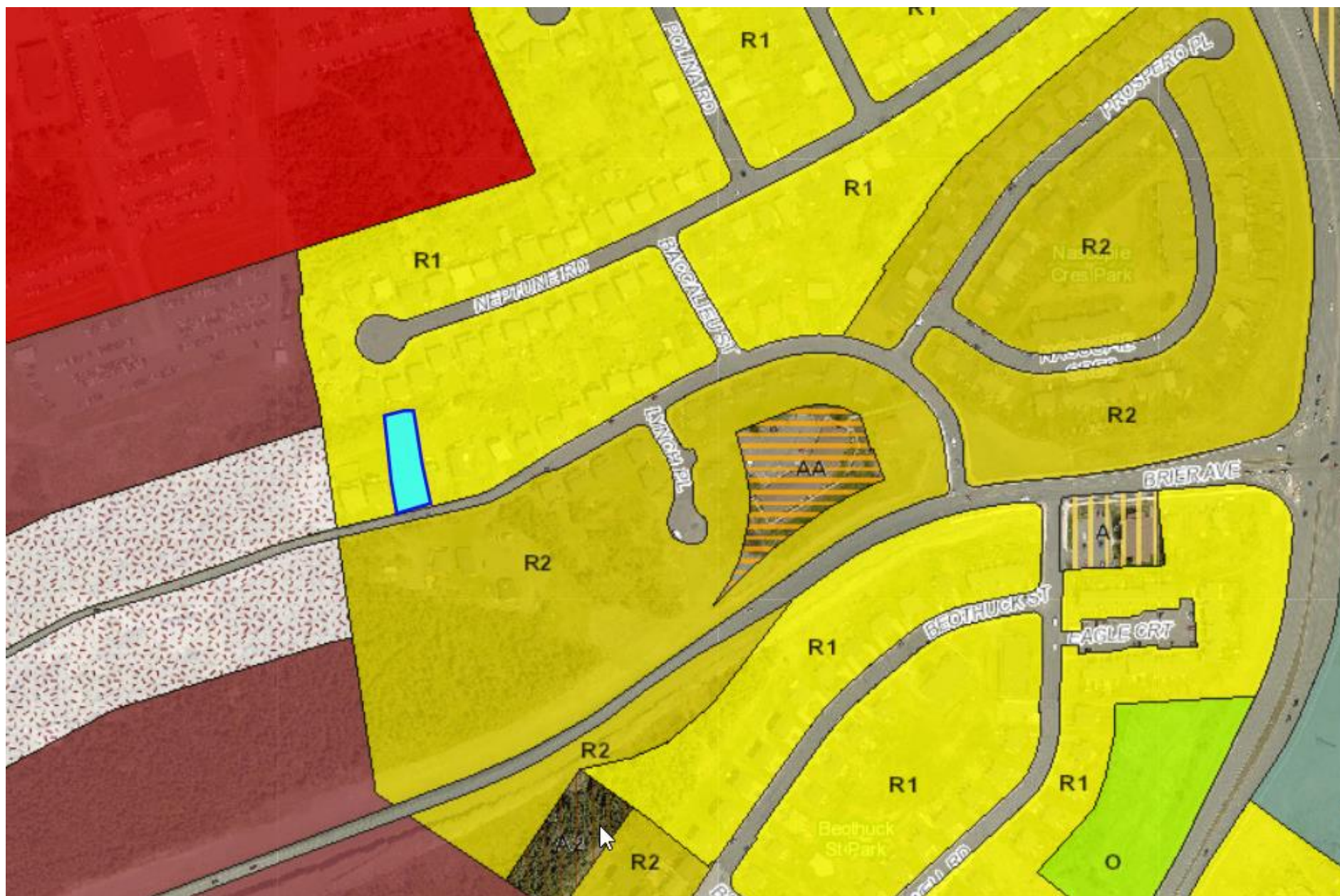


NEPTUNE RD

SUBJECT PROPERTY

OLD PENNYWELL RD







EP - EDGE OF PAVEMENT
● - POLE
CN - CONCRETE NAIL
PVMT. - PAVEMENT
BRW - BRICK RETAINING WALL
FCIP - FOUND CAPPED IRON PIN
CIP - CAPPED IRON PIN
FIP - FOUND IRON PIN
OHW - OVERHEAD WIRE
X-X-X - FENCE

ARING	DISTANCE
00°W	20.375



Current Zone

10.3 RESIDENTIAL - LOW DENSITY (R1) ZONE

(See Section 5.1.4 - Development Above the 190 Metre Contour)

10.3.1 Permitted Uses

Residential:

- (a) Accessory Building (subject to Section 8.3.6) (1995-06-09)
- (b) Home Office (subject to Section 7.9) (1997-08-08)
- (c) Single Detached Dwelling
- (d) Subsidiary Apartment (2007-09-07)

Recreational:

- (e) Park

Other:

- (f) Family Home Child Care Service (subject to Section 7.6) (2004-05-14)

10.3.2 Discretionary Uses (subject to Section 5.8)

- (a) Adult Day Care Facility
- (b) Bed and Breakfast (subject to Section 7.27) (1997-10-17) (2008-01-25)
- (c) Day Care Centre (subject to Section 7.6)
- (d) Heritage Use
- (e) Home Occupation (subject to Section 7.8)
- (f) Parking Lot (subject to Section 7.13)
- (g) Planned Unit Development (subject to Section 5.10.3)
- (h) Private Park (2007-10-05)
- (i) Public Utility

10.3.3 Zone Requirements

The following requirements shall apply to:

(1) Single Detached Dwelling:

- (a) Lot Area (minimum) 450 m² (1997-06-27)
- (b) Lot Frontage (minimum) 15 m (1997-06-27)
- (c) Building Line (minimum)
 - (i) Minimum Building Line for New Streets or Service Streets: 6 m
 - (ii) Minimum Building Line for Existing Streets or Service Streets: as established by Council under the authority of Section 8.3.1. (2009-09-04)
- (d) Side Yards (minimum) Two of 1.2 m (1994-11-04)

R1

- (e) Side Yard on Flanking Road (minimum) 6 m
- (f) Rear Yard (minimum) 6 m
- (g) Landscaping Front Yard At least 50% of the Front Yard shall be landscaped. However, the Director of Building and Property Management, or a designate, may vary this requirement where, in his/her opinion, it is deemed to be warranted and desirable.
(1997-06-27) (2004-04-08)

(2) Day Care Centre in a non-residential Building:

- (a) Lot Size (minimum) 600 m²
- (b) Lot Frontage (minimum) 18 m
- (c) Landscaping on Lot (minimum) Subject to Section 8.5.
(1998-09-11)

R1

Proposed Zone

10.4 RESIDENTIAL-MEDIUM DENSITY (R2) ZONE

(See Section 5.1.4 - Development Above the 190 Metre Contour)

10.4.1 Permitted Uses

Residential:

- (a) Accessory Building (subject to Section 8.3.6) (except for the properties at 591-609 Southside Road) **(1995-06-09)(2015-06-12)**
- (b) Bed and Breakfast (subject to Section 7.27)(Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Bed and Breakfast is not a Permitted Use) (except for the properties at 591-609 Southside Road) **(1998-10-23)(2002-11-15)(2008-01-25) (2015-06-12)**
- (c) Boarding or Lodging House (accommodating between five (5) and sixteen (16) persons) (Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Boarding or Lodging House is not a Permitted Use) (except for the properties at 591-609 Southside Road) **(1999-04-16)(2002-11-15)(2015-06-12)**
- (d) Duplex Dwelling (Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Duplex Dwelling is not a Permitted Use but a Discretionary Use and is subject to Section 5.8, and at 172 Mundy Pond Road, where Duplex Dwelling is not a Permitted Use) (except for the properties at 591-609 Southside Road) **(2002-11-15)(2012-09-13)(2015-06-12)**
- (e) Home Office (subject to Section 7.9) (except for the properties at 591-609 Southside Road) **(1997-08-08)(2015-06-12)**
- (f) Semi-Detached Dwelling (Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Semi-Detached Dwelling is not a Permitted Use but a Discretionary Use and is subject to Section 5.8) (except for the properties at 591-609 Southside Road) **(2002-11-15)(2015-06-12)**
- (g) Single Detached Dwelling (see Section 10.4.3(5) - Zone Requirements where the application site is located in that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street) **(2002-11-15)**
- (h) Subsidiary Apartment (except for the properties at 591-609 Southside Road) **(2015-06-12)**
- (i) Townhousing (Except for that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street where Townhousing is not a Permitted Use but a Discretionary Use and is subject to Section 5.8; and Planning Area 13 - Shea Heights, where Townhousing is not a Permitted Use; and that section of Planning Area 2 - land located between Quidi Vidi Village Road and Cuckhold's Cove Road, west of Quidi Vidi Village and known as the Connor's Estate and Clarke Estate, where Townhousing is not a Permitted Use and at 172 Mundy Pond Road where Townhousing is not a Permitted Use. (except for the properties at 591-609 Southside Road) **(2001-11-09) (2002-11-15)(2003-10-17)(2012-09-13)(2014-09-26)(2015-06-12)**

R2

Recreational:

- (j) Park (except for the properties at 591-609 Southside Road) (2015-06-12)

Other

- (k) Family Home Child Care Service (subject to Section 7.6) (except for the properties at 591-609 Southside Road) (2004-05-14) (2015-06-12)

10.4.2 Discretionary Uses (subject to Section 5.8)

- (a) Adult Day Care Facility (subject to Section 7.3) (except for the properties at 591-609 Southside Road) (2015-06-12)
- (b) Day Care Centre (subject to Section 7.6) (except for the properties at 591-609 Southside Road) (2015-06-12)
- (c) Heritage Use (except for the properties at 591-609 Southside Road) (2015-06-12)
- (d) Home Occupation (subject to Section 7.8) (except for the properties at 591-609 Southside Road) (2015-06-12)
- (e) Multiple Dwelling not exceeding 6 Dwelling Units (subject to Section 10.4.3(8) (except for the properties at 591-609 Southside Road) (2010-03-05) (2015-06-12)
- (f) Parking Lot (subject to Section 7.13) (except for the properties at 591-609 Southside Road) (2015-06-12)
- (g) Planned Unit Development (subject to Section 5.10.3) (except for the properties at 591-609 Southside Road) (2015-06-12)
- (h) Private Park (except for the properties at 591-609 Southside Road) (2007-10-05) (2015-06-12)
- (i) Public Utility(except for the properties at 591-609 Southside Road) (2015-06-12)
- (j) Residential Retail Store (subject to Section 7.17) (except for the properties at 591-609 Southside Road) (1995-06-09)(2015-06-12)

10.4.3 Zone Requirements

The following requirements shall apply to:

- (1) Bed and Breakfast:(subject to Section 7.27) (2008-01-25)

The same requirements as established for the Dwelling types in this Zone. (1998-10-23)

- (2) Boarding or Lodging House:

The same requirements as established for the Dwelling types in this Zone.

- (3) Duplex Dwelling:

- | | | | |
|-----|--------------------------------------|--------------------|--------------|
| (a) | Lot Area (minimum) | 510 m ² | |
| (b) | Lot Frontage (minimum) | 17 m | |
| (c) | Building Line (minimum) | 6 m | |
| (d) | Side Yards (minimum) | Two of 1.2 m | (1994-11-04) |
| (e) | Side Yard on Flanking Road (minimum) | 6 m | |
| (f) | Rear Yard (minimum) | 6 m | |

(4) Semi-Detached Dwelling:

(a)	Lot Area (minimum)	270 m ² per Dwelling Unit	(1997-03-07)
(b)	Lot Frontage (minimum)	18 m; 9 m per unit	
(c)	Building Line (minimum)	6 m	
(d)	Side Yards (minimum)	Two of 1.2 m	(1994-11-04)
(e)	Side Yard on Flanking Road (min.)	6 m	
(f)	Rear Yard (minimum)	6 m	

(5) Single Detached Dwelling:

(a)	Lot Area (minimum)	350 m ²	(1994-11-04)
(b)	Lot Frontage (minimum)	12 m	(1994-11-04)
(c)	Building Line (minimum)	6 m	
(d)	Side Yards (minimum)	Two of 1.2 m	(1994-11-04)
(e)	Side Yard on Flanking Road (min.)	6 m	
(f)	Rear Yard (minimum)	6 m	
(g)	Landscaping Front Yard	At least 50% of the Front Yard shall be landscaped. However, the Director of Building and Property Management, or designate, may vary this requirement where, in his/her opinion, it is deemed to be warranted and desirable. (2004-04-08)	

Note: If the application site is located in that section of Planning Area 11 at Eastbourne Crescent & Bavidge Street then development of Single Detached Dwellings must be in accordance with the Residential Low Density (R1) Zone Requirements for Single Detached Dwellings as follows: (2002-11-15)

(a) Lot Area (minimum)	450 m ²
(b) Lot Frontage (minimum)	15 m
(c) Building Line (minimum)	6 m
(d) Side Yards (minimum)	Two of 1.2 m
(e) Side Yard on Flanking Road (min.)	6 m
(f) Rear Yard (minimum)	6 m
(g) Landscaping Front Yard	At least 50% of the Front Yard shall be landscaped. However, the Director of Building and Property Management, or a designate, may vary this requirement where, in his/her opinion, it is deemed to be warranted and desirable. (2004-04-08)

(6) Townhousing:

(a)	Lot Area (minimum)	180 m ² per Dwelling Unit	
(b)	Lot Frontage (minimum)	6m per Dwelling Unit	(1994-11-04)
(c)	Building Line (minimum)	0 m	
(d)	Side Yard for End Unit Townhouses (min.)	1.2 metres	(2002-07-05)
(e)	Side Yard on Flanking Road (min.)	3 m	
(f)	Rear Yard (minimum)	6 m	

(7) Day Care Centre in a non-residential Building:

(a)	Lot Size (minimum)	450 m ²	
(b)	Lot Frontage (minimum)	15 m	
(c)	Landscaping on Lot (minimum)	Subject to Section 8.5.1	(1998-09-11)

R2

(8) Multiple Dwelling

- (a) Maximum # of Dwelling Units: 6
- (b) Minimum Density: 90m² Lot Area per Dwelling Unit
- (c) Minimum Lot Frontage: 6 metres per Ground Floor Dwelling unit
- (d) Maximum Building Height: 3 storeys
- (e) Building Line (minimum): 6 metres
- (f) Rear Yard (minimum): 6 metres
- (g) Side Yards (minimum): Two of 1.2 metres
- (h) Side Yard on Flanking Road (min.): 6 metres
- (i) Off-Street Parking Spaces (min.): 1 space per Dwelling Unit
- (j) Landscaping Front Yard: At least 40% of the Front Yard shall be landscaped.
However, the Director of Building and Property
Management or a designate may vary this requirement
where, in his/her opinion, it is deemed
warranted and desirable. (2010-03-05)

DECISION/DIRECTION NOTE

Title: Driveways in Floodplains

Date Prepared: March 17, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: N/A

Decision/Direction Required:

That Council consider an amendment to the St. John's Development Regulations that would allow the development of driveways in a floodplain under certain conditions, where the grade of the land would not be changed.

Discussion – Background and Current Status:

The City has received an application to develop a Single Detached Dwelling at 42-44 Fourth Pond Road. The property contains a house and would be subdivided to create a second lot for the new house. Much of the new lot is in the floodplain and the floodplain buffer of Fourth Pond. While the new house would be located outside the floodplain and buffer, the driveway would have to cross the floodplain and floodplain buffer to reach the new house.

This application has prompted review of Section 11.2.4 of the St. John's Development Regulations, which sets out conditions for development within lands adjoining bodies of water and flood hazard areas. Under the current regulations, a driveway is not be permitted within a floodplain. The City will also review the draft Envision St. John's Development Regulations.

The application raised concerns about allowing a driveway in a floodplain; this could change the flow of flood waters and cause flooding on properties that might not flood otherwise. Allowing a driveway might change the floodplain. The greater the change in the landscape, the greater potential change in flooding. As well, allowing the development of a driveway in a floodplain may pose a risk to life and safety for people using the driveway, depending on the flood conditions.

While these concerns still exist, we recognize that there are some situations where a driveway could be considered. Development Engineering staff support an amendment to add driveways as a discretionary use in a floodplain (each application would be subject to Council approval) only if the grade of the property is not changed for the driveway. If those conditions could be met, then staff would recommend approval of the driveway in a particular application. The final decision would rest with Council. Given the staff review that is required for such applications, staff recommend that driveways would not need to be reviewed by the City's Environment and Sustainability Experts Panel, however this can be adjusted if Council decides otherwise.

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Under the current Development Regulations, this could be permitted by amending Section 11.2.4 to include a section on developments permitted within the floodplain and amending Section 11.2.4(2) to add driveways as a development that could be considered by Council. Staff also propose to add material from the draft Envision Development Regulations. This includes adding “wharves and stages”, removing “public road”, replacing “practical and recreational travel” with “trails”, and removing “recreational and educational pursuits”.

In the case of 42-44 Fourth Pond Road, should Council proceed with the proposed amendment, the applicant would have to provide grading information showing that the installation of a driveway and culvert would not alter the existing grade. If those conditions can be met, the application would be brought to Council at the development stage for decision.

Should Council consider the amendment, it is recommended to advertise it for public comment and refer it to the Environment and Sustainability Experts Panel. The Panel’s recommendation would be brought back to Council along with public comments. The proposed amendment is City-wide, but where it was prompted by an application at 42-44 Fourth Pond Road, staff recommend sending notices to properties within 150 metres of that site.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicant.
2. Partners or Other Stakeholders: Neighbouring residents and property owners of 42-44 Fourth Pond Road.
3. Alignment with Strategic Directions/Adopted Plans:
St. John’s Strategic Plan 2019-2029 – A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: An amendment to the St. John’s Development Regulations would be required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: The proposed amendment would be advertised in *The Telegram* and through the City’s social media.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council consider the attached amendment to the St. John's Development Regulations which would allow driveways, wharves and stages in a floodplain at the discretion of Council and advertise the amendment for public review and comment.

Further, that Council refer the proposed amendment to the City's Environment and Sustainability Experts Panel for review.

Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	Residential Driveways in Floodplains.docx
Attachments:	- Residential Driveways in Floodplains - Attachment.pdf
Final Approval Date:	Mar 18, 2021

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

Ken O'Brien - Mar 17, 2021 - 4:44 PM

Jason Sinyard - Mar 18, 2021 - 12:21 PM



SUBJECT PROPERTY

WINDEMERE RD

FOURTH POND RD

R1

32

36

40

R1

44

46

R1

48

52

54

56

O

AG

AG

SECTION 11 - OVERLAY DISTRICTS

11 OVERLAY DISTRICTS

The requirements for the Overlay Districts in the Development Regulations are in addition to those for the Zone in which a specific Development is situated. A given property may be situated in one or more Overlay Districts in addition to a Zone under Section 10.

11.1 AIRPORT VICINITY REQUIREMENTS

In addition to or supplementing any other provisions of these Regulations, any Developments in the vicinity of the St. John's Airport are subject to the St. John's Urban Region Regional Plan concerning Noise Exposure Forecast Zones and Bird Hazard Zones.

11.2 BODIES OF WATER AND DEVELOPMENT

11.2.1 Ponds

The minimum Buffer around a pond or lake shall be 15 m from the 100 year high water mark.

11.2.2 Waterways

The minimum buffer around the waterways listed below and the salmonid bearing tributaries of the waterways listed below and/or shown on Maps J-1 and J-2 is fifteen (15) metres from the 100 year high water mark: **(1994 09 16)**

- (a) Outer Cove Brook;
- (b) Stick Pond Brook;
- (c) Coaker's River
- (d) Bellview Stream
- (e) Virginia River;
- (f) Nagle's Hill Brook;
- (g) Leary's Brook;
- (h) Rennie's River;
- (i) Quidi Vidi River;
- (j) Mundy Pond Brook;
- (k) Kitty Gaul's Brook;
- (l) South Brook;
- (m) Luke's Brook;
- (n) Kilbride Brook;

(1994-11-25)

- (o) Flynn's Brook;
- (p) Waterford River;
- (q) Leamy's Brook;
- (r) Doyle's Brook;
- (s) Cochrane Pond Brook;
- (t) Raymond's Brook;
- (u) Manuels River (Conception Bay);
- (v) Conway Brook (Conception Bay);
- (w) Nut Brook (Conception Bay);
- (x) Kelligrews River (Conception Bay);
- (y) Lower Gullies River (Conception Bay).

11.2.3 Wetlands

Except as otherwise set out below, the minimum buffer around the Wetlands listed below and/or shown on Maps J-1, J-2, or J-4 is fifteen (15) metres from the edge of the Wetland. **(1997-05-23)**

- (a) Airport Heights Wetland;
- (b) Clovelly Wetlands;
- (c) Lundrigan's Marsh;
- (d) Harbourview Wetland;
- (e) Synod Lands West Wetland - minimum buffer, 50 m;
- (f) Synod Lands East Wetland;
- (g) Synod Lands North Wetland;
- (h) Island Pond Marsh;
- (i) Yellow Marsh Wetland;
- (j) Kent's Pond;
- (k) Long Pond Marsh - minimum buffer, 50 m;
- (l) Marine Institute Wetland;
- (m) Mundy Pond Wetland;
- (n) George's Pond - minimum buffer, 50 m;
- (o) Wetland #9 (Agriculture Canada Research Station);
- (p) Galway Wetland – variable buffer is included on map J-2 **(2019-06-08)**

11.2.4 Development within Lands Adjoining Bodies of Water and Flood Hazard Areas **(2016-02-26)**

- (1) Except as provided in subsections (2), (2.1) and (2.2) herein, the following lands shall not be developed:
 - (a) all lands adjoining ponds, wetlands, rivers, or major tributaries of rivers designated under Sections 11.2.1, 11.2.2 and 11.2.3, to a distance of not less than 15 metres beyond the 100 year high water mark of these bodies of water;
 - (b) any lands within Flood Hazard Areas or any Flood Risk Areas as identified by the Department of Environment and Lands, and/or identified on Map J-2 of these Regulations.
- (2) Council may permit Development within the 15 metre buffer of the 100 year high water mark of designated bodies of water for the following purposes:
 - public works;
 - public utilities;

- a private road;
 - services associated with a private Development;
 - protection of areas of physical instability and for flood control purposes;
 - protection of ecologically valuable areas;
 - practical and recreational travel;
 - recreational and educational pursuits;
 - landscaping;
 - construction of residential patios, residential fencing, and residential accessory buildings; and
 - construction of stormwater detention facilities.
- (2.1) Council may permit a food bank building in the flood plain of the Waterford River behind the Corpus Christi Church on Waterford Bridge Road.
- (3) Prior to approval being given for a Development enumerated in subsection (2) herein the advice of the Environmental Advisory Committee shall be obtained, except in the case of the construction of residential patios, residential fencing, and residential accessory buildings.
- (4) Council may require a Conservation Plan to be prepared for any proposed Development within the 15 metre buffer of the 100 year high water mark of designated bodies of water.
- (5) Notwithstanding the foregoing, Council may permit the paving of gravel parking lots existing as of December 31, 2011 that are located within flood plains of watercourses.
- (6) Notwithstanding the foregoing, Council may permit above-ground stormwater detention facilities to be located within any floodplain and/or buffer of a watercourse or wetland. Excavation will not be permitted within a floodplain, wetland, or buffer to facilitate stormwater detention and there shall be minimal disruption to the area that will detain the stormwater.
- (7) Council may permit an expansion to the Feildian Grounds change rooms at Portugal Cove Road, located in the flood plain of the Rennie's River, provided the expansion is constructed above the 100-year flood elevation.

