

FINAL DRAFT REPORT

The Battery Development Guideline Study

Prepared for:
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1.0 INTRODUCTION

1.1 BACKGROUND

Two recent studies, the “St. John’s Heritage Areas, Heritage Buildings and Public Views Study” (Heritage & Views Study), and the “Downtown St. John’s Strategy for Economic Development and Heritage Preservation” (Downtown Strategy) have recognized the importance of The Battery as a good place to live, and as a tourism and quality of life resource for the City. At the same time, the studies recognized that there are increasing pressures to redevelop properties in the area, leading to a concern that there is a threat to the very qualities that make it unique.

The Battery was identified in the Heritage and Views Study as an area that needs special attention because of its unique character. While the area is recognized as being of Heritage value, the Proposed Heritage Area Regulations for the downtown are not by themselves adequate. Similarly, private views which were not previously considered in the Heritage and Views Study are a very important component of almost all of the residential properties.

It is in this context that this Report is being prepared as part of a mechanism that will lead to guidelines and regulations for The Battery that will benefit everyone.



Fig 1.1 View of The Battery

1.2 OBJECTIVES

The objectives of this Study are to suggest mechanisms that will help:

- Rationalize the ongoing redevelopment of The Battery,
- Maintain and improve the quality of the area as a place to live, as a place to visit or walk through, and as a visual and economic resource for the City.
- Protect existing private views and privacy.

- Protect and enhance existing public views and open spaces.
- Reduce visual clutter, such as wires and wire poles, haphazard fences, and retaining walls.
- Ensure that Rules and Regulations are fair and explicit for existing and future property owners, and are easy to administer.
- Encourage rehabilitation of existing houses and infrastructure and new infill where appropriate.

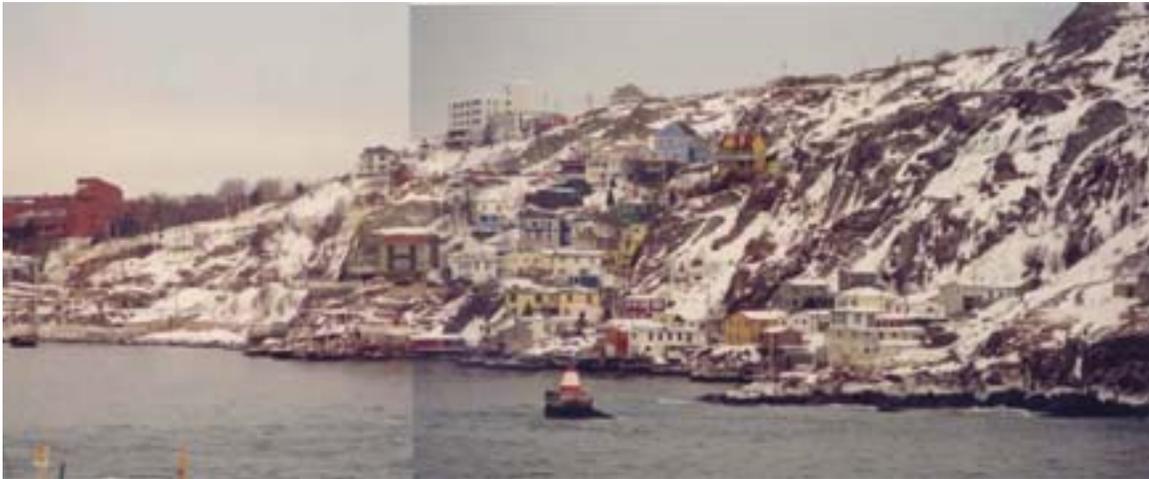


Fig 1.2 A view from Fort Amherst that shows some of the new developments.

1.3 APPROACH AND PROCESS

As with the Heritage and Views Study, the approach is very hands on. Familiarity of the study team with the area and issues, discussions with key groups such as City staff, the Heritage Advisory Committee and residents are used to advantage in developing the guidelines. We have walked the streets, photographed and measured buildings, scrutinized the area and extensively utilized the City's new mapping.

As a way of helping us understand the physical characteristics of The Battery, and the potential impact of any new development on the visual character of the area, or its impact on private and public views, we have developed a three-dimensional computer model of the area. It includes topographic features, roadways and individual buildings.

In general, the process has included:

- A description of The Battery including existing regulations, the key characteristics that need to be protected, and the rationale for doing so.
- Development of criteria for evaluation, and suggestions for zoning and regulatory change.
- Development of a Footprint and Building Height Overlay (FHO) with specific limits for each property in terms of allowable vertical or horizontal expansion or new construction.
- Outline of proactive measures for open spaces and public infrastructure.

2.0 DEVELOPMENT OF THE BATTERY

2.1 HISTORY OF DEVELOPMENT

The Battery area developed partially as a fishing village in the Newfoundland tradition, and partially because of its proximity to St. John's. Like any number of communities that were located to be near the fishing grounds, The Battery is characterized by narrow roads, houses clinging to the cliffs, and a seemingly haphazard form. Its proximity to St. John's has allowed it to be more crowded than a typical fishing village further contributing to its unique character.

Over the years, the number of residents engaged in the fishery has declined and its residential character increased. Officially a part of the City since incorporation in 1888, it remained largely unserviced until the mid 70s when water and sewer lines were extended, the roads improved, and many of the retaining walls rebuilt.

The community is built at the base of Signal Hill, the higher elevations of which are a part of the Signal Hill National Historic Site, and a very prominent landmark for St. John's.



Fig 2.1A St .John's from The Battery, 1885



Fig 2.1B A recent photograph from the same location

2.2 EXISTING DEVELOPMENT REGULATIONS

The Battery, as are all parts of the City, is governed by several sets of codes and regulations. The most important, in terms of this work, are the St. John's Municipal Plan, which establishes the overall framework and authority, and the Development Regulations including the Zoning Regulations. The Heritage Area regulations which work well in the rest of the Downtown are not adequate in The Battery because of its unique character.

Existing Zones in The Battery Include

Residential - High Density (R3) zone, Residential Battery (RB), a zone that recognizes the special character of the area, Comprehensive Development Area (CDA) Signal Hill, and Commercial Office Hotel (COH)

Zones Adjoining The Battery

Open Space (OS), Industrial General (IG), and Commercial Central Mixed Use (CCM) zones are located immediately next to The Battery. While the OS zone protects the north and east sides, possible developments in the IG and CCM zones to the southwest need to be considered.



2.2A The character comes from the eclectic mix as much as the heritage character of individual buildings



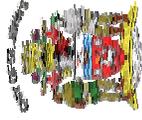
2.2B The narrow streets and irregular properties defy conventional zoning.

2.3 APPLICATION OF EXISTING REGULATIONS

Without going into detail about the specific zone requirements in terms of lot size, set backs, and building heights, it is fair to say that almost all of the existing properties do not meet the specific minimum requirements. For example, the R3 and RB zones require side yards of 1.2m, backyards of 6m and set backs of 4.5m, the CDA zone for Signal Hill limits height to one storey.

Applications for minor changes have over the years usually been approved as appropriate non conforming uses however many recent applications have been for major additions or relatively large new houses. These applications have tested the limits of this process. The existing zoning and regulations and the system of informal tolerances are no longer appropriate.

The implications of the fact that very few existing properties, not to mention proposed expansions, meet existing zoning are significant. Under strict application of current regulations, most would probably not be approved. The development guidelines that are suggested in this study are no more limiting than this, and will be less restrictive than existing regulations for most properties.



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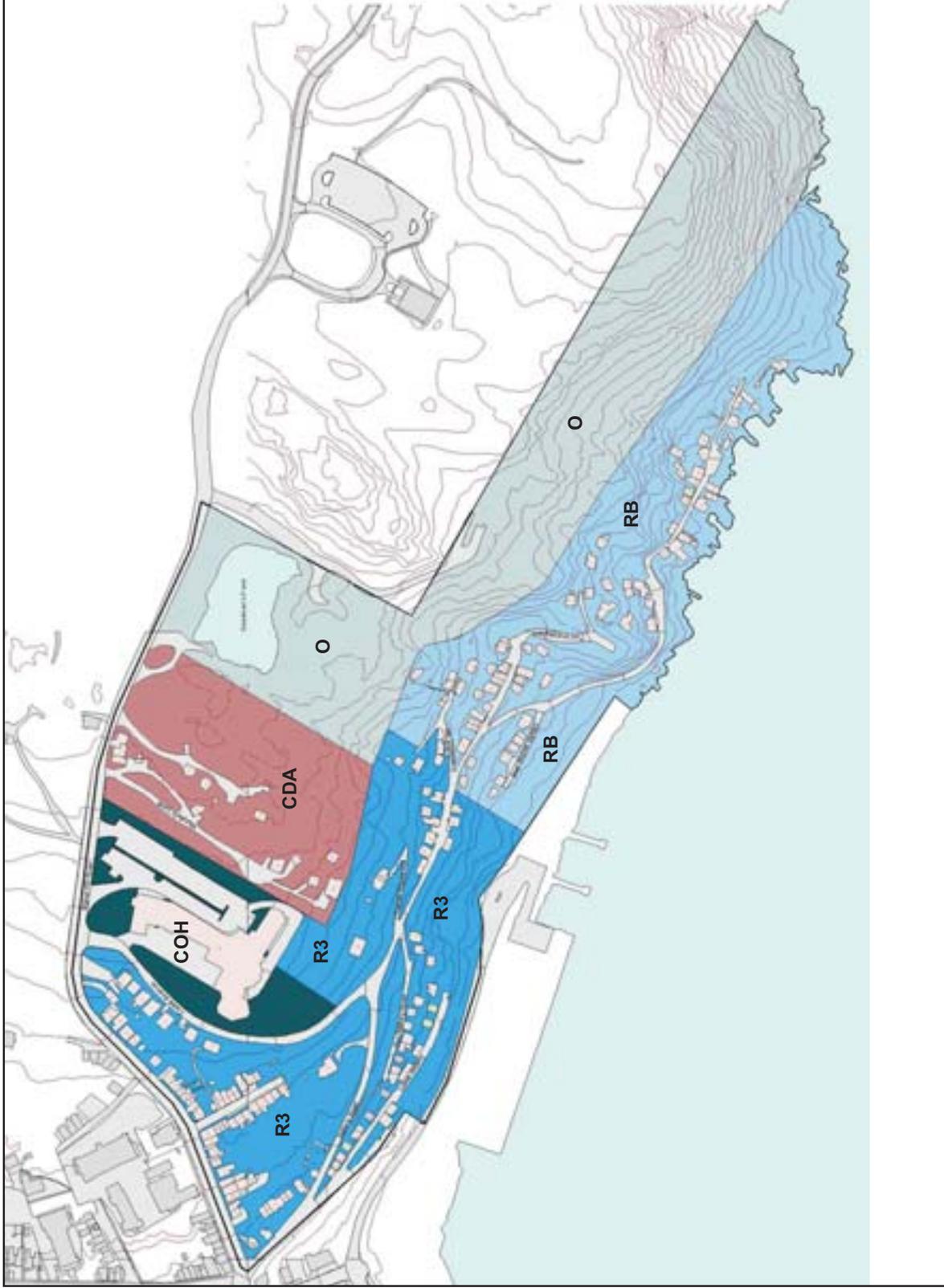


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Figure 2.2

Existing Zones
and Study Area
Boundaries



3.0 VISUAL CHARACTERISTICS OF THE BATTERY

3.1 TOPOGRAPHY AND LOCATION

Its location at the entrance to St. John's Harbour, and the steep hillside are what really form the character of The Battery. Houses and sheds are built from the water's edge to an elevation of approximately 75m. There are very few level areas and an average slope of approximately 45 degrees. There are numerous retaining walls and steep rock faces.

It is the steep hillside that creates the views of and from The Battery, that are so important. There is widespread acknowledgement that The Battery possesses a unique character. Images of homes clinging to the hillside appear on countless promotional items, websites and postcards.



Fig 3.1A Rocks and Cliffs at the Narrows

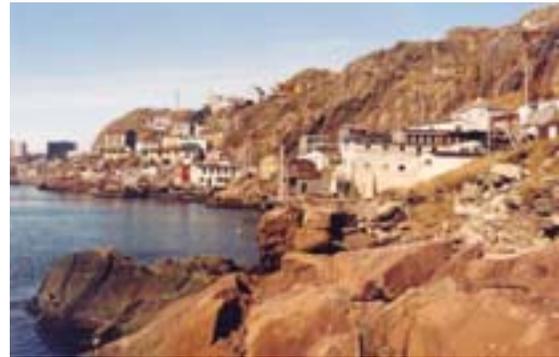


Fig 3.1 B Houses Clinging to the Edge

Views important to The Battery's special character fall into three categories, views to The Battery from outside, views out from The Battery, and, views within The Battery. The Heritage and Views Study identified a number of visual resources and view points which relate to The Battery. Indeed, The Battery and its surrounding landscape, comprise some of the City's most important Downtown views.

