

DECISION/DIRECTION NOTE

Title: Change to Non-Conforming Building – 117 Newtown Road – DEV2400007

Date Prepared: January 22, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

Request for Council to approve interior changes to an existing Non-Conforming Building to allow a Four-Plex at 117 Newtown Road.

Discussion – Background and Current Status:

An application was submitted to add 2 additional residential dwelling units to the existing dwelling at 117 Newtown Road, to create a Four-Plex. The building is considered as existing non-conforming, as it does not meet the minimum Rear Yard or Side Yard setbacks for the Residential 2 (R2) Zone; existing Rear Yard is 1.22 metres and the side yard on the flanking street is 3.59 metres.

As per **Section 7.5.3(a)** “a Non-Conforming Building, structure or Development shall not be internally or externally varied, extended or expanded without Council approval.” The new use does not make the building more non-conforming, and the only change will be to the internal structure of the dwelling to create the additional dwelling units.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
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.

ST. JOHN'S

5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **St. John's Development Regulations Section 7.5 "Non-Conforming" and Section 10 "Residential 2 (R2) 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 the interior changes to the existing non-conforming building to allow a Four-Plex at 117 Newtown Road.

Prepared by:

Andrea Roberts, P. Tech, Senior Development Officer
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 - Set Zone Requirements on Non-Conforming Lot – 117 Newtown Road – DEV2400007.docx
Attachments:	- Aerial Map.pdf - House Location.pdf
Final Approval Date:	Jan 22, 2025

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

Lindsay Lyghtle Brushett - Jan 22, 2025 - 9:11 AM

Jason Sinyard - Jan 22, 2025 - 11:42 AM