

# DECISION/DIRECTION NOTE

**Title:** Proposed Subsidiary Dwelling in a Non-Conforming Dwelling and Parking Relief – 26 Major’s Path – DEV2500040

**Date Prepared:** April 1, 2025

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Carl Ridgeley, Development

**Ward:** Ward 1

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## **Decision/Direction Required:**

To seek approval to add a Subsidiary Dwelling Unit within an existing Non-conforming Dwelling and parking relief for one (1) parking space at 26 Major’s Path.

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

An application was submitted to add a Subsidiary Dwelling Unit to the existing Semi-Detached Dwelling at 26 Major’s Path. The Use is currently non-conforming as the property is located within the Industrial Commercial (IC) Zone. 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 dwelling footprint, only reconfiguration of the interior space, which will not make the dwelling more non-conforming.

As per **Section 8.3 of the Envision Development Regulations**, 1 space per Dwelling Unit is required for the new unit. There is currently space on-site for the existing unit, therefore parking relief for 1 parking space is requested. The rationale for relieving this parking space is that a stacked parking space will be added to the site and there is a bus stop and route directly in front of the property.

As per **Section 8.12 of the Development Regulations**, where an applicant wishes to provide a different number of parking spaces other than those required, Council shall require a Parking Report. Where in the opinion of Council that the change requested does not merit a Parking Report, Council may accept a staff report in lieu, 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 8.3 "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 addition of a Subsidiary Dwelling Unit within the Non-Conforming Dwelling and relieve one (1) parking space at 26 Major's Path.

**Prepared by:**

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**Approved by:**

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Planning, Engineering & Regulatory Services

### Report Approval Details

Document Title:	Development Committe- Proposed Subsidiary Apartment in Non-Conforming Dwelling - 26 Major's Path - DEV2400137.docx
Attachments:	- 26Major'sPath.png
Final Approval Date:	Apr 3, 2025

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

**Lindsay Lyghle Brushett - Apr 1, 2025 - 1:27 PM**

**Jason Sinyard - Apr 3, 2025 - 9:47 AM**