

DECISION/DIRECTION NOTE

Title:	Rebuild of Non-Conforming Dwelling – 11 Summer Street – DEV2300051
Date Prepared:	May 10, 2023
Report To:	Regular Meeting of Council
Councillor and Role:	Councillor Jamie Korab, Development
Ward:	Ward 2

Decision/Direction Required: Request for Council to approve the rebuild of a Non-Conforming Dwelling at 11 Summer Street.

Discussion – Background and Current Status:

An application was submitted to demolish and rebuild a Dwelling at 11 Summer Street. The existing Dwelling is currently non-conforming, as the Building Line and all Yard setbacks do not conform to the Residential 3 (R3) Zone Standards. The proposed rebuild of the Dwelling on the existing non-conforming footprint can be considered by Council as per Section 7.5 (3)(a) of the Envision St. John's Development Regulations, where a "Non-Conforming Building, structure or Development shall not be internally or externally varied, extension or expanded without Council approval".

Existing Non-Conforming setbacks for the new Dwelling would remain as follows:

- Building Line – 0.975 metres on the NW corner and 1.106 metres on the NE corner;
- Rear Yard – 2.8 metres
- West Side Yard – 0.523 metres on the NW corner and 0.575 metres on the SW corner;
- East Side Yard – 0.554 metres on the NE corner and 0.4 metres on the SE corner.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

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4. Alignment with Adopted Plans: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Envision Development Regulations Section 7.5 "Non-Conforming" and Section 10 "Residential 3 (R3) Zone".
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council approve the rebuild of the Non-Conforming Dwelling at 11 Summer Street with the following Existing Non-Conforming Zone requirements:

- Building Line – 0.975 metres on the NW corner and 1.106 metres on the NE corner;
- Rear Yard setback – 2.8 metres
- West Side Yard – 0.523 metres on the NW corner and 0.575 metres on the SW corner;
- East Side Yard – 0.554 metres on the NE corner and 0.4 metres on the SE corner.

Prepared by:

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Planning, Engineering & Regulatory Services

Approved by:

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

Report Approval Details

Document Title:	Development Committee - Rebuild of Non-Conforming Building – 11 Summer Street – DEV2300051.docx
Attachments:	- Aerial Map 11 Summer St.pdf - Location Plan 11 Summer St.pdf
Final Approval Date:	May 10, 2023

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

Lindsay Lyghtle Brushett - May 10, 2023 - 1:18 PM

Jason Sinyard - May 10, 2023 - 4:30 PM