

# DECISION/DIRECTION NOTE

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<b>Title:</b>	Text Amendment to the Commercial Central Retail (CCR) Zone for a maximum building height of 18 metres REZ1900013 331 Water Street
<b>Date Prepared:</b>	August 15, 2019
<b>Report To:</b>	Committee of the Whole
<b>Councillor &amp; Role:</b>	Councillor Maggie Burton, Planning and Development Lead
<b>Ward:</b>	2

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## **Decision/Direction Required:**

To consider a proposed text amendment to the St. John's Development Regulations to allow a maximum height of 18 metres in the Commercial Central Retail (CCR) Zone. An amendment to the St. John's Municipal Plan would not be required.

## **Discussion – Background and Current Status:**

The City received an application to allow an 18-metre building at 331 Water Street. The subject property is designated Commercial Downtown under the St. John's Municipal Plan and is zoned Commercial Central Retail (CCR). The maximum allowable building height in the CCR Zone is 4 storeys not exceeding 15 metres. The applicant wishes to build an office and retail building with a maximum height of 18 metres.

During review of the new Development Regulations, it was identified that an increase in building height should be considered for some commercial zones, with the exception of the Commercial Local (CL) and Commercial Neighbourhood (CN) Zones, which tend to be located within residential neighbourhoods. The standard used for many years in the St. John's Development Regulations is a height of 15 metres or 4 storeys. However, we have heard from local architects and developers that 15 metres is not high enough to accommodate 4 storeys, given that a commercial building often has a floor-to-floor height between 4 and 5 metres. The proposed increase in height is not site-specific and would apply to all CCR Zoned properties in the City. A map of CCR Zoned properties is attached for your reference.

The subject property is located in Heritage Area 1. A design of the proposed building has been reviewed by the Built Heritage Experts Panel and was approved by Council on June 10, 2019 with the following conditions:

- add a cornice/articulation along the roofline on the masonry walls;
- add windowsills to the second storey windows on Water Street (similar to the surrounding buildings);
- ensure first storey windows on Water Street align with adjacent buildings; and

# ST. JOHN'S

- the amount of brick shown on the drawings will remain in the final design.

In the initial design, the applicants had proposed two levels of underground parking. Due to complications with the water table level, the applicants have now determined that it is not feasible to develop both levels of parking underground. Therefore, they are requesting a height increase in order to shift parking up to floor level. They have indicated that the proposed number of parking stalls would remain the same. Revised floor plans have not been submitted to determine how this may impact the site plan and/or design. Should the overall design remain similar to the previous design approved by Council, further review by the BHEP or Council will not be required.

The applicants currently have an active application for development of the building. Staff are reviewing the applications and have provided initial comments. Given that the proposed change in height will impact the site and floor plans, revised drawings will be required. Staff will continue to review the application, however, development approval for an 18-metre building can not be issued until the proposed amendment is adopted by Council and a notice is placed in the NL Gazette. As the proposed amendment is consistent with the Envision Development Regulations, it is recommended to consider increasing the maximum height in the CCR Zone from 15 metres to 18 metres.

### **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:  
Neighbouring property owners.
3. Alignment with Strategic Directions/Adopted Plans:  
*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 text amendment to the St. John's Development Regulations is required to increase the maximum height from 15 metres to 18 metres in the Commercial Central Retail Zone.
5. Privacy Implications: Not applicable
6. Engagement and Communications Considerations:  
Public notice of the proposed amendment.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.

9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable.

**Recommendation:**

It is recommended that the proposed text amendment to enable a maximum height of 18 metres in the Commercial Central Retail Zone be considered. It is recommended that the application be advertised for public review and comment. The application would then be referred to a regular meeting of Council for consideration of adoption.

**Prepared by/Signature:**

Ann-Marie Cashin, MCIP – Planner III, Urban Design and Heritage

Signature: \_\_\_\_\_

**Approved by/Date/Signature:**

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: \_\_\_\_\_

AMC/dlm

**Attachments:**

Zoning Map

Map of CCR Zone

Development Regulations Section 10.25, CCR Zone

Proposed Elevation



**SUBJECT PROPERTY**

WATER ST

HARBOUR DR

BISHOP'S COVE

GEORGE ST

ADELAIDE ST

11-17

CCM

CCR

CCR

ADELAIDE ST

CCR

CCR-WSW

IG

DISCLAIMER: This map is based on current information at the date of production.

