

DECISION/DIRECTION NOTE

Title: 52 Stamp's Lane, REZ2000006

Date Prepared: September 21, 2020

Report To: Committee of the Whole

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 4

Decision/Direction Required:

To consider a text amendment to the St. John's Development Regulations to revise the definition of Subsidiary Apartment.

Discussion – Background and Current Status:

The City has received an application from JCK Properties to develop a Single Detached Dwelling with a Subsidiary Apartment at 52 Stamp's Lane. The property is zoned Residential Low Density (R1) in which both uses are permitted, however the application is brought before Council due to the size of the Subsidiary Apartment. The former dwelling at this site has recently been demolished.

Under the Development Regulations, Subsidiary Apartment is defined as "a Suite within a Single Detached Dwelling whose Floor Area does not exceed 40% of the Gross Floor Area of the Dwelling". For this development, the applicant is proposing that one unit will have an area of 109.1 m² (1174 sq. ft.) and the Subsidiary Apartment will have an area of 103.8 m² (1117 sq. ft.). The Subsidiary Apartment would be approximately 48.5% of the Gross Floor Area. The definition of Subsidiary Apartment in the draft Envision Development Regulations provides more flexibility on the size of Subsidiary Apartments and would allow the development to proceed as proposed. Therefore, it is recommended to update the definition at this time through an amendment to the Development Regulations. The new definition would state:

"Subsidiary Apartment means a separate Dwelling Unit that is located within the structure of a main Building and which is subordinate to the main Dwelling Unit".

This definition removes the percentage and allows apartments as long as the subsidiary unit is smaller than the main unit. Neither the current nor proposed definitions dictate the location of the Subsidiary Apartment (i.e. the apartment is not required to be located in the basement of a dwelling). There are no development or engineering concerns with the proposed amendment. Further development and engineering review will occur at the development approval stage.

While the amendment is prompted by the application at 52 Stamp's Lane, the new definition would apply to the entire City.

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Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners.
3. Alignment with Strategic Directions/Adopted Plans:
St. John's Strategic Plan 2019-2029 - A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: A text amendment to the St. John's Development Regulations is required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Should the amendment proceed, public notice is required under Section 5.5 of the Development Regulations.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council consider a text amendment to the St. John's Development Regulations to revise the definition of Subsidiary Apartment, and advertise the proposed amendment for public review and comment.

Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage

Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

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| Document Title: | 52 Stamp's Lane, REZ2000006.docx |
| Attachments: | - 52 Stamp's Lane - Attachments.pdf |
| Final Approval Date: | Sep 23, 2020 |

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

Ken O'Brien - Sep 23, 2020 - 7:31 AM

Jason Sinyard - Sep 23, 2020 - 9:14 AM