

# DECISION/DIRECTION NOTE

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**Title:** 120 Barnes Road, REZ2100004

**Date Prepared:** June 22, 2021

**Report To:** Committee of the Whole

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

**Ward:** Ward 2

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## **Decision/Direction Required:**

To consider a text amendment to the St. John's Development Regulations to reduce the minimum rear yard in the Residential Downtown (RD) Zone.

## **Discussion – Background and Current Status:**

The City has received an application for an extension to an existing semi-detached dwelling at 120 Barnes Road. The property is zoned Residential Downtown (RD) and is within Heritage Area 3. The proposed extension is located at the rear of the dwelling and will extend east toward the property at 118 Barnes Road (see attached site plan).

Under the Development Regulations, the minimum rear yard for houses in the RD Zone is 6 metres. The suggestion to reduce the rear yard in the RD Zone was raised during the Envision St. John's public consultations, as many properties downtown have rear yard less than 6 metres. This is an effort to match the regulations to the reality of downtown neighbourhoods.

Initially, a 3 metre rear yard was proposed, however the St. John's Regional Fire Department recommend that rear yard should be no smaller than 3 metres, allowing safe access for firefighting and ensuring minimum separation between the backs of houses. If we set the standard at 3 metres, then with a 10% variance, the rear yard could be reduced to 2.7 metres, which is too small. Therefore, the proposed minimum rear yard in the Envision RD Zone is 3.5 metres. With a 10% variance, the smallest rear yard would be 3.15 metres, meeting the requirements of the Fire Department.

The applicant has asked that Council consider the amendment now, as the timelines for the approval of the Envision St. John's Development Regulations are not finalized.

The text amendment was reviewed by development and engineering staff and there are no concerns. The proposed reduction in minimum rear yard from 6 metres to 3.5 metres would apply to all dwelling types in the RD Zone (duplex dwelling, semi-detached dwelling, single detached dwelling, and townhousing) in line with the Envision Development Regulations. In addition to the rear yard amendment, the proposed extension at 120 Barnes Road also requires a 10% variance to the minimum side yard requirement of 1.2 metres, which would be advertised alongside the amendment.

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Should Council consider the text amendment, it would be publicly advertised, then referred back to Council for consideration of adoption. While the amendment would apply to all properties in the RD Zone, notices would be mailed only to those property owners within a 150-metre radius of the subject property. Staff are not recommending a public meeting but Council may wish to have one. A Municipal Plan amendment is not required and therefore there will be no commissioner's public hearing.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners; anyone who owns or lives in a house in the RD Zone.
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. The proposed reduction in the required size of a rear yard in the RD Zone meets the safety recommendations of the St. John's Regional Fire Department.
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 reduce the minimum rear yard for all dwellings in the Residential Downtown (RD) Zone from 6 metres to 3.5 metres, and advertise the proposed amendment for public review and comment. Also, that Council advertise a proposed 10% variance for the side yard for the house extension at 120 Barnes Road.

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



**Report Approval Details**

Document Title:	120 Barnes Road, REZ2100004.docx
Attachments:	- 120 Barnes Road - Attachments.pdf
Final Approval Date:	Jun 24, 2021

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

**Ken O'Brien - Jun 23, 2021 - 7:35 AM**

**Jason Sinyard - Jun 24, 2021 - 4:17 PM**