

# DECISION/DIRECTION NOTE

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**Title:** Request for Extension to Non-Conforming Use and Re-establish the Building Line Setback  
2 Beauford Place

**Date Prepared:** January 25, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 1

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**Decision/Direction Required:**

To seek approval for a 6m<sup>2</sup> extension to a Non-Conforming Use and to establish the Building Line setback at 5.87 metres for 2 Beauford Place.

**Discussion – Background and Current Status:**

An application was submitted to construct a 6m<sup>2</sup> (8'x8') extension for a front porch on the Dwelling at 2 Beauford Place. The property is zoned Commercial Industrial (CI) and the existing Dwelling is considered to be a non-conforming use in the Zone. Under Section 7.12.5 of the Development Regulations, Extension of a Non-Conforming Use is subject to public notification and the application was advertised subject to Section 5.5 of the Development Regulations.

The CI Zone requires a minimum 20 metre Building Line setback, while the Dwelling at 2 Beauford Place is currently setback 7.7metres. To consider the proposed extension, the Building Line would need to be re-established at 5.87 metres. As per Section 8.3.1. of the Development Regulations, Council may re-established the Building Line for any existing street that they deem appropriate. The proposed setback is consistent with the pattern of development for other properties on the street.

Number of submissions received: 0

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighbouring 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.

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4. Legal or Policy Implications: Section 10.27.5, Section 7.12.5, Section 8.3.1 and Section 5.5 of the St. John's Development Regulations.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Public advertisement in accordance with Section 5.5 of the St. John's Development Regulations. The City has sent written notices to property owners within a minimum 150-metre radius of the application sites. Applications have been advertised in *The Telegram* newspaper at least once and are posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
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 approve the 6 m<sup>2</sup> front extension to a Non-Conforming Use and the 5.87 metre Building Line setback at 2 Beauford Place.

**Prepared by:**

Andrea Roberts P.Tech – Senior Development Officer  
Planning, Engineering and Regulatory Services

**Approved by:**

Jason Sinyard, P. Eng., MBA, Deputy City Manager-  
Planning, Engineering and Regulatory Services

### Report Approval Details

Document Title:	Development Committee - Request for Extension and Building Line Setback - 2 Beauford Place - DEV2000204.docx
Attachments:	- Extension Sketch.pdf - Aerial Map 2 Beauford Place.pdf
Final Approval Date:	Jan 28, 2021

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

**Lindsay Lyghtle Brushett - Jan 27, 2021 - 9:41 AM**

**Jason Sinyard - Jan 28, 2021 - 10:25 AM**