

# DECISION/DIRECTION NOTE

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<b>Title:</b>	Amendment to Rezone Land to the Commercial Downtown Mixed 2 Zone (CDM2) for a Mixed-Use Building REZ1900009 96 and 100 Water Street, 205 and 209 Duckworth Street Designated Heritage Building (former Breakwater Books/S.O. Steele Building)
<b>Date Prepared:</b>	November 20, 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 rezoning application for 96 and 100 Water Street, 205 and 209 Duckworth Street to the Commercial Downtown Mixed 2 (CDM2) Zone for the purpose of a mixed-use building. The uses include retail, office, residential and museum. An amendment to the St. John's Municipal Plan would not be required.

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

Roebothan McKay Marshall Accident and Injury Law has applied for a text amendment to the Commercial Central Mixed Use (CCM) Zone to accommodate a proposed 6-storey mixed-use building with law offices, residential apartments, a museum and indoor parking. The property is currently zoned CCM and is within the Commercial Downtown District of the St. John's Municipal Plan. The CCM Zone allows for a maximum building height of 15 metres and, therefore, an amendment is required. Further, the property is located within Heritage Area 1 and the former Breakwater Books/S. O. Steele Building at 100 Water Street is designated by Council as a Heritage Building and the Province as a Registered Heritage Structure.

The buildings at 205 and 211 Duckworth Street housed the Roebothan McKay Marshall law offices until a fire several years ago. This also included 96 Water Street, an empty lot that was the site of the Mechanics Institute, a designated heritage building which was demolished in the 1980's. The site also borders the Newfoundland National War Memorial, which has recently been designated a National Historic Site.

At its October 16, 2019 meeting, the Committee of the Whole recommended: "That the Decision Note regarding the Amendment to Rezone Land to the Commercial Downtown Mixed 2 Zone (CDM2) for a Mixed-Use Building be referred to the Built Heritage Experts Panel (BEHP) for review, prior to being considered by Council."

# ST. JOHN'S

The BHEP reviewed the application, met with the applicants during the November 13, 2019 BHEP meeting and recommended the following:

It is recommended that the design of the building be modified as follows:

- a. Increase the amount of brick and reduce the amount of glass façade, in particular along Water Street and along the façade facing the War Memorial;
- b. Increase the height of the gables facing the War Memorial to reflect the original architecture; and
- c. Use brick instead of glass for the turret.

The Built Heritage Experts Panel further recommends:

- d. Requirement of a comprehensive engineering study to ensure the protection of the facade on Water Street during construction; and
- e. Any revised drawings be brought back to the Built Heritage Experts Panel for recommendation.

#### Application in Relation to Envision St. John's Municipal Plan and Development Regulations

During public consultation for Envision St. John's, the interest and need for additional building height in appropriate locations downtown was identified. Envision has an objective for the east end of downtown (east of Adelaide Street) to retain the existing urban form and scale along the commercial corridors of Duckworth and Water Streets, while allowing some additional height. Higher buildings may be considered subject to building orientation, setbacks, public space and parking standards. The existing scale of buildings, along with the downtown's cultural and architectural significance and heritage requirements, will guide building design and will help determine the appropriate scale and scope of new buildings and redevelopment.

Mixed-use, pedestrian-friendly commercial centres are also a key goal throughout Envision. Although the new Municipal Plan has yet to come into legal effect, it has been adopted-in principle by Council, and its policies endorsed by the public.

In response to the request for additional height, the Envision St. John's Development Regulations look at new zones and zone requirements for considering additional height, to facilitate commercial and mixed-use development while maintaining appropriate heritage standards.

Although the applicants have requested a text amendment to the CCM Zone, based on the work completed for Envision, it is proposed that a new Commercial Downtown Mixed 2 (CDM2) Zone be used for this application. The intent of Envision's CDM2 Zone is to allow the same uses as the Commercial Downtown Mixed (CDM) Zone with a higher maximum building height and Floor Area Ratio (FAR). The permitted and discretionary uses in both the CDM and CDM2 Zones are a combination of those from the current downtown zones.

The applicant is proposing a 6-storey building with a height of 27 metres and a Floor Area Ratio (FAR) of 5.64. The development would include the exterior façade of the former Breakwater Books store, if feasible. It is proposed that this portion of the designated building will be used as a War Memorial Museum. The remainder of the building would have three levels of parking, retail on the first level of Duckworth Street, with two levels of office and the

top three levels for residential units. Given the slope of the property, the development would be 6-storeys on Duckworth Street and 8-storeys on Water Street.

### Heritage Designations

The Breakwater Books Building at 100 Water Street is designated as a Heritage Building by Council and the designation is confined to the footprint of the building. Architecturally, this building is significant because it is an excellent example of Victorian Second Empire style commercial architecture. Since the original occupants both worked and lived in this building it was designed to serve this dual purpose, having the shop on the ground level and residential space on the upper levels. Therefore, historically this site has always been a mixed-use site and the CDM2 would be an appropriate zone to continue these uses.

The building has been virtually unaltered since its erection in 1894. From the Statement of Significance, the character defining elements of this building include all the original features which relate to the age and construction of the building in a commercial Second Empire style, such as original storefront layout, mansard roof with bonneted dormers, brick exterior, original windows and door openings, size and appearance of transoms above doorways, base panels, pilasters along storefront, all decorative brickwork, all other decorative features including mouldings and trim, belt course (horizontal band separating the levels), and the overall dimensions, height and location of structure.

If this proposal proceeds, the applicant is requesting to demolish the majority of the building and maintain the exterior façade along Water Street, if feasible. The City recognizes the importance of creating ways in which historic buildings can be maintained while allowing development nearby. However, there should be no question to whether the façade will be maintained. It must be kept intact. The BHEP agreed with this approach and recommended that a comprehensive engineering study be included in the Land Use Assessment Report (LUAR) Terms of Reference to ensure the applicants show how the façade on Water Street will be protected should the development proceed. At this stage, not enough information is provided.

The BHEP acknowledge that this application is a case where facadism of Heritage Buildings could be permitted (when only the façade of a building is preserved, with new buildings erected behind or around it). The BHEP discussed that the proposed use of the site would be better than a vacant lot. This would be the first St. John's Heritage Building redeveloped to only include the front façade.