3.2 Views From The Battery

The Battery generally faces southwest, looking towards the Harbour and South Side Hills. Most properties and open spaces have some form of view. They vary with some having 180 degrees panoramic views, from the Narrows around the Harbour basin, over the Downtown to Fort William. Other properties have more limited view cones because they are blocked by land forms or existing structures. In some cases, the views are just narrow spaces between buildings. If these narrow spaces are the only view from a house or open space, they become even more significant.

It is also important to realize that the view cones have a vertical as well as a horizontal component. Views may look down over a group of houses to the waterfront or up across the side of the hill. In general, the view of the water is considered to be as or more important than its lateral extent.

Fort Waldegrave has been recognized as a Primary View Point to the City's Downtown and the Narrows. The Fort's prominent placement as a public space at the edge of Outer Battery Road also helps protect the views from many private properties. In addition to Fort Waldegrave, there are other important public views from The Battery that need protection.



3.2 A View of the Narrows from Fort Waldegrave



3.2B Typical View Between Houses

3.3 Views of The Battery

Views of The Battery occur from various locations throughout the Downtown and the Southside. The most significant are the close to mid range views from Fort Amherst and the middle of the Harbour on the Southside, and from the Fort William area on the north side. A series of dramatic views are visible from the Harbour to boats entering and leaving the narrows from the apron on the Southside and from Harbour Side Park on the north. Views of The Battery from the Fairmont Hotel and other buildings in the Fort William Area are an important amenity for them.



3.3A Distant Views from the West end of the Harbour



3.3B View from a building at Fort William

The Battery is composed of mostly residential buildings and some sheds. Other than The Battery Hotel and a couple of recent large houses, none of the buildings stand out. This random pattern of similarly sized houses is a large part of what makes The Battery a distinctive place. The built pattern on the hill side provides a dramatic backdrop to the Harbour. Significant views to the Narrows and Signal Hill from the War Memorial and Harbour apron, in part, include The Battery.



3.3C Wintertime Panorama from the South Side



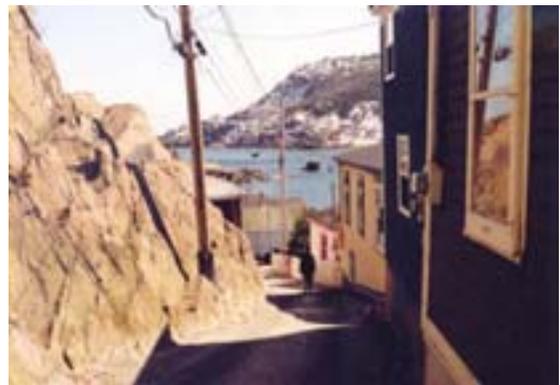
3.3D Part of a Panorama from the Harbour Apron.

3.4 Views Within The Battery

Within The Battery there are several areas with special character and views which help form its sense of place as a traditional fishing village. The disorganized street and building layouts that follow the natural topography contributes strongly to its historic, village character. The sheds and stages at the waters edge are a particularly important part of making it intriguing particularly to visitors. Views of the waterfront are most dramatic from the trailways and the tour boats.



3.4A View of the Narrows



3.4B Typical View in The Battery

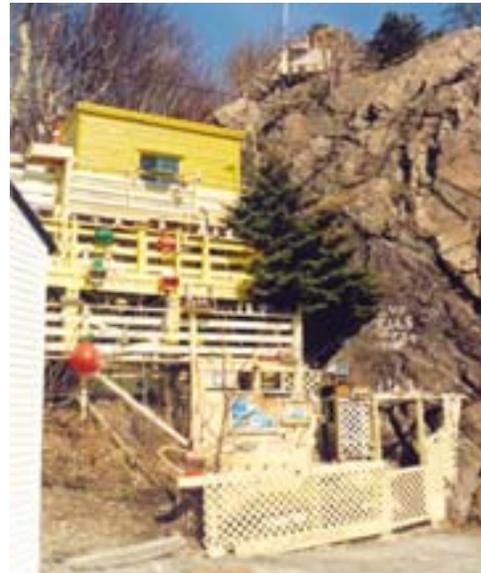
3.5 Roads, Paths and Open Spaces

Within The Battery, undeveloped open spaces, roads and paths are part of the unique experience for tourists and residents alike. The area's narrow lanes, steep rocky hills and ocean exposure provide a number of "special character areas" which should be recognized and protected. The roads are pretty well the only level areas. The spaces between the buildings are essential for maintaining its image from outside, and the views that occur from inside.

Unfortunately, visual clutter is a problem. Wires and wire poles are the main culprits but unsightly fences and walls also create a negative image. While trees are usually considered to be major amenity in any area, there is the potential they will interfere with views and sunlight in the highly built areas. A policy that controls certain kinds of trees in selected areas needs to be considered. Selective planting can also be a mechanism for screening particularly unsightly infrastructures.



5A Typical picturesque scape in the Outer Battery



3.5B A Front Yard taking full advantage of some open space.

3.6 Architecture Form and Style

The visual quality of The Battery is distinctive, not only from the rest of St. John's, but also from a typical Newfoundland fishing village. It is a random closely spaced group of mostly small and simple houses. It is denser than most outports, and while the forms are simple, there is some variation in shape as they jostle for space on the hillside.

The majority of houses are two or three stories high on the down hillside and one or two stories on the up hillside. The majority are detached, with a square or slightly vertical proportion, especially as seen from the harbour side. There are a lot of decks, bridges and overhangs that add visual interest.

Most houses were built in the early to mid 1900s. Originally, they would have had the typical wood clapboard, wide trims and double hung windows. The forms were simple with flat or nearly flat roofs and very little decoration. Shape varied to suite the topography.

Clapboard siding and double hung windows gave way in the 70s and 80s to vinyl siding and changes in window forms. In the 80s and 90s there has been more emphasis on the views, with an increase in picture windows and decks.



3.6A Simple forms that together form a compelling image. 3.6B The built pattern as seen in this 1980s photograph



3.6C View from the Harbour Apron that shows the typical grouping of simple forms and the impact of some of the new buildings.

Since the late 90s there have been several major renovations, and large new houses, with an even bigger emphasis on views and decks. The style of these houses reflects more individuality than previously and they may be more self conscious than is appropriate. There are five key components that make an individual house stand out when seen in context:

- Size – If the house is noticeably larger than average.
- Colour – If it is bright or distinctive.
- Style – If it is definable or out of context, such as mansard roof or neo victorian.
- Form – If the house is not fairly square and plain.
- Location – If it is visible on the skyline or isolated against the hillside.

3.7 Building Condition and Redevelopment

The condition of individual buildings varies from excellent to dilapidated. While the majority of houses that have not been extensively renovated can be characterized as in fair condition, many are in need of repair. Many of them have not been renovated at all, or in a way that takes advantage of their inherent views and amenity. With the increase in interest in The Battery, applications for repair will multiply and inevitably include larger additions, demolition and new construction. While on one hand, each will want to take advantage of the view, they will also be concerned about impact on and from nearby property.



3.7A Renovation



3.7B Renovation 2

3.8 The Battery from a Distance

When we think of The Battery, we generally visualize the Middle and Outer Battery, but it also includes at least for the purpose of this Study, the areas around Signal Hill Road and The Battery Hotel. Within this definition of The Battery, there are several spatially distinct areas

- Signal Hill Road and Walsh’s Square are similar in character to Downtown St. John’s.
- Cabot Avenue has a suburban feel with newer one storey house forms.
- The Murphy’s Lane area is unorganized with a lot of open space.
- The most distinctive Battery character starts at the intersection of Battery Road and Middle Battery Road. There are then a series of “neighbourhoods” at least in terms of

building groupings including the area around Top Battery Road and the Middle Battery and Hipditch Hill, the Fort Waldegrave area and Inner, Middle and Outer Battery.



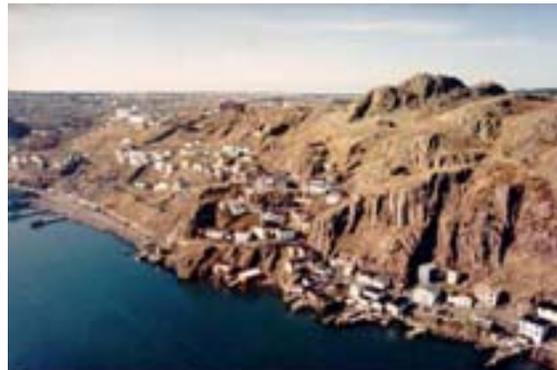
3.8A Signal Hill and Battery Road



3.8B Cabot Avenue

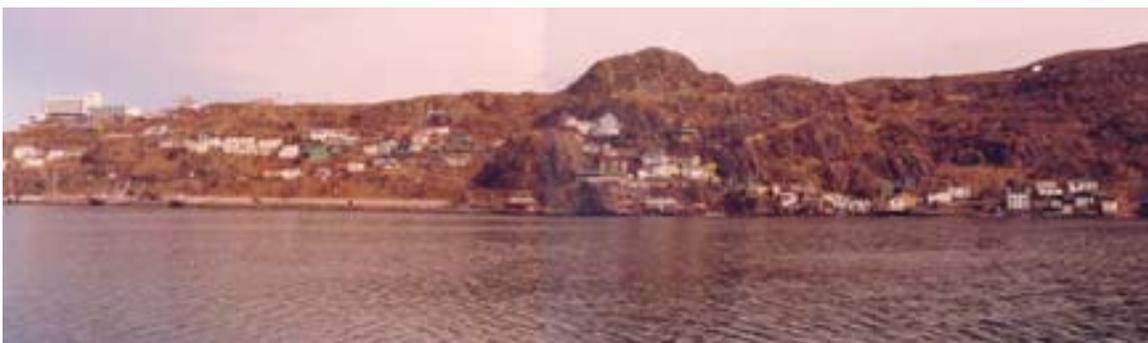


3.8C Murphy's Lane



3.8D Middle and Outer Battery

The dominant feature is the random scatter of houses. Other than The Battery Hotel, buildings do not break the skyline. They show a distinctive texture when seen against the hill. This varies from season to season as the dominant background colours change. Most houses because of the vinyl siding are white or light pastel in colour. These show up strongly in the summer but are less visible when seen against a snow cover. Newer renovations are tending to use deeper colours. Several recent renovations stand out because of their size proportion, style or colour.



3.8E Typical Panorama of The Battery

4.0 DEFINING THE PHYSICAL CHARACTERISTICS

4.1 DESCRIBING THE BATTERY

The objectives of this section are to describe The Battery in a way that is logical and specific, and from which we can develop workable regulations.

- Public and private views.
 - Identify public and private properties that now have a view and to what extent.
 - Define what we mean by a view.
 - Develop principles for protecting views.
- The image of The Battery as seen from outside.
 - Define a limited number of key representative vantage points.
 - Identify the important elements that contribute to the image.
- The visual and spatial character of buildings within The Battery.
 - Identify the key architectural elements in terms of scale/form and style/material that define the character.
- The visual and spatial character of open areas within The Battery.
 - Identify the key open spaces and pathways.
 - Identify the key pieces of infrastructure that affect the image and how they can be improved.



4.1 View from the Port Corporation

4.2 PROTECTING PROPERTIES WITH A VIEW

Types of Views

There are different ways of defining a view. It may be a panorama, a view of the water, a view of a focal point such as the Narrows, a glimpse such as a view between two houses. Views and view planes are composed of a viewpoint (the area from which one is looking), a visual resource (the object or panorama that is being looked at), and the view cone (the lateral and sometimes vertical extent of a view; it may be a full 360 degrees or a very narrow angle).

Originally the intent was to plot views graphically on a property-by-property basis. During the analysis it became obvious that almost all properties have a view. Some are more dramatic than others, but to plot them all, especially the private views, is too complex to be useful. However it is obvious that there is a simple relationship at work. Buildings high up and in the back do not block views, those downhill in the front can block views but are unlikely to have theirs blocked. Buildings in the middle are more problematic and require more attention. It was on this basis that a photographic and on site inventory was carried out.



4.2A Panorama View that also looks down to the water



4.2B Houses with different types of views.

Some of the Key Principles

In order to protect views, and based on the existing configuration of buildings, the main principle is that a building can be added to if the addition does not significantly interfere with another property's view. The key term is "significantly". We suggest that it is significant interference if it is:

- Too close or too big, and interferes with more than 5% of a view cone.
- Interferes with a view of a focal point, such as the Narrows.
- Interferes with a glimpse (narrow view cone) especially if it is the only view.



