

DECISION/DIRECTION NOTE

Title: Approval Request for Expansion of Dwelling in the
DEV1900114
1 Top Battery Road

Date Prepared: August 14, 2019

Report To: His Worship the Mayor and Members of Council

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

Ward: 2

Decision/Direction Required:

To seek approval from Council regarding the expansion of a semi-detached dwelling located in the Battery at 1 Top Battery Road.

Discussion – Background and Current Status:

An application was submitted requesting approval to expand the dwelling vertically for the property located at 1 Top Battery Road. While the height in storeys will not increase, the physical height of the storeys will be increased, which will increase the overall height of the dwelling. Elevations are attached.

The applicant has proposed the following extensions (See attached drawing: Plans and Elevations):

- On the west side of the house, a 2.4m x 4.4m extension (3 storeys) (A);
- A 4.65m x 2.5m (2 storey) addition over the previous patio location on the north side of the house (B); and
- A 1 storey addition, filling in above the existing smaller portion of the dwelling on the west side (C).

The proposed dwelling will remain 3 storeys in height from the downhill side of the lot, plus the additional filled in floor area as noted above. The house is proposed to remain a single dwelling unit, no additional units are proposed. A 10% side yard variance has also been requested for the west side extension for a 1.08 metre side yard.

Staff have visited the site and viewed the site from various locations in the Battery, and it does not appear that the view of nearby properties will be affected, due to the grade of the site and the area in general. See attached photos.

The following properties have been notified of the development:

- 2 Top Battery Road
- 9 Middle Battery Road

ST. JOHN'S

- 34 & 37 Battery Road
- 26 Battery Road
- 6 Middle Battery Road

There were no submissions received from the neighbouring properties regarding this development.

The property is located in the Battery and is subject to the Battery Development Guideline Study. The Footprint and Height Control Overlay table does not allow for vertical expansion, however, Section 7.28 of the St. John's Development Regulations states that if it can be demonstrated to Council, through a Land Use Assessment Report (LUAR), that it is an acceptable development, it may be considered. However, given the scale of the proposed development as well as the staff inspection and notification to nearby properties, it is recommended to accept this staff report as the LUAR.

Key Considerations/Implications:

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders: Nearby residents
3. Alignment with Strategic Directions/Adopted Plans:
Battery Development Guideline Study
4. Legal or Policy Implications:
Section 7.28 of the Development Regulations, "The Battery Development Area",
Section 10.5 Residential High Density (R3) Zone
5. Privacy Implications: Not Applicable.
6. Engagement and Communications Considerations: Not Applicable.
7. Human Resource Implications: Not Applicable.
8. Procurement Implications: Not Applicable.
9. Information Technology Implications: Not Applicable.
10. Other Implications: Not Applicable.

Recommendation:

It is recommended by the Development Committee that Council approve the redevelopment and the 10% side yard variance of the property at 1 Top Battery Road.

Prepared by/Signature:

Andrea Roberts, Development Officer

Signature: _____



Approved by/Date/Signature:

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

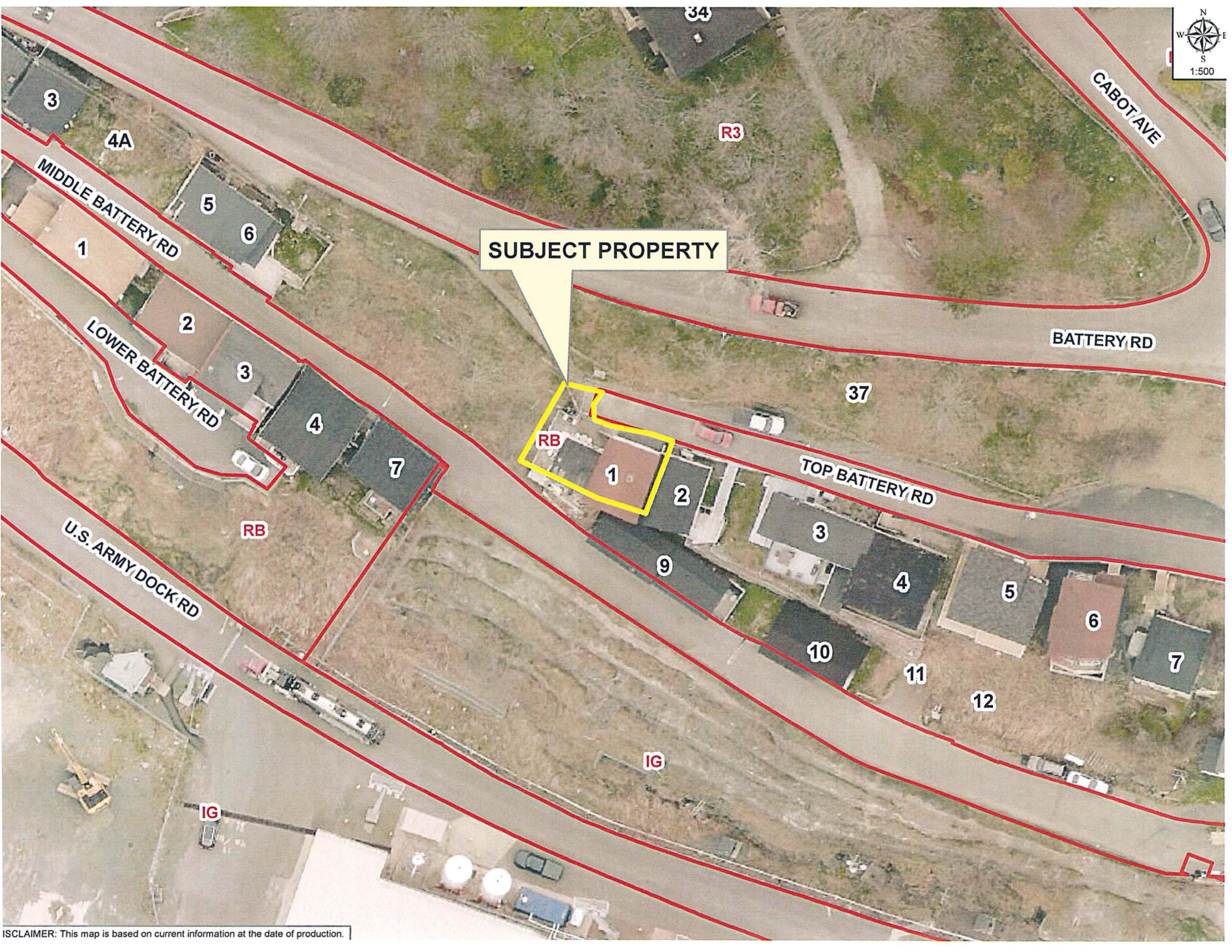
Signature: _____



Attachments:

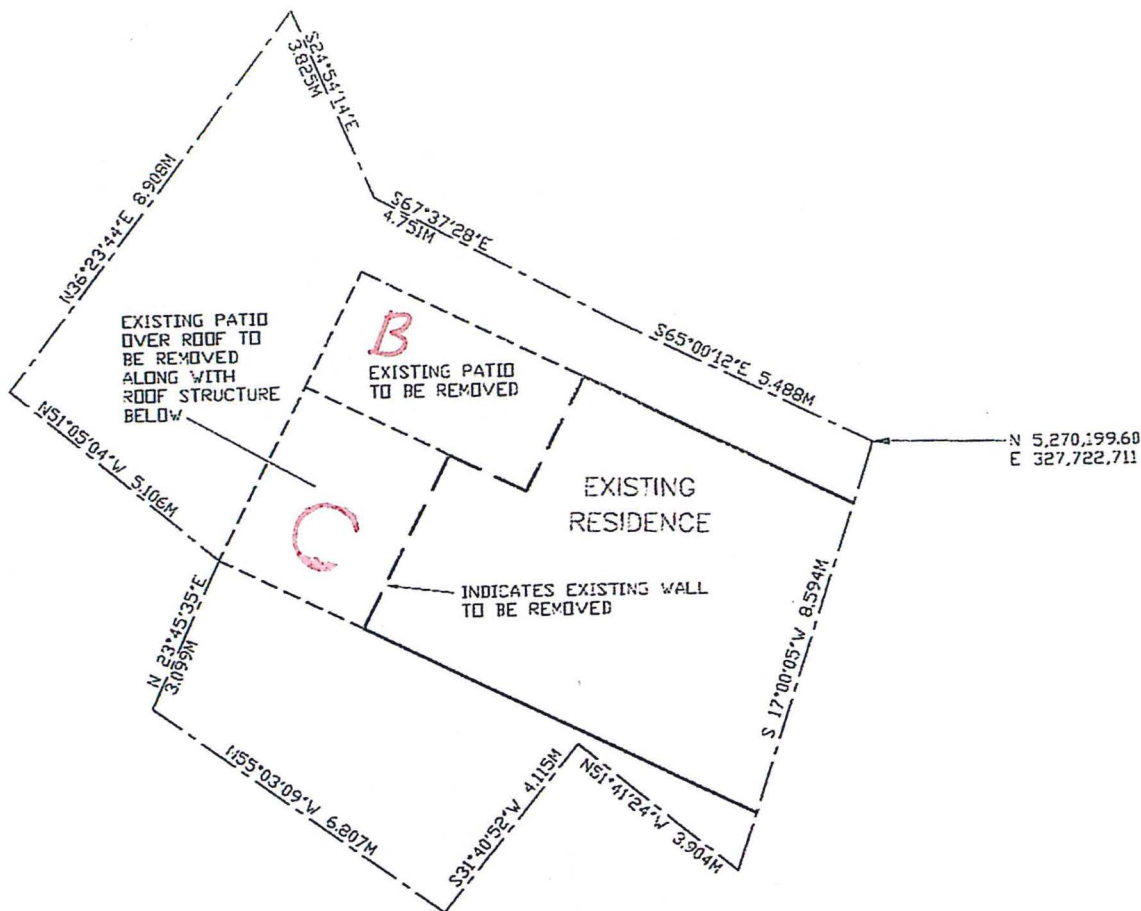
Location Map
Photos
Plan & elevations



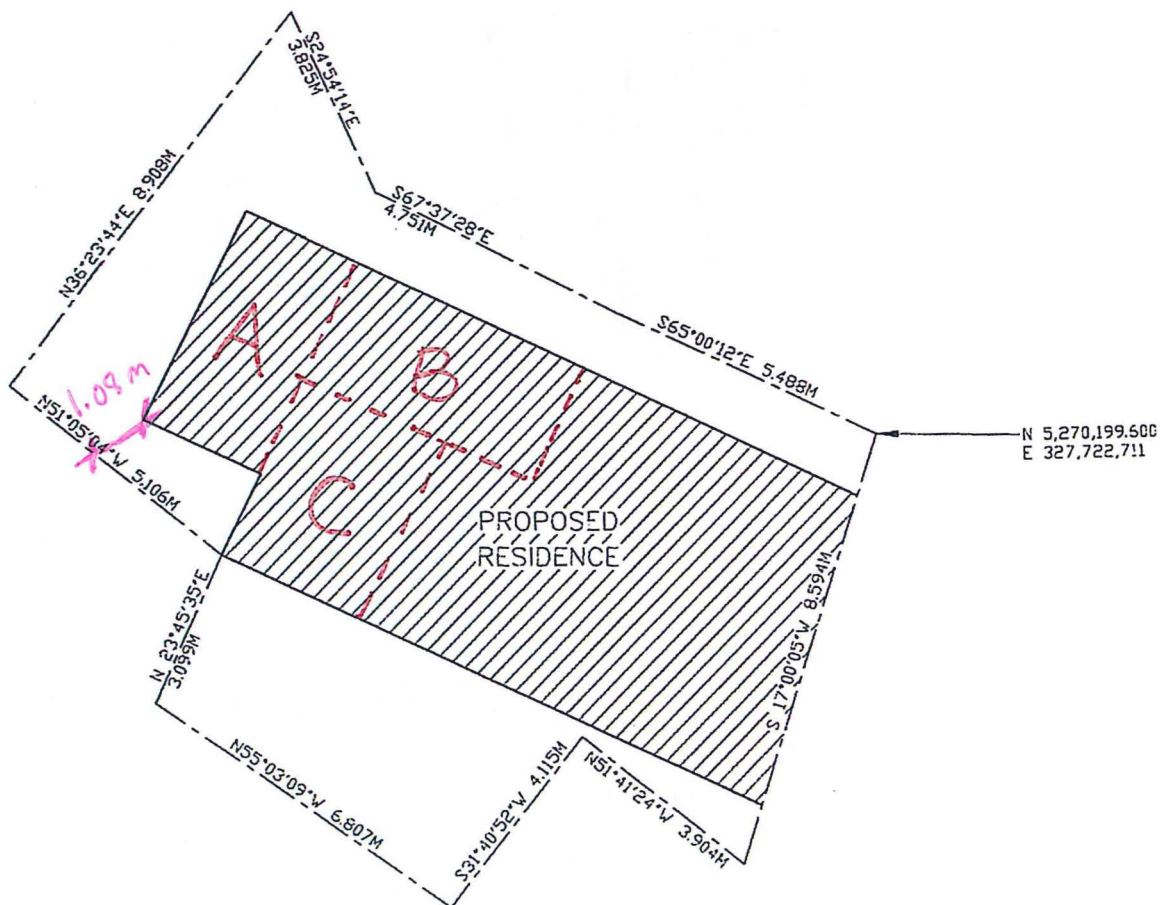


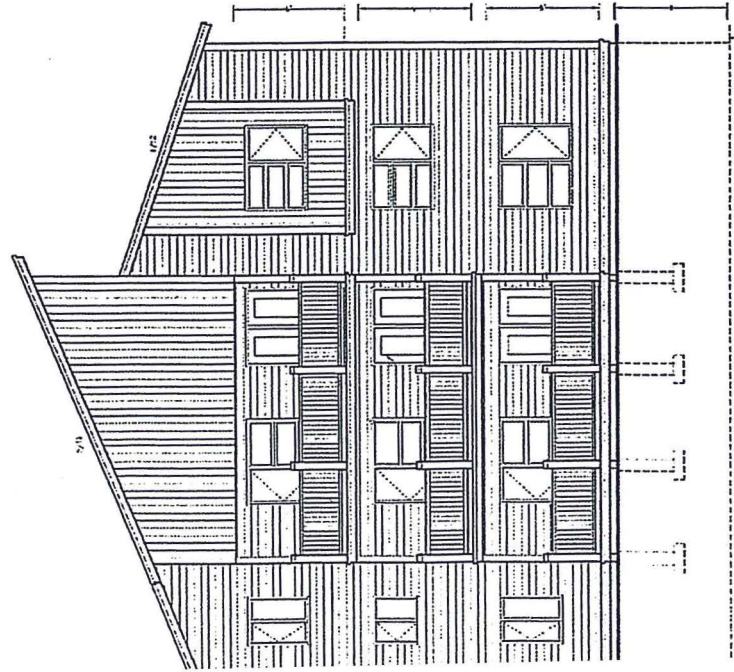
SUBJECT PROPERTY

GRID NORTH
C.M. = 53°W (ZONE 1)