100 Water Street is a Provincially designated building. Heritage NL have raised concerns about the proposed development. Therefore, it is recommended to include conditions in the LUAR Terms of Reference that require the applicant to meet with Heritage NL, the NL Historic Trust and the Royal Canadian Legion and provide a summary of their concerns. Additionally, Parks Canada governs National Historic Sites, and development adjacent to these sites may affect these designations. Therefore, it is recommended that the City refer the application to Parks Canada for comment.

### Floor Area Ratio (FAR)

In the Envision St. John's Development Regulations adopted-in-principal by Council, the maximum building height in the CDM2 Zone is 27 metres and the FAR is 3.5. There is also a building façade setback requirement of 4 metres at the 18-metre level. If the façade faces more than one street, such as in the case of the subject property, the setback shall be applied to a minimum of 2 streets and the streets are determined by the Chief Municipal Planner.

Since the draft Development Regulations were made public, staff have met with design professionals and recognize that for a height of 27 metres, the FAR could be increased to 4.0. It was noted that to avoid large bulky buildings such as Atlantic Place, the FAR should not be any more than 4.0. The proposed design has a FAR of 5.64, which is too large for this site. **It is important to recognize that maximum height and FAR should not be treated as mutually exclusive standards.** Both standards need to be met to create a building appropriate in size and scale for the site. By comparison, recent developments in the Downtown have the following height and FAR:

- Salvation Army Centre for Hope, 18 Springdale Street – 25m in height measured from Springdale Street (5-storeys), FAR 1.988
- 351 Water Street – 36.9m in height measured from Water Street (11-storeys), FAR 3.5
- 40 Henry Street – ranging from 20.5m to 26.5m along Henry Street (7-storeys), FAR 4.4. This development was permitted through a site-specific amendment within the Commercial Central Mixed Use (CCM) Zone to allow a height greater than 15m and FAR greater than 3.0 at 40 Henry Street. The City is no longer permitted to add site-specific exceptions within a Zone.

The BHEP discussed the FAR but did not have any particular concerns. Should the development proceed, it is recommended that the building be redesigned to meet the standards set out in the CDM2 Zone of the Envision St. John's Development Regulations. Staff have concerns that increasing the FAR above 4.0 would negatively impact the historic downtown east of Adelaide Street and allow development of buildings that are too bulky.

#### Design of the Building

As the proposed development is one of the first in the City that proposes a new building surrounding a historic building, it is important that the design is reviewed from a heritage perspective. Staff have met with the architect and have raised some concerns. Given that the overall dimensions, and height of the building are character defining elements, and that the storey levels are displayed with the belt course, it is recommended that the additions along Water Street should compliment the historic façade with respect to rhythm and orientation of façade openings along the same elevation. BHEP have recommended that the overall development should use more brick, in particular along Water Street, along the façade facing the War Memorial, increase the height of the gables to reflect the original architecture and use brick, not glass, for the turret. Staff further recommend that the building should be set back from the roof of the Heritage Building to maintain the historic street façade and highlight it. This would also assist in lowering the FAR.

#### Requirement for a Land Use Assessment Report (LUAR)

The property is within the Commercial Downtown District of the Municipal Plan and therefore does not require a Municipal Plan amendment to rezone the property to CDM2. However, from

Section 5.6.2 of the St. John's Development Regulations, a LUAR shall consider the concept of "Downtown Balance" as described in the Municipal Plan where it is required for the allowance of additional bulk and height for Buildings in the Downtown area outlined on Map F. Therefore, it is recommended that a LUAR be prepared prior for the proposed development.

Development and Engineering staff have conducted an initial review of the application. There are requirements prior to consideration of the amendment, such as: submission of a civil site plan, sanitary sewage generation rates and stormwater rates. This will be included in the LUAR Terms of Reference.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
3. Property owner and neighbouring property owners; Heritage NL (as it is provincially designated) heritage groups.
4. 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.
5. Legal or Policy Implications:  
St. John's Development Regulation text and map amendments are required. Creation of a Designated Heritage Building Bylaw for 100 Water Street may also be required.
6. Privacy Policy Implications: Not applicable.
7. Engagement and Communications Considerations:  
Public notice of the proposed amendment and a Public Meeting chaired by an independent facilitator.
8. Human Resource Implications: Not applicable.
9. Procurement Implications: Not applicable.
10. Information Technology Implications: Not applicable.
11. Other Implications: Not applicable.

**Recommendation:**

As per the November 13<sup>th</sup> meeting of the Built Heritage Experts Panel

1. It is recommended that the design of the building be modified as follows:
  - a. Increase the amount of brick and reduce the amount of glass façade, in particular along Water Street and along the façade facing the War Memorial;
  - b. Increase the height of the gables facing the War Memorial to reflect the original architecture; and
  - c. Use brick instead of glass for the turret.
2. The Built Heritage Experts Panel further recommends:
  - a. Requirement of a comprehensive engineering study to ensure the protection of the facade on Water Street during construction; and
  - b. Any revised drawings be brought back to the Built Heritage Experts Panel for recommendation.

Staff agrees with these BHEP recommendations and further recommend the following:

3. It is recommended that the application to rezone 96, 100 Water Street and 205 and 209 Duckworth Street from the Commercial Central Mixed Use (CCM) Zone to the new Commercial Downtown Mixed 2 (CDM2) Zone be considered and the attached draft Terms of Reference for the Land Use Assessment Report be approved. The Terms of Reference have been updated to include:
  - a. Requirement for an engineering study regarding how the Water Street façade will be maintained.
  - b. Requirement for consultation with Heritage NL, the NL Historic Trust and the Royal Canadian Legion.
4. Refer the application to Parks Canada to determine if the proposed development will impact the designation of the NL National War Memorial National Historic Site.
5. It is recommended that the proposed development be redesigned to meet the standards set out in the Envision St. John's Development Regulations Commercial Downtown Mixed 2 Zone and incorporate the BHEP's recommendations.
6. Upon submission of a satisfactory LUAR that meets the requirements of the CDM2 Zone, it is recommended that the application be referred to a Public Meeting chaired by an independent facilitator. Following the public meeting, the application would 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