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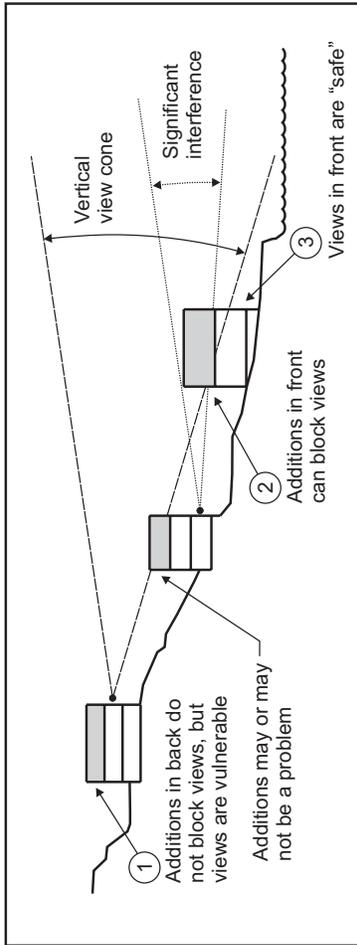
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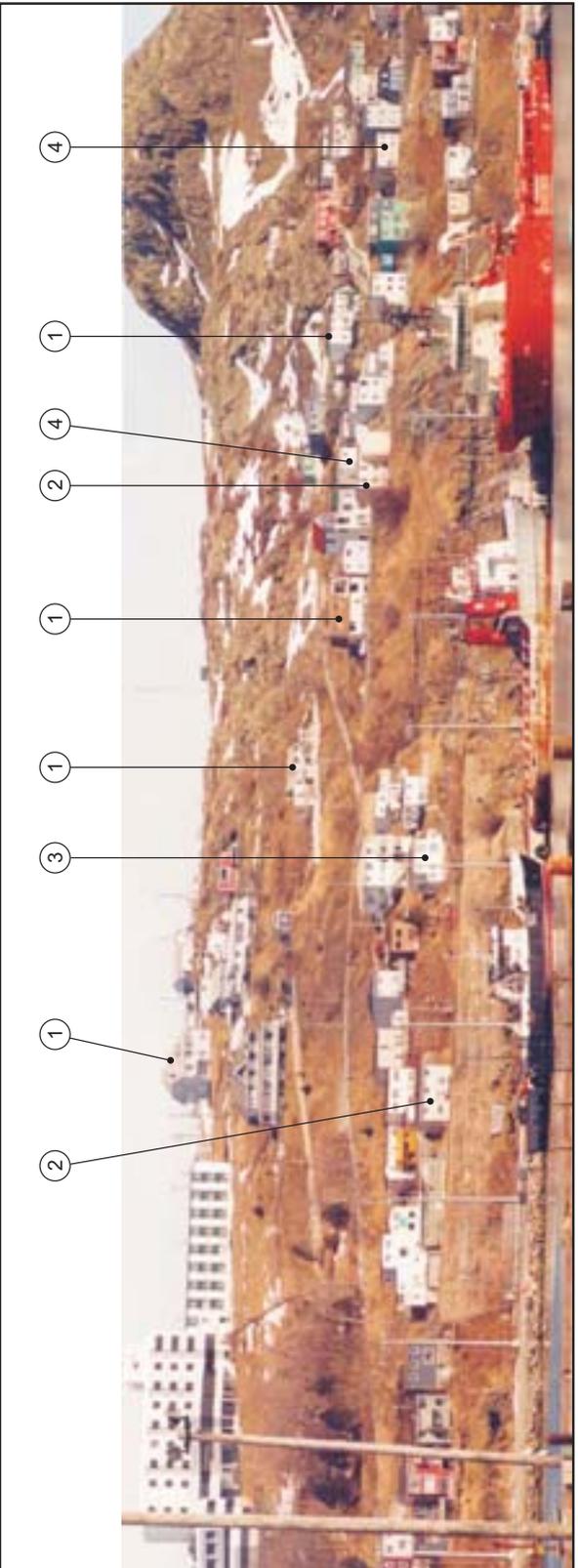
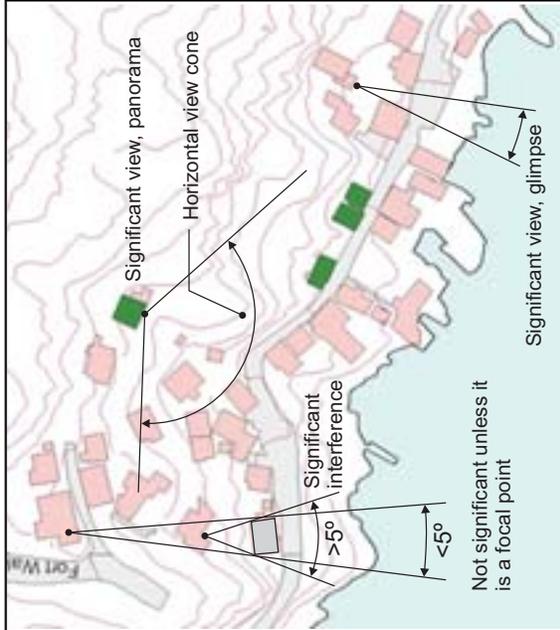
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Figure 4.2 C

**View
Analysis**



- ① Houses in back do not block views
- ② Houses in front or in the middle may block views
- ③ Houses in front have "safe" views
- ④ When houses are close together, they are more likely to block views



4.3 PROTECTING THE IMAGE OF THE BATTERY

Views from the Harbour and Downtown

We have discussed the importance of the image of The Battery as seen from the Harbour and the Downtown and observed that it is based on the random pattern of small houses seen against the hillside. But what does this actually mean and how can it be defined.

As with views from The Battery, there is an almost limitless series of vantage points from which you can see The Battery. Some are more strategic than others, in particular the mid distance views from low down, and the views from the cluster of buildings at Fort William.

Figures 4.3A, 4.3B illustrate several key observations:

- Other than the Battery Hotel and 2 or 3 houses, buildings do not tend to visually break the horizon of the hill. There is a concern that development in areas off Signal Hill Road could create a new and different feel on the skyline.
- Development that is out of step with the historic pattern of small forms nestled in the landscape may be the most significant threat to visible community character. There are several visual clusters that run together, with few individual buildings standing out.
- Development of Harbour side industrial land may have significant impact on its appearance, and views to and from The Battery. Noise, lighting and other factors may also be a problem.

Some of the Key Principles

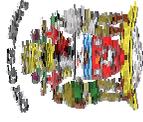
- In order to protect the image of The Battery, the main principle is that a building can be added to if it does not visually stand out by being:
 - Bigger than the norm (out of scale).
 - Out of proportion.
 - On the skyline or along against the hillside.
 - Brightly coloured or otherwise in contrast with neighbours.



4.3A View from the Southside



4.3B View from the Fairmont Hotel



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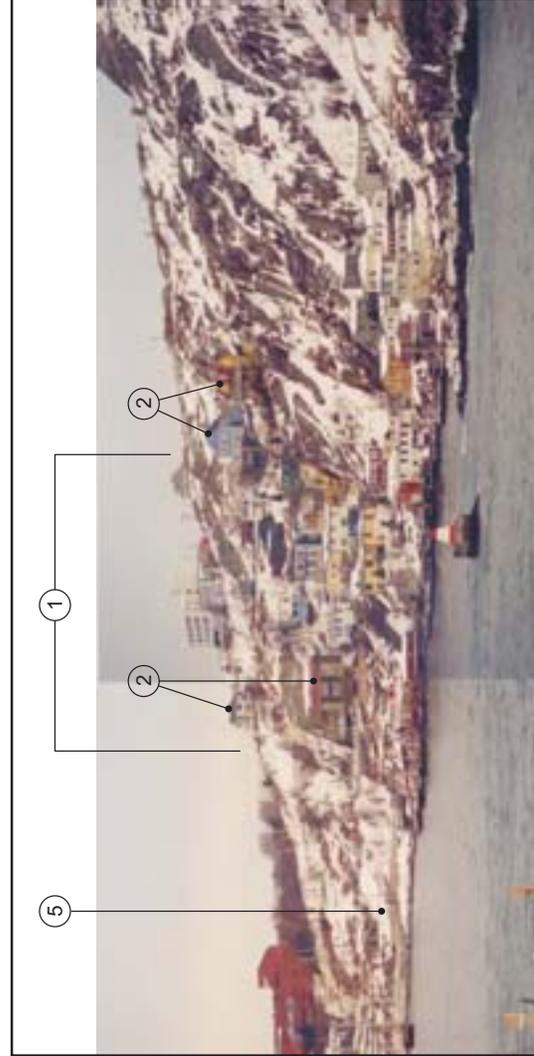
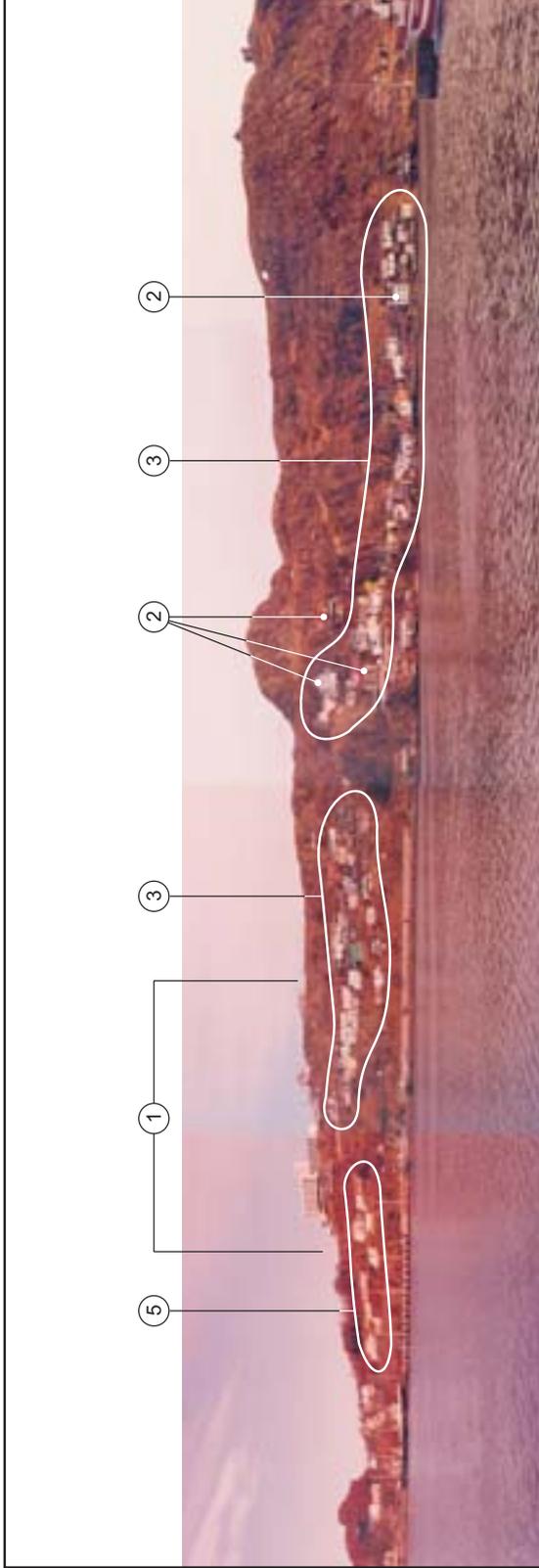
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Figure 4.3 C

Image of the Battery Analysis



- ① Area where buildings break the skyline. Buildings on the skyline stand out
- ② Isolated, large, out-of-proportion and brightly coloured buildings stand out
- ③ Most houses are visually connected in groups
- ④ The image changes with the vantage point, and from season to season
- ⑤ Development in this area may threaten the image of the Battery and views from it

4.4 VISUAL AND SPATIAL CHARACTER OF BUILDINGS

Typical House Forms

As discussed, the typical house forms are small with flat roofs, have irregular footprints to suit the topography, and a proportion as seen from the downhill side between 2/3 – 3/2. There are very few very tall or very long buildings. In terms of scale and materials, the original uniformity of narrow, clapboard, wide trims, double hung windows, muted colours has broken down into a more eclectic mix.



