

DECISION/DIRECTION NOTE

Title: Text Amendment – Accessory Building in Various Zones - Adoption

Date Prepared: July 20, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Ian Froude, Planning

Ward: N/A

Decision/Direction Required:

That Council adopt St. John’s Development Regulations Amendment 13, 2022, that will add “Accessory Building” to various zones.

Discussion – Background and Current Status:

The City has received an application for an Accessory Building within the Open Space (O) Zone at 65 Bonaventure Avenue. Under the previous Development Regulations, there was a regulation in Section 8 “General Site Requirements” that granted Council the authority to allow an Accessory Building for any permitted or discretionary use listed in the zone tables. Under the Envision Development Regulations, an Accessory Building is a defined use and therefore should also be listed in the zone tables as either a permitted use or a discretionary use, rather than relying on Section 8.

Additional background information is provided in the attached amendment package. It is recommended that Council add Accessory Building as a Permitted Use to the following zones:

- Commercial Downtown (CD) Zone;
- Commercial Downtown Mixed (CDM) Zone;
- Commercial Downtown Mixed 2 (CDM2) Zone;
- Industrial Special (IS) Zone; and
- Add Accessory Building as a Discretionary Use to the Open Space (O) Zone.

Accessory Buildings in the Open Space Zone should be considered on a case-by-case basis, and therefore it is recommended to add the use as discretionary.

At its June 20, 2022 regular meeting, Council voted to consider the amendment and advertise it for public review and comment. The amendment was advertised in *The Telegram* on three occasions and on the City’s website, and notices were mailed to property owners within 150 metres of the site. No submissions were received by the City Clerk’s Office.

65 Bonaventure Avenue

This amendment was prompted by an application to develop an Accessory Building at 65 Bonaventure Avenue within the Open Space Zone. Approval of the Discretionary Use at this site will be brought back to Council at a later date following staff review.



Next Steps

Should Council adopt the amendment, the documents will be forwarded to the Department of Municipal and Provincial Affairs for registration. There is no Municipal Plan amendment needed, therefore no commissioner's public hearing is required.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Residents of St. John's.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.
4. Alignment with Adopted Plans: St. John's Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: A text amendment to the St. John's Development Regulations is required.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council adopt St. John's Development Regulations Number 13, 2022, to add Accessory Building as Permitted Use in the Commercial Downtown (CD) Zone, Commercial Downtown Mixed (CDM) Zone, Commercial Downtown Mixed 2 (CDM2) Zone, Industrial Special (IS) Zone, and as a Discretionary Use in the Open Space (O) Zone.

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:	Text Amendment - Accessory Building in Various Zones - Adoption.docx
Attachments:	- DR Amend No.13, 2022 - Accessory Buildings - TEXT (amc).pdf
Final Approval Date:	Jul 21, 2022

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

Ken O'Brien - Jul 20, 2022 - 4:43 PM

Jason Sinyard - Jul 21, 2022 - 11:04 AM