LUAR Terms of Reference

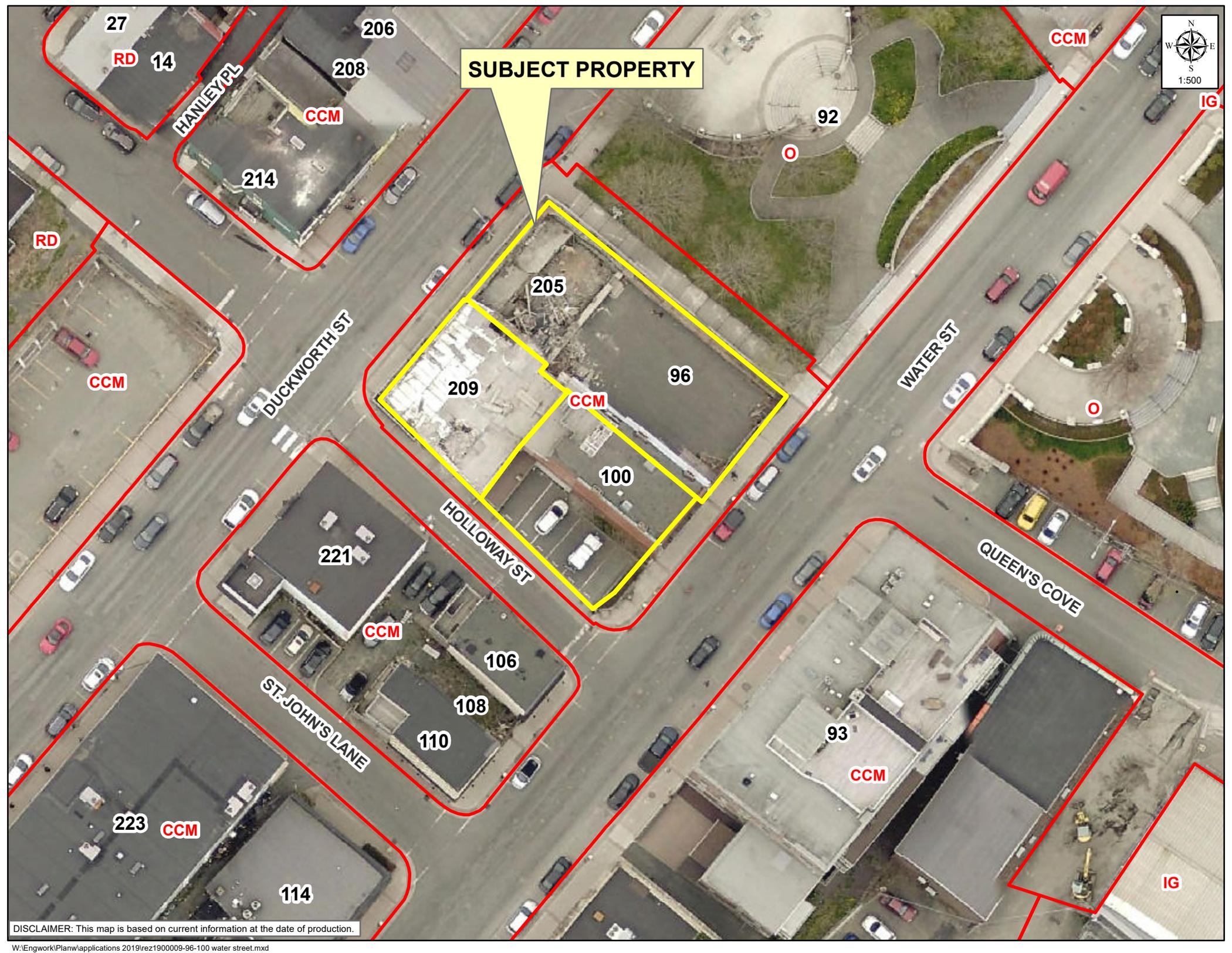
Applicant's Submission

100 Water Street Statement of Significance

Section of the CDM2 Zone from Draft Envision St. John's Development Regulations



**SUBJECT PROPERTY**



27

206

CCM

RD 14

HANLEY PL

208

CCM

214

92

RD

DUCKWORTH ST

205

209

CCM

96

WATER ST

CCM

100

HOLLOWAY ST

QUEEN'S COVE

221

CCM

106

108

110

ST JOHN'S LANE

93

CCM

223

CCM

114

IG

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

**TERMS OF REFERENCE  
LAND USE ASSESSMENT REPORT (LUAR)  
APPLICATION FOR A MIXED-USE DEVELOPMENT AT  
96 AND 100 WATER STREET, 205 AND 209 DUCKWORTH STREET  
(BREAKWATER BOOKS BUILDING)  
PROPONENT: ROEBOTHAN MCKAY MARSHALL ACCIDENT AND INJURY LAW**

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The proponent shall identify significant impacts and, where appropriate, also identify measures to mitigate impacts on land uses adjoining the subject property. All information is to be submitted under one report in a form that can be reproduced for public information and review. The numbering and ordering scheme used in the report shall correspond with that used in this Terms of Reference and a copy of the Terms of Reference shall be included as part of the report (include an electronic PDF version with a maximum file size of 15MB). A list of those persons/agencies who prepared the Land Use Assessment Report shall be provided as part of the report. The following items shall be addressed by the proponent at its expense:

**A. Building Use**

- Identify the size of the proposed building by:
  - Gross Floor Area, and
  - Floor Area Ratio (FAR).
- Identify all proposed uses/occupancies within the building by their respective floor area.
- Identify which portions of the Designated Heritage Building are proposed to be demolished.
- Identify how the remaining Designated Heritage Buildings will be stabilized and protected during renovations and incorporated into the new design.
  - Include an engineering study as an appendix to the LUAR explaining how the Water Street façade will be maintained/secured during construction.

**B. Elevation & Building Materials**

- Provide elevations of the proposed building.
- Identify the finish and colour of exterior building materials.

**C. Building Height & Location**

- Identify graphically the exact location with a dimensioned civil site plan:
  - Location of the proposed building in relation to neighbouring buildings;
  - Proximity of the building to property lines and identify setbacks;
  - Identify any setbacks of higher storeys from lower storeys;
  - Identify any encroachment over property lines;
  - Identify the height of the building;
  - Information on the proposed construction of patios/balconies (if applicable);
  - Potential shadowing/loss of sunlight on adjacent public and private properties, including sidewalks;
  - Identify any rooftop structures; and
  - Identify if the building will be sprinklered or not, and location of the nearest hydrant.
- Provide street scape views/renderings of the proposed building from the following locations:
  - The intersection of Gill's Cove and Water Street;
  - The intersection of Queen's Cove and Water Street;

- Along Holloway Street at street level;
- The intersection of Holloway Street and the north side of Duckworth Street;
- Duckworth Street near the centre of the War Memorial.
- Provide a Legal Survey of the property showing the consolidated lots.