4.4A Typical Houses at the Intersection of Middle Battery Rd



4.4B Simple Forms on the Hillside



4C Houses on Signal Hill Road are more like those in the Downtown

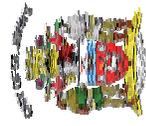


4.D The Sheds and wharves are also a very important part of the image and character

Some of the Key Principles

In order to protect the architectural and spatial character of The Battery, the main requirements are that a building can be renovated, added to or newly constructed if:

- It does not use stylistic elements such as Mansard roofs, neo Victorian styling or exotic materials such as cedar shingles.
- Roofs are flat or nearly flat.
- Narrow clapboards and wide trims are used.
- It does not use slider and small horizontal windows.
- It selects from a series of standard details for railings, walkways and balconies.
- The proportion is kept between 2/3 and 3/2 for the downhill side.
- The maximum height is 3 storeys on the downhill side (subject to view impact analysis)



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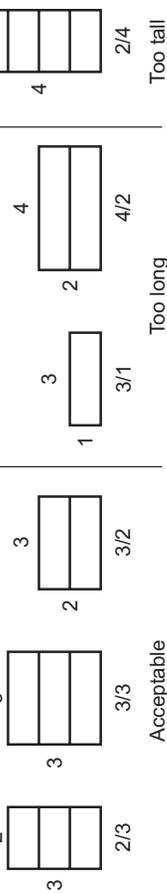
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Figure 4.4 E

Architectural
Analysis

Form and proportion

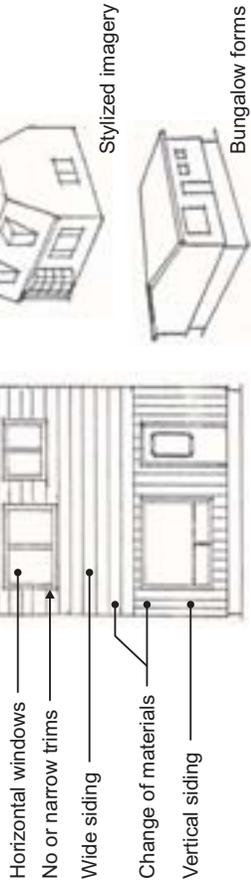


Too tall

Too long

Acceptable

Things to avoid

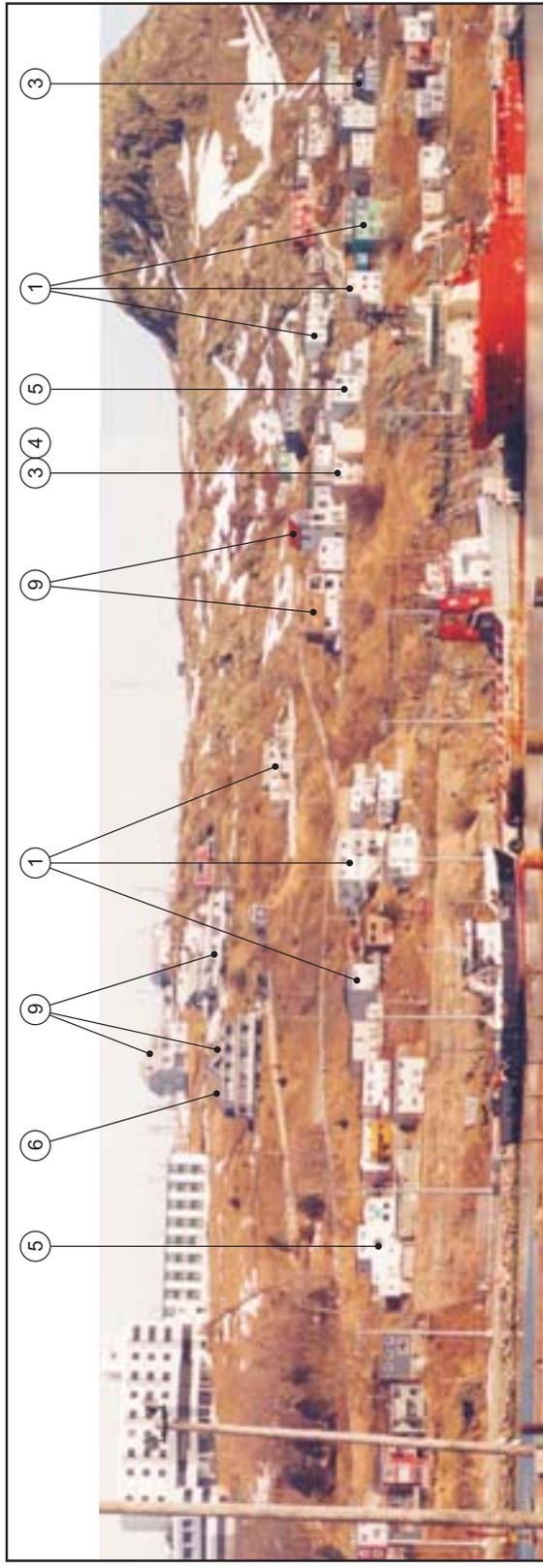


Horizontal windows
No or narrow trims
Wide siding
Change of materials
Vertical siding

Stylized imagery

Bungalow forms

- ① Dominant form is square or nearly square with flat roof
- ② Proportion as seen from down hill is 2/3 to 3/2
- ③ Original materials are 4" clapboard and wide trims
- ④ Original windows are wood, double hung
- ⑤ Renovations done in the 1970's, 1980's and early 1990's done with vinyl siding, sliding windows, picture windows, decks and balconies in white or pale colours
- ⑥ Most recent renovations and new construction return to wood clapboards and trims, keeping big windows, decks and balconies in deeper colours
- ⑦ Average size of footprint is 62m² (667 ft²)
- ⑧ Maximum height is 3 storeys, down hill
- ⑨ Houses on the skyline and houses that are out of proportion, very large, strong in style or painted bright colours stand out



4.5 PROTECTING THE VISUAL AND SPATIAL CHARACTER OF THE BATTERY OPEN SPACES

Open Areas in The Battery

The character of open areas is as with the built form, largely defined by the topography and the views. Views of the natural features and the buildings occur throughout the area, especially from the streets and paths which are the only level areas. The rock faces, the stages and open areas along the waters edge are particularly attractive. The open spaces are an important part of the visual image from inside and outside The Battery.



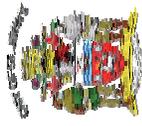
4.5A The Roads are an important part of the open space



4.5B Open spaces are small and steep

Some of the Key Principles

- Landscape, or at least clean up public unused open spaces.
- Protect views from these spaces.
- Promote pedestrian friendly design including way-finding, rest areas, and street detailing.
- Reduce clutter by utilizing standard details for utility infrastructure, walls and rails and encourage a tidy appearance of private and public spaces.
- Identify and preserve connectivity of the public path network through community; including future connections.
- Develop lookout areas in suitable open spaces that respect neighbours' views and privacy.
- Promote visual access to Harbour waters by maintaining key open spaces on the Waterfront.
- Acquire suitable spaces for neighbourhood parking as they become available. Encourage visitors to park outside the area.
- Locate public amenities with sensitivity for adjacent residents, use signing to promote respect for residents' privacy.
- Use design (i.e. surfacing changes, furnishings and signing) to clearly distinguish public and private realm.



**Battery Development
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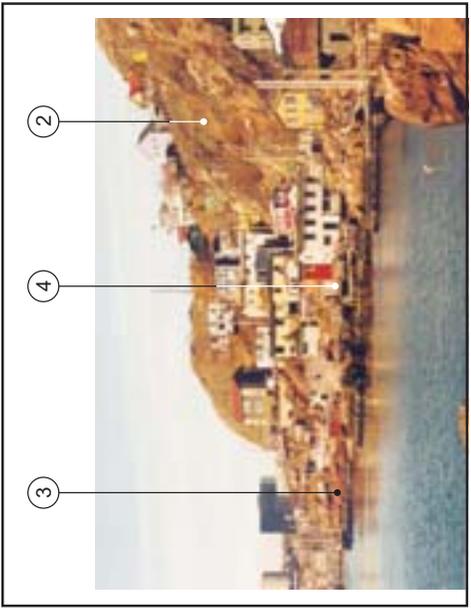
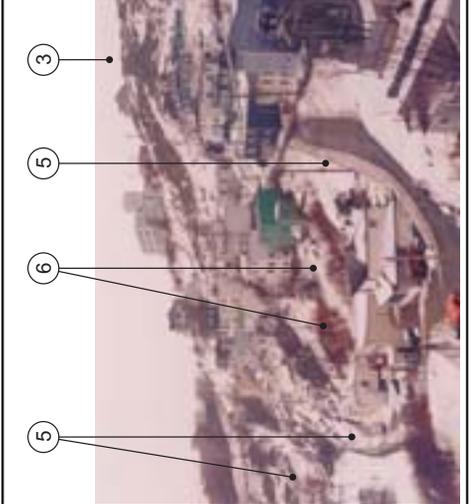
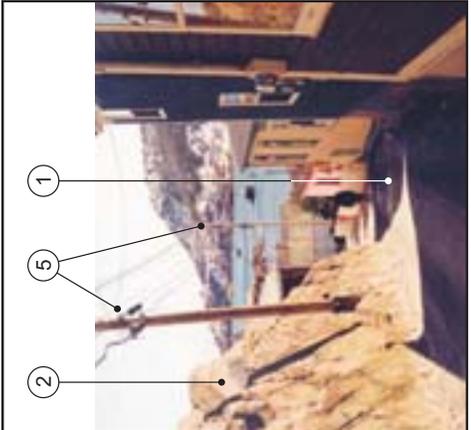
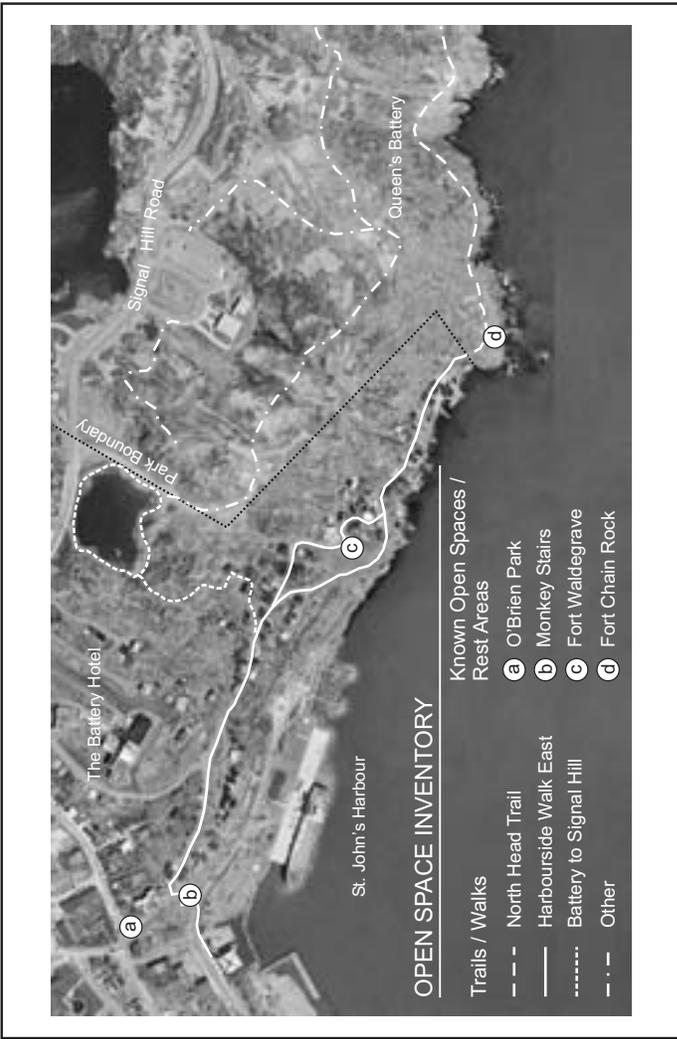
Alvin Simms

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Figure 4.5 C

**Open Space
Analysis**

- ① Streets and paths are an important part of open space
- ② Most open space is steep and rocky
- ③ There is a lot of open space on the perimeter and water's edge
- ④ Open areas at the water's edge are particularly important
- ⑤ There is a lot of visual clutter from wires, an assortment of walls (some in poor condition), rails, fences and other infrastructure
- ⑥ Open spaces are becoming overgrown with poor quality vegetation



5.0 POSSIBLE REGULATORY MECHANISMS

5.1 OBJECTIVES

The objectives of this section are to suggest mechanisms that will on one hand protect the important characteristics of The Battery while at the same time encouraging as much renovation, enlargement of the small houses, and new construction as possible. It is necessary to be specific in terms of:

- Whether an addition is permitted, if so by how much.
- Permitted location and maximum size of any new structures.
- Form, scale, style and materials that are appropriate.

5.2 MECHANISMS

It is strategic to realize that development in The Battery is already controlled and that very few properties could be enlarged without being a non conforming use. The problem is that these uses are frequently seen as being non objective or arbitrary.