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 **DOWNTOWN CCR ZONES**

DISCLAIMER: This map is based on current information at the date of production.

10.25 COMMERCIAL CENTRAL RETAIL (CCR) ZONE

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

10.25.1 Permitted Uses

Residential:

- (a) Dwelling Unit within Buildings having an F.A.R. not exceeding 3.0

Public:

- (b) Adult Day Care Facility (subject to Section 7.2)
- (c) Cultural Centre
- (d) Library

Commercial:

- (e) Bakery
- (f) Bank (Subject to Section 7.30) **(2012-06-29)**
- (g) Clinic
- (h) Commercial School
- (i) Communications Use
- (j) Custom Workshop
- (k) Department Store
- (l) Dry Cleaning Establishment
- (m) Eating Establishment (subject to Section 7.21) (Subject to Section 7.30)  
**(1995-09-15)(2012-06-29)**
- (n) Hotel
- (o) Laundromat
- (o.1) Lounge **(2011-05-06)**
- (p) Office
- (q) Parking Area
- (r) Printing Establishment
- (s) Retail Store
- (t) Service Shop
- (u) Sign Maker's Shop
- (v) Taxi Business
- (w) Wholesale Business as Accessory Use to Retail Use Only

Other:

- (x) Day Care Centre (subject to Section 7.6)
- (y) Park
- (z) Public Use
- (aa) Public Utility

**CCR**

10.25.2 Discretionary Uses (subject to Section 5.8)

- (a) Place of Amusement
- (b) Place of Assembly **(1995-11-24)**
- (c) Private Park **(2007-10-05)**

10.25.3 Zone Requirements

The following requirements shall apply to all permitted Uses:

- (a) Floor Area Ratio (maximum) 3.0  
In areas allowing greater bulk on Map F (max) 5.0
- (b) Floor Area Commercial (min) Where a Building is located on a Lot adjoining Water Street, not less than 1 Storey shall be used exclusively for one or more of the following Uses - Retail Store, department store, Bank, Service Shop, Eating Establishment, Lounge, Place of Amusement, Place of Assembly; and such a Commercial Storey shall be at the approximate elevation of the adjoining portion of Water Street.  
**(1995-09-15) (2011-05-07)**
- (c) Building Height (maximum) 4 Storeys (not exceeding 15 m)
- (d) Additional Building Height (maximum) Up to 10 Storeys and 40 m, provided:
  - (i) the Building is situated in an area allowing greater bulk on Map F;
  - (ii) the Building is not situated in the Historic Precinct; and
  - (iii) that such parts of the Building exceeding 4 Storeys in height shall be set back from any Street Line at a distance of not less than 8 m.
- (e) Building Line (minimum) All Buildings situated on Water Street shall be built on the Street Line, except for entrances to an arcade or a pedestrian court with a width not exceeding 6 m, measured along a line parallel to Water Street
- (f) Light Plane Section 11.5 shall apply.

**CCR**

PROJECT TITLE

OFFICE BUILDING

331 Water Street

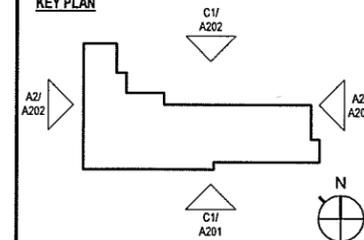
A PROJECT FOR  
ALRE PROPERTIES INC.