**D. Exterior Equipment and Lighting**

- Identify the location and type of exterior lighting to be utilized. Identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.
- Identify the location and type of any exterior HVAC equipment to be used to service the proposed building and identify possible impacts on adjoining properties and measures to be instituted to minimize these impacts.

**E. Landscaping & Buffering**

- Identify with a landscaping plan, details of site landscaping (hard and soft).
- Identify the location and proposed methods of screening of any electrical transformers and refuse containers to be used at the site.
- Identify any additional street-level elements, such as weather protection measures at entrances, street furniture, etc.

**F. Building Wind Generation**

- Identify if the development will alter the wind conditions on adjacent streets, sidewalks and entrances to the building, and identify measures to minimize impacts at the pedestrian level.

**G. Snow Clearing/Snow Storage**

- Provide information on any snow clearing/snow removal operations.

**H. Off-street Parking and Site Access**

- Identify the number and location of off-street parking spaces to be provided, including accessible parking spaces.
- Identify the number and location of bicycle parking to be provided.
- Provide a dimensioned and scaled plan of all parking structure and lot layouts, including circulation details.
- Identify the location of all access and egress points, including pedestrian access.
- Please provide information on the parking spaces along Holloway Street: it this is private or public parking, if there are any parking agreements related to these spaces and if there is any impact to the parking calculations based on this removal.

**I. Municipal Services**

- Provide a preliminary site servicing plan.
- Identify points of connection to the City's sanitary sewer, storm sewer and water system.
- Provide the sanitary rate generated by the proposed development.
- The proposed development will be required to comply with the City's stormwater detention policy. Provide stormwater rate generated by the proposed development for the maximum 10-year climate change rainfall and information on how onsite stormwater detention will be managed.

**J. Public Transit**

- Consult with St. John's Metrobus (St. John's Transportation Commission) regarding public transit infrastructure requirements.

**K. Construction Timeframe**

- Indicate any phasing of the project and approximate timelines for beginning and completion of each phase or overall project.
- Indicate on a site plan any designated areas for equipment and materials during the construction period.

**L. Consultation**

- Meet with Heritage NL, the Historic Trust and the Royal Canadian Legion and provide a summary of their concerns



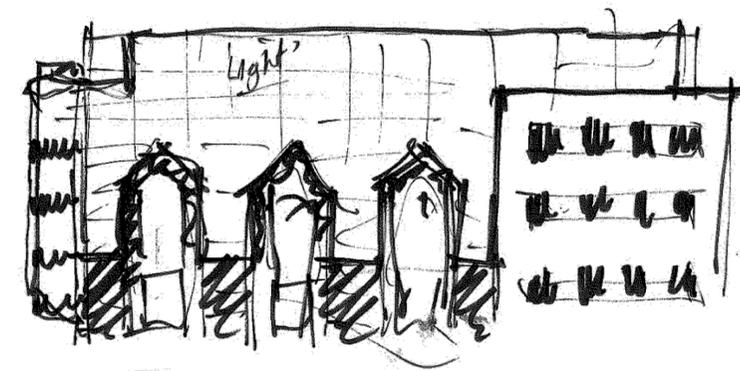
# 209 Duckworth

209 Duckworth St., St. John's, NL

FMA Proj. No: 3790-05

**FOUGERE  
MENCHENTON  
ARCHITECTURE**

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209 DUCKWORTH ST.  
PROPOSED BUILDING RENDERING



**FOUGERE  
MENCHENTON  
ARCHITECTURE**

PAGE 1



BUILDING CIRCA 1894

The design concept at its lower floors is a modern translation of the historic forms that once bordered the War Memorial site at its west edge. The Water St. and Duckworth St. corners of the building forms, that once flanked this Significant Historic site are also reflected in this design concept. The “turret” which once turned the corner of the War Memorial site at Water St. is shown in a modern form in the same location. The elevations of Water St. and Duckworth St. are as well, reflective of typical St. John's Street front architecture offering inviting glass shop-type windows at the sidewalk level and stylized brick and punch window fenestration patterns above. These features are typical to the Water St. and the Duckworth St. existing and historical fabric.

This somewhat modern approach to a traditional texture and scale of the lower floors, at present, considers the inclusion of the former Breakwater Book Store, Water Street building Facade. The feasibility of this building's exterior facade is under consideration, at present, to be retained if feasible.

- At the Water Street main level, there is an entry through the former Breakwater Book Store front facade. We envision, at this location, a War Memorial Museum as proposed in the plans.
- The design facilitates direct access to both levels of the War Memorial Museum directly from 2 street levels (Duckworth and Water Streets) with interior elevator access connecting the lower and upper levels, thus offering accessible connection of the upper and lower levels of the War Memorial Park itself, through the building.
- Level one off Duckworth Street offers retail / shop space directly off the street. This space could also be used as part of the War Memorial Museum. The back of this floor facing the harbour is planned for the War Memorial Museum. At this level it would be possible to have over 30 consecutive linear metres of whether protected views of the War Memorial beyond and below, at the East wall.

- Level two, and the floor above, are planned for Roebothan Mckay Marshall (RMM) who have historically operated a law firm at this site and is planning a return.
- Level four to six are stepped back from the street as shown on the attached plans, and are planned for condominium / apartments.

The area break downs envisioned for this total complex are summarized as follows:

- Museum space - 871 m<sup>2</sup> (9,375ft<sup>2</sup>)
- Museum / Retail Space - 212 m<sup>2</sup> (2,282 ft<sup>2</sup>)
- Office space - 1,918 m<sup>2</sup> (20,645ft<sup>2</sup>)
- Condominiums - 18 Condos ranging in area (total condo area 2,017 m<sup>2</sup> (21,711ft<sup>2</sup>))
- Average condo size +/- 1200ft<sup>2</sup>

To achieve the above, we envision a six storey building from Water St. with a total height of 27.0 m. The FAR proposed is 5.64.

The building area is:

- Parking - 2209 m<sup>2</sup> (23,781ft<sup>2</sup>)
- Total Building Area less Parking - 5,823 m<sup>2</sup> (62,679ft<sup>2</sup>)
- Total Developed Area - 8,388 m<sup>2</sup> (89,900ft<sup>2</sup>)

The above and enclosed concept reflects the goals of the Envision St. John's Municipal Plan in that it offers, and will enable, a true downtown integrated experience of commercial, retail, office and living functions, all in one complex.