Existing Mechanisms

- Zoning, Development, and Building Regulations,
- National Building Code Regulations as expressed through the St. John's Building Regulations.
- City Engineering and Safety Standards with respect to roads, retaining walls and snow clearing.
- The St. John's Fire Department requirements.

Additional Mechanisms

- Heritage Area designations specific to The Battery with appropriate design controls.
- Refinement of CDA The Battery, (CDAB) Residential Battery (RB), and the R3 zone in The Battery.
- Specific height, bulk and use restrictions for the IG zone immediately adjoining The Battery.
- Specific footprint and height controls that are derived from the visual image analysis, public and private view plane analysis and Heritage Area Design Controls.
- Proactive measures such as the consolidation of public open space, and clean up of utilities.

6.0 SPECIFIC RECOMMENDATION

6.1 INTENT

The intent of this section is to suggest specific measures that will achieve the objectives of this study. Recommendations are made for modifications to Zoning Regulations and Boundaries, establishment of a Heritage Area for The Battery, a Footprint and Height Control Overlay, and Proactive Measures for Open Spaces.

6.2 MODIFY EXISTING ZONE REQUIREMENTS TO BETTER SUIT THE BATTERY CHARACTERISTICS

Residential – High Density (R3) Zone and Heritage Area 3 (HA3)

- Realign the boundary as shown on Fig 6.3.
- Add a designation of HA3 to the R3 area.
- Add maximum building height of three storeys from downhill side for all types of buildings for the R3 zone.
- All developments will be subject to the Footprint and Height Control Overlay.

Comprehensive Development Area, Signal Hill The Battery (CDAB)

- Realign the boundary as shown on Fig. 6.3.
- Add building size, form and style limits.
- Allow two storey houses where indicated.
- All developments will be subject to the Footprint and Height Control Overlay.

Residential Battery (RB) Zone

- Realign the boundary as shown on Fig. 6.3.
- Relax the RB zone requirements in terms of set backs and site areas.
- Delete duplex and semi-detached dwelling as permitted forms.
- Add a maximum height for all types, three storeys on downhill side, two storeys on uphill side.
- All developments will be subject to Footprint and Height Control Overlay.
- Add building size, form and style limits.

Open Space (O) Zone

- No buildings should be permitted that are visible from the Downtown or the Harbour.
- All developments will be subject to Footprint and Height Control Overlay.

Industrial General (IG) Zone (In the Area Below The Battery)

- Eliminate salvage yard as possible use.
- 10.28.4 Zone Requirements, as determined by Council, maximum height should be limited to three storeys/11.25m from lowest adjacent grade.
- Development should be subject to a L.U.A.R. with particular reference to visual image, colour, lighting, noise, and dust.

6.3 DESIGNATE ZONE BOUNDARIES BASED ON SIMILAR CHARACTERISTICS

| Sub Area | Designation |
|--|---|
| 1. Signal Hill, Walsh's Square and Cabot Avenue | R3 and Heritage Area 3 (HA3) |
| 2. Murphy's Lane and Cabot Avenue | CDA Signal Hill The Battery (CDA) and Heritage Area Battery (HAB) |
| 3. (A) Middle Battery and Top Battery (B) Middle Battery/Hipditch Hill and Fort Waldegrave (C) Outer Battery | Residential Battery (RB) and Heritage Area Battery |
| 4. All Areas | Footprint and Height Control Overlay |



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Figure 6.3

Proposed
Zones



6.4 ESTABLISH HERITAGE AREA GUIDELINES FOR THE BATTERY (HAB)

The requirements for the HAB are a modification of those for HA3. The specific modifications are included in Appendix B. They can be either mandatory or voluntary.

6.5 ESTABLISH A FOOTPRINT AND HEIGHT CONTROL OVERLAY FOR ALL RENOVATIONS AND NEW DEVELOPMENT

The Footprint and Height Control Overlay has been developed from the various components of this study, including:

- View plane analysis and area modeling.
- On location and photographic analysis of all buildings.
- Analysis of the image of The Battery from the Harbour and the Downtown.
- Heritage Area 3 and proposed Heritage Area Battery guidelines.

A map and list of all properties is included as Appendix C

6.6 PROACTIVE MEASURES

In addition to regulations to control private development, there are a number of proactive measures that fall within the public realm that will improve the area, help with its protection, and influence private development.

Land Assembly and Consolidation

Inventory of crown lands, City owned lands and lands of indeterminate ownership. Acquisition or quieting, if feasible, into public ownership. Land can then be zoned as open space or if appropriate resold or traded for private use within guidelines.

Crown Land Acquisition

Ensure that no crown land is sold for private development unless it fits within the recommendations of this report.

Capital Projects

Public and private sector projects in The Battery include:

- Undertake repairs to upgrade unsightly pieces of public infrastructure, improve walking and driving surfaces, and trailways.
- Develop additional public viewing and rest areas.
- Encourage Nfld. Light & Power, the Telephone Company, and the Cable companies to clean up some of the unsightly wires. Burying some sections would be an options.
- Carry out a landscape program to remove problematic trees that will block views or undermine services. Encourage appropriate forms of planting.

7.0 RATIONALE FOR PROPOSED DEVELOPMENT REGULATIONS

7.1 ACHIEVING EQUITY

The principle to be established is fair.. If one person can achieve an increase in amenity or property value by adding a story as an example, why should someone else not be permitted to do the same, just because it blocks a view. Why should someone not be permitted to join two houses just because it will change the image of The Battery. There are several principles that can help guide decision making:

- Does a property owner have the legal right to do now in terms of existing zoning.
- Does a property owner have the moral right to do now in terms of past practices.
- Is the existing balance and relationship(s) between properties.

Existing regulations are inappropriate. On one hand they are too restrictive if interpreted to the letter. On the other, if they are relaxed they become, or at least are perceived to be, arbitrary.

7.2 RATIONALE FOR SPECIFIC REGULATIONS

Realigning the Boundaries or Sub Areas

These changes reflect more closely, the existing pattern of development and open space.

Designation of Signal Hill Road and Cabot Avenue as HA3

This area is similar to the Downtown. Because of its strategic importance, Heritage Area 3 is an important designation. It will not only improve the area in general but will also lead to an increase in property amenity and value as experienced in the other Heritage Areas.

It also provides a mechanism for rationalizing the height of houses in this area. Almost all are two stories and the provision for additions not being more than ½ story above the average of neighbours is consistent with the Heritage Area designation.

Establish Building Size, Form, Style Guidelines for RB Zone

While not intended to be as restrictive as HA3, this provides a mechanism for influencing development and control of new construction or renovations so that they fit in with the neighbourhood and do not stick out. It also provides the rationale for limiting the size of buildings on the hillside.

Relaxation of RB and CDA Requirements

This recognizes the fact that very few of the properties even come close to meeting set back and other requirements.

The Footprint and Height Control Overlay

This is the key recommendation. Controlling the size of buildings is the only way to protect views and the image of The Battery. The specific recommendations are derived from work in the previous sections.

8.0 SUGGESTED APPROVAL PROCESS

8.1 GENERAL APPROACH

The approval process should be similar to that for the other Heritage Areas in the Downtown. There will however, need to be a mechanism for resolving ambiguity particularly in respect to the Footprint and Height Control Overlay. Every effort has been made to ensure that it is accurate and achieves the desired objectives, and should be considered as such. However there may be discrepancies that need to be rectified, or innovative design solutions that will justify a change.

- In the case of property owners that feel that they may suffer from an adjoining development, there should be a limited time for appeal prior to the designation being finalized.
- In the case that an owner wants to expand or build in excess of the Overlay, the onus should be on them to demonstrate through a L.U.A.R. that it is an acceptable development. This could include 3 dimensional or other analysis. An example would be a proponent who wants to build a proportionately long house might demonstrate that by breaking up the form it looks like two separate houses,
- The arbitrator for this process should be the Heritage Advisory Committee.

9.0 SUMMARY AND CONCLUSIONS

There is no question that The Battery is a good place to live, offers tremendous views and amenity, and is a visual and community resource for St. John's.

In order to protect these qualities, appropriate regulations are required. The net effect will be that more properties can be developed or added to than under strict interpretation of present regulations. While some may consider them unfair, the reality is that very few properties if any will have less opportunity than they do now. Those that will not be allowed to expand will be primarily the ones on the front that have a secure view. They will benefit from the sense of stability that the new regulations will deliver.

This report describes The Battery and rationalizes the reasons that lead to the key recommendations. If adopted and followed, property values in The Battery will continue to increase, major or minor repairs will be carried out with confidence and the area will continue to be a visual delight for residents and visitors alike

APPENDIX A - PROPOSED MODIFICATIONS TO EXISTING ZONE DESIGNATIONS

Residential – High Density (R3) Zone and Heritage Area 3 (HA3)

- Realign the boundary as shown on Fig 6.3.
- Add a designation of HA3 to the R3 area.
- Add maximum building height of three storeys from downhill side for all types of buildings for the R3 zone.
- All developments will be subject to the Footprint and Height Control Overlay.

Comprehensive Development Area, Signal Hill The Battery (CDAB)

- Realign the boundary as shown on Fig. 6.3.
- Add building size, form and style limits.
- Allow two storey houses where indicated.
- All developments will be subject to the Footprint and Height Control Overlay.

Residential Battery (RB) Zone

- Realign the boundary as shown on Fig. 6.3.
- Relax the RB zone requirements in terms of set backs and site areas.
- Delete duplex and semi-detached dwelling as permitted forms.
- Add a maximum height for all types, three storeys on downhill side, two storeys on uphill side.
- All developments will be subject to Footprint and Height Control Overlay.
- Add building size, form and style limits.

Open Space (O) Zone

- No buildings should be permitted that are visible from the Downtown or the Harbour.
- All developments will be subject to Footprint and Height Control Overlay.

Industrial General (IG) Zone (In the Area Below The Battery)

- Eliminate salvage yard as possible use.
- 10.28.4 Zone Requirements, as determined by Council, maximum height should be limited to three storeys/11.25m from lowest adjacent grade.
- Development should be subject to a L.U.A.R. with particular reference to visual image, colour, lighting, noise, and dust.

- 10.5 **RESIDENTIAL-HIGH DENSITY (R3) ZONE**
(See Section 5.1.4 - Development Above the 190 Metre Contour)
- 10.5.1 Permitted Uses
Residential:
- (a) Accessory Building (subject to Section 8.3.6) (1995-06-09)
 - (b) Bed and Breakfast (1998-10-23)
 - (c) Boarding or Lodging House
(accommodating between five (5) and sixteen (16) persons) (1999-04-16)
 - (d) Duplex Dwelling
 - (e) Home Office (subject to Section 7.9) (1997-08-08)
 - (f) Semi-Detached Dwelling
 - (g) Single Detached Dwelling
 - (h) Subsidiary Apartment
 - (i) Townhousing (except for the Battery neighbourhood of
Planning Area 2, where Townhousing is not a permitted Use.) (1999-08-20)
- Recreational:
- (j) Park
- 10.5.2 Discretionary Uses (subject to Section 5.8)
- (a) Adult Day Care Facility (subject to Section 7.3)
 - (b) Day Care Center and Nursery School (subject to Section 7.6)
 - (c) Converted Building (2002-01-02)
 - (d) Heritage Use
 - (e) Home Occupation (subject to Section 7.8)
 - (f) Infill Housing (subject to Section 7.10)
 - (g) Parking Lot (subject to Section 7.13)
 - (h) Planned Unit Development (subject to Section 5.10.5)
 - (i) Public Utility

10.5.3 Zone Requirements

The following requirements shall apply to:

(1) *Bed and Breakfast:*

The same requirements as established for the Dwelling types in this Zone. (1998-10-23)

(2) *Boarding or Lodging House:*

The same requirements as established for the Dwelling types in this Zone.