11.2.5 Increase of Minimum Buffers

Where it is deemed necessary to protect or enhance the management of a Waterway or Wetland, Council may increase the width of the Buffer beyond the minimums prescribed under Section 1.2.1, subject to an Environmental Analysis Report as described in Section 5.7.

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

CITY OF ST. JOHN'S Development Regulations, 1994

Amendment Number XXX, 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 XXX, 2021.

Adopted by the City Council of St. John's on the ____ day of ____, 2021.

Signed and sealed this ____ day of ____.

Mayor:

Clerk:

Town Seal

Canadian Institute of Planners Certification

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

MCIP/FCIP:

MCIP/FCIP Stamp

CITY OF ST. JOHN'S

Development Regulations Number XXX, 2021

BACKGROUND

The City of St. John's wishes to allow a driveways, wharves and stages within the 100 year high water mark of designated bodies of water. See attached Council Decision Note dated March 17, 2021 for Background Information on this amendment.

PUBLIC CONSULTATION

To be completed following public consultation.

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

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

1) Repealing Section 11.2.4 Development within Lands Adjoining Bodies of Water and Flood Hazard Areas and substituting the following:

11.2.4 Development within Lands Adjoining Bodies of Water and Flood Hazard Areas

(1) Except as provided in subsections (2), (2.1) and (2.2) herein, the following lands shall not be developed:

- a. all lands adjoining ponds, wetlands, rivers, or major tributaries of rivers designated under Sections 11.2.1, 11.2.2 and 11.2.3, to a distance of not less than 15 metres beyond the 100 year high water mark of these bodies of water;
- b. any lands within Flood Hazard Areas or any Flood Risk Areas as identified by the Department of Environment and Lands, and/or identified on Map J-2 of these Regulations.

(2) In the discretion of Council, the following Development may be permitted within the 15 metre buffer of the 100 year high water mark of designated bodies of water for the following purposes:

- public works and infrastructure;
- Public Utility;
- services associated with a private Development;
- protection of areas of physical instability;
- flood control purposes;
- protection of ecologically valuable areas;
- trails;
- landscaping;
- construction of residential patios, residential fencing, and residential accessory buildings;

- construction of stormwater detention facilities;
- wharves and stages; and
- driveways.

(2.1) Council may permit a food bank building in the flood plain of the Waterford River behind the Corpus Christi Church on Waterford Bridge Road.

(2.2) In the discretion of Council, the following Development may be permitted within the 100 year high water mark of designated bodies of water for the following purposes:

- public works and infrastructure;
- Public Utility;
- protection of areas of geological instability;
- flood control purposes;
- trails;
- landscaping;
- construction of storm water detention infrastructure;
- wharves and stages; and
- driveways.

(3) Prior to approval being given for a Development enumerated in subsection (2) herein the advice of the Environmental Advisory Committee shall be obtained, except in the case of the construction of residential patios, residential fencing, residential accessory buildings and residential driveways.

(4) Council may require a Conservation Plan to be prepared for any proposed Development within the 100 year high water mark of designated bodies of water or the 15 metre buffer of the 100 year high water mark of designated bodies of water.

(5) Notwithstanding the foregoing, Council may permit the paving of gravel parking lots existing as of December 31, 2011 that are located within flood plains of watercourses.

(6) Notwithstanding the foregoing, Council may permit above-ground stormwater detention facilities to be located within any floodplain and/or buffer of a watercourse or wetland. Excavation will not be permitted within a floodplain, wetland, or buffer to facilitate stormwater detention and there shall be minimal disruption to the area that will detain the stormwater.

(7) Council may permit an expansion to the Feildian Grounds change rooms at Portugal Cove Road, located in the flood plain of the Rennie's River, provided the expansion is constructed above the 100-year flood elevation.

DECISION/DIRECTION NOTE

Title: Draft Heritage By-Law for Public Consultation

Date Prepared: March 22, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: N/A

Decision/Direction Required:

To release the draft Heritage By-Law for public review and comment.

Discussion – Background and Current Status:

As background, the City adopted its first Heritage By-Law in 1977, followed by its first St. John's Municipal Plan in 1985 and first St. John's Development Regulations in 1985. The Development Regulations incorporated many of the heritage provisions of the By-Law. Thus, by the 1990s, it was felt that the By-Law was no longer needed, and it was eventually repealed.

During the Envision St. John's review of the Municipal Plan and Development Regulations, staff recognized that a Heritage By-Law would provide better protection of built heritage. A by-law derives its authority from the City of St. John's Act, which has specific provisions for built heritage, whereas the Urban and Rural Planning Act is silent on built heritage. The City Act provides a more secure foundation for heritage protection.

The NL Department of Environment, Climate Change and Municipalities recently gave a provincial release for the draft Envision St. John's Plan and Regulations. Once some revisions are made, Envision will be brought to Council to consider adoption and referral to a commissioner's public hearing. The approval of the Heritage By-Law will be coordinated with approval of Envision St. John's to avoid any gap in heritage regulations.

The draft Heritage By-Law is ready for public review. Staff previously presented to Council on the draft By-Law and comments from that meeting have been incorporated into the attached version. Releasing the By-Law now will allow time for public commentary and ensure that the By-Law is ready when Envision comes forward for final approval by Council. Below is a summary of the changes from the heritage standards in the current St. John's Development Regulations that have been incorporated into the Heritage By-Law, plus proposed next steps.

Heritage Advisory Committee/Built Heritage Experts Panel

Heritage Advisory Committee (HAC) is the term used in the City of St. John's Act, and this must be used in the Heritage By-Law. We can still refer to the HAC as the Built Heritage

ST. JOHN'S

Experts Panel (BHEP). The terms of reference for the BHEP will form Schedule A of the Heritage By-Law.

The draft Heritage By-Law was created in consultation with the Built Heritage Experts Panel. However, since that time members on the BHEP have changed and there are now only two members who were part of the initial consultation. Therefore, it is recommended that Council refer this draft Heritage By-Law to the BHEP for additional consultation.

Heritage Areas

Heritage Areas 1 and 2 remain the same under the new Heritage Area map. Heritage Area 3 is mostly the same except for the Battery area. Staff recommend a new Heritage Area 4 with design standards unique to the Battery neighbourhood. For example, in existing Heritage Areas, windows at the rear of a house are not regulated unless they face a public street. For Heritage Area 4, windows that face St. John's harbour (even at the rear of a house) will be regulated, given the importance of maintaining traditional building forms facing the harbour.

Heritage Reports

A Heritage Report is a new requirement for applications to demolish a Heritage Building, applications to change or revoke the designation of a Heritage Building, and any other application as recommended by the appropriate staff member (termed an "Inspector" in the By-Law). A Heritage Report addresses the anticipated impacts that the proposed work may have on the heritage value of a building, neighbourhood or streetscape. The report informs Council and the public on heritage impacts before Council makes a decision on an application. Heritage Reports will be similar to Land Use Assessment Reports (LUARs); Council will set terms of reference, the applicant will pay for the report by a suitably qualified consultant, and the report will be made public. Sample terms of reference from Waterloo, Ontario, are attached.

Heritage Design Standards

The Heritage Design Standards in the new Heritage By-Law expand on the standards in the current Development Regulations, with additions and clarifications. These include:

- Adding a column for designated Heritage Buildings. These can be located anywhere in the city, including a few that are outside any Heritage Area. Under the current regulations, there are no specific standards for Heritage Buildings.
- For residential buildings, the proposed standards include criteria for dormer windows, metal roofs, solar panels, green roofs (that is, roofs that have landscaping and plantings), heat pumps, and accessory buildings. We recommend allowing roof decks in Heritage Area 1 under certain conditions. We propose requiring that iron fences be maintained for Heritage Buildings and in Heritage Area 1; many fences have been lost over time. Iron fences qualify under the City's Heritage Financial Incentives Program.
- The current standards do not deal with residential garages, and therefore every application with a garage had to be referred to the BHEP and Council for direction. The proposed standards allow consideration for the addition of a garage to an existing building, or for a new development to include a residential garage.
- The standards for non-residential buildings are proposed to include the same design elements which now apply only to residential buildings. These include window styles, rooflines, door styles, and so on. Non-residential building standards now also include

proposed standards for building facades, recessed entries, outdoor service area fencing (such as fences for outdoor eating areas), and banking machines.

- The design standards include a proposed new section for additions to existing buildings and for new developments (residential and non-residential). The current standards give no guidance for a designer. With the proposed standards, new developments will be required to blend with the existing neighbourhood and surrounding buildings. This allows the use of modern elements so long as they reflect the surroundings. For taller buildings, the area from the ground to 18 metres (approximately 4 storeys) high, the base or podium of the building, is most visible at street level. There will be flexibility to relax the standards above 18 metres, where the building will be required to step back. This keeps a traditional streetscape while allowing modern designs above the 4th storey. The wording used in the section is similar to Parks *Canada's Standards & Guidelines for the Conservation of Historic Places in Canada*. Photos are attached for reference, showing examples of how modern additions and new developments can complement older buildings while maintaining the character of a heritage area.
- Council will maintain the ability to exempt the owner of a new building from the Heritage Design Standards.
- Under the current regulations, Council in its discretion may require public notice and/or a public meeting for any application. While this will remain the same under the Envision Development Regulations, staff recommend mandatory public consultation for certain applications involving Heritage Buildings or Heritage Areas. These include:
 - an application to demolish a Heritage Building;
 - an application to amend or revoke the designation of a Heritage Building;
 - an amendment of an existing Heritage Area;
 - the designation of a new Heritage Area; and
 - any other matter where Council so directs.
- Public consultation on heritage applications would be carried out using the procedures of the Development Regulations (public notice, newspaper ads, mailed notices, City website, independent facilitator).

Draft Heritage By-Law - Public Consultation

Staff have prepared an Engage St. John's page which contains Frequently Asked Questions (FAQs) as well as relevant maps and documents. It will show the stages in the By-Law adoption process and where we are in it.

Staff recommend holding two virtual public sessions on the draft Heritage By-Law toward the end of April. Tuesday, April 27th during the daytime and Wednesday, April 28th in the evening have tentatively been set as the dates of the virtual public sessions. This allows time for residents, property owners and organizations to review the matter prior to attending the public sessions. Staff would also set a meeting for owners of designated Heritage Buildings who may have questions. Along with the public information sessions, staff will contact such organizations as the Newfoundland and Labrador Historic Trust, Heritage NL, the NL Association of Architects, and the Canadian Home Builders' Association NL to discuss their specific questions or concerns. Any proposed changes to the By-Law would be brought back to Council for consideration.

Housekeeping Items

There are a few housekeeping items left to do. These include updating the Heritage Buildings list to include Parcel ID numbers, finalizing the design of the maps, and formatting the Heritage Design Standards table.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Residents and property owners of Heritage Buildings or properties in the Heritage Areas, Heritage NL, the NL Historic Trust, Parks Canada, and residents and business owners of St. John's.
3. Alignment with Strategic Directions/Adopted Plans:
St. John's Strategic Plan - A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Adoption of a Heritage By-Law will derive its authority from the City of St. John's Act, which has specific provisions for built heritage.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Draft Heritage By-Law engagement will include the creation of an Engage St. John's page, public information sessions, meetings with Heritage Building owners, and relevant organizations.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council advertise the draft Heritage By-Law for public review and comment, refer the draft Heritage By-Law to a virtual Public Meeting chaired by an independent facilitator, and refer the draft Heritage By-Law to the Built Heritage Experts Panel.

Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

BY-LAW NO.

AMENDMENT NO.

HERITAGE BY-LAW

PASSED BY COUNCIL ON

Pursuant to the powers vested in it under the City of St. John's Act, RSNL 1990 c.C-17, as amended, and all other powers enabling it, the City of St. John's enacts the following By-Law relating to heritage.

BY-LAW

1. This By-Law may be cited as the "St. John's Heritage By-Law".
2. In this By-Law:
 - (a) "Building" shall have the same meaning as in the City of St. John's Act;
 - (b) "Heritage Area" means an area that Council has designated as a Heritage Area;
 - (c) "Heritage Building" means a building that Council has designated, in whole or in part, as a Heritage Building;
 - (d) "Heritage Design Standards" means the design standards adopted by Council;
 - (e) "Inspector" means any person authorized by Council to administer and enforce this By-Law; and
 - (f) "Owner" shall have the same meaning as in the City of St. John's Act.
- 3(1). Council may establish a Heritage Advisory Committee to advise Council in respect of heritage matters referred to it by Council and/or the Inspector.
- (2). The composition of and procedures governing the Heritage Advisory Committee are set out in Schedule "A" to this By-Law.

HERITAGE AREAS AND HERITAGE BUILDINGS

- 4(1). Council confirms the designation of :
 - (a) Heritage Areas 1, 2 and 3 as described in Schedule "B" to this By-Law; and

- (b) Heritage Buildings listed in Schedule “C” to this By-Law.
- (2) Council designates Heritage Area 4 as described in Schedule “B” to this By-Law.
- 5(1). Council may designate an area as a Heritage Area and may amend or revoke the designation of a Heritage Area.
- (2) Council may designate a building as a Heritage Building and may amend or revoke the designation of a Heritage Building.

APPLICATIONS MADE UNDER OTHER BY-LAWS OR REGULATIONS

- 6. Where an application is made under another by-law or the Development Regulations respecting a Heritage Building, a building in the Heritage Area, or the demolition of a building, the application shall be forwarded to the Inspector who may:
 - (a) request the applicant provide such additional information as the Inspector deems appropriate; and/or
 - (b) refer the application to the Heritage Advisory Committee
- 7. The Inspector may impose such conditions as may be necessary to fulfill the requirements of this By-Law on any permit, approval-in-principle, or approval granted in respect of a Heritage Building, a building in a Heritage Area, or the demolition of a building.

HERITAGE REPORTS

- 8(1). A Heritage Report, and any supporting studies or plans, shall be prepared at the expense of the applicant.
- (2). Council shall require a Heritage Report for:
 - (a) an application to demolish a Heritage Building;
 - (b) an application to amend or revoke the designation of a Heritage Building; or
 - (c) any other application in respect of which the Inspector has recommended that a Heritage Report be prepared.
- (3). Notwithstanding subsection (2), where in the opinion of Council it is appropriate to do so, Council may accept a staff report in lieu of the Heritage Report.

- (4). The terms of reference for a Heritage Report shall be approved by Council and shall form part of the Report itself.
- (5). A Heritage Report shall address at a minimum the anticipated impacts that the proposed work may have on the heritage value of a building, neighbourhood or streetscape.

HERITAGE DESIGN STANDARDS

- 9. The Heritage Design Standards are described in Schedule “D” to this By-Law.
- 10(1). The owner of a Heritage Building shall comply with the Heritage Design Standards for Heritage Buildings.
- (2). The owner of a building, other than a Heritage Building, in a Heritage Area shall comply with the Heritage Design Standards for that Heritage Area.
- (3). Notwithstanding subsection (2), Council may exempt the owner of a newly constructed building from the Heritage Design Standards.

PUBLIC CONSULTATION

- 11(1). The following shall, unless Council directs otherwise, require public consultation:
 - (a) an application to demolish a Heritage Building;
 - (b) an application to amend or revoke the designation of a Heritage Building;
 - (c) an amendment of a Heritage Area;
 - (d) the designation of a new Heritage Area; and
 - (e) any other matter where Council so directs.
- (2). Public consultation shall be carried out in accordance with the provisions of the Development Regulations.

PENALTY

- 12. Any person who contravenes the provisions of this By-Law shall be guilty of an offence and liable upon summary conviction to a penalty as provided for in Section 403 of the City of St. John’s Act.

1. GENERAL INFORMATION

Experts panel name:	Built Heritage Experts Panel
Reporting to:	Committee of the Whole
Date of formation - expiration date:	February 22, 2016
Meeting frequency:	Monthly or as required in accordance with the agenda items
Staff lead:	Chief Municipal Planner and Planner III – Urban Design and Heritage
Other staff liaison:	Technical Advisor Director of Planning and Development Others as required as per Section 4.2.1

2. PURPOSE

The Built Heritage Experts Panel provides expertise, opinion and perspective about built heritage, its protection and designation in the City of St. John's.

The Built Heritage Experts Panel will consider applications, proposals, reports and related items referred to it by staff or Council.

It will make recommendations to Council, via the Committee of the Whole, on heritage matters including the development and implementation of heritage policies, by-laws, strategies and programs applicable to the City.

Specifically the panel will:

- Develop recommendations on built heritage designations.
- Provide expert opinions on built heritage applications referred to it by city staff, Committee of the Whole or Council.
- Recommend best practices on built heritage and urban design.
- Review heritage issues, including issues under the City of St. John's Act and/or the Historic Resources Act of Newfoundland and Labrador that may be referred to it by Council.
- Identify for designation any area, building, structure or land as heritage.

Built Heritage Experts Panel recommendations to the Committee of the Whole will occur in the manner defined by these terms of reference to best support City Policy. The Built Heritage Experts Panel will prepare recommendations to the Committee of the Whole. The purpose of the Built Heritage Experts Panel is relation to specific City policies, plans, and strategies is as follows:

Built Heritage Experts Panel Relationship to Strategic Plan:

- Neighbourhoods build our city – maintain and position downtown as a distinct neighbourhood, develop

parks and places for people.

- Responsive and Progressive – create a culture of engagement, identify and deliver on projects, strategies and programs.
- A Culture of Cooperation – create effective City-Community collaborations

Applicable Legislation/City Bylaws:

- City of St. John's Act, Section 355
- Any applicable City of St. John's by-laws current or future

Other City Plans, Guides or Strategies:

- St. John's Heritage Areas, Heritage Buildings and Public Views Study, 2003
- Downtown St. John's for Economic Development Heritage and Preservation, 2001
- Envision draft Municipal Plan (with specific reference to items involving – heritage, built heritage), 2014
- Parks and Open Spaces Master Plan, 2014
- City of St. John's list of designated Heritage Buildings (latest version)

Other Distinct Deliverables and Considerations:

- The Panel will be consulted on any city public engagement processes where getting the perspective of heritage experts is identified in a plan.
- The Panel will support the development and ongoing review of a built heritage designation inventory.
- The Panel will identify programming to support the goals of the Built Heritage Experts Panel's work.

3. MEMBERSHIP AND COMPOSITION

3.1 COMPOSITION

The Built Heritage Experts Panel will be comprised of no more than 7 total members from the following stakeholder groups:

3.1.1 Public Members

Committee Chair

Built Heritage Experts Panel will be chaired by a public expert. The Chair will be selected by Council upon recommendation of staff drawing from the Panel's membership. Additional selection criteria for Chair may be applied for experts panels.

The public member chairing a committee will have responsibility for ensuring the committee carries out its work

as per the terms of reference.

Public Members

The Committee will be comprised of no more than 7 residents serving as public members. Public members are volunteers and will receive no compensation for participation. Preference will be given to residents of St. John's. Public members must have certification, accreditation, affiliation and/or demonstrated expertise and experience in matters of built heritage and/or cultural landscape.

The Panel will include at least one representative from each of the following categories:

- Architect
- Contractor
- Planner, MCIP
- Historian/Archival Expert/Historic Preservationist category
- Landscape Architect
- Other – Demonstrated Relevant Experience

Subcommittees: When deemed necessary, the experts panel may strike a working committee or subcommittee to deal with specific issues or deliverables. Subcommittees must have at least one panel member. Composition may also include other members of the public and organizational representatives. Subcommittees shall meet as an independent group, reporting to the panel on specified meeting dates, or as deemed necessary by the committee Chair or Lead Staff.

3.1.2 Staff and Council Members (Ex-Officio Members)

Lead Staff

A Lead Staff will be appointed to the Built Heritage Experts Panel by the appropriate City executive or senior management. Other staff support/attendance may be requested by the Lead Staff where required.

City Clerk

The City Clerk will provide legislative and governance support to the experts' panel.

Council

The spokesperson is Councillor Maggie Burton

3.2 LENGTH OF TERM

Public Member Experts

Unless otherwise indicated, the Built Heritage Panel term of appointment is two years. Recognizing the value of experience and the need for continuity, incumbents who are willing to seek reappointment may signify their intent to serve an additional two years, for a total of four years. In some cases members may be encouraged to provide guidance, expertise and attend in a bridging capacity following the end of their term.

Cooling-off Period (Former City Staff and Council)

There will be a cooling-off period of two years for Council and Staff once they are no longer associated with the City. Setting term lengths with a cooling-off period will promote gradual turnover, ensuring a constant balance between new members and former staff or council.

Additional Considerations:

- Public members may not serve on more than one experts' panel at a given time.
- Midterm Appointments: When an appointment is made which does not coincide with the beginning of a term (i.e. to fill a vacancy) the partial term (i.e. less than two years) shall not count towards the maximum

length of service or number of terms on the Committee for the appointee.

Exceptions to the above terms are as follows: when an insufficient number of applications have been received; if a particular area of expertise is indispensable and there are no other suitable replacements; if the experts panel would suffer from a lack of continuity (i.e. more than half of all members are replaced at once); if directly related to the Advisory Committee's purpose as defined in its Terms of Reference.

4. ROLES, RESPONSIBILITIES AND REPORTING

4.1 ROLES AND RESPONSIBILITIES

As a municipal Experts Panel, roles include:

- Advising and making recommendations to the Committee of the Whole in a manner that will support City policy matters relevant to the panel's defined purpose.
- Providing expertise specific to the mandate of the panel.
- Working within given resources.
- Consider working with other committees and/or working groups i.e. Downtown Advisory Committee and Arts and Culture Advisory Committee
- Explore opportunities to add value to parks, open spaces, etc. as heritage and design go beyond buildings.