CIRCA 1924 PHOTO



CIRCA 1924 PHOTO

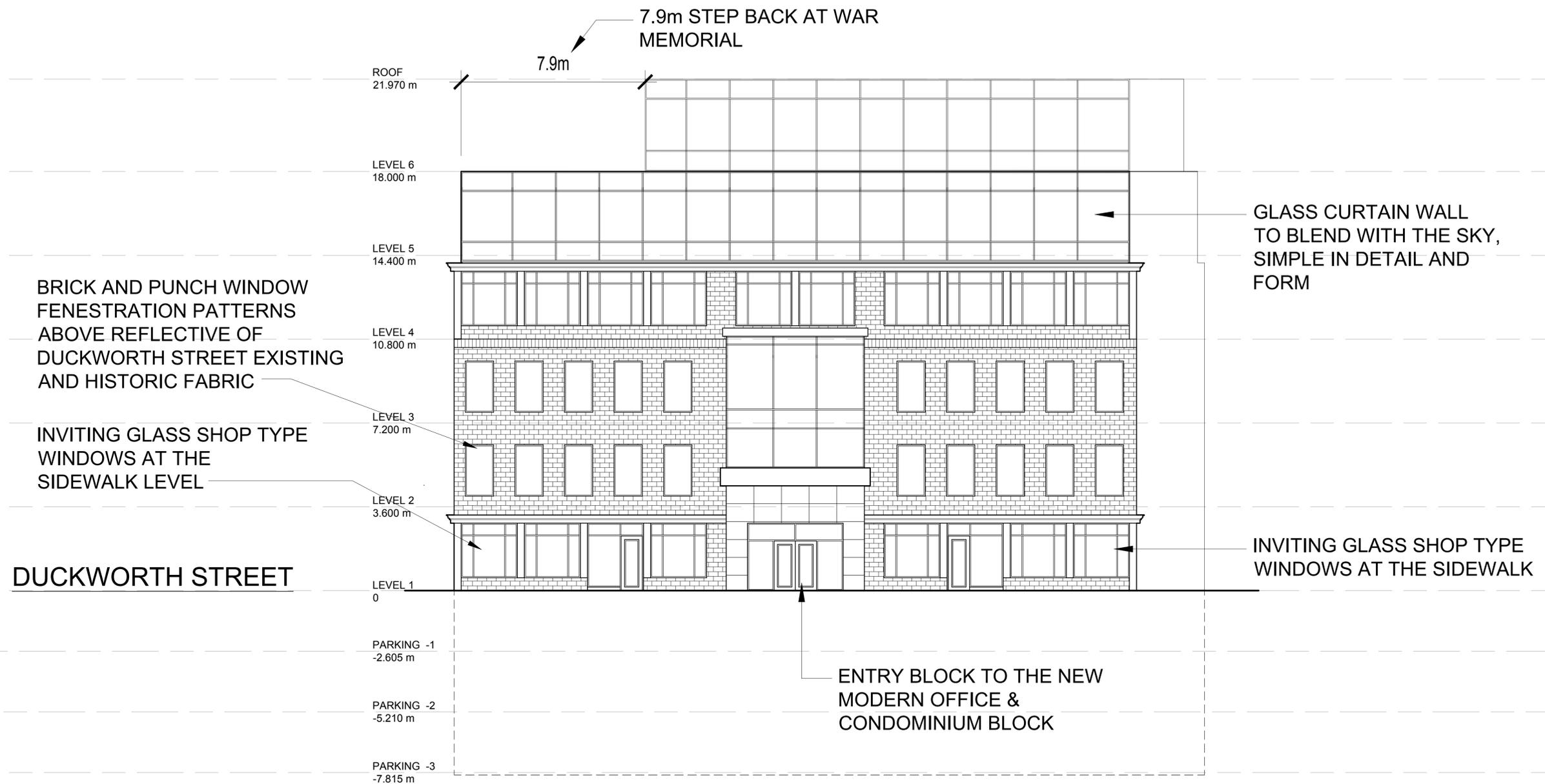


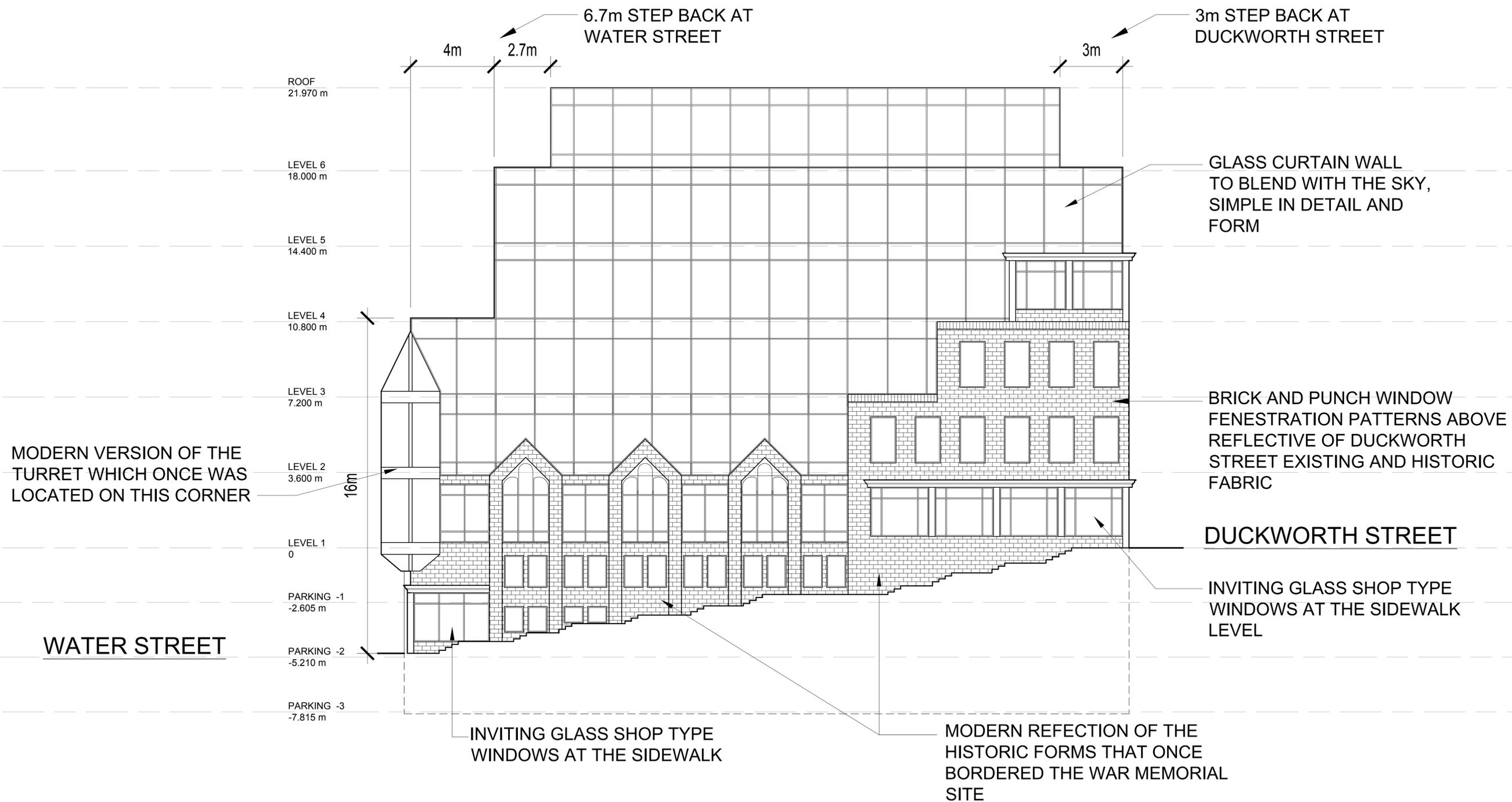
NEW PROPOSED RENDERING