(3) *Converted Building*

| | |
|---|--------------------|
| (a) <i>Lot Area (minimum)</i> | 560 m ² |
| (b) <i>Building Height (maximum)</i> | 3 storeys |
| (c) <i>Side Yard on Flanking Road (minimum)</i> | 2 metres |
| (d) <i>Rear Yard (minimum)</i> | 4.5 metres |
| (e) <i>Landscaping of Lot (minimum)</i> | 20% (2002-02-01) |

(4) *Duplex Dwelling:*

| | |
|---|---------------------------|
| (a) <i>Lot Area (minimum)</i> | 350 m ² |
| (b) <i>Lot Frontage (minimum)</i> | 14 m |
| (c) <i>Building Line (minimum)</i> | 4.5 m |
| (d) <i>Side Yards (minimum)</i> | Two of 1.2 m (1994-11-04) |
| (e) <i>Side Yard on Flanking Road (minimum)</i> | 4.5 m |
| (f) <i>Rear Yard (minimum)</i> | 6 m |

(5) *Semi-Detached Dwelling*

| | |
|------------------------------------|--|
| (a) <i>Lot Area (minimum)</i> | 188 m ² per Dwelling Unit (1997-03-07) |
| (b) <i>Lot Frontage (minimum)</i> | 15 m; 7.5 m per Dwelling Unit |
| (c) <i>Building Line (minimum)</i> | 4.5 m |

| | | |
|-----|---|---------------------------------------|
| | (d) Side Yards (minimum) | Two fo 1.2m (1994-11-04) |
| | (e) Side Yard on Flanking Road (minimum) | 4.5 m |
| | (f) Rear Yard (minimum) | 6 m |
| (5) | Single Detached Dwelling | |
| | (a) Lot Area (minimum) | 300 m ² |
| | (b) Lot Frontage (minimum) | 16 m (1994-11-04) |
| | (c) Building Line (minimum) | 4.5 m |
| | (d) Side Yards (minimum) | 1.2 m (1994-11-04) |
| | (e) Side Yard on Flanking Road (minimum) | 4.5 m |
| | (f) Rear Yard (minimum) | 6 m |
| (6) | Townhousing: | |
| | (a) Lot Area (minimum) | 140 m ² per Dwelling Unit |
| | (b) Lot Frontage (minimum) | 5.5 m per Dwelling Unit |
| | (c) Building Line (minimum) | 0 m |
| | (d) Side Yard for End Unit Townhouses (minimum) | 1.2 metres (2002-07-05) |
| | (e) Side Yard on Flanking Road (minimum) | 2.4 m |
| | (f) Rear Yard (minimum) | 6 m |
| (7) | Day Care Centre and Nursery School in a non-residential Building: | |
| | (a) Lot Size (minimum) | 450 m ² |
| | (b) Lot Frontage (minimum) | 15 m |
| | (c) Landscaping on Lot (minimum) | Subject to Section 8.5.1 (1998-09-11) |

R3

(8) Add Maximum height for all types, 3 storeys on downhill side.

10.47 COMPREHENSIVE DEVELOPMENT AREA (CDA)
(See Section 5.1.4 - Development Above the 190 Metre Contour)

10.47.1 Comprehensive Development Area Zones

The Comprehensive Development Areas under these Regulations are set out below:

| CDA DESIGNATIONS | DESCRIPTION |
|-----------------------------|--|
| 1 | Handlyn/Blackmarsh |
| 2 | Village Park (Genge) |
| 3 | Bay Bulls Road |
| 4 | Bay Bulls Road |
| 5 | Old Petty Harbour Road |
| 6 | Quidi Vida |
| Southlands | Southlands |
| Signal Hill /Battery | Signal Hill (1994-07-08) /Battery |

10.47.2 Permitted Uses - All CDAs

Agriculture:

(a) *Agriculture - Livestock (See Section 7.15)* (2002-11-29)

(b) *Forestry*

(c) *Horticultural Operations (See Section 7.16)* (2002-11-29)

Residential:

(d) *Dwelling Unit Accessory to Agriculture-Livestock, Horticultural Operations or Forestry Use*

Recreational:

(e) *Park*

Other:

(f) *Existing uses*

- (g) Reconstruction and replacement of and additions to existing buildings, provided that Council may refuse permission for a replacement or reconstruction if it is of the opinion that such a replacement or reconstruction would adversely affect the development of the CDA.

10.47.3 Discretionary Uses and Requirements

With the exception of uses listed under Section 10.47.2, no Development may be permitted in a Comprehensive Development Area unless a Planned Unit Development Plan has been approved by Council for all or part of the CDA.

The uses that may be entertained within a CDA are as follows:

- | | | |
|------------|---|---|
| CDA - 1 | - | Residential Uses, Commercial Uses, Parks, Public Utilities |
| CDA - 2 | - | Residential Uses, Parks, Public Utilities |
| CDA - 3 | - | Single Detached Dwellings, Parks, Public Utilities |
| CDA - 4 | - | Single Detached Dwellings, Parks, Public Utilities |
| CDA - 5 | - | Single Detached Dwellings, Parks, Public Utilities |
| CDA - 6 | - | Residential Uses, with a maximum allowable density of 50 Dwelling Units per net hectare |
| Southlands | - | Subject to an approved Development Scheme under the Municipal Plan - Residential, Neighbourhood-serving Commercial, Public, Public Utilities, and Recreational Uses |

Signal Hill / Battery Single Detached Dwellings **2 storeys on downhill side**, Park, Public Utility (1994-07-08)

- **Building size - maximum footprint . . . m²,**
- **Maximum Height - 2 storeys on downhill side.**
A roof with a slope greater than 2/12 counts as a storey.
- **Proportion as seen from downhill side between 2/3 and 3/2.**
- **No roof decks.**
- **No mansard roofs.**
- **Subject to Footprint and Height Control Overlay.**

10.8 **RESIDENTIAL BATTERY (RB) ZONE**
 (See Section 5.1.4 - Development Above the 190 Metre Contour)

10.8.1 Permitted Uses

Residential:

- (a) Accessory Building (subject to Section 8.3.6) (1995-06-09)
- (b) Bed and Breakfast (1998-10-23)
- (c) Boarding or Lodging House
 (accommodating between five (5) and sixteen (16) persons) (1999-01-15)
- (d) Duplex Dwelling **(Delete)**
- (e) Home Office (subject to Section 7.9) (1997-08-08)
- (f) Semi-Detached Dwelling **(Delete)**
- (g) Single Detached Dwelling
- (h) Subsidiary Apartment

Recreational

- (i) Parks

10.8.2 Discretionary Uses (subject to Section 5.8) (1995-06-09)

- (a) Adult Day Care Facility (subject to Section 7.3)
- (b) Custom Workshop
- (c) Harbour Related Uses
- (d) Heritage Uses
- (e) Home Occupation (subject to Section 7.8)
- (f) Infill Housing (subject to Section 7.10)
- (g) Parking Lot (subject to Section 7.13)
- (h) Planned Unit Development (subject to Section 5.10.3)
- (i) Public Utility
- (j) Residential Retail Store (subject to Section 7.17) (1995-06-09)

10.4.3 Zone Requirements

The following requirements shall apply to:

(1) *Bed and Breakfast:*

The same requirements as established for the Dwelling types in this Zone. (1998-10-23)

(2) Boarding or Lodging House

The same requirements as established for the Dwelling types in this Zone

(3) Duplex Dwelling: **(Delete)**

| | | |
|-----|--------------------------------------|---------------------------|
| (a) | Lot Area (minimum) | 300 m ² |
| (b) | Lot Frontage (minimum) | 15 m |
| (c) | Building Line (minimum) | 4.5 m |
| (d) | Side Yards (minimum) | Two of 1.2 m (1994-11-04) |
| (e) | Side Yard on Flanking Road (minimum) | 4.5 m |
| (f) | Rear Yard (minimum) | 6 m |

(4) Semi-Detached Dwelling: **(Delete)**

| | | |
|-----|--------------------------------------|--|
| (a) | Lot Area (minimum) | 150 m ² per Dwelling Unit (1997-03-07) |
| (b) | Lot Frontage (minimum) | 15 m |
| (c) | Building Line (minimum) | 4.5 m |
| (d) | Side Yards (minimum) | Two of 1.2 m (1994-11-04) |
| (e) | Side Yard on Flanking Road (minimum) | 4.5 m |
| (f) | Rear Yard (minimum) | 6 m |

- (5) Single Detached Dwelling:
- (a) Lot Area (minimum) ~~300m²~~ Existing 150 m²
 - (b) Lot Frontage (minimum) ~~10m~~ (1994-11-04) Existing or 10 m
 - (c) Building Line (maximum) ~~4.5m~~ 4.5 m / 0
 - (d) Side Yards (minimum) ~~1.2m~~ (1994-11-04) Existing or 1.2 m
 - (e) Side Yard on Flanking Road (minimum) ~~2.5m~~ 1.2 m
 - (f) Rear Yard (minimum) ~~4.5m~~ 4.5 m / 0

(6) For all Building Types
(See Page 10-103 for Notes here)

RE:

Except - 3 storeys on downhill side

10.33 OPEN SPACE (O) ZONE
(See Section 5.1.4 - Development Above the 100 Metre Contour)

10.33.1 Permitted Uses

Recreational:

- (a) Park
- (b) Recreational Use
- (c) *Other Uses accessory to Uses above*
- (d) *Accessory Building (1995-09-15)*

10.33.2 Discretionary Uses (subject to Section 5.8)

- (a) Cemetery
- (b) Place of Assembly
- (c) Public Utility
- (d) Uses accessory to Agriculture, Forestry and Fishing

10.33.3 Zoning Requirements:

As determined by Council

**No Building in Areas visible from
the Downtown**

10.28 INDUSTRIAL, GENERAL (IG) ZONE
 (See Section 5.1.4 - Development Above the 190 Metre Contour)

10.28.1 Permitted Uses (Except for Freshwaterbay Offshore Base Area as identified under the "St. John's Urban Region Regional Plan, Freshwaterbay Amendment 1987, Schedule A"):

Commercial:

- (a) Accessory Commercial Use related to another permitted Use in this Zone
- (b) Accessory Dwelling Unit
- (c) Parking Area
- (d) *Recycling Depot (1997-11-21)*
- (e) Warehousing
- (f) Wholesale Business

Industrial:

- (g) Fish Processing and Packing
- (h) Harbour Use
- (i) Industrial Use
- (j) Light Industrial Use
- (k) Mineral Working (subject to Section 7.11)
- (l) Salvage Yard (subject to *Section 7.18 (Delete) (1995-06-09)*)
- (m) Transportation Depot
- (n) Transportation Terminal

Other:

- (o) Public Utility

10.28.2 Freshwaterbay (St. John's) Permitted Uses

- (a) Industrial - Offshore Oil and Gas Exploration and Development Service Base, together with related docking, loading, repair, storage, maintenance and administrative facilities and compatible Industrial Uses.

10.28.3 Discretionary Uses (subject to Section 5.8)

Recreational:

- (a) Park
- (b) Recreational Use

Other

- (c) Day Care Center and Nursery School (subject to Section 7.6)
- (d) *Helicopter Operation and Maintenance Facility (1995-06-09)*
- (e) Public Use
- (f) *Sanitary Landfill and/or Waste Recycling Facility (subject to a Land Use Impact Assessment under Sections 5.6 and 5.7);*
- (g) *any development in a Rural District as set out under the St. John's Municipal Plan and/or any development which is not serviced by municipal sewer and water services (subject to a Land Use Impact Assessment under Section 5.6). (1995-09-15)*

10.28.4 Zone Requirements: **For Area adjacent to The Battery**

- **As determined by Council**
- **Maximum Height, 3 storeys, 11.25 m from lowest adjacent grade.**
- **Subject to L.U.A.R. in respect visual image, colour, lighting, noise dust, others as may be determined.**

