

DECISION/DIRECTION NOTE

Title: Proposed Variance and Request to Establish the Building Line – 130 Diamond Marsh Drive – SUB2400069

Date Prepared: January 22, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 5

Decision/Direction Required:

To seek approval for an 10% Variance on the Rear Yard setback and to Establish the Building Line for a Single Detached Dwelling at 130 Diamond Marsh Drive.

Discussion – Background and Current Status:

An application was submitted to subdivide land for a Single Detached Dwelling at 130 Diamond Marsh Drive (land adjacent 23 Diamond Marsh Drive). The property is zoned Residential 1 (R1), and the minimum Rear Yard setback for a Single Detached Dwelling is 6m as per the **Development Regulations**. To accommodate the proposed development a variance of 10% is required, resulting in a Rear Yard setback of 5.4m. **Section 7.4** of the **St. John's Development Regulations** provides that up to a 10% variance from any applicable requirement may be considered. Abutting property owners have been notified and no concerns were received.

A request was also submitted to reduce the building line to 5.12 metres due to the narrow depth of the lot. Based on the size of the Lot, the proposed footprint of the home is the smallest that is practical to be built. 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 situate thereon, at any point or place that Council deems appropriate.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighbouring property owners.
3. Is this a New Plan or Strategy: No

The logo for St. John's features the words "ST. JOHN'S" in a bold, serif font. The letter "O" in "JOHN'S" is replaced by a stylized icon of a signal tower or antenna.

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: **St. John's Development Regulations Section 7.4 "Variances," Section 7.2.1(a) "Building Lines-Yards" and Section 10 "Residential 1 (R1) Zone".**

8. Privacy Implications: Not applicable.

9. Engagement and Communications Considerations: Written notices were sent to all persons whose land abuts the Development that is subject of the Variance.

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 10% Variance to allow a Rear Yard setback of 5.4 metres and establish the Building Line at 5.12m for 130 Diamond Marsh Drive to allow a Single Detached Dwelling.

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 Committee - Proposed Variance and Request to Re-Establish Building Line – 130 Diamond Marsh Drive – SUB2400069.docx
Attachments:	- 23 DIAMOND MARSH DRIVE.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 - 3:23 PM

Jason Sinyard - Jan 22, 2025 - 4:35 PM