Shared Member Responsibilities

Conduct

Members shall strive to serve the public interest by upholding Federal, Provincial and Municipal laws and policies. Experts Panel members are to be transparent in their duties to promote public confidence. Members are to respect the rights and opinions of other committee members.

Preparation

Meeting agenda and accompanying materials will be circulated electronically one week prior to all meetings; members are expected to review all distributed materials prior to meetings. Alternate material distribution methods to be made available upon request.

Agendas

- Agendas to require focus with clear parameters for content and alignment with terms of reference/purpose.
- Agendas will be finalized one week before meetings.
- Items and accompanying material that are received after the agenda has been prepared and distributed (but prior to the meeting) will be moved to the following meeting's agenda at the discretion of the City Clerk.
- All public members are to submit potential agenda items and related material to the Committee Chair and Lead Staff person for consideration.

Attendance and Participation

Active participation in meetings is expected of all public members. "Active participation" may refer to both meeting attendance and/or engagement. An effort should be made to attend meetings in person or remotely. Members who do not actively participate in more than 3 consecutive meetings without justified absence may be retired from the committee at the discretion of the City Clerk.

Members who wish to request a leave of absence for an extended period of time (3+ months) may submit such a request to the City Clerk. Previously submitted applications may be used to fill temporary vacancies created by approved leaves of absence.

Quorum – a quorum for meetings is considered to be 50% + 1 members in attendance.

Voting

City Staff are ex-officio and therefore non-voting.

4.2 MEMBER ROLES AND RESPONSIBILITIES**4.2.1 City Staff****Lead Staff**

- To act as a liaison between the Built Heritage Experts Panel and the Committee of the Whole on issues relevant to Panel's work.
- Lead staff will attend the Committee of the Whole when reports of the Built Heritage Experts Panel are included in the agenda.
- Ensure the panel is informed about City policy, procedure and available resources in reference to specific agenda items, and provide procedural and/or technical advice to assist the panel where appropriate.
- Request additional staff support/attendance at meetings as needed.
- To develop agendas in cooperation with the Chair and City Clerk's Office for distribution.
- Incorporate input from the experts panel into ongoing City work where appropriate (e.g. projects, staff updates, publications).

Other Staff Liaison

- The work of Other Staff Liaisons intersects the purpose of the Experts Panel and therefore they may be required to participate.

City Clerk

- To be responsible for legislative functions related to experts panel's operation, establishment, review, and term amendments. This includes leading or supporting day-to-day panel activities such as the co-ordination of meeting schedules and the external/internal distribution/posting of experts panel agendas and meeting reports
- Facilitate and support the recruitment and appointment process through assisting in the development of "Notice of Vacancy" while ensuring all relevant forms and supporting documentation are completed and received.
- In adherence with the terms of reference, the Office of City Clerk and Lead Staff oversee panel selection with input from relevant departments.
- The Office of the City Clerk will work with Lead Staff members to ensure new members receive orientation.

4.2.2 Public Members**Chair**

- The presiding officer of the Built Heritage Experts Panel will be referred to as "Chair." An experts panel member shall not serve as a Chair for more than three consecutive years except in extenuating circumstances (see Term Limits).
- Uphold experts panel processes and functions in accordance with all terms presented, maintaining productivity and focus. This includes ensuring committee members' conduct themselves in a professional manner.
- If appropriate, with support from the City Clerk and Staff Lead, the Chair will help build and coordinate a work plan for the experts panel.
- Prepare and submit agenda items and accompanying materials to the City Clerk (i.e. act as a conduit for all communications between public members and the City Clerk).

- Where appropriate, support the Lead Staff and/or City Clerk in fulfilling panel requirements related to reporting processes (annual presentations, written reports, FAQ's etc.).
- Assist in the development of content for Notice of Vacancy documents.
- Review experts panel terms of reference with City Clerk and Staff Lead at the end of each term and be prepared to propose amendments as needed.

Public Members

Public members are expected to provide advice to support City decision making; applying, knowledge and experience related to the mandate of the Panel in carrying out functions commensurate with its defined purpose. Roles to include: active participation in meetings; representing professional designation to which they belong in the community and engaging with residents and experts when appropriate.

4.2.3 Council

The Built Heritage Experts Panel reports to the Committee of the Whole.

In cases where an item on the agenda of the Built Heritage Experts Panel (as detailed in a given meeting agenda) would benefit from having the Chair or other Council representative of the Committee of the Whole in attendance, it will be the responsibility of the Panel Chair and/or Lead Staff to inform the Committee of the Whole chair.

4.3 REPORTING

The Built Heritage Experts Panel shall report through the Committee of the Whole.

Standardized Reporting Process:

- The Built Heritage Experts Panel Lead Staff, Chair and City Clerk will work to complete a report for referral to the Committee of the Whole.
- Following reporting to the Committee of the Whole, the report will be posted to the City of St. John's website.
- Public expert representatives will be encouraged to report to (i.e. maintain open communication with) their respective affiliated professional organizations regarding the Panel's work.

5. COMMITTEE RECRUITMENT AND SELECTION

5.1 RECRUITMENT, VACANCIES, AND APPLICATIONS

Recruitment practices will be consistent for all experts panels. When new members are required a "Notice of Vacancy" will be prepared by the City Clerk and distributed through City communication channels by the Office of Strategy and Engagement. Additional communications opportunities may be identified by relevant departments/panel members. This document will include general information regarding panel purpose, the terms of reference and a link to the Application Form.

A vacancy on a panel occurs when a member resigns, vacates a position, or when their resignation is requested by the Chair. Vacancies may occur at: the date of resignation; the date the member ceases to be qualified; the

date the Chair declares the position vacant due to lack of attendance or incapacitation.

All applicants must complete an Application Form which may be downloaded from the City website, or obtained by visiting/calling Access 311. Applications will be made available in large print format upon request and may be submitted electronically, via mail, by phone, or in person to the attention of the City Clerk's Office.

5.2 ELIGIBILITY AND SELECTION

Eligibility

Appointments to City of St. John's Built Heritage Experts Panel will follow Section 3. Membership and Composition.

Selection Criteria

In addition to eligibility requirements, an applicant's specific skills and experience will be important factors in panel selection. While all who meet the Eligibility Requirements outlined are encouraged to apply, applicants with demonstrated participation in groups or initiatives with goals relevant to an expert panel's purpose will be preferred. Some other considerations pertaining to general selection criteria include: past professional and volunteer experience, ability to perform required tasks, and complementary skills, or competencies possessed. Those who are selected to serve on City experts' panel will be notified by email. A handbook and other relevant information will also be provided to successful applicants.

6 PUBLIC ENGAGEMENT

The City of St. John's recognizes that engagement between the City and its citizens is an essential component of an effective municipal government. The City views public engagement as a process – one that facilitates dialogue with the right people, using the right tools, at the right time, on subject areas of mutual interest.

In accordance with the City of St. John's [Engage! Policy](#), the role of the Experts Panel in the spectrum of engagement will fall within the realm of "consultation." As such, City of St. John's experts panels will be based on the principles of commitment, accountability, clear and timely information, and inclusiveness.

Experts' panels are only one of the ways to engage with the City. Where applicable the City will consider the use of other tools to gather perspectives and input. For more information on public engagement in the City of St. John's or to find out how to get involved or learn about what's coming up, check out the engagement page on the City's website. You can also check out the City's [Engage! St. John's](#) online engagement platform and connect with us on [Twitter](#) and [Facebook](#).

7 OTHER GOVERNANCE

7.1 REVIEW OF TERMS

Taking into account recommendations from the Panel Chair, Committee of the Whole Chair, the City Clerk and Lead Staff, the Panel will, at the first meeting of each year, review Built Heritage Experts Panel Terms of Reference documents. The purpose of this review will be to ensure that the operations and function of each panel are still aligned with its defined purpose. A review template will be used to maintain consistency. Through this review process, amendments to the Terms of Reference will be proposed and recommended to the Committee of the Whole.

7.2 MEETING AND SCHEDULES

Built Heritage Experts Panel will meet monthly or as agenda items are determined. The exact frequency of the Built Heritage Experts Panel meetings will be determined by the Chair, Lead Staff, and City Clerk.

Unless otherwise specified (generally one week prior to a meeting) Built Heritage Experts Panel meetings shall be held at City Hall and shall be closed to the public.

7.3 CONFLICTS OF INTEREST AND CONFIDENTIALITY**Conflicts of Interest**

A conflict of interest refers to situations in which personal, occupational or financial considerations may affect or appear to affect the objectivity or fairness of decisions related to the panel's activities. A conflict of interest may be real, potential or perceived in nature. Conflict of Interest may occur when a panel member participates in discussion or decision-making about a matter which may financially benefit that Member or a member of his/her family, or someone with whom the panel member has a close personal relationship, directly or indirectly, regardless of the size of the benefit.

In cases where the panel agenda or discussions present a conflict of interest for a member, that member is required to declare such conflict; to abstain from discussion; and remove himself/herself from the meeting room until the agenda item has been dealt with by the Panel.

Confidentiality:

All Panel members are required to refrain from the use or transmission of any confidential or privileged information while serving with the Built Heritage Experts Panel.

Staff Liaison Name:

Signature:_____

Date:_____

Chair Name:

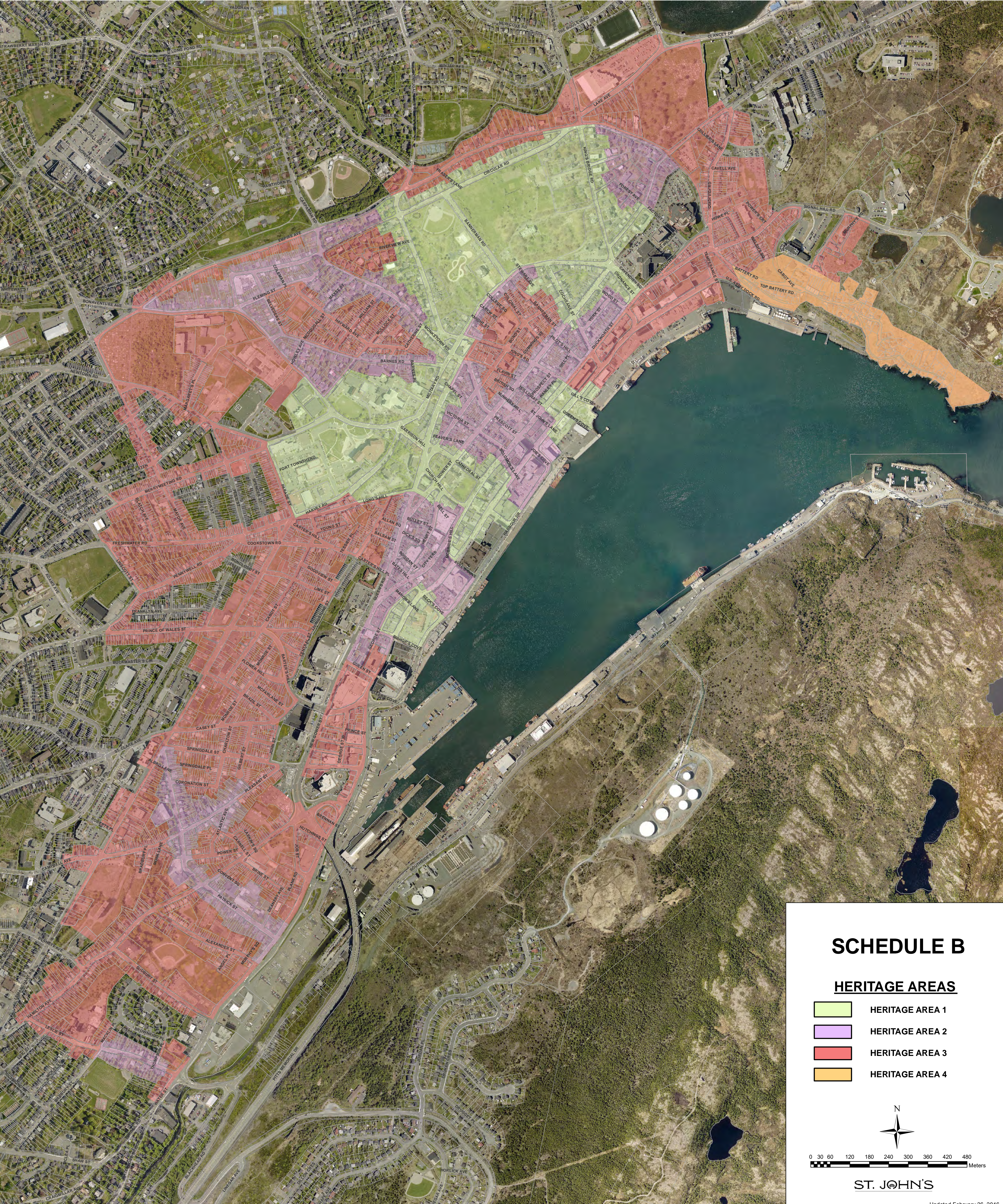
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City Clerk Name:




Signature:_____

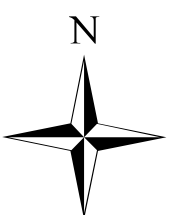
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SCHEDULE B

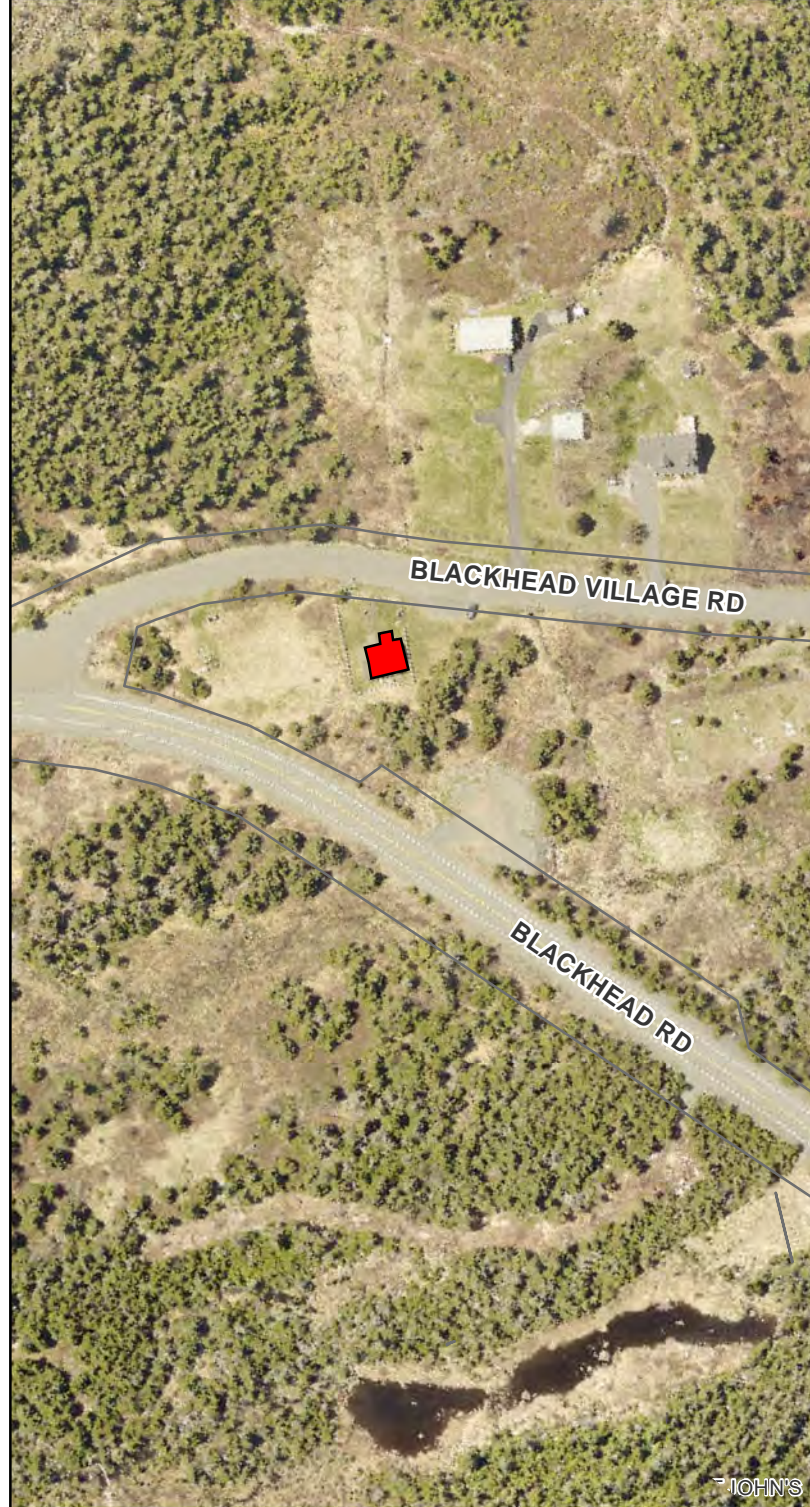
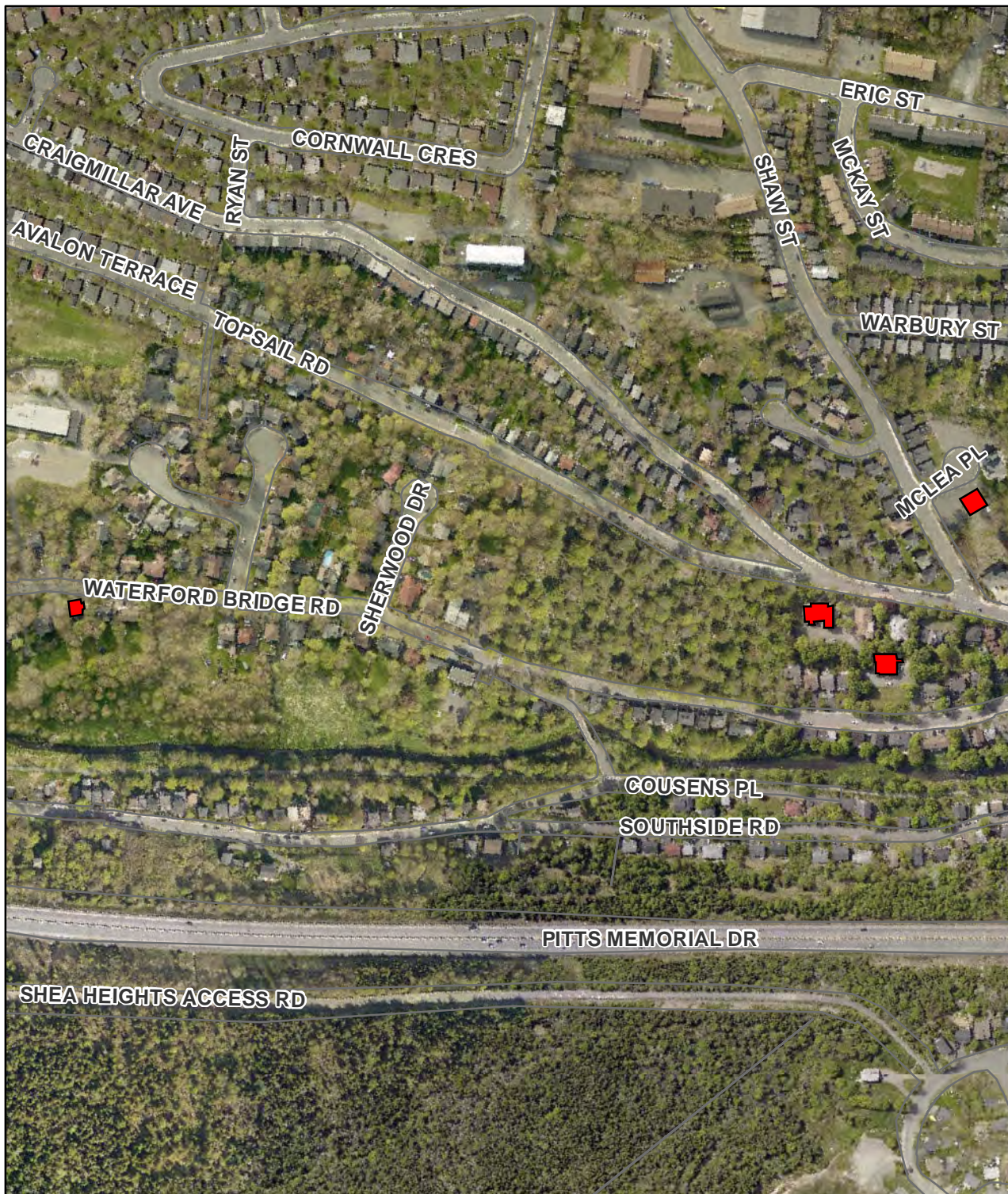
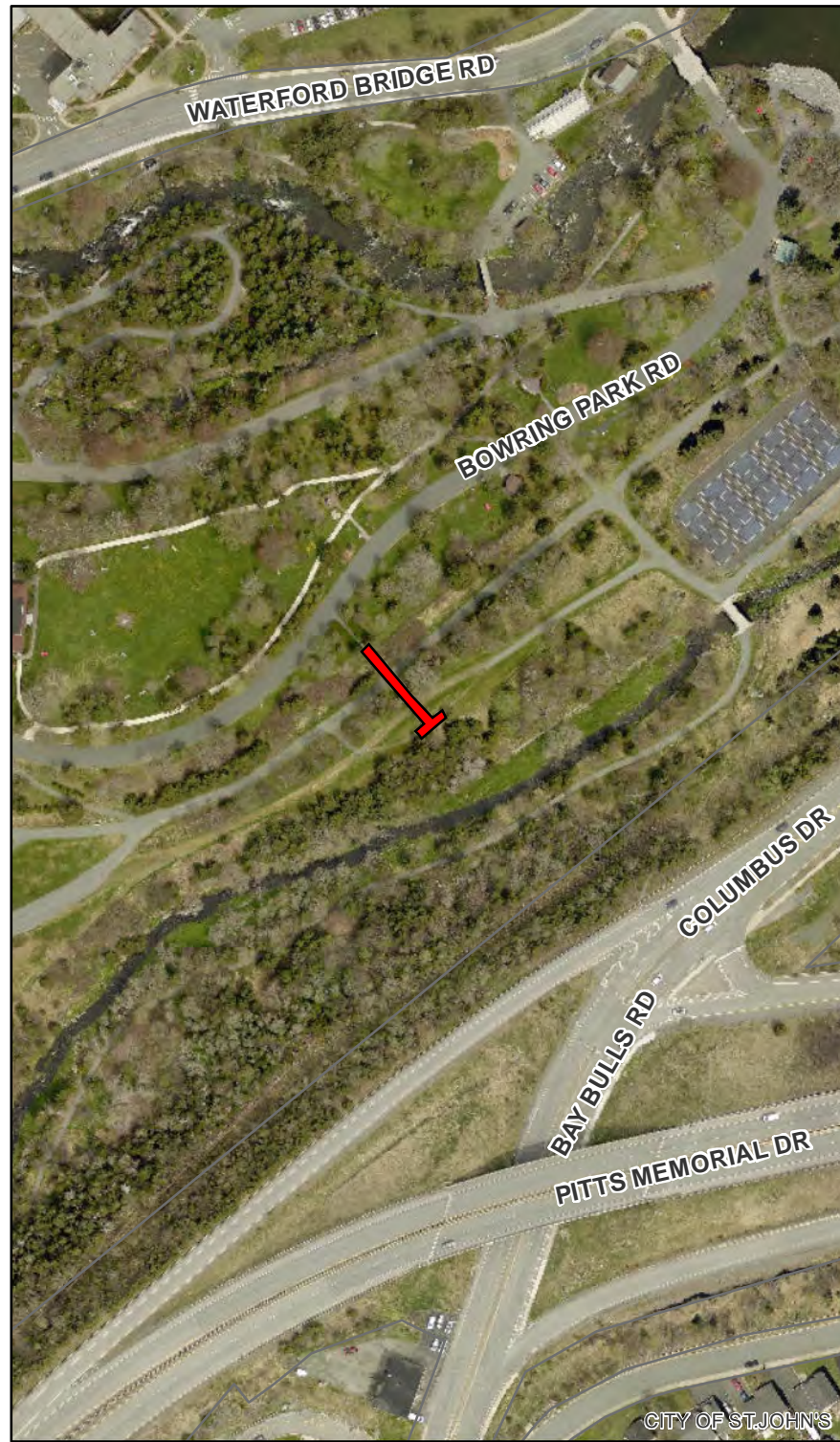
HERITAGE AREAS

