

City of St. John's Development Regulations, 2021

St. John's Development Regulations Amendment Number 43, 2024

Industrial General (IG) Zone to Industrial Commercial (IC) Zone for a Retail Use

October 2024



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

CITY OF ST. JOHN'S Development Regulations, 2021

Amendment Number 43, 2024

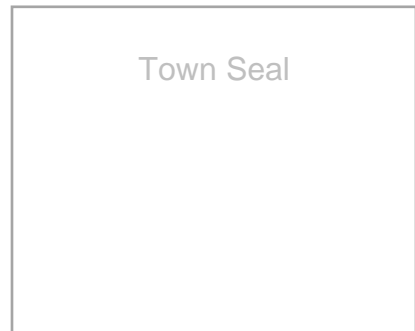
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the City Council of St. John's adopts the City of St. John's Development Regulations Amendment Number 43, 2024.

Adopted by the City Council of St. John's on the 15th day of October, 2024.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____



Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 43, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: _____



CITY OF ST. JOHN'S

Development Regulations Amendment Number 43, 2024

BACKGROUND AND PURPOSE

The City has received an application from Atlantic Trailer and Equipment Ltd. to rezone land at 242 Danny Drive from the Industrial General (IG) Zone to the Industrial Commercial (IC) Zone for a Retail Use. The proposed building will contain a show room, offices, repair garage and storage. Under the IG Zone, Retail Use is not a listed use and therefore a rezoning is required. Retail Use is a Discretionary Use within the IC Zone. The property is within the Urban Expansion District and therefore a Municipal Plan amendment is not required.

This general area was rezoned to the IG Zone in 2015 as part of an industrial park within the Glencrest (now called Galway) development. At that time, it was envisioned that the land would be used for heavy industry. As the development has proceeded, light industrial and retail uses have been proposed.

While this initial rezoning was prompted by the application at 242 Danny Drive, the City recognizes that, given the evolution of industrial development in this area, other property owners may wish to enable Retail Use and other light industrial uses on their properties. The City asked property owners along Danny Drive if they would like to be included in this rezoning. The City received a request to include 215 Danny Drive, 223 Danny Drive, and 250 Beaumont Hamel Way in this rezoning. Should the rezoning proceed, the majority of the east side of Danny Drive will be rezoned to the IC Zone, along with 242 Danny Drive.

ANALYSIS

Section 5.1.3 of the Municipal Plan recognizes the importance of industrial lands, such as manufacturing, warehousing and processing, as contributors to a diverse economy, and ensures an appropriate supply of lands and infrastructure is available to support such uses. Further, Section 5.1.4 states that industrial lands should be located where there is direct and convenient access to the regional transportation network, such as highways, the port or the airport. The proposed rezoning meets these policies.

The subject properties are within the Urban Expansion District. As per Section 8.15, a Comprehensive Development Plan must be prepared and approved by Council prior to development of Urban Expansion Areas. As well, lands identified for future urban development in Kilbride, Southlands, Galway and Kenmount Road areas shall have the potential to be developed for a range of land uses utilizing municipal water and sewer services. The City has already approved the Comprehensive Plan for the Galway area. As the proposed change is in line with the Comprehensive Plan, the proposed rezoning agrees with the District policies.

Section 4.9(2)(a) of the Development Regulations requires a Land Use Report (LUR) for rezonings. However, as per Section 4.9(3), where the scale or circumstances of the proposed development do not merit a full LUR, Council may accept a staff report. As the proposed rezoning is going from a heavy-industrial zone to a light-industrial zone that is in line with the Comprehensive Plan for this area, staff recommend that Council accept a staff report in lieu of an LUR.

Section 6.10 of the Development Regulations limits the Building Height of Commercial Garages to 6 metres. However, given the equipment and lifts typically used, a higher height is often required. As part of this amendment, staff recommend removing this reference to Building Height from Section 6.10. Building Height for Commercial Garages will be regulated in each land-use zone.

PUBLIC CONSULTATION

The proposed amendment was advertised on three occasions in The Telegram newspaper on September 13, September 20, and September 27, 2024. A notice of the amendment was also mailed to property owners within 150 metres of the application site and posted on the City's website. Information about the amendment was available on the City's Planning Engage Page.

The initial September 13, 2024, Telegram ad did not include a notice regarding removing reference to Commercial Garage building height from Section 6.10 of the Development Regulations. This was corrected in the September 20 and 27 editions. The notice to residents included both the proposed map and text changes. No submissions were received by the City.

ST. JOHN'S URBAN REGION REGIONAL PLAN

The proposed amendment is in line with the St. John's Urban Region Regional Plan. The subject property is within the Urban Development designation of the Regional Plan. An amendment to the St. John's Urban Region Regional Plan is not required to rezone these properties to the Industrial Commercial (IC) Zone.

