

## **Envision Updates Regarding Provincial Review and Release:**

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The following comments are in response to the comprehensive review of the city's Municipal Plan and Development Regulations regarding items which required action on behalf of the City. All the following changes are reflected in blue in the Municipal Plan and Development Regulations.

### Mapping:

- Base mapping was added to all maps except for the Future Land Use Map (Municipal Plan) and the Zoning Land Use Map (Development Regulations). Due to the complexity of these two maps, the additional base layer made the map not legible (paper version). Base mapping is an option that can be added/viewed on the city's Map Centre (digital version).
- To ensure consistency the headings (used only for organizational purposes) were removed from the Zoning Land Use Map; this should ensure zoning is now consistent with the districts. The sub-heading for Mixed-Use was also removed as it falls within the Commercial Land Use District no a separate district (formatting mistake).
- Colour assignment to denote land use zones relative to designations/ districts. were reviewed and changes made to better distinguish between multiple Zones where the colours were indistinguishable.

### Inconsistencies Between Plan and Regulations:

- Enabling policies in the Municipal Plan to support the Development Regulations were reviewed to ensure they were provided for various uses. As there is only one District for each of the various land uses (example: Residential, Commercial, Industrial) within the Municipal Plan, the city does not feel the need to list all individuals uses in both the Municipal Plan and Development Regulations. The intent of the Municipal Plan is to set out future land use designations and provide policy direction on how that land should be developed (in a general sense), while the Development Regulations enable the specific uses (permitted/ discretionary) and the required development standards and criteria.
- Lodging House term was used in the Development Regulations; it has now been replaced and used in the Municipal Plan.
- Heritage Use – the Municipal Plan Policy 4.7(5) spoke to uses for designated Heritage Buildings, and wording was changed to add “heritage use” to reflect the definition under the Development Regulations.

- Bed and Breakfast was term was used in the Development Regulations; it has now been replaced and updated in the Municipal Plan. New Policy 8.4(4) has been added to enable small scale businesses within the Residential District.
- Tiny Homes which are a form of residential development are enabled under the Municipal Plan Policy 8.4(1) which allows “low, medium and high density zones with a variety of residential forms”.
- Under the Pocket Neighbourhood Zone, a Tiny Home is a Permitted Use. The individual unit standards are not required as the PN Zone is designed (under definitions) to have 4 to 8 Tiny Homes on one Lot and is governed by density per unit as opposed to the Lot size of one individual Dwelling Unit.
- Micro Unit is a form of residential development enabled under Policy 8.4(1) of the Municipal Plan, which allows “low, medium and high density zones with a variety of residential forms”. The Micro Unit standards have been enabled in the Development Regulations for each Zone it is listed under; it is an apartment and is considered within an apartment building standards to increase density.
- Review of Municipal Plan Section 8.4 to ensure that the Residential Land Use references the Development Regulations provisions for all densities and forms of residential including “duplex” and “fourplex - Policy 8.4(1) of the Municipal Plan allows “low, medium and high density zones with a variety of residential forms” which are identified in the residential zones.
- Massage Parlour Use is enabled by Municipal Plan Policy 8.5(1).
- Enabling Municipal Plan Policy for Aquaculture, Aquaponics, Horticulture, and Hydroponics use was added under the Commercial Land Use District Policy 8.5(8), which supports these uses in appropriate Commercial Zones.
- Craft Brewery / Distillery Use, is enabled in the Municipal Plan under Policy 8.5(1) where by the Commercial Land Use designation, enables commercial land use zones for a wide range of uses including some light industrial uses, and references corresponding Zones under the Development Regulations.
- Day care centres were added to the list of uses in the Commercial District under Policy 8.5(1) of the Municipal Plan. The Institutional District speaks to complimentary uses that support Permitted and Discretionary uses, while the day care Policy 4.2(1) enables these specific uses in various workplace contexts, which would include the Institutional Zone.
- Lounge Use is enabled by the Municipal Plan under Policy 8.5(1). The current COH Zone does not include Lounge and therefore it was not included under the new Development Regulations.
- Restaurant is enabled by the Municipal Plan under Policy 8.5(1).