-  HERITAGE AREA 1
-  HERITAGE AREA 2
-  HERITAGE AREA 3
-  HERITAGE AREA 4



0 30 60 120 180 240 300 360 420 480 Meters

ST. JOHN'S



SCHEDULE C

HERITAGE BUILDING LOCATIONS

HERITAGE BUILDING

0 25 50 100 150 200 250 300 350 400 Meters

ST. JOHN'S

Updated February 26, 2016

Schedule D
Heritage Design Standards

1. In matters of life safety, these Heritage Design Standards may be deviated in the opinion of the Inspector.

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
CLADDING/SIDING					
Cladding/Siding Materials	<p>Original cladding/siding to be maintained.</p> <p>Where replacement is required, modern cladding/siding materials are permitted provided the appearance replicates the building's period/architectural style. However, vinyl siding, metal siding, vertical boards, board and batten siding and cove siding are not permitted.</p> <p>For additions, the cladding/siding materials shall be consistent with the original building, unless otherwise approved by Council.</p>	<p>Cladding/siding shall be compatible with the period/architectural style of the streetscape.</p> <p>Materials used for the front façade shall be carried around the building where side or rear facades are exposed to the public street and/or publicly maintained space, unless otherwise approved by the Inspector.</p> <p>Modern cladding/siding materials are permitted provided the appearance replicates the building's period/architectural style. However, vinyl siding and cove style siding are not permitted on any facade. For additions, the cladding/siding materials shall be compatible with the original building.</p> <p>(cont'd...)</p>	<p>Cladding/siding shall be compatible with the period/architectural style of the streetscape.</p> <p>Modern cladding/siding materials, such as vinyl siding, are permitted provided the appearance replicates the building's period/architectural style. Vertical siding and cove style siding are not permitted.</p> <p>For additions, the cladding/siding materials shall be compatible with the original building.</p> <p>Note: Vinyl siding shall be of the straight traditional style designed to replicate wood clapboard with a narrow exposure.</p>	Same as Heritage Area 2	Same as Heritage Area 1, except vinyl siding is permitted.

Schedule D
Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
		Note: Wood clapboard/siding shall be of the straight traditional style with a 10cm (four inch) exposure.			
Trim Style (including decoration and moulding)	Original trims to be maintained. Trims shall be compatible with the building's architecture style.	<p>Trims shall be compatible with the period/architectural style of the streetscape.</p> <p>Existing trims to be maintained for a façade facing a public street and/or publicly maintained space.</p> <p>New developments may require the addition of decorative trims as determined by the Inspector.</p> <p>Note: Corner boards shall have a 15cm (six inch) wide trim.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

Schedule D
Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
WINDOWS					
Window Style	<p>Original style, size and shape of windows to be retained, unless otherwise approved by Council.</p> <p>For any façade facing a public street and/or publicly maintained space, the style and configuration of the windows shall be in keeping with the building's architectural style.</p>	<p>For any façade facing a public street and/or publicly maintained space, the style and configuration of the windows shall be compatible with the period/architectural style of the streetscape and in keeping with the building's architectural style.</p> <p>Note: Windows are to be single hung or double hung, unless otherwise approved by the Inspector. The width of windows to be approximately half the height, unless otherwise approved by the Inspector.</p>	Same as Heritage Area 1	Same as Heritage Area 1	<p>For any façade facing a public street, publicly maintained space and/or harbour, the style and configuration of the windows shall be compatible with the period/architectural style of the streetscape and in keeping with the building's architectural style</p> <p>Note: Windows are to be single hung or double hung, unless otherwise approved by the Inspector. The width of windows to be approximately half the height, unless otherwise approved by the Inspector</p> <p>Picture windows may also be acceptable.</p>

Schedule D
Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Window Replacements	<p>All window replacements shall be restored/returned in keeping with the window style and window configuration of the building's architectural style.</p> <p>Where appropriate, in the opinion of Council, additional facades, or parts thereof, may be required to comply with the foregoing.</p>	<p>Where more than one window on a façade facing a public street and/or publicly maintained space are being replaced within a period of 24 consecutive months, all windows on such façade shall be restored/returned in keeping with the window style and window configuration of the building's architectural style.</p> <p>Note: Where appropriate, in the opinion of the Inspector, additional facades, or parts thereof, may be required to comply with the foregoing.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Bay Windows	Existing bay windows to be maintained.	<p>Original bay windows to be maintained.</p> <p>New bay windows may be added where, in the opinion of the Inspector, they are compatible with period/architectural style of the streetscape.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

Schedule D
Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Specialty Windows	<p>Existing specialty windows to be maintained.</p> <p>Specialty windows may be added where, in the opinion of Council, they are compatible with the building's architectural style.</p>	<p>Existing specialty windows to be maintained, unless otherwise approved by the Inspector.</p> <p>Specialty windows may be added where, in the opinion of the Inspector, they are compatible with period/architectural style of the streetscape.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Window trims (including decoration and moulding)	<p>Window trims shall be compatible with the building's architectural style. Materials may include wood, stone, brick, the building's original material, or materials otherwise approved by Council.</p> <p>Note: The width and style of window trims shall be consistent throughout the building's facades, unless otherwise approved by Council.</p>	<p>Period/architectural style of the building to be maintained. Materials may include wood, stone, brick, the building's original material, or materials otherwise approved by the Inspector.</p> <p>Note: The width and style of window trims shall be consistent throughout any building's façade visible from a public street and/or publicly maintained space, unless otherwise approved by the Inspector.</p>	<p>Period/architectural style of the building to be maintained.</p> <p>Note: The width and style of window trims shall be consistent throughout any building's façade visible from a public street and/or publicly maintained space, unless otherwise approved by the Inspector.</p>	Same as Heritage Area 2	Same as Heritage Area 2

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RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Window Materials (including trim)	Modern window materials may be permitted provided, in the opinion of Council, the appearance replicates the building's period/architectural style.	Modern window materials are permitted provided, in the opinion of the Inspector, the appearance replicates the building's period/architectural style.	Modern window materials are permitted provided, in the opinion of the Inspector, the appearance replicates the building's period/architectural style.	Same as Heritage Area 2	Same as Heritage Area 2
Dormers	Original dormer shape, size and proportion to be maintained.	Original dormer shape, size and proportion to be maintained, unless otherwise approved by the Inspector. Dormers shall be placed in a visually balanced arrangement with respect to the width of the roof and the arrangement of the windows and door openings in the façade, unless otherwise approved by the Inspector.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
DOORS AND GARAGE DOORS					
Doors	Door styles shall be compatible with the building's architectural style.	Door styles shall be compatible with the period/architectural style of the streetscape. Wooden or full view (glass) storm doors are permitted.	Door styles shall be compatible with the period/architectural style of the streetscape. Storm doors are permitted.	Same as Heritage Area 2	Same as Heritage Area 2

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Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Garages, Carports and Garage Doors	<p>Original style to be maintained.</p> <p>New garages, where none existed before, may be added where, in the opinion of Council, they are compatible with the building's architectural style. New garages should not be the prominent feature on the building's façade facing a public street and/or publicly maintained space. Where possible, the garage should be recessed from the building line.</p>	<p>Original style to be maintained.</p> <p>The addition of a garage or carport to an existing building may be permitted.</p> <p>New developments may include a garage where, in the opinion of the Inspector, they are compatible with the building's architectural style.</p> <p>Note: Garage doors should not be the prominent feature on the building's façade facing a public street and/or publicly maintained space. Where possible, the garage should be recessed from the building line.</p>	<p>Period/architectural style of the streetscape to be maintained.</p> <p>The addition of a garage or carport to an existing building may be permitted.</p> <p>New developments may include a garage where, in the opinion of the Inspector, they are compatible with the building's architectural style.</p> <p>Note: Garage doors should not be the prominent feature on the building's façade facing a public street and/or publicly maintained space. Where possible, the garage should be recessed from the building line.</p>	Same as Heritage Area 2	Same as Heritage Area 2
Door and Garage Door Trims (including decoration and moulding)	<p>Original door and garage door trims to be maintained. Trims shall be compatible with the building's architectural style.</p>	<p>Door and garage door trims shall be compatible with the building's architectural style.</p>	<p>Door and garage door trims shall be compatible with the building's architectural style.</p>	Same as Heritage Area 2	Same as Heritage Area 2

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Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Door and Garage Door Materials (including trim)	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Same as Heritage Area 2	Same as Heritage Area 2
ROOFS					
Roof Line	<p>The roof line shall be compatible with the building's architectural style.</p> <p>Notwithstanding, additions may incorporate a flat roof design where, in the opinion of Council, the roof does not detract from the character defining elements of the building.</p>	<p>The roof line shall be compatible with the building's architectural style.</p> <p>Notwithstanding, additions may incorporate a flat roof design where, in the opinion of the Inspector, the roof does not detract from the architecture of the building.</p>	<p>Period/architectural style of building to be maintained. Otherwise, roof line may be constructed in a style that is, in the opinion of the Inspector, compatible with the period/architectural style of the streetscape.</p> <p>Notwithstanding, additions may incorporate a flat roof design provided the roof does not detract from the architecture of the building.</p>	Same as Heritage Area 2	Flat roofs and low-slope gable are encouraged. Mansard and steep gable roofs are not permitted.
Roofing Materials	Modern roofing materials are permitted provided the appearance replicates the building's architectural style. However, metal roofing materials are not permitted.	Modern roofing materials, including shingle-style metal roofing materials, are permitted provided the appearance replicates the building's period/architectural style.	Modern roofing materials, including shingle-style metal roofing materials, are permitted.	Same as Heritage Area 2	Same as Heritage Area 2

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RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Solar Panels and Green Roofs	Solar panels and/or green roofs are not permitted on facades visible from a public street and/or publicly maintained space.	Solar panels and/or green roofs are not permitted on facades visible from a public street.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
FENCES, RAILINGS, RETAINING WALLS, DECKS AND BALCONIES					
Fence, Railing, Retaining Wall, Deck and Balcony Materials	<p>Modern materials are permitted provided the appearance replicates the building's period/architectural style.</p> <p>Note: Unfinished pressure treated wood at front of the building or visible from a public street and/or publicly maintained space is not permitted. Painted or solid-colour stained pressure treated wood is permitted.</p>	<p>Modern materials are permitted provided the appearance replicates the building's period/architectural style.</p> <p>Note: Unfinished pressure treated wood at front of the building or visible from a public street is not permitted. Painted or solid-colour stained pressure treated wood is permitted.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Fences and Railings	<p>Original style of structure to be maintained. Iron fences and railings to be maintained.</p> <p>New fences and railings shall be compatible with the building's architectural style.</p> <p>Note: Exterior handrails and guards vertical members shall be installed between the top and bottom rail. Face nailed balustrades typical of new construction are not permitted.</p>	<p>Original style of structure to be maintained. Iron fences and railings to be maintained.</p> <p>New fences and railings shall be compatible with the period/architectural style of the streetscape.</p> <p>Note: Exterior handrails and guards vertical members shall be installed between the top and bottom rail. Face nailed balustrades typical of new construction are not permitted.</p>	<p>Fences and railings shall be compatible with the period/architectural style of the streetscape.</p> <p>Note: Exterior handrails and guards vertical members shall be installed between the top and bottom rail. Face nailed balustrades typical of new construction are not permitted.</p>	Same as Heritage Area 2	Same as Heritage Area 2
Retaining Walls and Decorative Walls	<p>Retaining walls shall be compatible with the building's architectural style.</p> <p>Decorative walls shall be a design acceptable to Council.</p>	<p>Retaining walls shall be compatible with the period/architectural style of the streetscape.</p> <p>Decorative walls shall be a design acceptable to the Inspector.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Decks and Balconies	<p>Decks and balconies shall not be permitted on a façade facing a public street unless it's an original feature of the building. In this case, original style and design to be maintained.</p> <p>Decks and balconies on other facades visible from a public street may be permitted where, in the opinion of Council, the design is compatible with the building's architectural style and does not detract from the character defining elements of the building.</p>	<p>Decks and balconies shall not be permitted on a façade facing a public street unless it is an original feature of the building. In this case, original style and design to be maintained.</p> <p>Decks and balconies on other facades visible from a public street may be permitted where, in the opinion of the Inspector, the design is compatible with the period/architectural style of the streetscape.</p>	<p>Decks and balconies may be permitted on any façade where, in the opinion of the Inspector, they are compatible with the period/architectural style of the streetscape.</p>	Same as Heritage Area 2	Same as Heritage Area 2

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RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Roof Decks	Roof decks shall not be permitted unless an original feature of the building.	Roof decks may be permitted provided the deck structure, or any part thereof, does not extend above the roof line of the building; does not obscure any architectural details of the building; and is not on a façade facing a public street. However, roof decks facing a flanking street may be permitted at the discretion of Inspector.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
OTHER					
Heat Pump	Heat pumps shall be placed in the side or rear yard where possible. Heat pumps that are visible from a public street shall be screened. Screening may include landscaping.	Heat pumps that are visible from a public street shall be screened. Screening may include landscaping.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Accessory Buildings	Accessory buildings located on the same property as a Designated Heritage Building shall be, in the opinion of the Inspector, compatible with the architectural style of the main building.	Accessory buildings shall be, in the opinion of the Inspector, compatible with the architectural style of the main building.	N/A	N/A	Same as Heritage Area 1

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RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Accessory Building Materials	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	N/A	N/A	Same as Heritage Area 1
Out of Character Buildings	N/A	Renovations to existing out of character buildings which do not follow the Heritage Design Standards may be approved at the discretion of the Inspector.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
BUILDING FACADES					
Building Façades	Renovations to the building's façade shall be compatible with the building's architectural style. Note: Typical 19th century storefronts include centrally located recessed doors with display windows on either side.	Building's façades shall be, in the opinion of the Inspector, compatible with the period/architectural style of the streetscape unless the building's architectural style is determined by the Inspector to be unique.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Recessed Entries	Recessed entries shall be retained. Recessed entries may be added where they are in keeping with the building's architectural style.	Recessed entries shall be retained. Where possible, recessed entries shall be incorporated into renovations where a they are in keeping with the period/architectural style of the streetscape.	Same as Heritage Area 1	Same as Heritage Are 1	Same as Heritage Area 1
Canopies/Awnings	Fabric canopies/awnings may be permitted where, in the opinion of Council, the design, construction and materials used are compatible with the building's architectural style. Awnings shall match the width of the storefront or window opening and avoid obscuring details of the building. However, waterfall style canopies/awnings are not permitted.	Fabric canopies/awnings may be permitted where, in the opinion of the Inspector, the design, construction and materials used are compatible with the period/architectural style of the streetscape. However, waterfall style canopies/awnings are not permitted.	Same as Heritage Area 1	Same as Heritage Area 1	Canopies/awnings are not permitted

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NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
CLADDING/SIDING					
Building and Cladding/Siding Materials	Building and cladding/siding materials shall be consistent with the existing or historic materials of the building.	<p>Original materials of the building to be maintained.</p> <p>Materials used for the front façade shall be carried around the building where side or rear facades are exposed to the public street and/or publicly maintained space, unless otherwise approved by the Inspector</p> <p>Where replacement is required, modern materials may be permitted, where, in the opinion of the Inspector, the appearance replicates the building's period/architectural style. However, veneer man-made products and similar products are not permitted.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Building Trim Style (including decoration and moulding)	Original trims to be maintained. Trims shall be compatible with the building's architecture style.	<p>Building trims shall be compatible with the period/architectural style of the streetscape. Existing trims to be maintained for a façade facing a public street and/or publicly maintained space.</p> <p>New developments may require the addition of decorative trims as determined by the Inspector.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
WINDOWS					
Windows Style	The style and configuration of the windows shall be in keeping with the building's architectural style.	For any façade facing public street and/or publicly maintained space, the style and configuration of the windows shall be compatible with the period/architectural style of the streetscape and in keeping with the building's architectural style.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Window Replacements	<p>All window replacements shall be restored/returned in keeping with the window style and window configuration of the building's architectural style.</p> <p>Where appropriate, in the opinion of Council, additional facades, or parts thereof, may be required to comply with the foregoing.</p> <p>Where appropriate, in the opinion of Council, additional facades, or parts thereof, may be required to comply with the foregoing.</p>	<p>Where more than one window on a façade facing a public street and/or publicly maintained space are being replaced within a period of 24 consecutive months, all windows on such façade shall be restored/returned in keeping with the window style and window configuration of the building's architectural style.</p> <p>Note: Where appropriate, in the opinion of the Inspector, additional facades, or parts thereof, may be required to comply with the foregoing.</p> <p>Note: Where appropriate, in the opinion of the Inspector, additional facades, or parts thereof, may be required to comply with the foregoing.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Specialty Windows	<p>Existing specialty windows to be maintained.</p> <p>Specialty windows may be added where, in the opinion of Council, they are compatible with the building's architectural style.</p>	<p>Existing speciality windows to be maintained, unless otherwise approved by the Inspector.</p> <p>Specialty windows may be added where, in the opinion of the Inspector, they are compatible with the period/architectural style of the streetscape.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Window Trims (including decoration and moulding)	<p>Window trims shall be compatible with the building's architectural style. Materials may include wood, stone, brick, the building's original material, or materials otherwise approved by Council.</p> <p>Note: The width and style of window trims shall be consistent throughout the building's facades, unless otherwise approved by Council.</p>	<p>Period/architectural style of the building to be maintained. Materials may include wood, stone, brick, the building's original material, or materials otherwise approved by the Inspector.</p> <p>Note: The width and style of window trims shall be consistent throughout any building's façade visible from a public street and/or publicly maintained space, unless otherwise approved by the Inspector.</p>	<p>Period/architectural style of the building to be maintained.</p> <p>Note: The width and style of window trims shall be consistent throughout any building's façade visible from a public street and/or publicly maintained space, unless otherwise approved by the Inspector.</p>	Same as Heritage Area 2	Same as Heritage Area 2

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Heritage Design Standards

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Window Materials	Modern window materials may be permitted provided, in the opinion of Council, the appearance replicates the building's period/architectural style.	Modern windows materials are permitted provided, in the opinion of the Inspector, the appearance replicates the building's period/architectural style.	Modern windows materials are permitted provided, in the opinion of the Inspector, the appearance replicates the building's period/architectural style.	Same as Heritage Area 2	Same as Heritage Area 2
Dormers	Original dormer shape, size and proportion to be maintained.	Original dormer shape, size and proportion to be maintained, unless otherwise approved by the Inspector. Dormers shall be placed in a visually balanced arrangement with respect to the width of the roof and the arrangement of the windows and door opening in the façade, unless otherwise approved by the Inspector.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
DOORS AND GARAGE DOORS					
Doors	Door styles shall be compatible with the building's architectural style.	Door styles shall be compatible with the period/architectural style of the streetscape.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Garages, Carports and Garage Doors	<p>Original style to be maintained.</p> <p>New garages may be added where, in the opinion of Council, they are compatible with the building's architectural style. New garages should not be the prominent feature on the building's façade facing a public street and/or publicly maintained space. Where possible, the garage should be recessed from the building line.</p>	<p>Original style to be maintained.</p> <p>The addition of a garage or carport to an existing building may be permitted.</p> <p>New developments may include a garage where, in the opinion of the Inspector, they are compatible with the building's architectural style.</p> <p>Note: Garage doors should not be the prominent feature on the building's façade facing a public street and/or publicly maintained space.</p>	<p>Period/architectural style of streetscape to be maintained.</p> <p>The addition of a garage or carport to an existing building may be permitted.</p> <p>New developments may include a garage where, in the opinion of the Inspector, they are compatible with the building's architectural style.</p> <p>Note: Garage doors should not be the prominent feature on the building's façade facing a public street and/or publicly maintained space.</p>	Same as Heritage Area 2	Same as Heritage Area 2

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Heritage Design Standards

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Door and Garage Door Trims (including decoration and moulding)	Original door and garage door trims to be maintained. Trims shall be compatible with the building's architectural style.	Door and garage door trims shall be compatible with the building's architectural style.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Door and Garage Door Materials (including trim)	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Modern materials are permitted provided the appearance replicates the building's period/architectural style.	Same as Heritage Area 2	Same as Heritage Area 2
ROOFS					
Roof Line	<p>The roof line shall be compatible with the building's architectural style.</p> <p>Notwithstanding, additions may incorporate a flat roof design where, in the opinion of Council, the roof does not detract from the character defining elements of the building.</p>	<p>The roof line shall be compatible with the building's architectural style.</p> <p>Notwithstanding, additions may incorporate a flat roof design where, in the opinion of the Inspector, the roof does not detract from the architecture of the building.</p>	<p>Period/architectural style of building to be maintained. Otherwise, roof line may be constructed in a style that is, in the opinion of the Inspector, compatible with the period/architectural style of the streetscape.</p> <p>Notwithstanding, additions may incorporate a flat roof design provided the roof does not detract from the architecture of the building.</p>	Same as Heritage Area 2	Flat roofs and low-slope gable are encouraged. Mansard and steep gable roofs are not permitted.