**APPENDIX B – PROPOSED CHANGES TO HERITAGE AREA
GUIDELINES FOR THE BATTERY**

Table 2.4.1 Terminology and Concepts (Heritage Area Battery)

| COMPONENTS | DISCUSSION OF COMPONENTS |
|--------------------------------|--|
| SCALE/Form | |
| Building Size | |
| Height | Number of storeys or actual height, usually measured from main street front. Most common are 2-3 for downhill side, 1-2 for up hillside. |
| Proportion | Ratio of height over width, usually simple numbers such as. 3/2. This proportion is most common and should be maintained. |
| Ground Floor Area / Total Area | Size of building footprint/total area of all floors. The average footprint is ____SF +/- |
| Building Form | |
| Footprint Shape | Typically rectangular, however there are many projections, and irregular shapes. |
| Vertical Shape | Section or profile including set backs, low roofs, and roof shape. Most roofs are flat or nearly flat. |
| Projections | |
| Bays for windows | Not common in The Battery. |
| Porch/Veranda | Projections at main entrances. Common in the Battery. |
| Canopies | Not common. |
| Balconies/Decks/Walks | Common, multitude of styles and materials |
| Roof Decks | Rare on original buildings. |
| STYLE/MATERIAL | |
| Name of Style | Some styles have a name, i.e., Victorian Mansard. |
| Roof Form | |
| Typical Shapes | Flat, mansard, hipped, gable or a combination are examples. Roof form is a key component of building style. Flat most common for The Battery |
| Material | Slate, wood shingles, asphalt shingles are examples. |
| Wall Texture | |
| Siding Style/Material | Originally 4" clapboard, 6" trims for residential and some commercial buildings. Many buildings now have vinyl siding, New renovations are reverting to clapboard. |
| Trim Style/Material | Usually wood 6"-8" at corners and around openings. Sometimes articulated. Drip molds, sills, and water tables, are integral parts of trims. Many have disappeared but are being used in new renovations. |
| Details/Decorations | Varies from elaborate to none. Groups of houses usually have similar types of detail. Brackets are the most common. Very little detail is used in The Battery. |
| Railings | Wood or cast iron, details vary from elaborate to plain, usually plain in The Battery. |
| Foundation | Foundations in The Battery can be very prominent. There is a range of materials. Many are dilapidated. |

| COMPONENTS | DISCUSSION OF COMPONENTS |
|----------------------------------|---|
| Store Front | Defines front of main floor on most commercial buildings. Usually they have large windows, inset doors, signage boards, and elaboration of detail. Single or double doors usually have ½” glass. Storefronts are an essential part of the character of commercial buildings. Not common in The Battery. |
| Openings/Fenestration | The size, proportion, spacing, and type of opening, is a defining characteristic and is generally consistent between styles. |
| Window Style | <u>Residential</u> , most are double hung, 30-36” wide, 52-72” inches high, proportion and spacing is important, usually with 6” trims. Usually single, sometimes in pairs or bays. Many in The Battery have been replaced with sliders or picture windows. |
| Window Material | Wood is traditional material with wood storm windows. |
| Window Pattern | Originally symmetrical and balanced in the facade. |
| Door Style | Usually only single door in front of houses, size, the amount of detail, and style varies. Usually wood panel with ½ glass. |
| Door Material | Wood is traditional |
| Color Scheme | Wood clapboard and trims were painted. Original St. John’s colors were predominantly dark with limited palette of gray, green, red, brown and buff. White was also fairly common in The Battery. |
| SITE & MISCELLANEOUS | |
| Landscape & Site Work | There is very little formal landscaping. |
| Trees & Shrubs | Not common. There is a concern that trees in open areas may start to block views. |
| Fences and Rails | Common in The Battery and important parts of building and streetscapes. Wood is most common. Many fences and rails are unsightly. Important for safety. |
| Retaining Walls | Common to The Battery and important parts of building and streetscapes. Many are in poor condition and are unsightly. |

2.4.2 Permitted Change for the Heritage Areas

This table outlines as a guide the changes that are permitted in the three heritage areas. They are defined in terms of the components of building character.

The objectives are to encourage simple forms – 2-3 stories maximum on downhill side, detached or looking like they are detached. Encourage clapboard and trims, but allow other styles, flat roofs, sizes no bigger than the ninety percentile – proportion as seen from downhill side 2/3, 3/2, decks, bridges are encouraged, roof decks are not. Suggest standard details for railings, decks, fences and guardrails, irregular footprints are ok)

Table 2.4.2 Permitted Change

| Component | Heritage Area 1 Essentially no change | Heritage Area 2 Minimum change | Heritage Area 3 Some change | Comments | Battery Heritage Area |
|----------------------|---|---|---|---|--|
| SCALE/FORM | | | | | |
| Building Size | | | | | |
| Height | No change | Within 1/2 storey of average of neighbors. | | Maximum three storeys residential, four storeys commercial. | Within 1/2 storey of average of neighbors. Maximum 3 on downhill side,.. |
| Proportion | No change | No change except as covered by above | No change except as covered by above | | 3/3, 2/3, 3/2 |
| Ground Floor Area | No change | Addition at back. | Addition at back. | | Only as allowed by FHO |
| Total Area | No change | No bigger than larger of immediate neighbors. | No bigger than larger of neighbors + 25%. | | No bigger than larger of neighbors + 25%. No larger than ___SF |
| Building Form | | | | | |
| Footprint Shape | Only as required by Life Safety or Accessibility for commercial buildings, consideration for functional changes to make reuse economically viable | Addition at back | Addition at back | | Only as allowed by FHO. |
| Vertical Shape | | No change | Addition at back. | | Only as allowed by FHO. |
| Other | | | | | |

| Projections | | | | | |
|--------------------|--|---|---|--|---|
| Bays for windows | No change | Add bays if in context of neighbors. | Add bays if in context of neighbors. | | Bays are permitted. |
| Canopies | Fabric canopies subject to specific design approval. | Fabric or fixed canopies subject to specific design approval. | Fabric or fixed canopies subject to specific design approval. | | Not permitted |
| Balconies / Decks | No change | Possible at side/back not at front. | Not at front. | | Decks are permitted. Encourage standard details. No unfinished pressure treated lumber. |
| Roof Decks | Not permitted | Not permitted | Not permitted | Possible exception is deck on low roof in Area 2 or 3. | Permitted but not encouraged on low roof. Not permitted on top roof. |

STYLE/MATERIAL

Roof Form

| | | | | | |
|----------------|---|---|---|--|--|
| Typical Shapes | No change | No change. | No change or rebuild in context with neighbors. | | Encourage flat or nearly flat. No mansard roofs. No steep gable roofs. |
| Material | More practical material i.e., asphalt shingles, metal vs. copper. | More practical material i.e., asphalt shingles, metal vs. copper. | More practical material i.e., asphalt shingles, metal vs. copper. | | Flat or asphalt shingles only. |

Wall Texture

| | | | | | |
|-----------------|-----------|---|--------------------------------------|--|----------------------------------|
| Siding Style | No change | No change | No change | | |
| Siding Material | No change | Deep Color vinyl, 4" Clapboard only. Wood trims required. | Deep Color vinyl, 4" Clapboard only. | Specific styles and colors to be approved. | Encourage wood but permit vinyl. |

| | | | | | |
|-----------------|---|---|---|--|---|
| Trim Style | No change | No change | No change | | Encourage wide trims. |
| Trim Material | No change | No change | Wide vinyl trim. | Specific styles and colors to be approved. | Encourage wood but permit vinyl. |
| Details | No change | No change, but more durable material | No change or possible reduction. | | - No elaborate details. - No unpainted pressure treated lumber. |
| Railings | As required by code, use original style | As required by code, use similar style. | | | As required by code. Encourage use of standard details. |
| Foundation | As required by structure, use original material. | As required by structure. | As required by structure. | | As required by structure. |
| Store Front | More durable materials if they look like original. Signage as per sign law. | More durable materials if they look like original. Signage as per sign law. | More durable materials if they look like original. Signage as per sign law. | Storefront changes require specific drawings and details. | Encourage for small commercial uses. |
| Openings | | | | | |
| Window Style | No change | No change | No change | | - Encourage double hung esp. on non view sides of house. - No horizontal slider windows. - Picture windows are acceptable |
| Window Material | More durable i.e., painted aluminum, but not vinyl. | More durable i.e., painted aluminum or vinyl inserts | | | More durable i.e., painted aluminum or vinyl windows. |
| Window Pattern | No change | None on front, possible additional windows on back for view and lighting. | None on front, possible additional windows on back for view and lighting. | i.e. Change a single double hung to two side by side. No picture windows | Encourage organized pattern. |
| Door Style | No change | No change | No change | | |
| Door Material | More durable material. | More durable material. | | | More durable material. |

| Colour Scheme | | | | | |
|----------------------|--|------------------|------------------|--|---|
| Colours | Original or historic St. John's palette. | Heritage palette | Heritage palette | | No bright colours. Muted mid tones preferred. |

SITE & MISCELLANEOUS

| | | | | | |
|---------------------------|---------------------------------------|---|---|---|--|
| Front Set Back | No change | In line with at least one neighbor, front veranda and steps in context. | In line with at least one neighbor, front veranda and steps in context. | No single car garages, or under building bays except for three or more houses in a row. | Discourage but as per FHO |
| Side Yards | No change | No change | As per zoning. | | Do not block existing views. Subject to FHO. |
| Back Yards | No change | As per zoning | As per zoning | | Do not block existing views. Subject to FHO. |
| Trees & Shrubs | Thinning and trimming. | Thinning and trimming. | Thinning and trimming. | | Low bushes only to not block views. |
| Fences and Rails | As required by code, original style | As required by code, similar style. | As required by code, similar style. | | Suggest 3 or 4 standard details. |
| Walls | Necessary repair, original materials. | Necessary repair, appropriate material | Necessary repair, appropriate material | | Suggest 3 or 4 standard details. |

New Buildings, Major Renovations to Out of Character Buildings

Heritage Area 1

- Option 1 – replicate scale/form, style/material as defined above.
- Option 2 – for alternative proposals, a comprehensive architectural design package showing relationships to the concept of “conforming” with the original.

For Heritage Area 2 & 3

- Option 1 – conform to scale/form, style/material as defined above.
- Option 2 – for alternative proposals, a comprehensive architectural design package showing relationships to the concept of “respecting or reflecting” with the original.

For Heritage Area Battery

- Zone and Heritage Area Requirements
- Subject to Footprint and Height Control Overlay
- Subject to Guidelines.

Notes

- For commercial buildings consideration can be given to functional changes that help make reuse economically viable.
- Changes as required for Life Safety or Accessibility are permitted. Design must be sensitive to scale, form, style and materials.
- All changes must conform to applicable codes and regulations in effect in St. John's.

APPENDIX C FOOTPRINT AND HEIGHT CONTROL OVERLAY

Appendix C: Footprint and Height Control Overlay

| Street and Civic Number | Vertical Expansion | Horizontal Expansion |
|-------------------------|--------------------|----------------------|
| BATTERY ROAD | | |
| 4 BATTERY ROAD | NO/HA3 | P/R3 |
| 6 BATTERY ROAD | NO/HA3 | P/R3 |
| 8 BATTERY ROAD | NO/HA3 | P/R3 |
| 10 BATTERY ROAD | NO/HA3 | P/R3 |
| 12 BATTERY ROAD | NO/HA3 | P/R3 |
| 14 BATTERY ROAD | NO/HA3 | P/R3 |
| 16 BATTERY ROAD | NO/HA3 | P/R3 |
| 22 BATTERY ROAD | NO/HA3 | P/R3 |
| 24 BATTERY ROAD | NO/HA3 | P/R3 |
| 34 BATTERY ROAD | NO/SIZE | NO/SIZE |
| 42 BATTERY ROAD | V1 | PB |
| 44 BATTERY ROAD | NO/SIZE | PB |
| 46 BATTERY ROAD | V1 | PB |
| 50 BATTERY ROAD | NO/SIZE | PB |
| 51 BATTERY ROAD | NO/VIEW | PB |
| 53 BATTERY ROAD | NO/VIEW | PB |
| 54 BATTERY ROAD | NO/VIEW | NO/SPACE |
| 55 BATTERY ROAD | NO/VIEW | PB |
| 56 BATTERY ROAD | V1 | PB |
| 57 BATTERY ROAD | NO/VIEW | PB |
| 58 BATTERY ROAD | NO/VIEW | PB |
| 59 BATTERY ROAD | NO/VIEW | PB |
| 60 BATTERY ROAD | NO/VIEW | NO/SPACE |
| 63 BATTERY ROAD | NO/VIEW | NO/VIEW |
| 64 BATTERY ROAD | NO/VIEW | PB |
| 65 BATTERY ROAD | NO/VIEW | PB |
| 67 BATTERY ROAD | NO/VIEW | NO/VIEW |
| 68 BATTERY ROAD | NO/VIEW | PB |
| 70 BATTERY ROAD | NO/VIEW | PB |
| 71 BATTERY ROAD | NO/VIEW | PL |
| 72 BATTERY ROAD | NO/VIEW | NO/SIZE |
| 74 BATTERY ROAD | NO/VIEW | NO/SPACE |
| 75 BATTERY ROAD | V1 | NO/SIZE |
| 76 BATTERY ROAD | NO/VIEW | PF |
| 80 BATTERY ROAD | NO/VIEW | NO/SIZE |
| 82 BATTERY ROAD | NO/VIEW | NO/SPACE |
| 84 BATTERY ROAD | NO/VIEW | NO/SPACE |
| 86 BATTERY ROAD | NO/VIEW | NO/SPACE |
| 88 BATTERY ROAD | NO/VIEW | NO/LOC |
| 90 BATTERY ROAD | V1 | PB |

