

# DECISION/DIRECTION NOTE

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**Title:** 52 Stamp's Lane Adoption, REZ2000006

**Date Prepared:** November 3, 2020

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 4

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## **Decision/Direction Required:**

That Council adopt the attached resolution for St. John's Development Regulations Amendment 713, 2020, regarding Subsidiary Apartments, prompted by an application at 52 Stamp's Lane.

## **Discussion – Background and Current Status:**

The City has received an application from JCK Properties to develop a Single Detached Dwelling with a Subsidiary Apartment at 52 Stamp's Lane. The former house at this site was recently demolished. The property is zoned Residential Low Density (R1) in which both uses are permitted, however a text amendment is required due to the size of the proposed Subsidiary Apartment

Under the Development Regulations, Subsidiary Apartment is defined as "a Suite within a Single Detached Dwelling whose Floor Area does not exceed 40% of the Gross Floor Area of the Dwelling". For this development, the applicant is proposing that the main unit will have an area of 109.1 square metres (1,174 square feet) and the Subsidiary Apartment will have an area of 103.8 square metres (1,117 square feet). That would make the Subsidiary Apartment approximately 48.5% of the Gross Floor Area.

The definition of Subsidiary Apartment in the draft Envision St. John's Development Regulations (used in the attached amendment) provides flexibility on the size of Subsidiary Apartments by removing the percentage requirement, and would allow this development to proceed as proposed. While the text amendment was prompted by the application at 52 Stamp's Lane, it would apply to Subsidiary Apartments anywhere in the city.

The proposed amendment was advertised on two occasions in *The Telegram* newspaper and was posted on the City's website. Property owners within 150 metres of the application site were notified. One written submission was received by the City Clerk and is included in Council's agenda package.

The resident who wrote in raises concerns that the amendment would allow the introduction of Semi-Detached Dwellings to the R1 Zone. While the current and proposed definitions do not dictate the location of the Subsidiary Apartment within the dwelling (it need not be in the

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basement), this would not be a Semi-Detached Dwelling. Semi-Detached Dwellings (also called double houses), are required to have each unit on a separate lot and need to be a listed use in a Zone in order to be considered. (The only exception to this would be Semi-Detached Dwellings in a condominium development, where all houses are located on one lot that is in common ownership by the condo corporation.)

The new definition of Subsidiary Apartment still requires that the apartment is subordinate to the main dwelling unit and is located on the same lot. The proposed amendment only removes the percentage requirement of the apartment to allow flexibility in design.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners near 52 Stamp's Lane and wherever Subsidiary Apartments are located or may be built.
3. Alignment with Strategic Directions/Adopted Plans:  
*St. John's Strategic Plan 2019-2029 – A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: A text amendment to the St. John's Development Regulations is required to change the definition of a Subsidiary Apartment.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: The application was advertised in *The Telegram* newspaper and on the City's website, and notices were mailed to property owners within 150 metres of the application site.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That Council adopt St. John's Development Regulations Amendment Number 713, 2020, which will update the definition of Subsidiary Apartment.

**Prepared by: Ann-Marie Cashin, MCIP, Planner III – Urban Design & Heritage**

**Approved by: Ken O'Brien, MCIP, Chief Municipal Planner**

**Report Approval Details**

Document Title:	52 Stamp's Lane Adoption, REZ2000006.docx
Attachments:	- 52 Stamp's Lane - Adoption Attachments.pdf
Final Approval Date:	Nov 5, 2020

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

**Ken O'Brien - Nov 5, 2020 - 12:41 PM**

**Jason Sinyard - Nov 5, 2020 - 2:24 PM**