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Heritage Design Standards

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Roofing Materials	Modern roofing materials are permitted provided the appearance replicates the building's period/architectural style. However, metal roofing materials are not permitted.	Modern roofing materials, including metal roofing materials, are permitted provided the appearance replicates the building's period/architectural style.	Modern roofing materials are permitted. Metal roofing materials must replicate the existing roofing material.	Same as Heritage Area 2	Same as Heritage Area 2
Solar Panels and Green Roofs	Solar panels and/or green roofs are not permitted on facades visible from a public street and/or publicly maintained space.	Solar panels and/or green roofs are not permitted on facades visible from a public street.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
FENCES, RAILINGS, RETAINING WALLS, DECKS AND BALCONIES					
Fence, Railing, Retaining Wall, Deck and Balcony Materials	<p>Modern materials are permitted provided the appearance replicates the building's period/architectural style.</p> <p>Note: Unfinished pressure treated wood at front of the building or visible from a public street and/or publicly maintained space is not permitted. Painted or solid-colour stained pressure treated wood is permitted.</p>	<p>Modern materials are permitted provided the appearance replicates the building's period/architectural style.</p> <p>Note: Unfinished pressure treated wood at front of the building or visible from a public street is not permitted. Painted or solid-colour stained pressure treated wood is permitted.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Fences and Railings	<p>Original style of structure to be maintained. Iron fences and railings to be maintained.</p> <p>New fences and railings shall be compatible with the building's architectural style.</p> <p>Note: Exterior handrails and guards vertical members shall be installed between the top and bottom rail. Face nailed balustrades typical of new construction are not permitted.</p>	<p>Original style of structure to be maintained. Iron fences and railings to be maintained.</p> <p>New fences and railings shall be compatible with the period/architectural style of the streetscape.</p> <p>Note: Exterior handrails and guards vertical members shall be installed between the top and bottom rail. Face nailed balustrades typical of new construction are not permitted.</p>	<p>Fences and railings shall be compatible with the period/architectural style of the streetscape.</p> <p>Note: Exterior handrails and guards vertical members shall be installed between the top and bottom rail. Face nailed balustrades typical of new construction are not permitted.</p>	Same as Heritage Area 2	Same as Heritage Area 2
Outdoor Service Area Fencing	Outdoor service area fencing shall be, in the opinion of the Inspector, compatible with the building's architectural style.	Outdoor service area fencing shall be compatible with the period/architectural style of the streetscape.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Retaining Walls and Decorative Walls	<p>Retaining walls shall be compatible with the building's architectural style.</p> <p>Decorative walls shall be a design acceptable to Council.</p>	<p>Retaining walls shall be compatible with the period/architectural style of the streetscape.</p> <p>Decorative walls shall be a design acceptable to the Inspector.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Decks and Balconies	<p>Decks and balconies shall not be permitted on a façade facing a public street unless it's an original feature of the building. In this case, original style and design to be maintained.</p> <p>Decks and balconies on other facades visible from a public street may be permitted where, in the opinion of Council, the design is compatible with the building's architectural style and does not detract from the character defining elements of the building.</p>	<p>Decks and balconies shall not be permitted on a façade facing a public street unless it is an original feature of the building. In this case, original style and design to be maintained.</p> <p>Decks and balconies on other facades visible from a public street may be permitted where, in the opinion of the Inspector, the design is compatible with the period/architectural style of the streetscape.</p>	<p>Decks and balconies may be permitted on any façade where, in the opinion of the Inspector, they are compatible with the period/architectural style of the streetscape.</p>	Same as Heritage Area 2	Same as Heritage Area 2
Roof Decks	<p>Roof decks shall not be permitted unless an original feature of the building.</p>	<p>Roof decks may be permitted provided the deck structure, or any part thereof, does not extend above the roof line of the building; does not obscure any architectural details; and is not visible from a public street. However, roof decks facing a flanking street may be permitted at the discretion of Inspector.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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NON-RESIDENTIAL BUILDINGS					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
OTHER					
Automated Teller Machine (ATM)	ATMs may be permitted on the façade of a Designated Heritage Building, where, in the opinion of Council, it does not obscure any architectural details or any character defining elements of the building.	ATMs are permitted on the façade of a building.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Heat Pump	Heat pumps shall be placed in the side or rear yard where possible. Heat pumps that are visible from a public street shall be screened. Screening may include landscaping.	Heat pumps that are visible from a public street shall be screened. Screening may include landscaping.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
Out of Character Buildings	N/A	Renovations to existing out of character buildings which do not follow the Heritage Design Standards may be approved at the discretion of the Inspector.	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

ADDITIONS TO EXISTING BUILDINGS AND NEW DEVELOPMENTS (RESIDENTIAL AND NON-RESIDENTIAL)					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
Additions to Existing Buildings	<p>Additions shall be the same architectural style, or similar and compatible with the building's architectural style.</p> <p>Modern façade designs may be approved by Council provided the addition is physically and visually compatible with, subordinate to and distinguishable from the designated building; enhances the visual prominence of the designated building; and does not detract from the character defining elements of the designated building.</p>	<p>Additions must be compatible with the period/architectural style of the streetscape in their design, massing and location without adversely affecting the character defining elements of the existing building.</p> <p>Additions shall respect the rhythm and orientation of façade openings/fenestrations along the same elevation.</p> <p>Additions shall meet the Heritage Area Design Standards above. Notwithstanding, Modern façade designs may be approved by Council provided the addition is physically and visually compatible with, subordinate to and distinguishable from the designated building; enhances the visual prominence of the designated building; and does not detract from the character defining elements of the designated building.</p>	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1
New Buildings on the Same Lot as a Designated Heritage Building	New buildings on the same lot as a Designated Heritage Building shall be designed in a manner that respects the designated site.	N/A	N/A	N/A	N/A
New Buildings in a Heritage Area	N/A	<ol style="list-style-type: none"> Buildings must be designed with a traditional form and maintain elements of façade design as described in the Heritage Area Design Standards above. Façade design shall respond to the development pattern of the historic street and the design of adjacent buildings. Generally, new buildings shall have roof 	Same as Heritage Area 1	Same as Heritage Area 1	Same as Heritage Area 1

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Heritage Design Standards

ADDITIONS TO EXISTING BUILDINGS AND NEW DEVELOPMENTS (RESIDENTIAL AND NON-RESIDENTIAL)					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
		<p>lines, eave lines, window lines and cornice lines in common with adjacent buildings in order to establish a visual continuity along the streetscape. Facades shall incorporate the rhythm of the street with respect to fenestration.</p> <p>3. Long, unbroken facades to be avoided. Facades adjacent to a street shall include windows, entrance doors, balconies (where acceptable) or varied setbacks to achieve this.</p> <p>4. Traditional materials to be used. Modern materials may be permitted where, in the opinion of the Inspector, the materials replicate the period/architectural style of the streetscape.</p> <p>5. Buildings to be oriented at right angles to the street.</p> <p>6. Where recessed entries typical of commercial properties exist along the street, new developments shall incorporate recessed entries.</p> <p>7. Mixed-use buildings shall create a visual distinction between the pedestrian storefront realm along the street and any upper storey residential units.</p>			

Schedule D
Heritage Design Standards

ADDITIONS TO EXISTING BUILDINGS AND NEW DEVELOPMENTS (RESIDENTIAL AND NON-RESIDENTIAL)					
	Designated Heritage Building	Heritage Area 1	Heritage Area 2	Heritage Area 3	Heritage Area 4 (Battery)
		<p>8. For buildings that exceed 18 metres in height, portions of the building above 18 metres shall have a greater freedom of material choice and design expression</p> <p>9. On sites where buildings previously existed, there may be opportunities to replicate the former building. This may be possible if there is documentary evidence of the development, such as photographs, maps, surveys, and historic design and construction drawings. This may be possible by interested parties but will not be required by the City.</p>			

Note: To be updated to remove reference to St. John's Development Regulations and add Parcel IDs to each property.



City of St. John's HERITAGE BUILDINGS

Updated December 2020

This is an appendix to the St. John's Development Regulations but does not form part of them.

The following buildings have been designated as Heritage Buildings by the St. John's Municipal Council. They are listed in alphabetical order by street name.

Number	Name (if any) or Type of Building	Address	Date of Designation
1.	Cramm House	3 Barnes Road	2008-01-11
2.	House (semi-detached)	8 Barnes Road	1986-09-24
3.	House (semi-detached)	10 Barnes Road	1986-09-24
4.	Mallard Cottage	2 Barrows Road, Quidi Vidi Village	2006-04-25
5.	Murray Premises	5 Beck's Cove (Harbour Drive and Water Street)	1989-07-21
6.	St. Joseph's Chapel - Blackhead Church	8 Blackhead Village Road	1994-08-22
7.	The Observatory (house)	1 Bonaventure Avenue	1994-12-05
8.	Raheen	50 Bonaventure Avenue	2020-11-13
9.	Bishop Feild College	46 Bond Street	1989-07-21
10.	Cantilever (Ove Arup) Pedestrian Bridge	100 Bowring Park Road	2020-05-15
11.	House	172 Campbell Avenue	2020-10-09
12.	Masonic Temple	6 Cathedral Street	1989-07-21
13.	Cathedral Clergy House	9 Cathedral Street	1989-07-21
14.	Anglican Cathedral of St. John the Baptist	16 Church Hill	1989-07-21
15.	Cathedral Rectory	22 Church Hill	1989-07-21
16.	House	24 Circular Road	2001-07-23
17.	Bartra (house)	28 Circular Road	1987-04-15
18.	House (semi-detached)	34 Circular Road	1999-02-08

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Number	Name (if any) or Type of Building	Address	Date of Designation
19.	House (semi-detached)	36 Circular Road	1999-02-08
20.	Bannerman House	54 Circular Road	1991-01-27
21.	House	56 Circular Road	2017-01-27
22.	House	58 Circular Road	2018-09-14
23.	Sunnyside Gatehouse	60 Circular Road	2006-04-25
24.	Sunnyside House and Coachhouse	70 Circular Road	2006-04-25
25.	Canada House	74 Circular Road	1981-10-24
26.	House (Elliott and Elliott Ltd.)	28 Cochrane Street	2004-05-17
27.	Cochrane Street United Church	81 Cochrane Street	1989-07-21
28.	Emmanuel House	83 Cochrane Street	1989-07-21
29.	St. Patrick's Convent	15 Convent Square	1989-07-21
30.	Devon Row (row house)	1 Devon Row (Duckworth St)	1989-07-21
31.	Devon Row (row house)	2 Devon Row (Duckworth St)	1989-07-21
32.	Devon Row (row house)	3 Devon Row (Duckworth St)	1989-07-21
33.	Devon Row (row house)	4 Devon Row (Duckworth St)	1989-07-21
34.	Devon House	59 Duckworth Street	2005-02-14
35.	Tobin Building -Pollyanna Art Gallery (former Hutton's Music Store)	214 Duckworth Street	2006-04-25
36.	Aylward, Chislett & Whitten, law offices	261 Duckworth Street	1989-07-21
37.	Compu College (former <i>Evening Telegram</i> building)	271-275 Duckworth Street	1989-07-21
38.	Anna Templeton Centre (former Bank of British North America)	278 Duckworth Street	1989-07-21
39.	Newfoundland Museum building	285 Duckworth Street	1989-07-21
40.	Court of Appeal (former Union Bank)	287 Duckworth Street	1989-07-21
41.	St. John's Court House - Supreme Court of Newfoundland and Labrador	309 Duckworth Street and 192 Water Street (dual civic address)	1989-07-21
42.	House (architect William Howe Greene, 1865-1937)	333 Duckworth Street	1989-07-21
43.	The Majestic Theatre - Merlin's Night Club	390 Duckworth Street	1989-07-21

Number	Name (if any) or Type of Building	Address	Date of Designation
44.	The Imperial condominiums (former Imperial Tobacco Factory)	22 Flavin Street	1989-07-21
45.	Devon Place	3 Forest Road	2017-08-18
46.	Devon Place	3A Forest Road	2017-08-18
47.	Monroe House	8 Forest Road	2006-07-11
48.	House	50 Forest Road	2004-05-17
49.	Howard House	7 Garrison Hill	2005-02-14
50.	George Street United Church	130 George Street West	1989-07-21
51.	Bonne Esperance (semi-detached)	18 Gower Street	2006-04-25
52.	Bonne Esperance (semi-detached)	20 Gower Street	2006-04-25
53.	Bonne Esperance (semi-detached)	22 Gower Street	2006-04-25
54.	Angel House	146 Hamilton Avenue	2006-06-27
55.	CEI Club (former United Church Children's Home)	181 Hamilton Avenue	1989-07-21
56.	Julia Baird House	27 Henry Street	2017-08-18
57.	House	29 Henry Street	2017-08-18
58.	House	6 Howley Avenue	1987-09-02
59.	The Stone House (Law Firm)	8 Kenna's Hill	1985-04-10
60.	Retreat Cottage (house)	14 Kenna's Hill	1993-03-29
61.	Old General Hospital - Military Hospital (condominiums)	20 & 22 King Edward Place (formerly 100 Forest Road)	1998-01-26
62.	Old General Hospital - Queen Victoria Wing (attached to the Military Hospital)	24, 26, 28 & 30 King Edward Place (formerly 100 Forest Road)	1998-01-26
63.	Sutherland Place (houses; also called the Pitt's Building)	4-20 King's Bridge Road	1982-08-18
64.	Everton House	23 King's Bridge Road	2018-03-09
65.	House	31 King's Bridge Road	1985-11-05
66.	House	33 King's Bridge Road	1985-11-14
67.	House	35 King's Bridge Road	1987-03-11
68.	Kinkora House	36 King's Bridge Road	1995-08-07
69.	House	16 Leslie Street	2017-01-27

Number	Name (if any) or Type of Building	Address	Date of Designation
70.	Spring Lodge	23 Leslie Street	2017-01-27
71.	St. Michael's Convent, Belvedere Property	53 Margaret's Place (formerly 57 Margaret's Place)	2001-09-21
72.	Mount St. Francis Monastery	4 Merrymeeting Road	2000-04-17
73.	St. Thomas' Church - Old Garrison Church (excluding Canon Wood Hall)	8 Military Road	2005-05-30
74.	Prescott Inn	21 Military Road (Elizabeth Avenue)	1986-06-11
75.	House	85 Military Road	2018-01-26
76.	House	112 Military Road	1991-05-06
77.	House	124 Military Road	2015-03-30
78.	Presentation Convent	180 Military Road	2004-05-17
79.	Basilica of St. John the Baptist	200 Military Road	2005-02-14
80.	Basilica of St. John the Baptist Arch	200 Military Road	2006-07-24
81.	House	7 Monkstown Road	2002-09-23
82.	Peppercorn House (one of a row)	25 Monkstown Road	2003-07-02
83.	House	36 Monkstown Road	2017-01-27
84.	Harris Cottage	43 Monkstown Road	2004-05-17
85.	Monkstown Manor -Within the MUN Botanical Gardens	51 Monkstown Road	1996-04-15
86.	Squires barn and carriage house	315-317 Mount Scio Road	2004-11-29
87.	Rose Cottage	108 New Cove Road	2017-01-27
88.	Bryn Mawr	154 New Cove Road	2016-06-17
89.	McCoubrey Manor	6-8 Ordnance Street	1997-06-24
90.	Thimble Cottage	150 Oxen Pond Road	2004-04-05
91.	House	3 Park Place (Rennie's Mill Road)	2005-05-30
92.	House	4 Park Place (Rennie's Mill Road)	1986-09-24
93.	The Deanery (house)	6 Patrick Street	1989-07-21
94.	St. Patrick's Roman Catholic Church	40 Patrick Street	1989-07-21
95.	Lakecrest Independent School (former St. Patrick's Girls' School)	58 Patrick Street	1989-07-21

Number	Name (if any) or Type of Building	Address	Date of Designation
96.	Wesley United Church	101 Patrick Street	1989-07-21
97.	Building	7 Plank Road	1995-01-30
98.	Martin McNamara House	15 Plank Road	1995-01-30
99.	House	90 Pleasant Street	2017-08-18
100.	House	15 Portugal Cove Road	1991-04-01
101.	Anderson House	42 Power's Court	2017-01-27
102.	Row house	74 Prescott Street	1987-11-10
103.	Row house	76 Prescott Street	1987-11-10
104.	Row house	78 Prescott Street	1987-11-10
105.	Cornerstone Theatre (former convent, school, and church)	16 Queen Street (at George Street)	1989-07-21
106.	House	30 Queen's Road	2002-03-11
107.	House (semi-detached with 34 Queen's Road (not designated))	32 Queen's Road	2004-06-07
108.	House	34 Queen's Road	2017-01-27
109.	Chapel Hill Apartments (former Congregational Church and Seventh-Day Adventist Church)	39 Queen's Road	1981-04-15
110.	Benevolent Irish Society Building (original St. Patrick's Hall School and O'Donel Memorial Hall)	58 Queen's Road (formerly 48 Queen's Road)	1987-07-08
111.	Cathedral Parish Hall (Synod Hall)	68 Queen's Road (formerly 56-64 Queen's Road & 189-193 Military Road)	1989-07-21
112.	St. Andrew's Presbyterian Church - The Kirk	76 Queen's Road	1989-07-21
113.	House (former Christ Church)	86 Quidi Vidi Village Road	2006-04-25
114.	"The House"	21 Rennie's Mill Road	2004-11-29
115.	House	40 Rennie's Mill Road	2017-01-27
116.	House	42 Rennie's Mill Road	2003-12-08
117.	Kelvin House	49 Rennie's Mill Road	2006-04-25
118.	Lord Edward Patrick Morris House	55 Rennie's Mill Road	2016-06-10
119.	Winterholme (house)	79 Rennie's Mill Road	1987-06-05

Number	Name (if any) or Type of Building	Address	Date of Designation
120.	House	8 Riverview Avenue	2017-01-27
121.	House	68 St. Clare Avenue	2017-08-18
122.	The New House (semi-detached)	335 Southside Road	2004-11-29
123.	The New House (semi-detached)	337 Southside Road	2004-11-29
124.	House	355 Southside Road	2017-08-18
125.	Newman Building	1 Springdale Street	1989-07-21
126.	The Four Sisters (row house)	31 Temperance Street	1989-07-21
127.	The Four Sisters (row house)	33 Temperance Street	1989-07-21
128.	The Four Sisters (row house)	35 Temperance Street	1989-07-21
129.	The Four Sisters (row house)	37 Temperance Street	1989-07-21
130.	Leaside Manor	39 Topsail Road	1996-02-19
131.	LSPU (Longshoremen's Protective Union) Hall	1 Victoria Street	1989-07-21
132.	House	27 Victoria Street	1988-01-20
133.	King George V Institute	93 Water Street	1989-07-21
134.	Javelin House (former Brother T.I. Murphy Centre)	95 Water Street	1989-07-21
135.	Breakwater Books (former S.O. Steele store)	100 Water Street	2012-10-26
136.	Delgado Building	169 Water Street	1989-07-21
137.	The London Building	177-179 Water Street	1989-07-21
138.	Newfoundland and Labrador Credit Union building	187 Water Street	1989-07-21
139.	Building - Byrons	191 Water Street	1989-07-21
140.	Building – Franklin Hotel (former Parker and Monroe shoe store)	193 Water Street	1989-07-21
141.	Commercial Chambers Building	199 Water Street	1989-07-21
142.	Building – Nautical Nellie’s	201 Water Street	1989-07-21
143.	Building – The Taj Mahal	203 Water Street	1989-07-21
144.	HSBC Bank (former Bank of Commerce building)	205 Water Street	1989-07-21
145.	Royal Bank	226 Water Street	1989-07-21

Number	Name (if any) or Type of Building	Address	Date of Designation
146.	Grace Building - Model Shop	283-285 Water Street	2003-06-16
147.	Yellowbelly Corner – Yellowbelly Restaurant	288 & 290 Water Street	1989-07-21
148.	Yellowbelly Corner – Canary Cycles	292 & 294 Water Street	1989-07-21
149.	Yellowbelly Corner – Celtic Hearth	300 Water Street	1989-07-21
150.	O'Dwyer Block – O'Dwyer Manor/The Golden Tulip/Aveda Sound	301 Water Street	1989-07-21 2005-06-15
151.	O'Dwyer Block (Thompson Building) Down Home Shoppe & Gallery	305 Water Street	1989-07-21 2005-06-15
152.	O'Dwyer Block – Heritage Shop	309 Water Street	1989-07-21 2005-06-15
153.	Byrne Building	362-366 Water Street	1989-07-21
154.	Newman Wine Vaults	436 Water Street	2006-04-25
155.	Apothecary Hall	488 Water Street	1988-02-
156.	Railway Coastal Museum (former Newfoundland Railway Station)	495 Water Street	1989-07-21 1996-11-25
157.	Compton House	26 Waterford Bridge Road	1988-09-
158.	Summerlea	119 Waterford Bridge Road	2019-10-04

Note: the numbers in the first column are for ease of reference only; they are not unique identifiers.

**Examples of modern additions that blend with
existing heritage structures**



New addition uses similar materials to the existing building



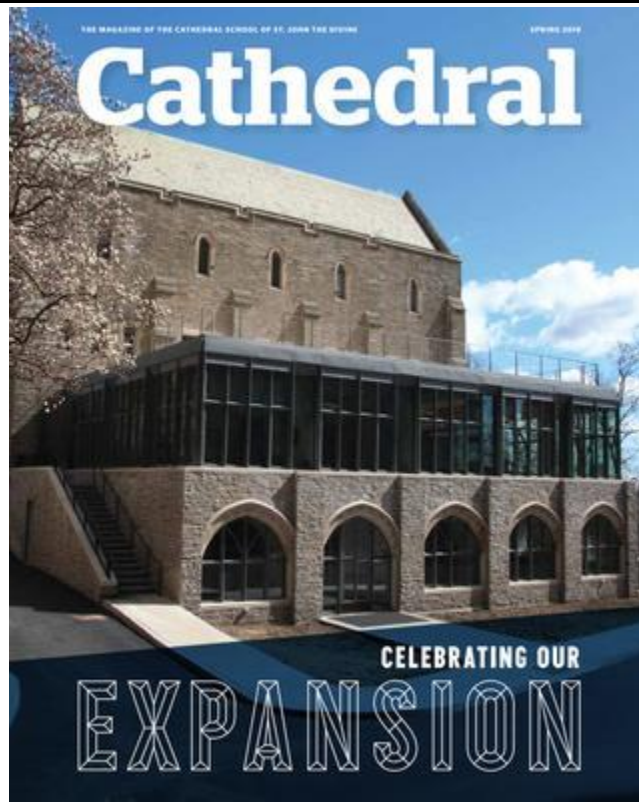
Buildings with large portions glass can be included if appropriately designed.