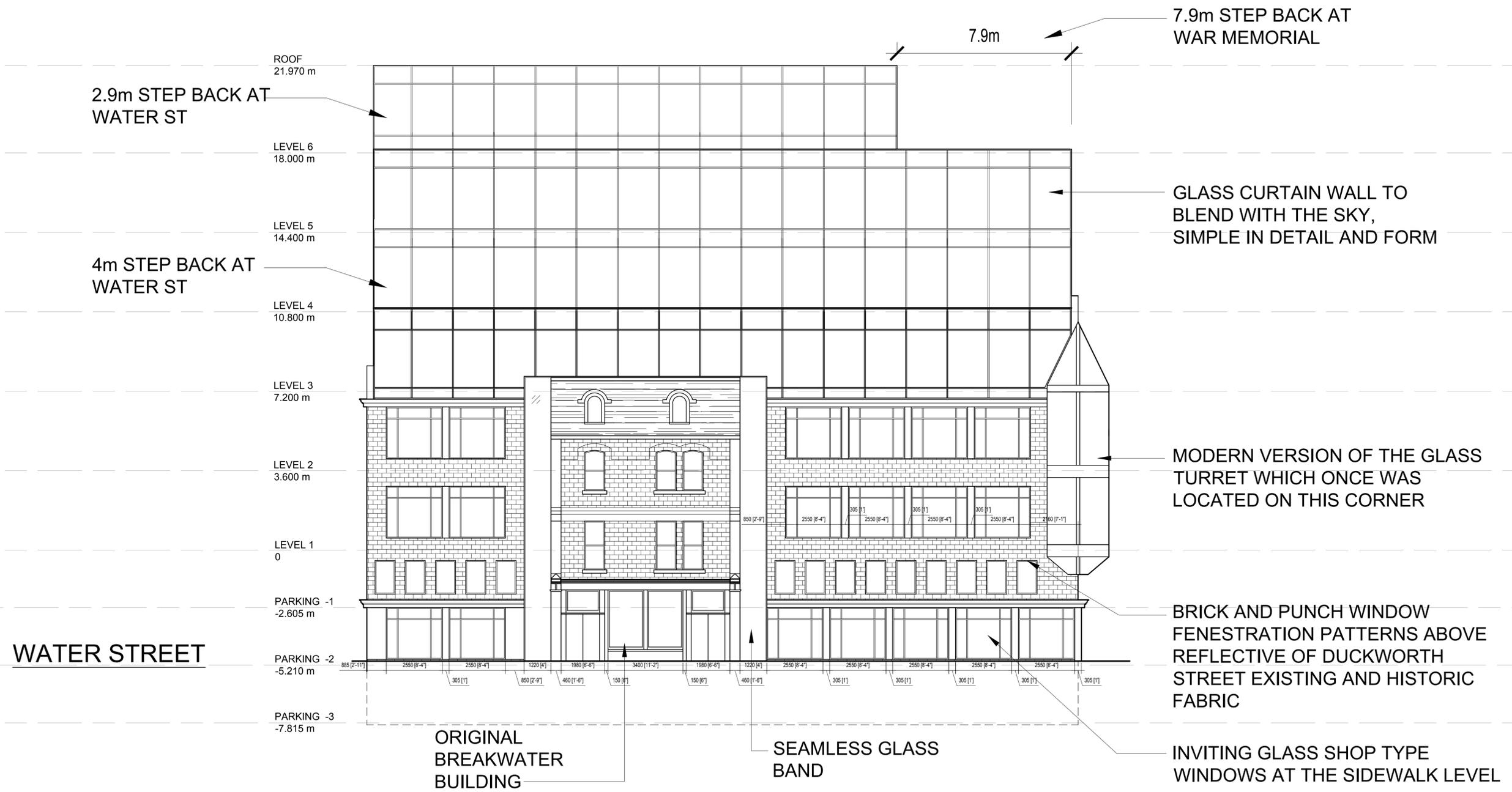
209 DUCKWORTH ST.  
CONCEPT GENERATING IDEAS

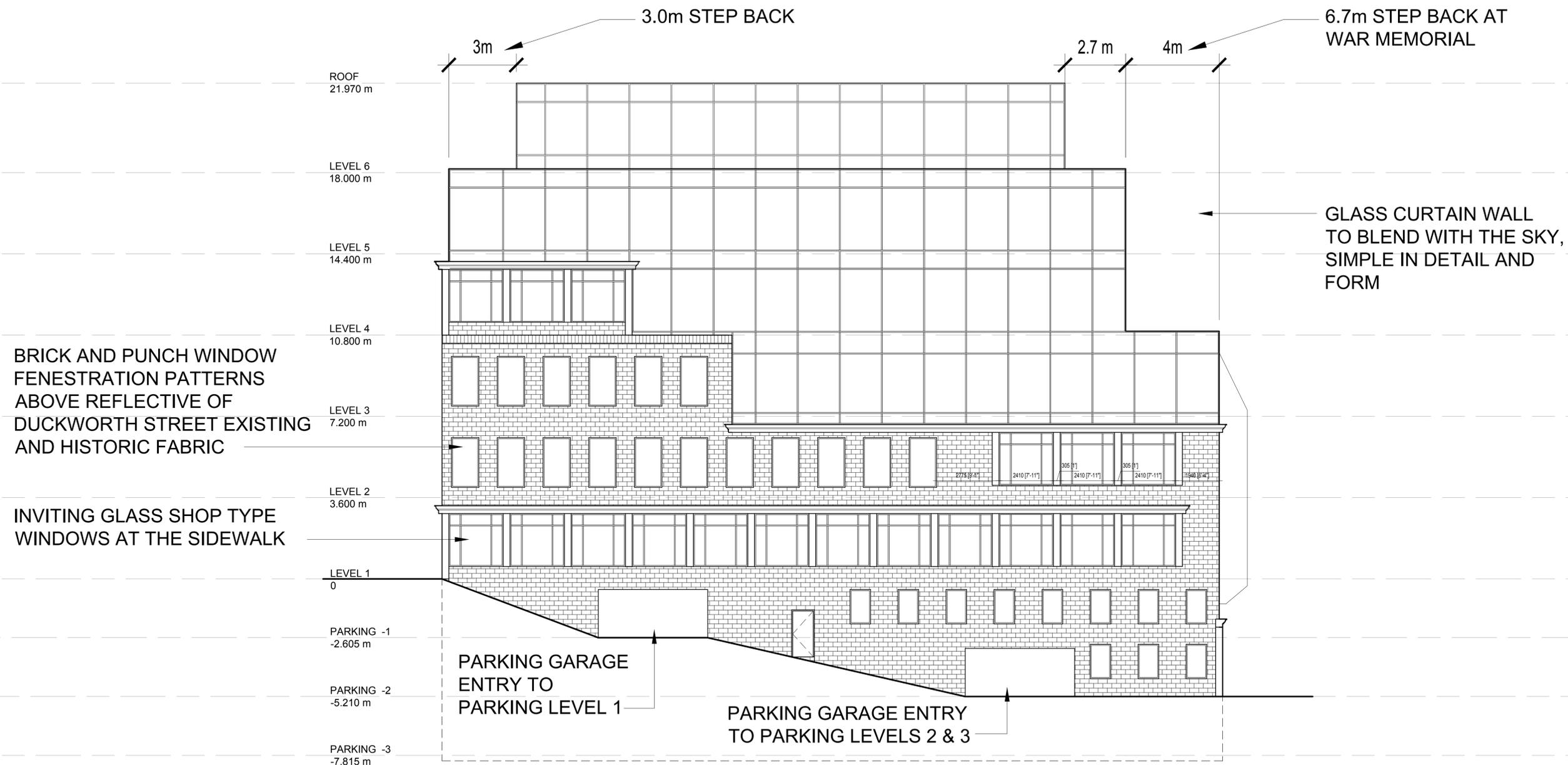
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MENCHENTON  
