

# DECISION/DIRECTION NOTE

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

**Date Prepared:** September 11, 2019

**Report To:** His Worship the Mayor and Members of Council

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

**Ward:** 2

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**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.

As per Council's Directive on August 19, 2019, the application for 1 Top Battery Road was referred to the Built Heritage Experts Panel(BHEP) for further consideration. The BHEP recommended to approve renovations at 1 Top Battery Road with the following conditions:

- Windows at the rear of the dwelling must be a single-hung windows style. Double single-hung windows may be accepted.

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. In this case, a staff report was accepted as the LUAR.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not Applicable.
2. Partners or Other Stakeholders:  
Nearby residents

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# ST. JOHN'S

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 with the following condition:

- Windows at the rear of the dwelling must be a single-hung windows style. Double single-hung windows may be accepted.

**Prepared by/Signature:**

Andrea Roberts, Development Officer

Signature: \_\_\_\_\_

**Approved by/Date/Signature:**

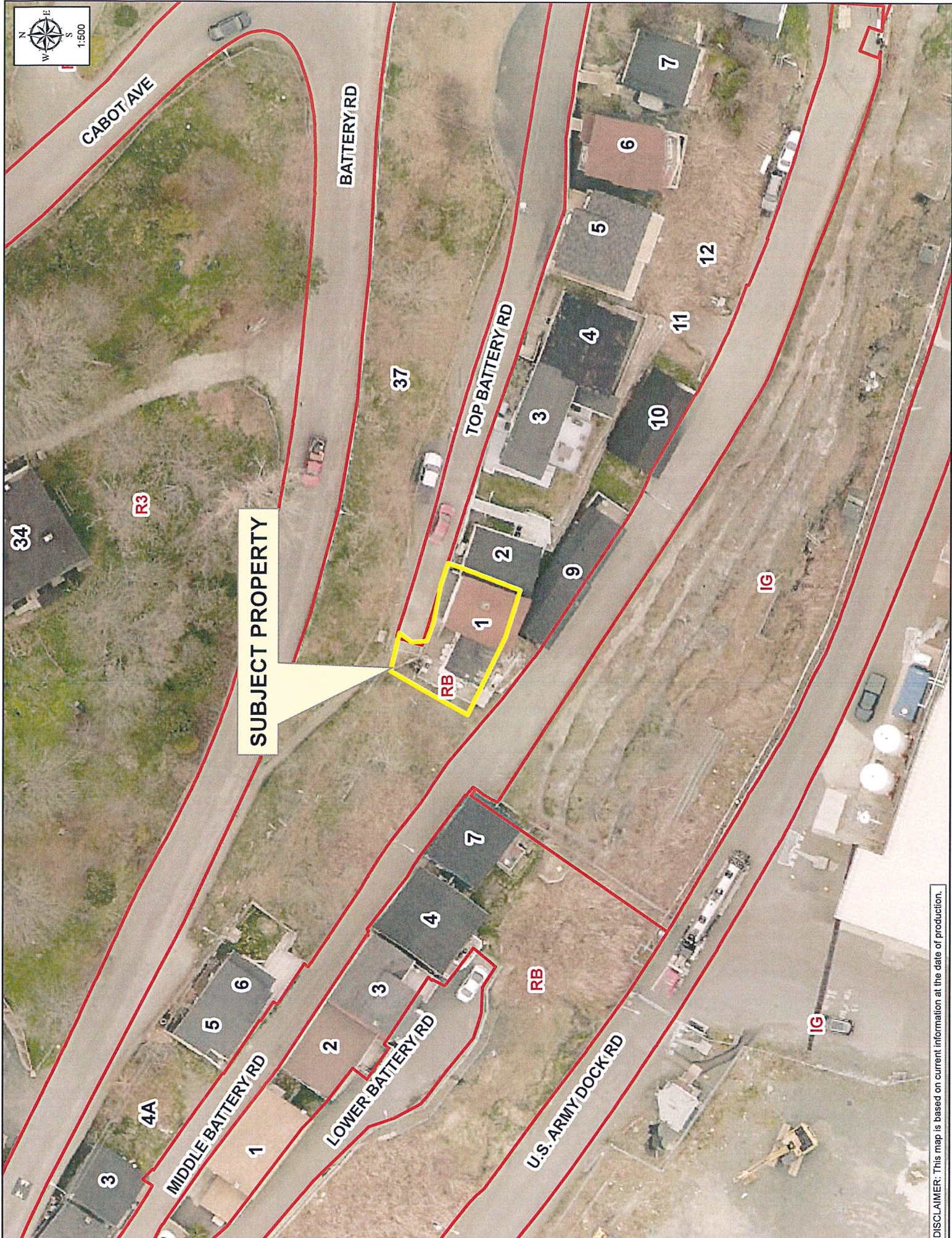
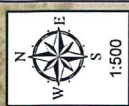
Jason Sinyard, P. Eng., MBA, Deputy City Manager,  
Planning, Engineering & Regulatory Services

Signature: \_\_\_\_\_

AAR/dlm

**Attachments:**      Location Map





**SUBJECT PROPERTY**