Extensions at the rear of a building can have more flexibility.



Great local examples of blending modern with heritage.



Renderings often vary from the actual building, but this Cathedral used similar materials to the existing building and incorporated modern glass.



This example from Charlottetown shows how the podium is maintained but a stepback and larger vertical expansion that does not meet heritage standards is permitted.



An example of how the modern expansion mimics the heritage structure but uses modern materials.

Note: Sample of what could be include in a Heritage Report Terms of Reference.
Actual City of St. John's Heritage Reports will vary.



Heritage Impact Assessment Terms of Reference

A Heritage Impact Assessment (HIA) evaluates the impact of a proposed development, building alteration or site alteration on a built heritage resource(s) or a cultural heritage landscape(s) and recommends mitigative measures or alternative development approaches to conserve the heritage attributes of that resource/landscape. HIAs are an important planning tool to ensure that the heritage values, attributes and integrity of cultural heritage resources are considered in the land development process.

Policy Context

Municipalities are enabled by the Provincial Policy Statement (PPS; 2014) under the Ontario Planning Act (R.S.O. 1990) to use HIAs in the planning process. Section 2.6.1 of the Provincial Policy Statement states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved” and the mechanism defined for conservation include the implementation of recommendations, mitigative measures and alternative development approaches set out in a Conservation Plan, Archaeological Assessment, and/or Heritage Impact Assessment.

The City of Waterloo Official Plan (s. 4.7.3 (1)) requires a Heritage Impact Assessment for all development applications, or site alteration permit applications that: (1) include or are adjacent to a designated property, or (2) include a non-designated property listed on the Municipal Heritage Register. Adjacency is defined in the Plan as “contiguous to” a designated heritage property. The City’s Official Plan permits an HIA to be scoped or waived by the City or Region.

When is a Heritage Impact Assessment required?

A Heritage Impact Assessment is required for certain applications involving the following types of properties:

- Property designated under Part IV the Ontario Heritage Act (individual designation)
- Property designated under Part V of the Ontario Heritage Act (located within a Heritage Conservation District)
- Property that is adjacent (contiguous) to individually designated properties or a Heritage Conservation District
- Property that is listed on the Municipal Heritage Register as a non-designated property of cultural heritage value or interest

The types of applications that may trigger the need for an HIA for the above properties include (but are not limited to) the following:

- Site Plan Control
- Zoning By-law Amendment
- Official Plan Amendment
- Draft Plan (Subdivision and Condominium)
- Consent or Minor Variance application under s. 45 of the Planning Act
- Site Alteration

At staff's discretion, an HIA may be scoped to reflect anticipated impacts on a heritage resource, or waived if there is sufficient information to suggest there will be no impacts on a heritage resource (e.g. erection of a temporary structure).

Notification

An HIA is most effective when it is conducted early in the development application process and should form part of a complete application. The findings, conclusions and recommendations of the HIA should be reflected in the final development concept advanced to the City. City of Waterloo staff will inform property owners and/or their representative of the need for an HIA. Anyone considering development, building or site alterations are encouraged to contact Michelle Lee, Heritage Planner, early in their project planning process to determine if an HIA is required and will be provided a copy of this HIA Terms of Reference.

Qualified Heritage Conservation Professional

An HIA must be prepared by a qualified heritage conservation professional, such as a heritage planner, heritage architect and/or heritage landscape architect, with demonstrated knowledge of accepted heritage conservation standards, and experience with historical research and identification/evaluation of cultural heritage value. The professional should be registered with the Canadian Association of Heritage Professionals and in good standing. The qualifications and background of the professional completing the HIA must be included in the report.

Principles

Content and recommendations of the HIA should be based on accepted conservation principles and guidelines, including those outlined in:

- Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*
- Ontario Ministry of Culture, Tourism and Sport's *Eight Guiding Principles in the Conservation of Historic Properties*
- *The Ontario Heritage Tool Kit*

Minimum Content Requirements

The HIA will include, but is not limited to the information below. City staff may scope or expand the HIA, in consultation with the applicant, to develop a modified terms of reference specific to the needs of the project.

1. Background Information

- Present owner contact information for the lands and buildings proposed for development and/or site alteration
- Name, qualifications and background of the qualified heritage conservation professional completing the HIA

2. Historical research, analysis and evaluation of built heritage resource/cultural heritage landscape

- A location plan indicating the subject property (map and aerial photo)
- A site plan showing lot dimensions and the location/setbacks of all existing buildings, drawn at an appropriate scale to demonstrate the context of the buildings and site details
- A written and visual description of the site identifying significant features, buildings, landscapes and vistas
- A chronological history of the subject property's development, including original construction dates, additions and alterations
- A chain of title, listing successive owners of the property and associated dates
- Relevant historic maps and atlases, drawings, photographs, sketches/renderings, permit records, land records, assessment rolls, city directories, etc.

3. Identification of the significant heritage attributes of the built heritage resource/cultural heritage landscape

- Comprehensive written research and analysis and graphical information related to the cultural heritage value or interest (physical or design, historical or associative, and contextual – see Regulation 9/06 of the Ontario Heritage Act) of the site, to include attributes that are already recognized and any that are newly identified through this analysis. Significant heritage attributes may include any significant features, characteristics, context, and appearance of buildings, landscapes or vistas
- Identification of any heritage recognition of the property and/or buildings/structures thereon, including descriptions of significant features or values as available

Heritage recognitions could include:

- Designation under Part IV and Part V of the Ontario Heritage Act
- Listing as a non-designated property on the Municipal Heritage Register
- A heritage easement agreement with the City or Ontario Heritage Trust

- Inclusion in Parks Canada National Historic Sites of Canada
- Inclusion on any Provincial or Federal heritage registries
- Current digital images documenting all building elevations and identified heritage attributes
- Recommendation as to whether the subject property and/or buildings/structures thereon, if not already recognized, meets the criteria under Ontario Regulation 9/06 for listing or designation under the Ontario Heritage Act. If no, the rationale as to why the criteria for designation or listing are not met

4. Description of the proposed development or site alteration

- A written description of the proposed development or site alteration, detailing the rationale and purpose of the development or works, a graphical layout, and how the development fits with municipal planning objectives set forth in the City's Official Plan

5. Assessment of development or site alteration impacts

- An assessment identifying both (a) direct and or indirect positive effects, and (b) adverse impacts resulting from the proposed development relative to the heritage value(s) of the built heritage resource(s) or cultural heritage landscape(s)

Positive impacts may include, but are not limited to:

- Restoration of building, including replacement of missing attributes
- Restoration of a historic streetscape or enhancement of the quality of the place
- Adaptive re-use of a built heritage resource to ensure its ongoing viability
- Access to new sources of funds to allow for the ongoing protection and restoration of the heritage resource

Adverse impacts may include, but are not limited to (refer to *Ontario Heritage Toolkit*, Ministry of Tourism, Culture and Sport):

- Destruction of any, or part of any, significant heritage attributes
- Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance of the heritage resource
- Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features
- A change in land use that affects the property's heritage value
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a heritage resource

6. Consideration of alternatives, mitigation and conservation methods

- Methods to prevent and minimize adverse impacts on a heritage resource(s), including, but not limited to:
 - Alternative development approaches/designs that result in compatible development and limit adverse impacts
 - Isolating new development/works from significant cultural heritage resources to conserve heritage attributes including, but not limited to, their settings and identified views and vistas
 - Limiting height and density or locating higher/denser components of a development in a manner that respects the existing heritage resources or the heritage conservation district
 - Including reversible interventions to heritage resources
 - Relocation of a heritage resource, to be employed only as a last resort, if conservation cannot be achieved by any other means

7. Schedule and reporting structure for implementation and monitoring

- A schedule and reporting structure for implementing the recommended conservation/mitigative/avoidance measures, and monitoring the heritage resource as the development or site alteration is undertaken

8. A summary statement and conservation recommendations

- The summary statement should provide a full description of:
 - The significance and heritage attributes of the built heritage resource/cultural heritage landscape
 - The identification of any impacts the proposed development/works will have on the heritage attributes of the resource/landscape
 - An explanation of recommended conservation or mitigative measures, and alternative development/site alteration approaches
 - Clarification as to why specific conservation or mitigative measures, or alternative development/site alteration approaches are not appropriate
 - For development proposals that could result in the demolition of a designated or listed property, an HIA must also require documentation of the heritage resource for archival purposes, including at minimum land use history, photographs, and dimensioned drawings

9. Conservation recommendations for properties of regional significance (ROP, 3.G.18, 3.G.19)

- For properties identified by the Region to be of regional significance, conservation recommendations must, wherever feasible, aim to conserve heritage resources intact by:

- recognizing and incorporating heritage resources and their surrounding context into the proposed development in a manner that does not compromise or destroy the heritage resource
- protecting and stabilizing built heritage resources that may be underutilized, derelict, or vacant
- designing development to be physically and visually compatible with, and distinguishable from, the heritage resource
- Where it is not feasible to conserve a heritage resource intact, the conservation recommendations shall:
 - promote the reuse or adaptive reuse of the heritage resource, building, or building elements to preserve the resource and the work of past artisans
 - require the owner/applicant to provide dimensioned drawings, a land use history, photographs and other required documentation of the heritage resource in its surrounding context

SAMPLE

Review Process

- 1. Notice** Staff will notify the property owner(s) and/or their representative in writing that an HIA is required. The HIA Terms of Reference will be included with the notice.
- 2. Draft Submission** One electronic copy and one hard copy of the draft HIA will be submitted to City staff for review. The report will be clearly marked as a draft.
- 3. Completeness** The draft HIA will be assessed by staff for completeness. Staff will provide the author of the HIA with clear instructions regarding any additional information or analysis required before the HIA is considered complete.
- 4. Review** Complete HIAs will be reviewed by City staff and circulated to the Municipal Heritage Committee for review and comment. To be accepted, the HIAs must demonstrate, to the satisfaction of the Director of Growth Management, that significant impacts have been evaluated and mitigated. For properties of Regional significance, the HIA will be circulated to the Region for review. City staff may request to meet with the owner/applicant to discuss the HIA and its recommendations.
- 5. Peer Review** In certain cases, the City may seek a peer review of the HIA by a qualified heritage conservation professional. The peer review will be carried out by a consultant retained by the City at the expense of the applicant.
- 6. Acceptance** Authors of complete HIAs carried out to the satisfaction of the Director of Growth Management will be provided with comments in writing along with a notification of acceptance or rejection of the HIA.
- 7. Final Submission** 3 copies of an accepted HIA will accompany the final application made under the Planning Act or Heritage Act and will be considered as part of the complete application. The HIA's recommendations may be secured through development-related legal agreements and regulations at the discretion of the City or authority having jurisdiction.

DECISION/DIRECTION NOTE

Title: Kelly's Brook Shared-Use Path - WWH

Date Prepared: March 17, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Ian Froude, Transportation and Regulatory Services & Sustainability

Ward: Ward 4

Decision/Direction Required: An overview of the stakeholder and public feedback received to date is provided with a technical memo on surface material to support Council in providing the required direction on design choices such as surface material for Kelly's Brook Shared-Use Path.

Discussion – Background and Current Status:

Several key areas of the Kelly's Brook Shared-Use Path require direction from council in order to proceed with the detailed design. The public engagement process has now concluded and feedback received has informed the discussion from staff provided below for these key areas.

Attached are several supporting documents:

- Surface Material Technical Memo
- Surface Material Summary Matrix
- What We Heard – Kelly's Brook Shared-Use Path

Surface Material

The attached Surface Material Technical Memo provides a comparison of five (5) surface material options: traditional granular material, two (2) granular products with stabilization systems, traditional asphalt, and concrete.

Accessibility: The planned route of Kelly's Brook Shared Use Path is one of the flattest trail routes in the city, presenting greater opportunity to accommodate a wide range of ages and abilities of users including people with mobility challenges or invisible disabilities. Asphalt and concrete are the only truly accessible trail surface materials. Although some wheelchairs and mobility aids work on the granular surface options, many do not. The vast majority of people engaged agreed that the upgraded trail should be accessible for people with mobility challenges and disabilities. Over several years the City's Inclusion Advisory Committee and Universal Design Working Group strongly support the recommendation for an accessible surface treatment. A discussion on specific trail material is scheduled for March 23, 2021 and a verbal update on the conclusions of this discussion will be provided during Committee of the Whole on March 24, 2021.

ST. JOHN'S

An opportunity for a continuous pathway surface: The existing links of walking trail that will be connected to form the Kelly's Brook Shared Use Path are predominantly granular with concrete sidewalks along roadways. Applying a continuous asphalt surface along the length of the shared-use path would help clearly denote the pathway direction at intersections and junctions. It would also clearly differentiate the shared-use path, which is open for cycling, from surrounding walking trails and sidewalks where cycling is prohibited. This distinction will help ease concerns of existing trail users about people misusing the walking trails.

Public preference: Shared-use path surface material was a significant piece of public engagement. There is a full-page summary of this topic on page 7 of the attached What We Heard report. Public preference was varied, mixed and often unclear. Although there was a preference for a granular surface aesthetic from the 89 workshop participants, the survey showed a strong preference for the functionality of a smooth, accessible surface when the material was not specified. The majority of the 822 survey respondents wanted a surface material that would accommodate as many types of human-powered uses as possible. The three granular surface treatments have limitations for walkers and some wheelchair users and do not support small wheeled devices. Asphalt and concrete surfaces promote a wide range of uses for all ages and abilities. Considering all other material characteristics that participants identified as the most important—year round use, usability, drainage and runoff, performance and durability, maintenance, surface erosion and washout—asphalt is the preferred option.

Durability, Cost and Maintenance: With the high precipitation experienced all year-round, standing and flowing water are major concerns. The durability of the trail is greatly reduced on all three granular installations when higher user volumes are combined with standing water, and bases would experience significant erosion from surface drainage. Asphalt and concrete are highly durable surfaces in wet and dry weather and require less maintenance than the granular trail surfaces. Full lifecycle costs of the 5 surface materials are included in the technical memo on surface material. Asphalt and traditional granular surfaces are significantly less expensive than the other options. The lower capital costs of traditional granular are offset by higher cost of ongoing maintenance.

Strategic Alignment: To achieve the goals of the Bike St. John's Master Plan and the related goals in sustainability, affordable housing, healthy living, and public transit, it's important to provide a facility that accommodates people of all ages and abilities, and encourages active transportation. A smooth and stable surface material is more comfortable and inviting for a wider range of users.

Given the factors above, a continuous asphalt surface treatment for the length of Kelly's Brook Shared-Use Path is recommended.

Pathway Alignment

Where route choices needed to be made, the public was consulted about preferred pathway alignments.

- From Kelly's Brook Park to St. John's Farmers Market, most people preferred a route travelling along Graves Street.

- From St. John's Farmers Market to Wishingwell Park, most people preferred a route travelling behind the market.
- Along Empire Avenue, from Kings Bridge Road to Rennie's Mill Road, residents preferred converting street to one-way eastbound (instead of removing parking).

Design work will continue for these preferred alignments unless for technical reasons they are determined to be unfeasible.

Lighting, Wayfinding & Amenities

Pathway lighting is important for safety and usability of the shared-use path. The feeling of security is impacted by illumination, particularly in the fall and winter when days are short. Sections of the existing pathway are difficult and uncomfortable to use when lighting is lower.

- A context-sensitive approach will be used for lighting with focused area lighting in some areas, broader lighting in more open park spaces.
- Lighting will be limited to useable hours, similar to other city parks such as Bannerman Park and Victoria Park.
- Lighting will be designed to minimize impact for neighbouring properties.

Wayfinding, landscaping and amenities will be included.

- Accessibility will be considered for style and placement of wayfinding signage and amenities.
- Amenities such as recycling and waste receptacles, benches, pet waste stations, shade and wind-break planting, way-finding signs, shared-use guideline signs, and bike racks will be included

Key Considerations/Implications:

1. Budget/Financial Implications:

Project is funded by provincial and federal program. See note on funding announcement here: <http://stjohns.ca/media-release/governments-invest-upgrades-path-link-neighbourhoods-st-johns>

2. Partners or Other Stakeholders: n/a

3. Alignment with Strategic Directions/Adopted Plans:

This shared use path directly supports the City's Strategic Goal M3 "Expand and maintain a safe and accessible active transportation network".

4. Legal or Policy Implications: n/a

5. Privacy Implications: n/a

6. Engagement and Communications Considerations:

Public engagement results are included in the attached What We Heard report. The project team will do further engagement with the Inclusion Advisory Committee as detail design progresses. Stakeholders along Graves Street route will be invited to a more focused meeting about design considerations for that particular route alignment.

7. Human Resource Implications: n/a

8. Procurement Implications:

The current engagement and design project will conclude with a tender ready package for construction in 2021-2022.

9. Information Technology Implications: n/a

10. Other Implications: n/a

Recommendation:

That Council approve the following key decisions as this project moves into detailed design:

- a) use of an asphalt surface treatment for the length of Kelly's Brook Shared-Use Path
- b) pursue the Graves Street alignment option (subject to feasibility and property impact)
- c) pursue the alignment option that passes behind the Community Market (subject to feasibility and property impact)
- d) use a one-way configuration for the Empire Avenue section
- e) include illumination in the plan with a balanced approach that is sensitive to adjacent uses and minimizes dim areas immediately adjacent the trail during normal use hours
- f) include and consider accessibility in the provision of amenities such as recycling and waste receptacles, benches, pet waste stations, shade and wind-break planting, way-finding signs, shared-use guideline signs, and bike racks
- g) continue to consult with the Inclusion Advisory Committee and other stakeholders as needed during the detailed design process

Prepared by: Marianne Alacoque, Transportation Systems Engineer

Approved by: Garrett Donaher, Manager Transportation Engineering

Report Approval Details

Document Title:	Kelly's Brook Shared-Use Path - WWH.docx
Attachments:	<ul style="list-style-type: none">- Surface Material Technical Memo.pdf- Surface Material Summary Matrix.pdf- What We Heard KB SUP.pdf
Final Approval Date:	Mar 18, 2021

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

Scott Winsor - Mar 18, 2021 - 11:48 AM

Jason Sinyard - Mar 18, 2021 - 12:33 PM

MEMORANDUM

February 18, 2021

To: Garrett Donaher & Marianne Alacoque

Organization: City of St. John's

From: Shanna McKinnon & Jeff Ciabotti

Project: Kelly's Brook Shared Use Path

Re: Kelly's Brook Shared Use Path Surfacing Comparison

As part of the design and construction of Kelly's Brook Shared Use Path, Toole Design has completed a comparison between various surface materials appropriate for the desired types of use identified. Details on five surface materials are provided and a comparison between each is shown. Based on this research and feedback from stakeholders, a preferred surface recommendation for the design and construction of this facility will be presented to Council.

Background

The City of St. John's approved the Bike St. John's Master Plan, including 3 catalyst projects, at the June 10, 2019 City Council meeting. The vision adopted by City Council commits the City of St. John's to enabling and encouraging more people to ride a bicycle by developing a safe, inclusive, and convenient cycling network that is well-connected, attractive, and reflective of the city's unique topography and climate. This project is for the design and construction of the Kelly's Brook Shared Use Path, which was the highest priority project identified in the plan.

The existing links that will be connected to form the Kelly's Brook Shared Use Path are predominantly granular with concrete sidewalks along roadways. Through discussion with City administration, Toole Design understands the material that is used to create shared use pathways has been a notable concern for the public, with some preferring the aesthetic of granular paths within naturalized areas and open spaces. As such, an evaluation of various surface treatments has been requested as part of the design and construction of the Kelly's Brook Shared Use Path.

Local Conditions

St. John's has a very wet climate. Standing water is a regular occurrence and trail undermining from water runoff is a frequent concern. Winters are relatively mild with considerable freeze-thaw cycles. Though the projected lifespan of a traditional granular trail is typically 10+ years, the trails in St. John's see frequent and significant routine maintenance to correct surface and subsurface wear resulting from trail use during wet periods, direct water damage, and undermining. Additionally, the existing granular trail along Rennie's Mill River often becomes flooded due to high water levels.

St. John's is a city with steep and plentiful hills. The planned route of Kelly's Brook Shared Use Path is one of the flattest trail routes in the city, presenting greater opportunity to accommodate a wide range of ages and abilities of users including people with mobility challenges or invisible disabilities. Accommodating all ages and abilities is a

major objective of the City of St. John's. Users could include people: walking; running, using wheelchairs; using walkers and other mobility aids; pushing a stroller; using rollerblades/inline skates, skateboards, scooters, and other small, hard-wheeled devices; riding bicycles; and other active uses.

Trail Materials Comparison

Materials

The material of the shared pathway is of particular concern to the community. The Bike St. John's Master Plan makes universal accessibility a priority, however a familiar granular aesthetic is preferred by some. The original scope of the project required a comparison be done between asphalt and traditional granular surface treatments. Given the desire for a surface that is both familiar looking and wheelchair accessible, the team has also included two granular products that may be able to meet these needs, Organic-Lock™ and CORE™ Gravel Foundation Systems. (See below for brief product descriptions or use the hyperlinks to access product websites). Finally, the comparison includes concrete surfacing as there are locations along roadways that may be reconstructed as concrete pathway by widening the existing sidewalk.

"Organic-Lock™ is the strongest organic binder on the market today. Designed for stabilizing aggregate surfaces, its functionality allows you to create natural, aesthetically pleasing, permeable surfaces that hold up to extreme conditions". (<https://www.organic-lock.com/>)

"CORE Gravel™ is a gravel stabilizing system that consists of a foundation of connected honeycomb-celled panels with a geotextile backing. Once filled with gravel, this system is ideal for vehicle or pedestrian traffic with no compromise in strength and durability". (<https://www.coregravel.ca/core-foundations/core-gravel/products/>)

Considerations

Based on our experience in trail design, active transportation corridor, and accessibility projects across North America and in winter city contexts, the following considerations were noted as having an impact on the final choice of surface material:

Aesthetics

What is the visual appearance of the surface?

Accessibility

How well does the surface accommodate users with mobility impairments?

User Accommodation and Impact

What types of users does the trail accommodate and what type of physical impact does the surface have on users?

Environmental Sustainability

Does the surface use environmentally sustainable materials or can it be constructed in a way that is more environmentally sustainable?