| Street and Civic Number | Vertical Expansion | Horizontal Expansion |
|----------------------------|--------------------|----------------------|
| LOWER BATTERY ROAD | | |
| 1 LOWER BATTERY ROAD | NO/VIEW | NO/SPACE |
| 2 LOWER BATTERY ROAD | NO/VIEW | NO/SPACE |
| 3 LOWER BATTERY ROAD | NO/VIEW | NO/SPACE |
| 4 LOWER BATTERY ROAD | V1 | NO/SPACE |
| MIDDLE BATTERY ROAD | | |
| 1 MIDDLE BATTERY ROAD | NO/VIEW | NO/SPACE |
| 2 MIDDLE BATTERY ROAD | NO/VIEW | NO/SPACE |
| 3 MIDDLE BATTERY ROAD | NO/VIEW | NO/SPACE |
| 5 MIDDLE BATTERY ROAD | NO/SIZE | NO/SPACE |
| 6 MIDDLE BATTERY ROAD | NO/SIZE | NO/SPACE |
| 7 MIDDLE BATTERY ROAD | NO/SIZE | PB |
| 9 MIDDLE BATTERY ROAD | NO/VIEW | NO/SIZE |
| 10 MIDDLE BATTERY ROAD | NO/VIEW | NO/SIZE |
| 14 MIDDLE BATTERY ROAD | NO/VIEW | PF |
| 15 MIDDLE BATTERY ROAD | NO/VIEW | PF |
| TOP BATTERY ROAD | | |
| 1 TOP BATTERY ROAD | NO/SIZE | NO/SPACE |
| 2 TOP BATTERY ROAD | V1 | NO/SPACE |
| 3 TOP BATTERY ROAD | V1 | NO/SPACE |
| 4 TOP BATTERY ROAD | V1 | NO/SPACE |
| 5 TOP BATTERY ROAD | V1 | PB |
| 6 TOP BATTERY ROAD | NO/SIZE | PB |
| 7 TOP BATTERY ROAD | V1 | PF |
| 8 TOP BATTERY ROAD | NO/SIZE | NO/SIZE |
| 9 TOP BATTERY ROAD | V1 | NO/SPACE |
| 10 TOP BATTERY ROAD | V1 | PL |
| EAST MIDDLE BATTERY | | |
| 1 EAST MIDDLE BATTERY | V1 | PB |
| 2 EAST MIDDLE BATTERY | V1 | PB |
| 4 EAST MIDDLE BATTERY | V1 | PB |
| 5 EAST MIDDLE BATTERY | NO/VIEW | PB |
| 6 EAST MIDDLE BATTERY | NO/VIEW | PB |
| 7 EAST MIDDLE BATTERY | NO/VIEW | NO/SPACE |

LEGEND

Vertical Expansion

- No = No, not permitted
- V1 = 1 storey addition possible

Horizontal Expansion

- No = No
- P = Possible, subject to ownership, suitability of land and zoning requirements
- PF = Possible Front (when viewed from road)
- PL = Possible Left (when viewed from road)
- PR = Possible Right (when viewed from road)
- PB = Possible Back (when viewed from road)
- PR3 = Possible, subject to R3 zone requirements

NO/ - Reasons for not permitting expansion

- NO/HA3 = does not conform to HA3 guidelines
- NO/VIEW = probable interference with existing or potential views
- NO/SIZE = existing building or expansion is large for area or is out of proportion
- NO/SPACE = not enough space around building
- NO/LOC = inappropriate location

Notes

- A horizontal expansion can be no higher than the height of the existing building
- A peaked roof is considered a storey
- All renovations and proposed expansions are subject to ownership of land, adherence to building code and regulations of authority having jurisdiction
- Although there may be more than one reason for not permitting expansion, only one reason is listed

Appendix C: Footprint and Height Control Overlay

| Street and Civic Number | Vertical Expansion | Horizontal Expansion |
|---------------------------|--------------------|----------------------|
| OUTER BATTERY ROAD | | |
| 1 OUTER BATTERY ROAD | NO/VIEW | PF |
| 3 OUTER BATTERY ROAD | NO/VIEW | NO/SIZE |
| 4 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 6 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 7 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 13 OUTER BATTERY ROAD | NO/VIEW | NO/SPACE |
| 14 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 15 OUTER BATTERY ROAD | NO/VIEW | PB |
| 16 OUTER BATTERY ROAD | NO/VIEW | PB |
| 17 OUTER BATTERY ROAD | NO/VIEW | NO/SIZE |
| 18 OUTER BATTERY ROAD | NO/VIEW | PB |
| 19 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 22 OUTER BATTERY ROAD | V1 | PB |
| 23 OUTER BATTERY ROAD | NO/VIEW | PB |
| 24 OUTER BATTERY ROAD | NO/VIEW | NO/SPACE |
| 26 OUTER BATTERY ROAD | NO/SIZE | PB |
| 28 OUTER BATTERY ROAD | NO/SIZE | NO/SPACE |
| 29 OUTER BATTERY ROAD | NO/VIEW | NO/SIZE |
| 33 OUTER BATTERY ROAD | NO/VIEW | PB |
| 36 OUTER BATTERY ROAD | NO/VIEW | PB |
| 37 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 38 OUTER BATTERY ROAD | NO/SIZE | PB |
| 40 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 42 OUTER BATTERY ROAD | NO/VIEW | PB |
| 43 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |
| 45 OUTER BATTERY ROAD | V1 | PB |
| 52 OUTER BATTERY ROAD | NO/VIEW | NO/VIEW |

| Street and Civic Number | Vertical Expansion | Horizontal Expansion |
|-------------------------|--------------------|----------------------|
| HIPDITCH HILL | | |
| 1 HIPDITCH HILL | NO/VIEW | NO/VIEW |
| 2 HIPDITCH HILL | NO/VIEW | NO/SPACE |
| 4 HIPDITCH HILL | V1 | NO/SIZE |
| 6 HIPDITCH HILL | V1 | PR,PB |
| 9 HIPDITCH HILL | V1 | PB |
| 10 HIPDITCH HILL | NO/LOC | NO/LOC |
| 11 HIPDITCH HILL | V1 | PB |
| 14 HIPDITCH HILL | V1 | PL |
| 17 HIPDITCH HILL | NO/VIEW | NO/SIZE |
| 18 HIPDITCH HILL | NO/VIEW | PR,PB |
| FORT WALDEGRAVE | | |
| 1 FORT WALDEGRAVE | NO/SIZE | NO/SIZE |
| 2 FORT WALDEGRAVE | NO/VIEW | NO/SPACE |
| 3 FORT WALDEGRAVE | NO/SIZE | NO/SIZE |
| 4 FORT WALDEGRAVE | NO/VIEW | PL |
| 6 FORT WALDEGRAVE | NO/VIEW | NO/SPACE |
| 8 FORT WALDEGRAVE | NO/VIEW | NO/SPACE |
| 10 FORT WALDEGRAVE | NO/VIEW | NO/SPACE |
| 11 FORT WALDEGRAVE | NO/SIZE | NO/SIZE |
| 12 FORT WALDEGRAVE | V1 | PL |

LEGEND

Vertical Expansion

No = No, not permitted
V1 = 1 storey addition possible

Horizontal Expansion

No = No
P = Possible, subject to ownership, suitability of land and zoning requirements
PF = Possible Front (when viewed from road)
PL = Possible Left (when viewed from road)
PR = Possible Right (when viewed from road)
PB = Possible Back (when viewed from road)
PR3 = Possible, subject to R3 zone requirements

NO/ - Reasons for not permitting expansion

NO/HA3 = does not conform to HA3 guidelines
NO/VIEW = probable interference with existing or potential views
NO/SIZE = existing building or expansion is large for area or is out of proportion
NO/SPACE = not enough space around building
NO/LOC = inappropriate location

Notes

- A horizontal expansion can be no higher than the height of the existing building
- A peaked roof is considered a storey
- All renovations and proposed expansions are subject to ownership of land, adherence to building code and regulations of authority having jurisdiction
- Although there may be more than one reason for not permitting expansion, only one reason is listed

Appendix C: Footprint and Height Control Overlay

| Street and Civic Number | Vertical Expansion | Horizontal Expansion |
|-------------------------|--------------------|----------------------|
| SIGNAL HILL ROAD | | |
| 12 SIGNAL HILL ROAD | V1 | PR3 |
| 14 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 16 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 18 SIGNAL HILL ROAD | V1 | PR3 |
| 20 SIGNAL HILL ROAD | V1 | PR3 |
| 20A SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 22 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 24 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 26 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 30 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 32 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 38 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 40 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 44 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 46 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 48 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 50 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 52 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 54 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 56 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 58 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 60 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 62 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 70 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 100 SIGNAL HILL ROAD | NO/SIZE | NO/SIZE |
| 150 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 152 SIGNAL HILL ROAD | NO/HA3 | PR3 |
| 158 SIGNAL HILL ROAD | V1 | PB |
| 162 SIGNAL HILL ROAD | V1 | PL |
| 164 SIGNAL HILL ROAD | V1 | PL |
| 166 SIGNAL HILL ROAD | V1 | PR |
| 168 SIGNAL HILL ROAD | NO/SIZE | NO/SIZE |
| 170 SIGNAL HILL ROAD | NO/VIEW | PB |
| 176 SIGNAL HILL ROAD | NO/SIZE | NO/SIZE |
| 178 SIGNAL HILL ROAD | NO/VIEW | PB |
| 180 SIGNAL HILL ROAD | NO/VIEW | PL,PB |
| 182 SIGNAL HILL ROAD | NO/VIEW | NO/SIZE |
| 184 SIGNAL HILL ROAD | NO/VIEW | NO/SIZE |

| Street and Civic Number | Vertical Expansion | Horizontal Expansion |
|-------------------------|--------------------|----------------------|
| WALSH'S SQUARE | | |
| 2 WALSH'S SQUARE | NO/HA3 | PR3 |
| 3 WALSH'S SQUARE | V1 | PR3 |
| 4 WALSH'S SQUARE | NO/HA3 | PR3 |
| 5 WALSH'S SQUARE | NO/HA3 | PR3 |
| 6 WALSH'S SQUARE | NO/HA3 | PR3 |
| 7 WALSH'S SQUARE | NO/HA3 | PR3 |
| 9-11 WALSH'S SQUARE | V1 | PR3 |
| 10 WALSH'S SQUARE | NO/HA3 | PR3 |
| 12 WALSH'S SQUARE | NO/HA3 | PR3 |
| 14 WALSH'S SQUARE | NO/HA3 | PR3 |
| 15 WALSH'S SQUARE | NO/HA3 | PR3 |
| 16 WALSH'S SQUARE | NO/HA3 | PR3 |
| 17 WALSH'S SQUARE | NO/HA3 | PR3 |
| 18 WALSH'S SQUARE | NO/HA3 | PR3 |
| 19 WALSH'S SQUARE | NO/HA3 | PR3 |
| 20 WALSH'S SQUARE | NO/HA3 | PR3 |
| 21 WALSH'S SQUARE | NO/HA3 | PR3 |
| 22 WALSH'S SQUARE | NO/HA3 | PR3 |
| 23 WALSH'S SQUARE | NO/HA3 | PR3 |
| 27 WALSH'S SQUARE | NO/HA3 | PR3 |
| CABOT AVENUE | | |
| 1 CABOT AVE | NO/HA3 | PR3 |
| 3 CABOT AVE | NO/HA3 | PR3 |
| 5 CABOT AVE | NO/HA3 | PR3 |
| 7 CABOT AVE | NO/HA3 | PR3 |
| 9 CABOT AVE | NO/HA3 | PR3 |
| 11 CABOT AVE | NO/HA3 | PR3 |
| 13 CABOT AVE | NO/HA3 | PR3 |
| 36 CABOT AVE | NO/SIZE | NO/SIZE |

LEGEND

Vertical Expansion

No = No, not permitted

V1 = 1 storey addition possible

Horizontal Expansion

No = No

P = Possible, subject to ownership, suitability of land and zoning requirements

PF = Possible Front (when viewed from road)

PL = Possible Left (when viewed from road)

PR = Possible Right (when viewed from road)

PB = Possible Back (when viewed from road)

PR3 = Possible, subject to R3 zone requirements

NO/ - Reasons for not permitting expansion

NO/HA3 = does not conform to HA3 guidelines

NO/VIEW = probable interference with existing or potential views

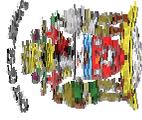
NO/SIZE = existing building or expansion is large for area or is out of proportion

NO/SPACE = not enough space around building

NO/LOC = inappropriate location

Notes

- A horizontal expansion can be no higher than the height of the existing building
- A peaked roof is considered a storey
- All renovations and proposed expansions are subject to ownership of land, adherence to building code and regulations of authority having jurisdiction
- Although there may be more than one reason for not permitting expansion, only one reason is listed



Battery Development
Guidelines Study

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Legend

-  Existing building
-  Possible 1 storey addition
-  Possible infill opportunity

Appendix C

Footprint and
Height Control
Overlay

PART 1





Battery Development Guidelines Study

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Legend

- Existing building
- Possible 1 storey addition
- Possible infill opportunity

Appendix C

Footprint and Height Control Overlay **PART 2**