ARCHITECTURE

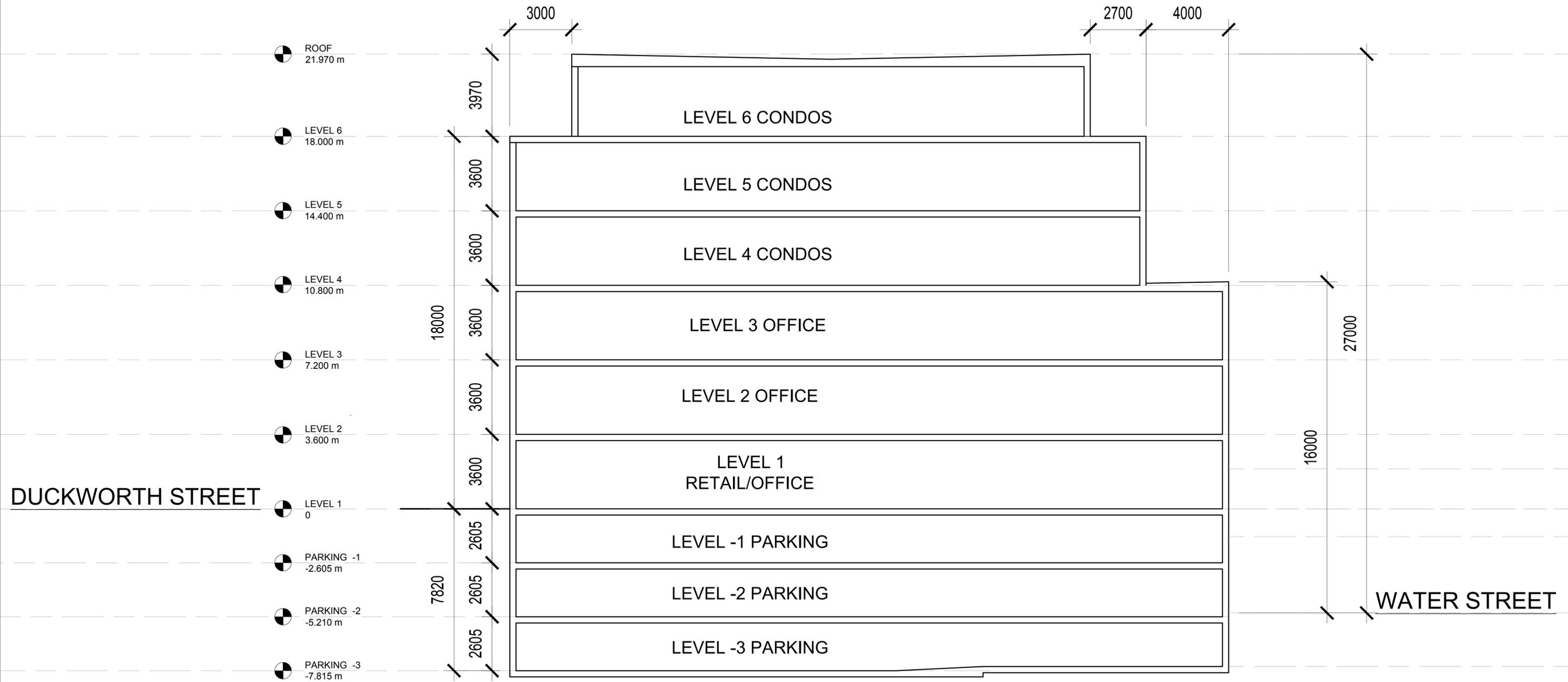
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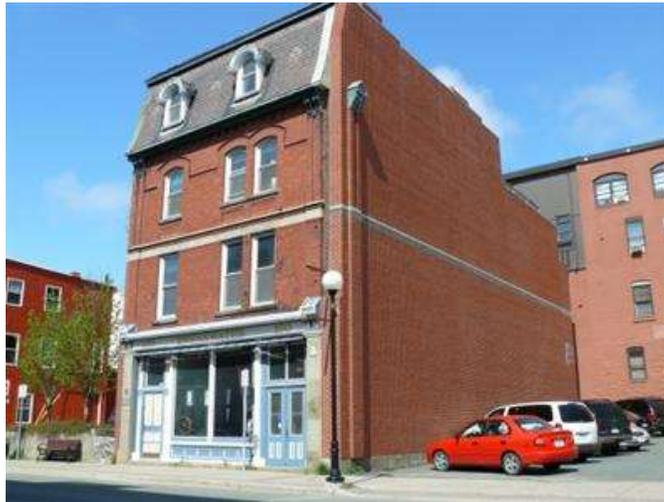