Construction Impact

What is the scale of the construction impact based on the total structure depth and construction methods?

Surface Erosion

Is the material susceptible to surface erosion and undermining?

Maintenance

What type of routine maintenance is required? What type of winter maintenance activities or considerations are required?

Durability and Repairs

How durable is the surface to regular wear? What types of repairs are needed and how costly are they?

Lifespan

How long does the surface last?

Construction and Lifecycle Cost

How much does the surface cost to install and maintain?

Trail Materials Comparison Chart

	Non-Stabilized Granular (Traditional Granular Trail)	Stabilized Granular (Organic-Lock™)	CORE™ Gravel Foundation System	Asphalt	Concrete
Aesthetics					
Accessibility	<p><u>Not Accessible</u></p> <p>Not accessible for wheelchair users or people who use walkers.</p> <p>Due to surface inconsistencies, people with vision impairments who use a cane may find the rough surface uncomfortable to navigate depending on the type of cane tip and their caning technique. Steep grades can pose accessibility issues due to loose gravel.</p>	<p><u>Limited Accessibility</u></p> <p>Not accessible for all wheelchair users or people who use walkers. People who use walkers and people who have wheelchairs with small, hard front casters may find the surface difficult to use as the loose stone can hinder the wheels from rolling smoothly.</p> <p>People with vision impairments who use a cane may find the surface uncomfortable to navigate depending on the type of cane tip and their caning technique.</p>	<p><u>Limited Accessibility</u></p> <p>Not accessible for all wheelchair users or people who use walkers. People who use walkers and people who have wheelchairs with small, hard front casters may find the surface difficult to use as the loose stone can hinder the wheels from rolling smoothly.</p> <p>People with vision impairments may find the surface uncomfortable to navigate depending on the type of cane tip and their caning technique.</p>	<p><u>Accessible</u></p> <p>A universally smooth surface that provides a comfortable path for users with mobility aids.</p>	<p><u>Accessible</u></p> <p>Provides a smooth surface; however, construction joints can impact the comfort of users if they are too frequent or pronounced. This can be mitigated by saw-cutting the joints or spacing joints out as far as possible and by smoothing the troweled edges.</p>
User Accommodation and Impact	<p><u>Some Users</u></p> <p>Non-stabilized granular is not suitable for people on scooters,</p>	<p><u>More Users</u></p> <p>Organic-Lock™ is not suitable for people on scooters, rollerblades or other small, hard-wheeled devices.</p>	<p><u>More Users</u></p> <p>CORE™ Gravel System is not suitable for people on scooters,</p>	<p><u>All Users</u></p> <p>Asphalt surfacing is adequate for all users.</p>	<p><u>All Users</u></p> <p>Concrete surfacing is adequate for all users, however the frequent construction jointing results in a</p>

	<p>rollerblades or other small, hard-wheeled devices.</p> <p>Loose stone, such as pea gravel, is not ideal for running as it shifts underfoot. Crushed stone, such as the typical quarter minus used in St. John's, works better as it "knits" together to create a more stable surface.</p>	<p>Organic-Lock™ is a flexible, shock-absorbing surface without shifting granular material.</p>	<p>rollerblades or other small, hard-wheeled devices.</p> <p>Loose stone, such as pea gravel, is not ideal for running as it shifts underfoot. Crushed stone, such as the typical quarter minus used in St. John's, works better as it "knits" together to create a more stable surface.</p>	<p>There is some research on the difference of the impact on musculoskeletal injuries between asphalt and concrete, much of it identifying that there is little difference, if any, between the two surface materials.¹ However, there is anecdotal information that runners prefer asphalt to concrete.</p>	<p>rougher surface for people on bikes, rollerblades, or scooters. This can be mitigated by saw-cutting the joints and/or by spacing joints out as far as possible and by smoothing the troweled edges.</p> <p>There is some research on the difference of the impact on musculoskeletal injuries between asphalt and concrete, much of it identifying that there is little difference, if any.¹ However, there is anecdotal information that runners prefer asphalt to concrete.</p>
Environmental Sustainability ^{2,3}	<p>Granular pathways are water permeable (unless highly compacted), contain aggregate that is often recycled content, can typically be sourced locally, and reduce the heat island effect by reflecting solar radiation, rather than retaining heat.</p> <p>Overland water flow can lead to granular wash-out, requiring the material to be replaced.</p>	<p>Organic-Lock™ pathways are water permeable, contain aggregate that is often recycled content, can typically be sourced locally, and reduce the heat island effect by reflecting solar radiation, rather than retaining heat.</p> <p>Additionally, Organic-Lock™ is made primarily from a rapidly renewable plant material and its additional additives are 100% naturally occurring materials.⁴</p>	<p>CORE™ Gravel Foundation pathways are water permeable, contain aggregate that is often recycled content, can typically be sourced locally, and reduce the heat island effect by reflecting solar radiation, rather than retaining heat.</p> <p>The CORE™ Gravel Foundation system is made of recycled plastic materials.</p>	<p>Traditional hot-mix asphalt is not considered an environmentally sustainable material.</p> <p>Asphalt can be made in sustainable ways by using recycled materials, warm & cold mix asphalt, or porous asphalt.⁵ These methods, however, are not typically used in St. John's due to climate and freeze-thaw cycles and also have much higher maintenance costs.</p>	<p>Concrete can be considered moderately environmentally sustainable if the materials can be sourced locally, and by using lighter coloured concrete to reflect solar radiation rather than retaining heat. However, cement used in the creation of concrete is an emissions-intensive substance to produce.</p>

¹ https://www.researchgate.net/profile/Ana_Ribeiro21/publication/23444709_In-shoe_plantar_pressure_distribution_during_running_on_natural_grass_and_asphalt_in_recreational_runners/links/5b2061770f7e9b0e373ef09e/In-shoe-plantar-pressure-distribution-during-running-on-natural-grass-and-asphalt-in-recreational-runners.pdf

² <https://www.usgbc.org/credits?Version=%22v4.1%22&Rating+System=%22New+Construction%22>

³ <https://www.sustainablesites.org/>

⁴ <https://www.organic-lock.com/resources/product-faq/>

⁵ <https://www.fhwa.dot.gov/pavement/sustainability/hif16012.pdf>

Construction Scale	<p>50mm granular surface 150mm granular base Total Depth = 200mm Structure based on City of St. John's Standard Dwg No. 10-530-03</p>	<p>75mm compacted Organic-Lock™ trail aggregate 150mm granular base Total Depth = 225mm Structure based on supplier detail</p>	<p>45mm for CORE™ Gravel Foundation System (35mm) and 10mm top-dress layer of granular 150mm granular base Total Depth = 195mm Structure based on supplier detail</p>	<p>75mm asphalt surface 150mm granular base Total Depth = 225mm Structure based on Toole Design typical detail for an asphalt trail</p>	<p>100mm concrete surface 100mm granular base Total Depth = 200mm Structure based on City of St. John's Standard Dwg No. 10-330-03 Required formwork increases the impact area by minimum 500mm on each side of the trail.</p>
Surface Erosion	<p>Significant erosion and undermining can happen in locations where high volumes of water are likely to flow across the trail.</p> <p>Surface erosion along trail segments with steeper grades will occur.</p>	<p>Resistant to surface erosion from water runoff but ponding with standing water will degrade the surface and can lead to undermining of the surface.</p>	<p>Resistant to significant surface erosion. Granular top-dress material may have to be replaced if water flow volumes are high. Standing water on the trail surface can lead to undermining.</p>	<p>Resistant to surface erosion and undermining.</p>	<p>Resistant to surface erosion and undermining.</p>
Maintenance	<p>Requires routine maintenance to repair displacement from water movement and general surface wear, especially along trail segments with steeper grades.</p> <p>Winter maintenance can be completed with a plow blade set 1-2" above the gravel. This leaves a 1-2" layer of snow on the trail surface, which will not be accessible for all users in the winter.</p>	<p>Requires routine maintenance to ensure no standing water.</p> <p>Winter maintenance can be completed with a plow blade set 1-2" above the gravel. This leaves a 1-2" layer of snow on the trail surface, which will not be accessible for all users in the winter.</p>	<p>Requires routine maintenance to redistribute granular after snow melt or heavy rainfall, and to ensure the CORE™ Gravel Foundation System remains covered to reduce UV damage.</p> <p>Wear of the top-dress layer along trail segments with steeper grades will require routine maintenance.</p> <p>Winter maintenance can be completed with a plow blade set 1-2" above the gravel. This leaves a 1-2" layer of snow on the trail surface, which will not be accessible for all users in the winter.</p>	<p>Minimal routine maintenance related to crack sealing.</p> <p>Winter maintenance can be completed with a brush or plow, removing all snow from the trail and creating an accessible surface for all users in the winter.</p>	<p>Minimal routine maintenance related to heaving and cracking.</p> <p>Winter maintenance can be completed with a brush or plow, removing all snow from the trail and creating an accessible surface for all users in the winter.</p>

Durability and Repairs	<p>Highly durable in dry conditions and properly draining conditions. Wet conditions degrade durability more quickly, especially in locations with high user traffic.</p> <p>Takes 2-3 years to settle and compact. If there is high probability of overland water flow, the granular will washout, requiring it to be replaced and the compaction process is slowed.</p>	<p>Highly durable in dry and properly draining conditions, however, standing water can be a major concern and reduce durability.</p> <p>Fixes to surface are relatively easy if damage occurs.</p> <p>Product is flexible and is self-healing if minor cracks occur</p>	<p>Highly durable.</p> <p>Will not shift or crack.</p> <p>Top-dress layer of gravel regrading is required after snow melt or heavy rain to ensure system remains covered.</p>	<p>Highly durable to surface wear.</p> <p>Spot repairs, such as potholes or minor cracks, can be easy to repair.</p> <p>Cracks caused by subbase settlement or slope movement result in major repairs and can be costly.</p>	<p>Highly durable to surface wear.</p> <p>Spot repairs vary in complexity and can be more costly than asphalt, though generally occur less often than asphalt.</p>
Lifespan*	10 Years	20 Years	20 Years	20 Years	20 Years
Construction Cost**	\$355,000	\$1,170,000	\$1,395,000	\$710,000	\$1,905,000
20-year Life Cycle Cost***	\$1,090,000	\$1,760,000	\$2,110,000	\$1,190,000	\$3,150,000
Summary	The surface is not accessible for all user and lower capital costs are offset by higher cost of ongoing maintenance.	The surface is not accessible for all users. The material has a high cost of construction and reduced performance in wet climates.	The surface is not accessible for all users. The material has a high cost of construction and high overall costs.	Higher capital costs compared to the gravel surface are largely offset by lower ongoing maintenance relative to granular. This option provides an accessible surface.	This surface material is accessible for all users, but it has the highest capital cost and overall cost. of the materials reviewed

* Assuming regular maintenance and repairs as needed

** Approximate cost for supply of materials and construction of a 3.0m wide trail for the length of the project

*** Includes approximate cost of annual surface repairs over 20 years for 3.0m wide trail for the length of the project as detailed in the separate Life Cycle Cost Analysis memo. For ongoing maintenance items such as snow removal, it has been assumed the personnel and equipment used to complete this work will be common to all trail types.

Summary

There are several factors that need to be considered in selecting an appropriate trail surface material. This memo explored a number of important factors including accessibility, range of users, aesthetics, environmental sustainability, durability and maintenance, and lifecycle cost.

Accessibility is a critical factor based on the purpose and role of Kelly's Brook Shared Use Path within St. John's active transportation and recreation network. Traditional granular trails are not considered to be accessible. The CORE™ Gravel Foundation System and Organic-Lock™ are considered universally accessible by some regulating agencies (e.g., the United States Americans with Disabilities Act regulations), however they have limitations to the types of users and mobility aids they can accommodate. The CORE™ Gravel Foundation System cannot be fully cleared in the winter. Asphalt and concrete accommodate all types of users and can be fully cleared in the winter, providing surfaces that are accessible for all users in all seasons.

Range of users is also an important consideration for the trail. Because this trail connects to many significant St. John's destinations, links a number of neighbourhoods, and the grades on the trail allows it to be accessible for people using mobility aids, it is important that users of all ages and abilities, as well as on a wide range of active mode devices, are accommodated. Typical granular trails, Organic-Lock™, and the CORE™ Gravel Foundation System do not support devices such as scooters, inline skates, or skateboards, in addition to the limitations for walkers and some wheelchair users. Asphalt and concrete surfaces promote a wide range of uses for all ages and abilities.

As the existing trail is a granular material, there is a desire to maintain the existing aesthetic with the new trail. Traditional granular, Organic-Lock™, and the CORE™ Gravel Foundation System are also environmentally sustainable surfaces, providing infiltration and using material that is locally sourced. The depth of construction required for these materials is equivalent to or shallower than asphalt.

Finally, durability, maintenance, and cost are key considerations for choosing construction materials. All surfaces can be considered highly durable in ideal situations, however, because of the high precipitation all year-round, standing and flowing water are major concerns. Traditional granular trails and the CORE™ Gravel Foundation System would experience significant surface erosion from surface drainage and the durability of the trail is greatly reduced on all three granular installations when high user volumes are combined with standing water. Standing water on the Organic-Lock™ surface can break down the bonding material and although repairs can be done easily in occasional occurrences, continual repairs could end up costing a lot of time and money. Asphalt and concrete are highly durable surfaces in wet and dry weather and require less maintenance than the granular trail surfaces.

Construction costs and lifecycle costs vary between the surfaces. Traditional granular trails have the lowest construction and lifecycle cost while concrete has the highest construction cost and the CORE™ Gravel Foundation System has the highest lifecycle cost.

Sincerely,

Ryan Martinson, M.Eng., P.Eng. | Senior Engineer

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The information contained in this document is for planning purposes and should not be relied upon for final design of any project. Readers are cautioned that this is a preliminary report and that all results, recommendations, concept drawings, cost opinions, and commentary contained herein are based on limited data available at the time of preparation. Further engineering analysis and design are necessary prior to implementing any of the recommendations contained herein.

Trail Materials Comparison

**How to use this chart: Cells with same icons depict a scale of “high-medium-low” with 3 icons indicating “high” and 1 icon indicating “low”. For example, 3 leaves indicate “high” environmental sustainability, and 1 leaf indicates “low” environmental sustainability.*

Non-Stabilized Granular
(Traditional Granular Trail)

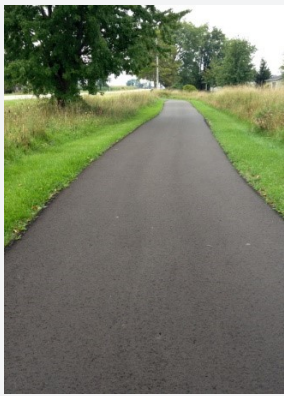
Stabilized Granular
(Organic-Lock™)

CORE™ Gravel Foundation System

Asphalt

Concrete

Aesthetics



Accessibility

How well does the surface accommodate users with mobility impairments?

Not generally accessible

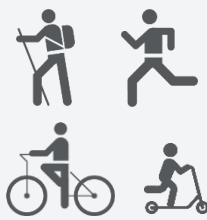
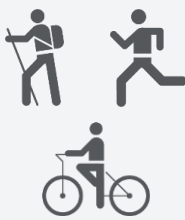
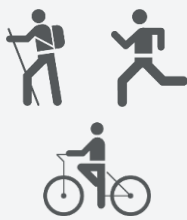
Accessible to some users

Accessible to some users



User Accommodation

What types of users does the trail accommodate?



Environmental Sustainability

Does the surface use environmentally sustainable materials or provide environmental benefits?



Not environmentally sustainable

Not environmentally sustainable

Construction Scale

What is the scale of the construction impact based on structure and method?



Erosion

Is the trail susceptible to surface erosion and undermining?



Maintenance

What is the level of effort of routine maintenance?



Durability

How durable is the surface to regular wear?



Lifespan

How long does the surface last?*

10 Years

20 Years

20 Years

20 Years

20+ Years

Construction Cost

How much does the surface cost to install and maintain?



20-Year Lifecycle Cost

How much does the surface cost to maintain over 20 years?



*Assuming regular maintenance and repairs as needed

KELLY'S BROOK



SHARED-USE PATHWAY

WHAT WE HEARD

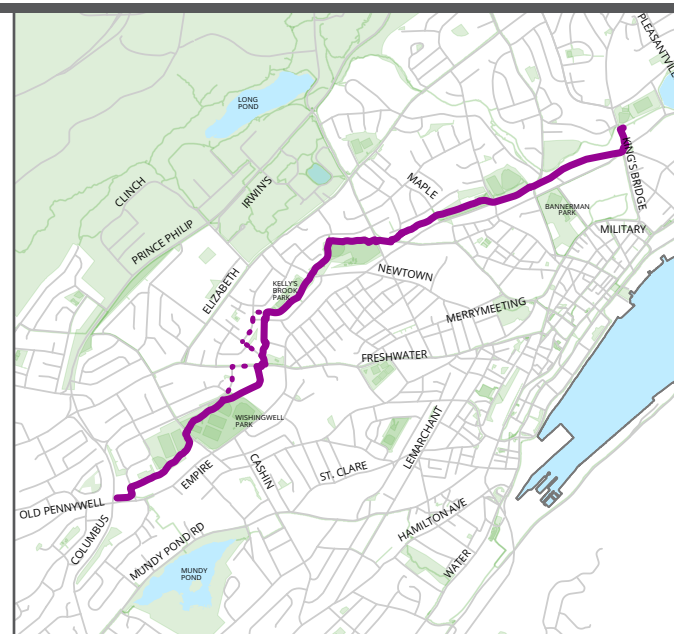
March 2021

> ABOUT THIS PROJECT

1

Kelly's Brook Shared-Use-Pathway will extend from King's Bridge Road to Columbus Drive. It is mostly in place as a granular walking trail today, linking several neighbourhoods through an important east-west greenway that largely parallels Empire Avenue. Its goal is to provide an attractive and continuous 4.8 km recreation corridor and active transportation route in St. John's, connecting popular destinations and amenities along the way. Although the idea came from the bike master plan, this is not a project just for cyclists. **The shared-use path is proposed to serve people of all ages and abilities, using all forms of active transportation, including walking, running, biking, and rolling.**

Beginning in December 2020 and continuing through February 2021, residents and stakeholder groups were invited to share their perspectives, ideas and concerns about Kelly's Brook Shared-Use Path through a number of engagement activities. They were also asked to provide input to inform design decisions around elements such as lighting, surface materials, path alignment, trailhead and rest areas, wayfinding, and other features. The purpose of this document is to provide a summary of what we heard during the engagement process.



Kelly's Brook shared-use-path proposed route

Engage!
St. John's

ST. JOHN'S

Page 136 of 154

Stantec

trace
NATURAL ENVIRONMENTS | BUILT ENVIRONMENTS

TOOLE
DESIGN



PROJECT STAKEHOLDERS

Residents and other identified stakeholders were invited to participate in the engagement process through the City's on-line engagement platform, www.engagestjohns.ca, stakeholder meetings and virtual public workshops.





March 2021

ENGAGEMENT ACTIVITIES

3

Engagement for Kelly's Brook Shared-use path included the following opportunities and activities between December 2020 and February 2021.



ENGAGEMENT ACTIVITY



PEOPLE ENGAGED

engagestjohns.ca Project Page	3440 visits in total
Pathway Map	346 visitors, 63 map pins
Project Primer Video	541 views
Pathway Features Idea Board	100 visitors, 62 submissions
Pathway Concerns Board	45 visitors, 27 submissions
Pathway Use Board	35 visitors, 14 submissions
Q&A	121 visitors, 17 questions
Frequently Asked Questions	190 visitors
News	3 visitors
Surface Material Technical Memo	408 visitors, 26 comments
Environment and Sustainability Experts Panel	14 participants
Youth Engagement Strategy Implementation Team	10 participants



ENGAGEMENT ACTIVITY



PEOPLE ENGAGED

Online Survey	822 participants
Grand Concourse Authority	2 participants
Inclusion Advisory Committee's Universal Design Working Group	13 participants
Bike St. John's Advisory Committee	14+ participants
Seniors' Advisory Committee	9 participants
Memorial University Stakeholder Group	16 participants
Current & Potential Trail Users Focus Group	12 participants
Virtual Public Workshop - Session A	40 participants
Virtual Public Workshop - Session B	49 participants
Empire Ave. Pathway Section Residents	18 participants
Letters received	2
Emails received	26
Calls to Access St. John's (311)	3



ENGAGEMENT PROMOTION

A communications plan to inform and invite residents to participate in the engagement process included the City's social media channels and engagement platform, a technical briefing for the media, flyers to nearby residents, signs along the trail and on Empire Avenue, newsletters, and inclusion in the Winter edition of the City Guide.



PROMOTION ACTIVITY



PEOPLE REACHED

Twitter Posts	7 posts, 2103 engagements
Facebook Posts	7 posts, 29,133 people reached
Instagram Posts	7 posts, 18,681 accounts reached
Media Launch and News Coverage	7 news articles
Public Service Announcement	unknown
Website Feature Story	unknown
3 Engage Newsletters	2,800 per newsletter
Project Signs along trail	50 signs
Direct mail to Empire Ave. residents	30 households
Project Flyers/postcards to nearby residents	8,000 households
Rabbittown Community Centre promotional letter	80 households
Inclusion in the City Guide	48,000 households



SHARED-USE PATHWAY

WHAT WE HEARD

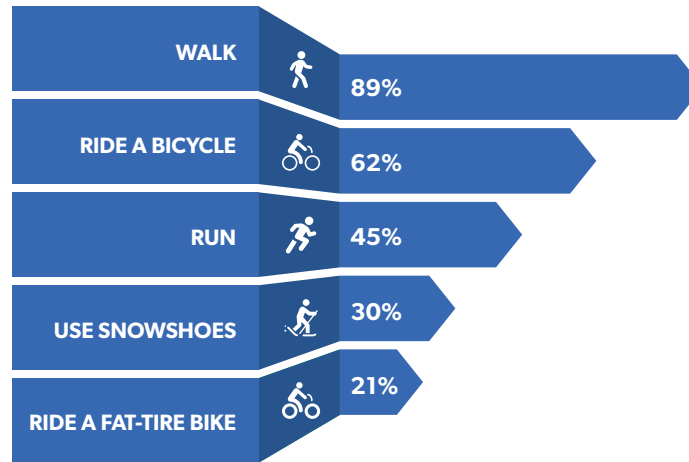
March 2021

During the first phase of engagement, survey participants were asked about how they want to use the pathway, what would make the pathway user-friendly for all, about shared-use path options, trail type and locations.

