

DECISION/DIRECTION NOTE

Title: Proposed Subdivide for Two Additional Building Lots
36 Cabot Avenue
SUB2000006

Date Prepared: June 16, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required:

To seek approval to create two additional building lots for single detached dwellings at 36 Cabot Avenue.

Discussion – Background and Current Status:

The City has received an application to subdivide the property at 36 Cabot Avenue into three lots. The subdivision would add two building lots with single detached dwellings fronting Battery Road. Each dwelling is proposed to be a 3 storey, Single Detached Dwelling with an inhouse garage. Each Lot meets the Residential Battery (RB) Zone Requirements. The proposed Floor Area for the Dwelling located on Lot A is 148.65 m², while the Floor Area for the Dwelling on Lot B is 232.25 m².

As per the St. John's Development Regulations Appendix A: *Footprint and Height Control Overlay for the Battery Development Area*, the existing dwelling at 36 Cabot Avenue is identified, however the appendix does not consider the Lot being subdivided for additional buildings. Since the table is silent, Section 7.28 of the Development Regulations allows Council to approve development in the Battery Development Area, provided the applicant undertakes a Land Use Assessment Report (LUAR) on the proposed development. Planning, Engineering & Regulatory Services has received the LUAR for the subject property and is satisfied with the information provided. Property owners within the development area that could be affected by the proposal were notified in writing. There has been no response.

The proposed dwellings are comparable in size and scale with other dwellings within the area. The properties are required to meet the standard of Heritage Area. The application was referred to the Built Heritage Experts Panel and Council will be provided their recommendation in a separate Decision Note.

To accommodate the proposed dwellings based on the slope of the land, the applicant is requesting Council re-establish the building line at 3.0 meters, which would make the proposed Single Detached Dwelling in line with the adjacent, existing Semi-detached Dwellings on Battery Road. Council has the power to establish or re-establish the Building Line for any

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existing Street Subject to Section 8.3.1.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: Battery Development Guidelines Study.
4. Legal or Policy Implications: St. John's Development Regulations Section 10.8; Section 7.28; Section 8.3.1; and Appendix A.
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:

Recommendation:

That Council approve the subdivision of two additional Lots at 36 Cabot Avenue and to re-establish the Building Line for each Lot at 3.0 meters.

Prepared by:

Approved by:

Report Approval Details

Document Title:	Development Committee- Request for Subdivide and re-establish building line at 36 Cabot Avenue- SUB2000006.docx
Attachments:	- 36CabotStreet.pdf
Final Approval Date:	Jun 18, 2020

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

Lindsay Lyghtle Brushett - Jun 16, 2020 - 4:57 PM

Jason Sinyard - Jun 18, 2020 - 12:08 PM