ST. JOHN'S

Decision Note

Title: Text Amendment – Waterway Buffers

Date Prepared: June 3, 2026

Report To: Committee of the Whole

Councillor and Role: Planning – Councillor Greg Noseworthy

Ward: N/A

Decision/Direction Required:
To consider an amendment to the Envision St. John's Development Regulations to amend Section 4.10 (1) respecting buffers for waterways and tributaries.

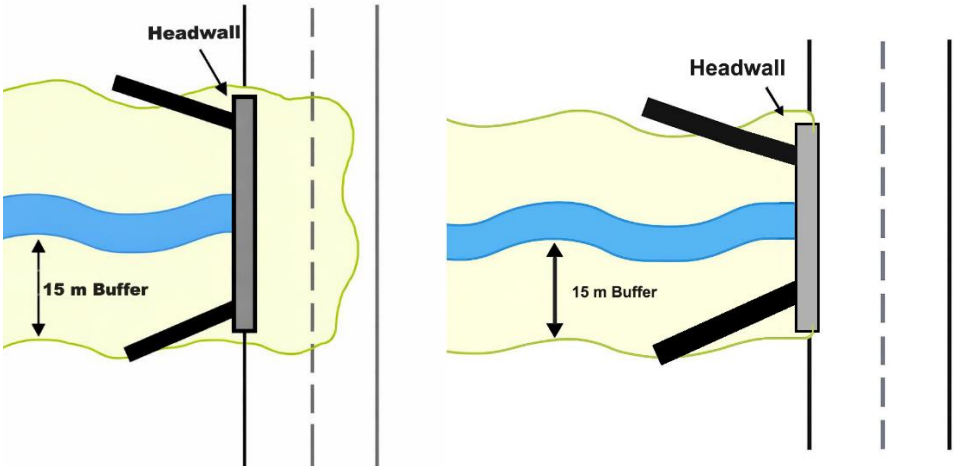
Discussion – Background and Current Status:
Staff are proposing an amendment to the Envision St. John's Development Regulations to amend Section 4.10 (1) respecting buffers for waterways and tributaries. Section 4.10(1) of the Regulations requires a minimum buffer of 15 metres around all waterways and tributaries shown on Maps 4 and 5, measured from the 100-year high-water mark. Currently, where a buffer surrounds an open stream that enters a culvert or bridge and is redirected below ground, the buffer extends past the entrance to the culvert or bridge, over the ground surface. Where this occurs, the buffer is no longer functioning as intended (why buffer a culvert?).

There are several examples of this throughout the city, where waterways flow beneath a road via a bridge or culvert. For example, where the Waterford River flows beneath the bridge at Blackhead Road, the buffer extends over Blackhead Road (pictured below).





The proposed amendment clarifies that, where a waterway or tributary enters a culvert or bridge structure, the buffer ends at the entrance to the culvert (the headwall) or bridge. The diagrams below illustrate how this change would apply when a stream flows into a culvert beneath a road, showing the current situation (the buffer extends beyond the headwall) and the proposed situation (the buffer stops at the headwall).



In cases where a floodplain overtops the road, meaning the floodplain rises to the elevation of the road, the buffer remains necessary due to flood risk and will be maintained. The intent of this amendment is to ensure waterways and tributaries remain protected with a buffer but to prevent situations where a buffer extends over land and unnecessarily restricts development where the waterway flows through underground infrastructure.

Alignment with the Envision St. John's Municipal Plan

The Envision St. John's Municipal Plan has policies to protect bodies of water and flood hazard areas. Policy 3.4 of the Plan restricts development within buffers surrounding waterbodies and floodplain areas. The proposed amendment aligns with the Municipal Plan policies to protect waterways and limit development in areas prone to flooding. Waterways and tributaries will continue to be protected by buffers, but where a stream flows below ground via bridge or culvert, the buffer on the ground surface becomes extraneous and will not be required.

Public Consultation

Should Council decide to consider this amendment, staff recommend public notification (not a public meeting) in accordance with section 4.8 of the Development Regulations. This proposed amendment aligns with Municipal Plan policies and does not change the intent of buffers, rather it will clarify how the buffer applies in situations where a waterway flows beneath ground. The draft amendment is attached for Council's review.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Interested Parties: Property owners with waterway buffers on their property.

3. Is this a New Plan, Master Plan, Strategy, Report, or Framework: No

4. Alignment with Strategic Directions:

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

   A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

5. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

6. Accessibility and Inclusion: Not applicable.

7. Legal or Policy Implications: A text amendment to the Envision St. John's Development Regulations is required.

8. Privacy Implications: Not applicable.

9. Engagement and Communications Considerations: Public notification will be carried out in accordance with section 4.8 of the Development Regulations.

10. Human Resource Implications: Not applicable.

11. Procurement Implications: Not applicable.

12. Information Technology Implications: Not applicable.

13. Information Management Implications: Not applicable.

14. Other Implications: Not applicable.

Recommendation:
That Council consider amending the Envision St. John's Development Regulations section 4.10 (1) respecting buffers for waterways and tributaries.