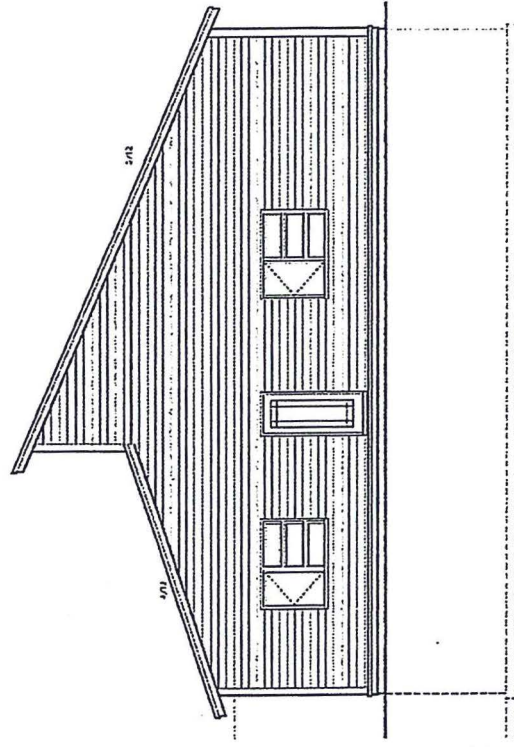


GRID NORTH
C.M. = 53°W (ZONE 1)

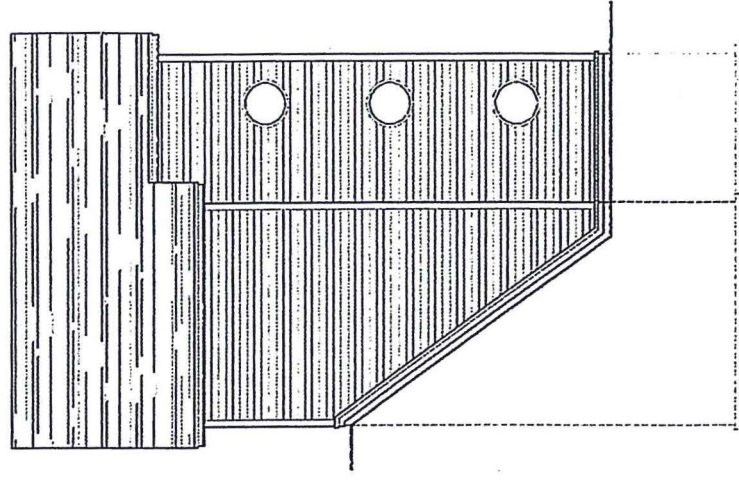




MIDDLE BATTERY ROAD ELEVATION



TOP BATTERY ROAD ELEVATION



WEST ELEVATION