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 43, 2024

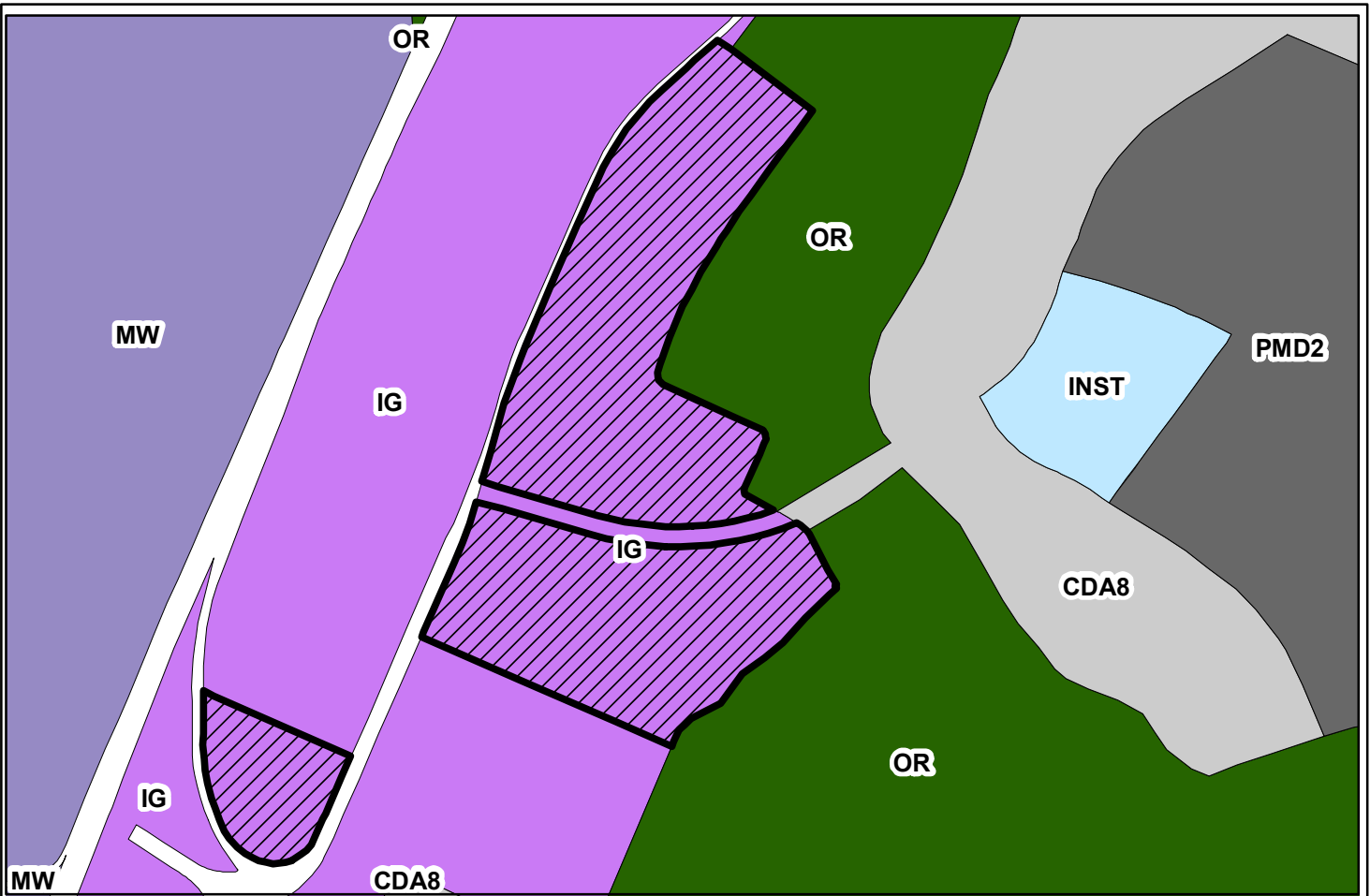
The City of St. John's Development Regulations, 2021 is amended by:

- 1) Repealing Section 6.10 Commercial Garage, which states:
"6.10 COMMERCIAL GARAGE
(1) A Commercial Garage is subject to the following:
 (a) Building Height (maximum) 6 metres
(2) All vehicle repair shall be contained within the Building."**

and replacing it with the following:

**"6.10 COMMERCIAL GARAGE
A Commercial Garage shall contain all vehicle repair within the Building."**

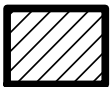
- 2) Rezoning land at 242 Danny Drive [Parcel ID# 403577], 223 Danny Drive [Parcel ID# 402660], 215 Danny Drive [Parcel ID# 406013], and 250 Beaumont Hamel Way [Parcel ID# 406174], from the Industrial General (IG) Zone to the Industrial Commercial (IC) Zone as shown on City of St. John's Zoning Map attached.



**CITY OF ST. JOHN'S
DEVELOPMENT REGULATIONS
Amendment No. 43, 2024**
[City of St. John's Zoning Map]

2024 10 02 Scale: 1:7500
City of St. John's
Department of Planning, Development
& Regulatory Services

I hereby certify that this amendment
has been prepared in accordance with the
Urban and Rural Planning Act.



AREA PROPOSED TO BE REZONED FROM
INDUSTRIAL GENERAL (IG) LAND USE ZONE TO
INDUSTRIAL COMMERCIAL (IC) LAND USE ZONE

242, 223, 215 DANNY DRIVE
250 BEAUMONT HAMEL WAY
Parcel ID 403577, 402660, 406174, 406013

M.C.I.P. signature and seal

Mayor

City Clerk

Council Adoption

Development Regulations/Amendment

REGISTERED

Number _____

Date _____

Signature _____

Provincial Registration