

DECISION/DIRECTION NOTE

Title: Re-establish the Building Line Setback and Side Yard Variance – 9 Anderson Avenue – DEV2400147

Date Prepared: November 19, 2024

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

To seek approval to re-establish the Building Line Setback and a 10% Variance on the Side Yard Setback to accommodate the construction of a Four-Plex on a Corner Lot at 9 Anderson Avenue.

Discussion – Background and Current Status:

An application was submitted at 9 Anderson Avenue to construct a Four-Plex on a Corner Lot under the Housing Accelerator Fund (HAF). The proposed Four-Plex will have a Building Line of 3.6 metres. The minimum Building Line in the Residential 1 (R1) Zone is 6 metres. As per **Section 7.2.1(a) of the St. John's Development Regulations**, Council shall have the power to establish or re-establish the Building Line for any Street, or for any Lot on a Street, at any point or place that Council deems appropriate. The proposed setback is in line with existing development along the Street.

The property requires a minimum Side Yard setback (abutting a street) of 6 metres. The applicant has requested a variance of 10%, which will result in a Side Yard setback of 5.4 metres. **Section 7.4 of the Envision St. John's Development Regulations** allows up to a 10% Variance from any applicable requirement to be considered. The reduction will cause no concern with snow storage or sight lines.

Notices were issued to all adjacent properties regarding the request for a Variance. One submission was received in opposition citing the existing concerns about existing tenants ranging from noise, vehicles parking in the street, debris on the property and snow being piled on the adjacent lawns. These concerns were reported to #311, while some of the items are also a civil matter.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

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2. Partners or Other Stakeholders: Written notices were sent to property owners whose land abuts the Development that is subject to the Variance.
3. Is this a New Plan or Strategy: No
4. Alignment with Strategic Directions:

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

Choose an item.
5. Alignment with Adopted Plans: St. John's Municipal Plan and Development Regulations.
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **Envision St. John's Development Regulations Section (5)(c) Building Line", Section 7.2.1(a) "Building Lines -Yards", Section 7.4 "Variance" and Section 10 "Residential 1 (R1) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Not applicable.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council approve a Building Line Setback at 3.6 metres and a Variance of 10% for a Side Yard Setback of 5.4 metres at 9 Anderson Avenue to accommodate a Four-Plex on a Corner Lot.

Prepared by:

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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 Committe- Request to Re-Establish the Building Line amd Variance for Side Yard - 9 Anderson Avenue - DEV2400147.docx
Attachments:	- 9 Anderson Avenue.pdf
Final Approval Date:	Nov 20, 2024

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

Lindsay Lyghtle Brushett - Nov 20, 2024 - 2:06 PM

Jason Sinyard - Nov 20, 2024 - 3:34 PM