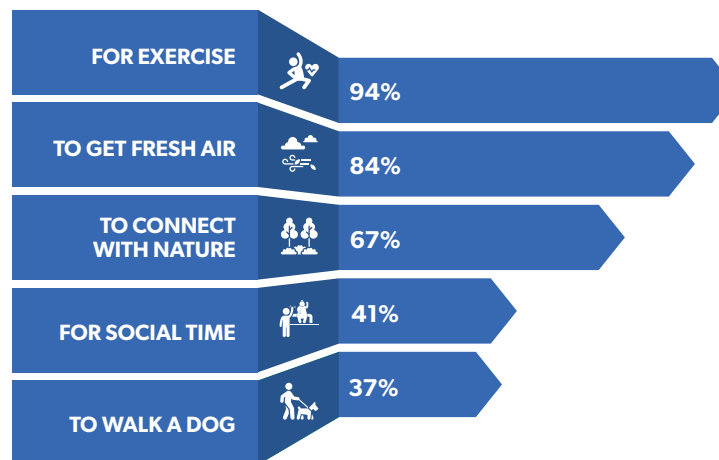
USING THE PATHWAY

5

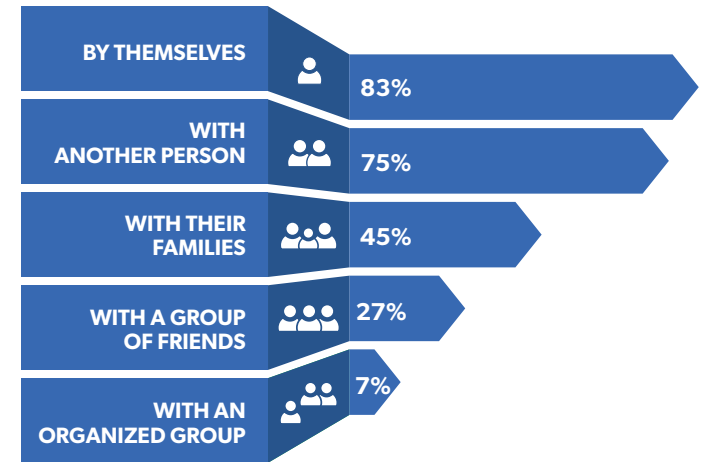
Top 5 ways survey respondents want to use the pathway:



Top 5 activities survey respondents want to do on the pathway:



How survey respondents plan to use the path:



Pathway Alignment:

- Kelly's Brook Park to St. John's Farmers' Market: Survey respondents, stakeholders, and public workshop participants favoured a route travelling along Graves Street rather than Guy Street.
- St. John's Farmers' Market to Wishingwell Park: Survey respondents, stakeholders and public workshop participants favoured a route travelling behind the market rather than along Freshwater Road and Terra Nova Road.



SHARED-USE PATHWAY

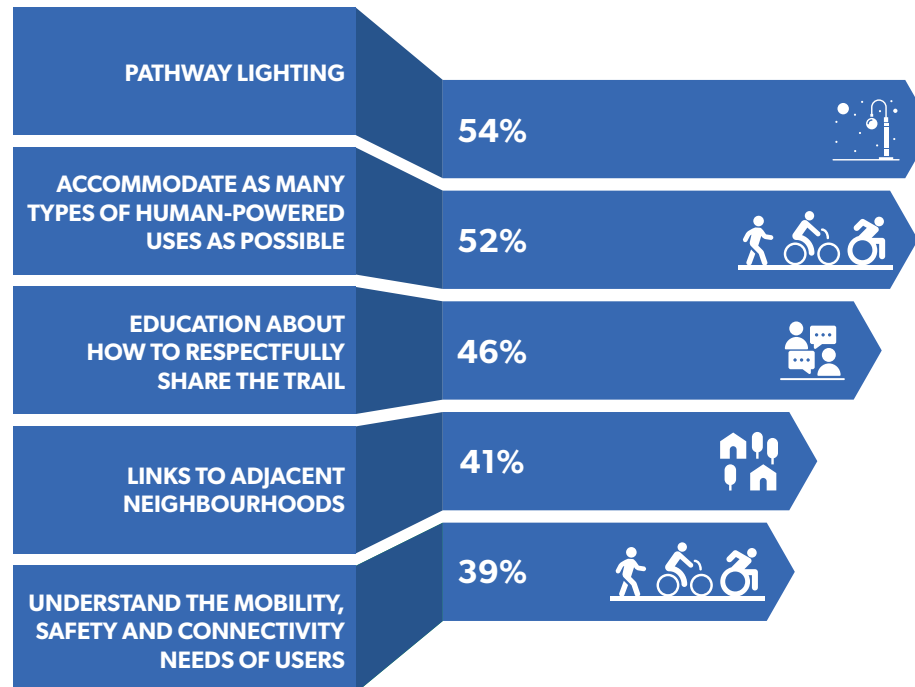
WHAT WE HEARD

March 2021

Building on the findings from the survey, the second phase of engagement asked workshop participants for more specific feedback on pathway features such as surface materials, lighting, pathway alignment and amenities.

MAKING THE PATHWAY USER-FRIENDLY 6

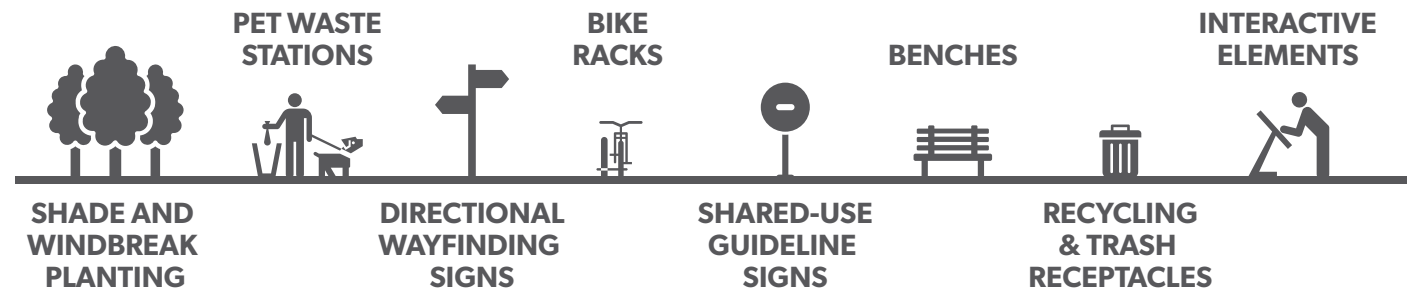
Survey respondents' top 5 ways to make the pathway user-friendly for all:



Pathway Lighting:

- > A majority of survey respondents said **lighting was important** to them and that lighting should illuminate just the pathway rather than the pathway and surrounding area.
- > Public workshop participants refined the preferred type of lighting as **area lighting**, with some flood lighting where necessary for safety.

> Public workshop participants prioritized these amenities:



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MAKING THE PATHWAY USER-FRIENDLY 7

Survey respondents were asked about their **top three items of importance** when considering the usability, environmental aspects, performance and durability, and the cost and maintenance of **pathway surface materials**. Here's what we heard:

Pathway Surface Materials Top Three Considerations By Theme:



USABILITY

- » Accommodate as many types of human-powered uses as possible (52%)
- » Year Round Use
- » Keeping the path free of water

ENVIRONMENTAL ASPECTS

- » Minimize impact to vegetation and trees (44%)
- » Surface erosion and washout
- » Drainage and runoff

PERFORMANCE AND DURABILITY

- » Usability - comfort under foot or wheels (48%)
- » Durability
- » Lifespan

COST AND MAINTENANCE

- » Ease of maintenance in all season (41%)
- » Cost of routine maintenance
- » Amount of routine maintenance required

Key Themes to consider:

- » Accessibility
- » Traction in all weather
- » Year-round use
- » Safety when freezing
- » Ongoing maintenance
- » Comfort under foot or wheels
- » Safety at intersections
- » Minority of people prefer a granular surface



March 2021

> KEY THEMES AND BIG IDEAS

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After careful review of all the feedback provided by the City's Advisory Committess, stakeholder groups, participants from engagestjohns.ca and the virtual public workshops, the following themes and ideas emerged:

> ACCESSIBILITY AND INCLUSIVITY

- » Design the pathway to be accessible to people of all ages and abilities at all times of the year; provide the most accessible and inclusive surface possible.
- » Keep intersections accessible with low slopes and smooth transitions.
- » Use tactile materials where surfaces change to improve readability.
- » City needs accessible paths and shared paths, but not fast moving vehicles/bicycles on those paths.
- » If a user needs assistance with moving across the selected surface, the surface is not accessible.
- » Make the pathway wide enough for a companion to walk or roll beside a person using a wheelchair.
- » Increased pathway width and education reduce anxiety for those who use or assist someone who uses a mobility aid.
- » Ensure pathways have some form of physical separation from the street.
- » Granular is a good surface for existing users.
- » Provide parking at trail access points, where possible.
- » The pathway surface should be consistent.
- » A granular surface is not optimal for crutches, wheelchairs, walkers and canes.
- » Make this a space where every resident in the city can be active in whatever means they see fit for themselves.
- » The pathway can provide a way for people to have space to discover the city in a different way.
- » Not everyone has access to a car.
- » Pathway provides social opportunities to interact with people.
- » Trails are very important to people with disabilities and our oldest citizens.
- » Year-round access is important for active transportation to be a reliable option for people.



SHARED-USE PATHWAY

WHAT WE HEARD

March 2021

SHARING THE PATHWAY

While we heard many supportive comments about the change of the existing trail to a shared-use path, we also heard many concerns, specifically around the loss of a walking-only trail and safety concerns about sharing the path with people on bicycles.

KEY THEMES AND BIG IDEAS

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THE SHARED-USE EXPERIENCE

- » This pathway is a precedent-setting model for St. John's that is worth our investment.
- » It is important to address safety for all pathway users.
- » Concerns around the pathway being used as a means of efficient and fast active transportation instead of a recreational trail.
- » Develop and deliver an education campaign about etiquette and guidelines for respectfully sharing the trail.
- » Shared-use is not new and works well in many Canadian cities.
- » Concerns about losing a walking-only trail experience.
- » The pathway should feel like a trail, not a mini-street.
- » The pathway is not a place for motorized bikes.
- » Don't give up on making streets more user-friendly to multi-modal transportation.
- » Need to ensure that trails bordering play and social areas do not impact the use of these areas.
- » Speed limits and bells should be mandatory.
- » Safety concerns about pedestrians sharing the pathway with people on bicycles.
- » Consider a side-by-side asphalt-granular trail as an option.
- » Allowing bikers and pedestrians to share the same corridor reminds us that we all belong together.
- » Bikers, wheelchairs and strollers simultaneously use the Waterford Valley/ CVS trail without incident.
- » Good sightlines support safe multi-modal use.
- » Concerns about the speed of bikes, skateboarders, etc. around pedestrians
- » The safety of all users is imperative.
- » Concerns about losing the feeling of being in nature with more traffic, wider trail and more noise (bells, bikes, skateboards etc.).



March 2021

> KEY THEMES AND BIG IDEAS

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> THE LANDSCAPE EXPERIENCE

- » Preserve the natural aspects of the existing trail.
- » Plant more trees when possible to enhance the pathway experience.
- » This a great environment to learn to ride a bike.
- » Minimize tree removal.
- » Birds, bees, insects and a diverse planting environment are part of the pathway experience.
- » Avoid impacts on aquatic and bird environments.
- » Planting does more than beautify; it also creates windbreaks and provides shelter from inclement weather and the sun.
- » A granular surface provides a more natural feel for the pathway.

> THE NEIGHBOURHOOD EXPERIENCE

- » Consider traffic calming in adjacent neighbourhoods to support comfort for increased pedestrian traffic.
- » This is a great pathway that should extend across the city.
- » The pathway should consider adjacent neighbour impacts.

> HEALTH BENEFITS

- » Natural spaces are good for mental health.
- » Pathway encourages exercise and reduces car use.
- » Aging society; need to promote healthy aging and more exercise.



March 2021

> KEY THEMES AND BIG IDEAS

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> LIGHTING

- » Lighting is important for the feeling of safety, particularly for women.
- » Place strategic lighting at locations where good sightlines are required (trail access, intersections, etc.).
- » Avoid impacts on aquatic and bird environments.
- » Focus on area lighting to ensure the pathway is visible without impacting surrounding natural or neighbourhood settings.
- » Maintenance and lighting support extended daily use in all seasons.
- » Explore solar lighting as an option to above or in-ground wiring.
- » Ensure lighting is placed without creating obstacles at the sliding hill by the Elks Club.

> ROUTING CHALLENGES

- » The pathway should support mobility around the market when busy.
- » Prioritize pedestrians at the Anderson Avenue/Freshwater Road Intersection.
- » Safety is paramount at all intersections; the design must place pathway users in dominant positions when crossing streets.
- » Consider limiting right-turn car traffic at red lights for pathway/street intersections.



March 2021

> KEY THEMES AND BIG IDEAS

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> SUPPORTING AMENITIES

- » Access to existing public washrooms will improve family and extended stay experiences.
- » Make sure that seating is strategically placed for social and rest purposes.
- » Need clear signage for all users with shared-use guidelines and directional information, especially at pathway entries and intersections.
- » Create great rest areas along the pathway to sit and enjoy nature.
- » Consider access to natural areas for picnic use.
- » Try to use the 'less is more' approach when placing signage.
- » Signage describes pathway distances in both time and length formats.
- » Busy places, such as the market, require more bike parking.
- » Consider strategically planted shelter from the weather.
- » Need good and accessible bike parking.
- » Provide linkages to bus stops.
- » Provide lots of garbage cans in easily maintainable locations.
- » Explore commemorative benches, lighting, etc.
- » Make the pathway family-friendly (play areas, open space, Interpretive elements, learning opportunities).
- » The future should include shower facilities for commuters and link to a transit hub.
- » Explore bike maintenance stations.



March 2021

➤ KEY THEMES AND BIG IDEAS

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➤ EMPIRE AVENUE PATHWAY SECTION

- » Need to manage vehicle speeds driving downhill on Rennies Mill Road when approaching the crosswalk.
- » Need to slow vehicle speeds and support pedestrian visibility at crosswalks.
- » Driveway 'dips' causes a 'roller coaster effect' along walking surface.
- » Pathway snow clearing is a priority.
- » This street supports increased pedestrian use that is often buried by snow; pedestrians should not have to walk on the street.
- » Snow storage for reduced street width needs to be considered.
- » To accommodate the pathway, residents prefer a one-way eastbound vehicle lane with on-street parking (over a two-way lane with parking removal).
- » Residents like and prefer the idea of a shared pathway in front of their homes; however, designers should explore both sides of the street for the pathway.
- » Current vehicle speeds are perceived to be high; streetscape design should support speed reduction and/or act as traffic calming.
- » Kings Bridge intersection is not great for pedestrians and requires careful design thinking.
- » Explore speed bumps and raised crosswalks to create a safe street for pedestrian use.



March 2021

> WHAT'S NEXT?

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Following public engagement and the analysis of the feedback received, a report with recommendations will be presented to Council and the project team will undertake the detailed design of the pathway.

> NEXT STEPS

- » Report with Recommendations to Council: Spring 2021
- » Detailed Design: Winter - Spring 2021
- » Ongoing consultation with the Inclusion Advisory Committee and other stakeholders as needed during detailed design
- » Tendering and Contract Award: Spring 2021
- » Shared-Use Path Construction: 2021-2022

> STAY IN TOUCH

Thank you to everyone who shared their perspectives, ideas, and concerns by participating in the engagement process for Kelly's Brook Shared-Use Path. To learn more and stay up to date on this project's progress, please visit www.engagestjohns.ca.

> A NOTE ABOUT PROJECT SCOPE

During this engagement process, we heard concerns about the pathway's previous riverside alignment, other trails in the City, and the Bike St. John's Master Plan. Because these comments are not actionable feedback for the Kelly's Brook Shared-Use Path project, they were not included within the scope of this What We Heard report.

DECISION/DIRECTION NOTE

Title: Traffic Calming Policy - Update on Review

Date Prepared: March 16, 2021

Report To: Committee of the Whole

Councillor and Role: Councillor Ian Froude, Transportation and Regulatory Services & Sustainability

Ward: N/A

Decision/Direction Required:

A review of the City's Traffic Calming Policy is underway. Prior to preparing a public engagement strategy staff have developed a set of changes recommended for consideration. Staff are seeking approval from Council for the planned areas of policy change prior to public engagement.

Discussion – Background and Current Status:

The [Traffic Calming Policy](#) and the associated [Traffic Calming Warrant](#) was developed by a consultant for the City and was completed in 2011. They were designed to manage the requests to slow vehicle traffic, reduce non-local traffic, and/or correct or improve perceived safety concerns in the street network.

It is important to note that projects which fall under the Traffic Calming Policy are fundamentally neighbourhood driven projects. Council has chosen to spend discretionary funds to try and address concerns raised by residents. The policy creates a framework to prioritize these projects and select appropriate interventions, but the demand for these projects originates with local residents.

Council considered a [Traffic Calming Policy Overview](#) in summer of 2020. Following this Council requested that the policy be reviewed to address points of common difficulty and improve the policy overall. Transportation Engineering and the Office of the City Clerk have since initiated a full policy review.

On December 9, 2020 Council considered a [discussion on the policy review](#). The goal of this discussion was to gather feedback from Council on how the policy could be updated to better reflect current priorities. This feedback has been considered by staff and the resulting recommended policy changes are discussed below. Changes are divided into two major categories: substantive updates and housekeeping items.

1. Substantive Updates

The changes recommended in this section will have direct implications on the following outcomes. These outcomes are ultimately what express the values of Council and residents:

- What kind of street is prioritized – streets that are ‘too wide’? historic streets that are carrying ‘too much’ vehicle traffic? streets with ‘sensitive uses’?
 - What is the balance between technical criteria (such as speed and volume) vs contextual information (such as current street design and land use)?
 - What is the balance between streets serving the motoring public, streets serving active modes, and the experience of an adjacent resident?
- a. New development – it is recommended to include in the revised policy provisions for the application of traffic calming tools to projects completed in new development or road rehabilitation/reconstruction. This aligns with the recommendations of the recently presented St. John’s Collision Report (2012 - 2019).
 - b. Interrelated factors – it is recommended that a system is developed to score factors that are related to each other such as high speed and sensitive uses scoring higher than either would independently. This recommendation, however, requires significant effort to test and validate the system developed and would likely require an external consultant to assist.
 - c. Target speeds – it is recommended that a system is developed to score City streets based on a target speed. This recommendation, however, requires significant effort to evaluate streets then determine an appropriate target speed and would likely require an external consultant to assist.
 - d. Volume thresholds – it is recommended to increase volume thresholds somewhat and/or modified given that the existing thresholds are very low and therefore the scoring on this metric has limited differentiating power.
 - e. Street context – it is recommended to increase the weight of street context criteria relative to technical criteria. For example, presence of sensitive uses or vulnerable users.
 - f. Non-local traffic – it is recommended to eliminate this criterion in favour of an improved system for volume and speed which are the underlying factors commonly referenced when concerns about non-local traffic are raised.

2. Housekeeping Items

The changes recommended in this section have less impact on the outcomes of the traffic calming policy and more of an impact on the process itself and how resident expectations are managed through the process.

- a. Current practice – it is recommended to formally update several practices have been revised in minor ways since the creation of the original traffic calming policy
- b. Priority list length – it is recommended that the priority list be trimmed to a maximum of 10 projects at any one time. Projects would be removed from the list when they are completed or when higher ranking streets are identified.
- c. Response rate – it is recommended to formalize the current practice of using a 60% of responses threshold, further that staff investigate methods to better ensure notices are received/recognized (currently notices are individually delivered to each neighbouring property)
- d. Screen out cul-de-sacs and crescents – it is recommended that these streets, which have historically never met the volume or speed thresholds be screened out in advance to prevent waste of resources.
- e. Re-evaluation timeframe – it is recommended to extend the re-evaluation timeframe to 5 years to prevent waste of resources, a provision should also be made to allow staff to re-evaluate on a shorter timeline if there are changes to the neighbourhood that have affected conditions
- f. Public vote – it is recommended that the process of the public votes be reviewed during public consultation. Specifically the need for the second vote to confirm a project that has been temporarily implemented and resulted in good technical outcomes.

Key Considerations/Implications:**1. Budget/Financial Implications:**

Two of the recommendations above (1b and 1c) require significant effort to implement. In order to complete these either the existing traffic calming budget or a new allocation would need to be identified to hire an external consultant.

The current traffic calming budget has approximately \$110,000 available. About \$60,000 of this is being held for ongoing projects. \$50,000 is available for new projects this year.

2. Partners or Other Stakeholders: n/a**3. Alignment with Strategic Directions/Adopted Plans: n/a****4. Legal or Policy Implications:**

This note is part of a policy review that currently underway with the Office of the City Clerk.

5. Privacy Implications: n/a

6. Engagement and Communications Considerations:

An engagement strategy will be developed in order to take the next steps on the policy review. This engagement would focus on the policy outcomes desired by the public and getting feedback on the areas noted above. New areas identified during consultation would also be considered prior to final recommendations being made to Council.

The City will work to educate residents about the policy review and promote opportunities for engagement via Public Service Announcements, information on the City's website and social media platforms.

7. Human Resource Implications: n/a

8. Procurement Implications:

As discussed above, two of the recommended changes could require outside assistance. If external assistance is pursued, it could facilitate the process to include the public consultation work and policy writing as part of the consultant workload. This would be informed by staff capacity and budget available at the time an RFP is issued.

9. Information Technology Implications: n/a

10. Other Implications: n/a

If the available Traffic Calming budget is used to complete a portion of this work as described above then the capacity of the Traffic Calming Program to undertake new projects in 2021 will be reduced. Depending on the scope of work considered for external award the \$50,000 available may not be sufficient to initiate any new projects this year. With the policy under review and a reranking of projects a likely outcome it may be acceptable to defer new project undertakings until this process is complete.

Recommendation:

That Council:

- a) approve the 12 policy update areas noted above to proceed to public engagement prior to staff making final policy update recommendations,
- b) use funds available in the current Traffic Calming budget to hire an engineering consultant to complete the work required for items 1b and 1c.

Prepared by: Garrett Donaher, Manager - Transportation Engineering
Approved by: Scott Winsor, Director of Engineering

Report Approval Details

Document Title:	Traffic Calming Policy - Update on Review.docx
Attachments:	
Final Approval Date:	Mar 18, 2021

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

Scott Winsor - Mar 12, 2021 - 3:48 PM

Jason Sinyard - Mar 18, 2021 - 12:25 PM