

DECISION/DIRECTION NOTE

Title: Proposed expansion of Non-conforming Use for Place of Worship – 109 Blackmarsh Road – DEV2500036

Date Prepared: March 18, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley

Ward: Ward 3

Decision/Direction Required:

To seek approval to expand an existing Non-conforming Use (Place of Worship) and parking relief for 3 spaces at 109 Blackmarsh Road.

Discussion – Background and Current Status:

An application was submitted to add an additional 202 m² to the existing Place of Worship at 109 Blackmarsh Road. The Use is currently non-conforming as the property is located in the Industrial Commercial (IC) Zone and Place of Worship is not permitted. Subject to **Section 7.5.3(a)**, a “Non-conforming Building shall not be internally or externally varied without Council approval.” There will be no change to the existing building footprint, only reconfiguration of the interior space, which will not make the building more non-conforming.

As per Section 8.3 of the Development Regulations, sixty-one (61) parking spaces are required for all on-site uses (Place of Worship, Health & Wellness and Warehouse), but only fifty-eight (58) parking spaces are available. The applicant is therefore requesting parking relief for three (3) parking spaces. Rationale from the applicant for parking relief is that the Uses within the Building have staggered hours of operation, the hours for Place of Worship will vary from the classroom use (new expanded area) and the property is located on a Metrobus route. As per Section 8.12 of the Development Regulations, where an applicant wishes to provide a different number of parking spaces than those required, Council shall require a Parking Report. Where in the opinion of Council that the requested change does not merit a Parking Report, Council may accept a staff report, which is presented as this Decision Note.

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

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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 7.5 "Non-conforming," Section 8.2 "Parking Standards," Section 8.12 "Parking Report," and Section 10 "Industrial Commercial (IC) 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 expansion of Non-conforming Use at 109 Blackmarsh Road and parking relief for three (3) spaces for the Place of Worship.

Prepared by:

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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- Expansion of Non-conforming Use - 109 Blackmarsh Road- DEV2500036.docx
Attachments:	- 109BlackmashRd.png
Final Approval Date:	Mar 19, 2025

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

Lindsay Lyghtle Brushett - Mar 19, 2025 - 10:54 AM

Jason Sinyard - Mar 19, 2025 - 10:55 AM