Prepared by: Faith Ford, MCIP, Planner III
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	Text Amendment – Waterway Buffers.docx
Attachments:	- DRAFT- DR Amend No. 81 , 2026 - Waterway Buffers.pdf
Final Approval Date:	Jun 3, 2026

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

Ken O'Brien - Jun 3, 2026 - 12:24 PM

No Signature - Task assigned to Jason Sinyard was completed by workflow administrator Theresa Walsh

Jason Sinyard - Jun 3, 2026 - 12:30 PM

City of St. John's Development Regulations, 2021

DRAFT

St. John's Development Regulations
Amendment Number 81, 2026

Waterway Buffers

June 2026

URBAN AND RURAL PLANNING ACT, 2000

Resolution to Adopt

CITY OF ST. JOHN'S Development Regulations, 2021

Amendment Number 81, 2026

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 81, 2026.

Adopted by the City Council of St. John's on the ____ day of 2026.

Signed and sealed this ____ day of _____.

Mayor: _____

Clerk: _____

Town Seal

Canadian Institute of Planners Certification

I certify that the attached City of St. John's Development Regulations Amendment Number 81, 2026 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000.*

MCIP/FCIP: _____

MCIP/FCIP Stamp

Development Regulations/Amendment
REGISTERED
Number _____
Date _____
Signature _____

DRAFT

CITY OF ST. JOHN'S

Development Regulations Amendment Number 81, 2026

BACKGROUND AND ANALYSIS

The City is considering an amendment to City of St. John's Development Regulations, 2021 to amend Section 4.10 (1) respecting Buffers for waterways and tributaries. Currently, the Development Regulations require a minimum Buffer of 15 metres adjacent to waterways and tributaries shown on Maps 4 and 5, measured from the 100-year high water mark.

Under the current regulations, where a Buffer is adjacent to an open stream that enters a culvert or bridge and is redirected underground, the Buffer continues to extend 15 metres beyond the entrance to the culvert or bridge. However, where a stream flows underground and the Buffer remains on the ground surface, the Buffer is no longer necessary or functioning as intended. In situations where the floodplain elevation rises to or overtops the ground surface above the culvert or bridge, the Buffer continues to be necessary due to flood risk and will be maintained.

The purpose of this amendment is to clarify that the required Buffer applies to open, functioning waterways and tributaries, and does not apply to underground infrastructure. The proposed change would clarify that where a waterway or tributary enters a culvert or bridge, and is not overtopped by a floodplain, the Buffer ends at the culvert or bridge. This would prevent situations where a Buffer extends over land and unnecessarily restricts development, despite the waterway flowing through underground infrastructure.

ANALYSIS

The Envision St. John's Municipal Plan establishes policies to protect bodies of water, flood hazard areas, wetlands, and other environmentally valuable areas. Policy 3.1 speaks to the importance of protecting and maintaining environmentally significant lands and waters. Under Policy 3.4 of the Municipal Plan, development is prevented within buffer areas surrounding ponds, wetlands, rivers, major tributaries of rivers, and flood plain areas. These policy aims to preserve and protect important waterways and limit potential adverse impacts from surrounding development.

Under the current regulations set out in Section 4.10 of the Development Regulations, a minimum Buffer of 15 metres is required, and the size of a Buffer may be increased at Council's discretion. The proposed amendment aligns with the Municipal Plan policies and intent to preserve important waterways and limit development in areas that may be susceptible to flooding.

The overall impact of this amendment is that waterways and tributaries will continue to be protected through the use of Buffers; however, in some instances where a stream flows underground via bridge or culvert, the Buffer will not apply to the land above the underground infrastructure.

DRAFT

PUBLIC CONSULTATION
To be completed after consultation.

ST. JOHN'S URBAN REGION REGIONAL PLAN
The proposed amendment is in line with the St. John's Urban Region Regional Plan. An amendment to the St. John's Urban Region Regional Plan

ST. JOHN'S DEVELOPMENT REGULATIONS AMENDMENT NUMBER 81, 2026

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

1. Repealing Section 4.10(1) respecting waterway Buffers, which states:
   "4.10 WATERWAYS, WETLANDS, PONDS OR LAKES

   (1) Waterways

   The minimum Buffer adjacent to the waterways and tributaries shown on Maps 4 and 5 shall be 15 metres from the 100-year high water mark."

   and substituting the following:
   "4.10 WATERWAYS, WETLANDS, PONDS OR LAKES

   (1) Waterways

   The minimum Buffer adjacent to the waterways and tributaries shown on Maps 4 and 5 shall be 15 metres from the 100-year high water mark. Notwithstanding the foregoing, where the 100-year high water mark terminates at a culvert or bridge structure, the Buffer shall end at a line coincident with the structure and perpendicular to the direction of flow."

DRAFT