## Statement of Significance



### **100 Water Street - Breakwater Books Building, (former S.O. Steele Building)**

#### **Formal Recognition Type**

City of St. John's Heritage Building, Structure, Land or Area

#### **Description of Historic Place**

Breakwater Books (former S.O. Steele Building) is a three-and-a-half storey brick building located at 100 Water Street, St. John's. The designation is confined to the footprint of the building.

#### **Heritage Value**

Architecturally, Breakwater Books (former S.O. Steele Building) is significant because it is an excellent example of Victorian Second Empire style commercial architecture. Virtually unaltered since its erection in 1894, this building features the original picture windows, recessed entranceways and transom lights, all typical of this type of architecture. Since the original occupants both worked and lived in this building it was designed to serve this dual purpose, having the shop located on the ground level and residential space on the upper levels. The structure's fourth storey concave mansard roof with hooded dormers is characteristic of the Second Empire style made popular by builders J. and J. T. Southcott in the years after the 1892 fire. The exterior decoration on this building is typical of early 20th century commercial buildings, having a rather ornate store front and a number of less decorative upper levels. Though there is a belt course separating each of the upper levels and arched brickwork surrounding the third storey windows, these features are rather simplistic, resulting in the storefront receiving increased attention.

Historically, Breakwater Books (former S.O. Steele Building) is significant because of the persons associated with it. Samuel Owen Steele, who inherited this house from Hannah Martin, was well known within the region for being both a dry goods merchant and an importer of china. It was in this building that he established the china shop, importing in dinnerware from as far away as Japan. Samuel's two sons, Owen and James, were also well known for their involvement in the First World War. Owen, who was killed at the Somme on July 8, 1916, by a German shell,

kept a detailed diary of his service during the war, providing an excellent account of the exploits of Newfoundlanders who fought in the First World War. James survived the war, including the attack at Beaumont Hamel that killed or wounded 710 of his fellow Newfoundland soldiers.

Source: City of St. John's, Meeting held 1989/07/21

### Character Defining Elements

All original features which relate to the age and construction of the building in a commercial Second Empire style, including:

- original storefront layout, mansard roof with bonneted dormers, brick exterior;
- original window and door openings;
- all original windows including the storefront picture windows;
- original doors;
- size and appearance of transoms above doorways;
- base panels;
- signage typical of early 20th century storefronts;
- pilasters along storefront;
- all decorative brickwork;
- all other decorative features including mouldings and trim;
- belt course;
- overall dimensions, height and location of structure; and,
- all interior features of house reflective of age, design and usage of original building.

### Location and History

Community	St. John's
Municipality	City of St. John's
Civic Address	100 Water Street
Construction	1894 - 1894
Style	Second Empire
Building Plan	Rectangular Short Façade
Website Link	<a href="http://www.breakwater.nf.net/index.php">http://www.breakwater.nf.net/index.php</a>

### Additional Photos



**COMMERCIAL DOWNTOWN MIXED 2 (CDM2) ZONE**

**CDM2**

**(1) PERMITTED USES, except 40 Henry Street (PID #45762)**

Bakery	Massage Parlour
Bank	Office
Clinic	Park
Communications Use	Place of Worship
Convenience Store	Public Use
Dwelling Unit – 2 <sup>nd</sup> storey or higher	Public Utility
Health and Wellness Centre	Restaurant
Hotel	Retail Use
Laundromat	Service Shop
Library	Training School
Lounge	Transportation Terminal

**(2) DISCRETIONARY USES, except 40 Henry Street (PID #45672)**

Adult Day Centre	Parking Garage
Bed and Breakfast	Parking Lot
Craft Brewery/Distillery	Place of Amusement
Daycare Centre	Place of Assembly
Dwelling Unit - 1 <sup>st</sup> storey (except Water Street & Duckworth Street)	Taxi Stand
Lodging House	

**(3) PERMITTED USES – 40 Henry Street (PID #45762)**

Apartment Building

**(4) ZONE STANDARDS EXCEPT PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT**

- |     |   |   |
|-----|---|---|
| (a) | Building Height (maximum)                                 | 27 metres, except for 132 Duckworth Street (PID #12371), where the maximum height shall be 20 metres  |
| (b) | Building Line   | 0 metres  |
| (c) | Floor Area Ratio (maximum)                                | 3.5   |
| (d) | Building Façade Setback on Street (minimum)               | 0 metres for first 18 metres of Building Height, 4 metres for greater than 18 metres in Building Height. Where Building Façade abuts more than one Street, setback shall be applied to a minimum of 2 Streets, such Streets being determined by the Chief Municipal Planner |
| (e) | All other Zone Standards are in the discretion of Council |   |

**(5) ZONE STANDARDS FOR PLACE OF WORSHIP, PARK, PUBLIC USE, PUBLIC UTILITY AND PARKING LOT SHALL BE IN THE DISCRETION OF COUNCIL.**