- Bakery is enabled by the Municipal Plan under Section 8.5(1).
- Service Station, Commercial Garage and Gas Station are enabled by the Municipal Plan under Section 8.5(1). All three uses are defined in the Development Regulations and have a different purpose.
- Pharmacy is enabled by the Municipal Plan under Section 8.5(1).
- Massage Parlour is enabled as a Discretionary Use in multiple commercial zones within the Development Regulations. Under the Municipal Plan all discretionary uses are enabled under Section 8.5(1) for the Commercial District.
- Wharves and stages: this use will be added to the Residential Battery (RB) Zone as a Discretionary Use to recognize existing uses in the area. A new regulation will be added to the Development Regulations Section 4.10(7) to address how these structures are process/accepted in coastal areas. It is important to note that in Quidi Vidi some of the jurisdiction is Federal and some is Provincial. Normally the ocean (navigable waters) would be Federal, but they gave parts of the harbour to the Province. From a Development Regulations point of view we would review anything out to the high water mark and beyond that is would be outside the city's jurisdiction.
- Home offices/home occupations and other commercial uses that may be considered within a Dwelling have been enabled under new Policy Section 8.4 (4) to enable small scale businesses within the Residential District.
- The defined use of Community Garden under the Development Regulations has been clarified as a shared space and not a personal, individual garden.
- Policy 8.3(1) General Policies - a statement was added to allow the listed uses as enable by zoning under the Development Regulations.
- Industrial and Commercial uses may be considered within the Rural District and the allowance/consideration of such Zones has been enabled under the Municipal Plan Policy 8.10(8) Industrial, Commercial and Tourism Uses (similar to existing Policy under the existing Municipal Plan).

Non-Compliance with Act:

- Review required at the 5-year mark for the Municipal Plan and Regulations was added under Municipal Plan Policy 9.1.
- Non-conforming Use Policy 8.3(4) has been updated to reflect the Act.

### Additional Items:

- Minor typos have been noted and fixed within the Municipal Plan.

### Development Regulations:

- Minister's Development Regulations have been added (Appendix A).

### Legislative Compliance:

- Accessory Building definition and other definitions (Development Regulations Definitions Section 2) were updated to reflect the Minister's Development Regulations.
- Appeals and Orders: The Municipal Plan Policy 9.8 has been updated to better reflect the requirements of URPA. It should be noted that the Development Regulations were reviewed but no changes made. It was noted from Legal that although many municipalities enact their maintenance standards regulations pursuant to URPA, that is not the case with the City of St. John's. Maintenance, or "enforcement", is largely addressed in by-laws enacted pursuant to the City of St. John's Act. It is therefore inappropriate to provide for a penalty or process available under the City Act in a regulation enacted under URPA.
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- The Protected Road Zoning Regulations are noted under Policy 7.1(2) of the Municipal Plan. The roads are now all included on the mapping (Map P-4 Road Classifications). A new regulation has been added under the Development Regulations for Provincial Roads; this addresses Protected Roads, Scenic Roads and Highway Signs.
- The Industrial Commercial (IC) Zone and the Industrial General (IG) Zones (Brookfield Road, Kenmout Road and Peacekeepers Ways) are enabled in the Rural District within the Municipal Plan Policy 8.10(8) Industrial, Commercial and Tourism Uses (follows policy in the existing Municipal Plan which enabled the rezoning of these various parcels of land).
- Ruby Line, Riverglen Close and Triton Place: Commercial District but zoned R2 and A2 – there was a plan amendment and rezoning on this parcel of land and the plan amendment change was missed on the mapping. It has since been updated.
- Thorburn Road Area: There are two sites designated Industrial and zoned Commercial Office Hotel; the Municipal Plan District will be changed to reflect commercial zoning.

- The corner of Gower Street, Church Street and Henry Street shows the existing District as Residential and the zoning as commercial (CDM); the District will be changed to Commercial to reflect the zoning.
- The Molsen Brewery along with James Lane area are both recognized as Industrial Commercial Zones in the Residential District under Policy 8.4(16) of the Municipal Plan.

#### Additional Updates to Municipal Plan:

- Updates Heritage Policies under Section 4.7 to reflect wording of the Heritage By-Law.

#### Additional Updates to Development Regulations:

- Personal Care Home – Side Yard Zone Requirements were updated (type regarding the use of storey instead of height).
- Apartment 2 (A2) Zone – typo was fixed to add “Office” to Home Office Use.
- Recreational Use - campground was added to the definition under Section 2.

There were several general housing keeping items that were corrected along with typos and grammar changes to make the documents flow better.

The following changes were also made to the Development Regulations:

- Update to Section 4.10 Development Regulations to reflect better Floodplain and Buffer wording which is subject to current internal staff review (amendment).
- Section 8 Parking Requirements – “Unspecified” use was added to account for any uses that are not defined within the Regulations.
- Section 8.8 Parking Lots Outside the Downtown were updated to allow for flexibility in establishing buffers for snow storage in areas where Lots are constrained, and redevelopment may occur.
- Carriage House definition and special requirements were added.