GENERAL NOTES

MATERIAL LEGEND:

-  BRICK MASONRY
-  EIFS
-  RIBBED METAL PANEL ROOF SCREEN
-  STAINLESS STEEL
-  PREFINISHED ACM PANEL
-  LOW-E VISION GLAZING
-  SPANDREL GLAZING

KEY PLAN



DATE	REVISION

PROJECT NO: 163029

DRAWN BY: SM

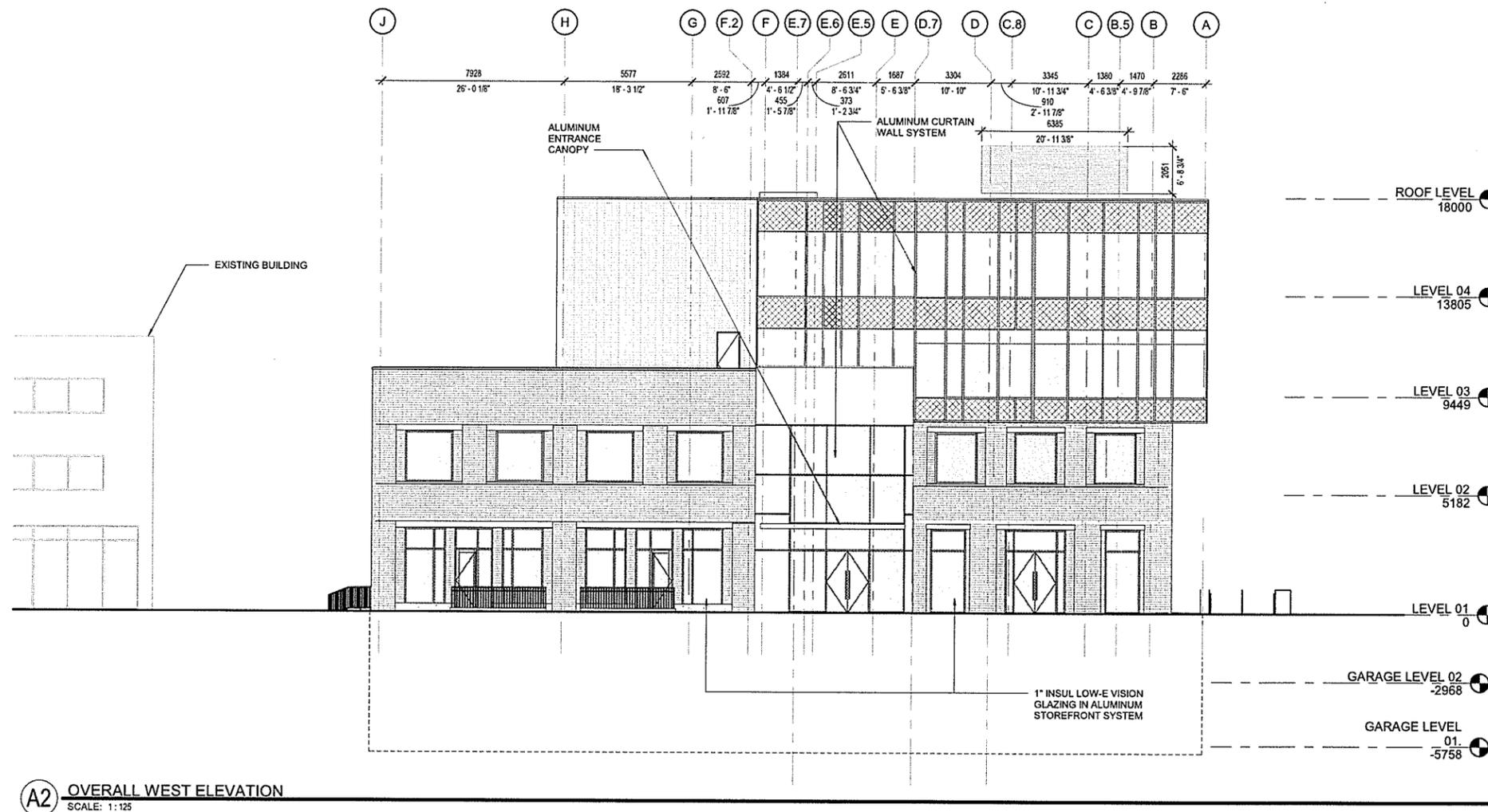
CHECKED BY: JH

SHEET TITLE

OVERALL BUILDING  
ELEVATIONS

SEAL SHEET NUMBER

A202



**A2** OVERALL WEST ELEVATION  
SCALE: 1:125