

## Decision Note

<b>Title:</b>	Notices Published – 75-81 Harvey Road - DEV2400171
<b>Date Prepared:</b>	June 10, 2025
<b>Report To:</b>	Regular Meeting of Council
<b>Councillor and Role:</b>	Councillor Carl Ridgeley, Development
<b>Ward:</b>	Ward 2

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### **Decision/Direction Required:**

A Discretionary Use application has been submitted for 75-81 Harvey Road.

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

The proposed application is for two Dwelling Units on the 1<sup>st</sup> Storey of the existing building. The residential Dwelling Units will occupy an area of approximately 83m<sup>2</sup>. Parking relief will be required. The proposed application site is in the Commercial Mixed Use (CM) Zone.

Six submissions were received. One submission as in support while others raised concerns including a lack of parking, maintaining a commercial use is critical for the area, concerns on parking relief, and that the area is loud and busy and not suitable for residential development.

In April 2024, a discretionary use application was made for this site for one residential unit, which was rejected as it was not compatible with surrounding commercial uses and it would prevent use of the space for a commercial purpose. The Municipal Plan provides provisions in the commercial district to allow for the development of residential dwelling units provided they do not prevent an area from being used for commercial purposes.

The applicant notes that the building has been for sale for the past five years with no interest; the only inquiries were for residential rental. Over the past five years it has been empty most of the time. The cost of an empty commercial building with no revenue coming in, makes upkeep difficult. The applicant notes they would rather have the lower residential rates than an empty building. Due to the current housing crisis, there is a need for more dwelling units. Where this is not a rezoning, the commercial zone would stay in place, allowing the space to be converted back to a commercial use in the future, should the residential application be considered.

Under the Development Regulations only one parking space would be required; one unit is a micro unit and no parking is required. No parking is available on-site therefore the applicant has requested parking relief. This area of Harvey Road is in a commercial parking area, therefore residential parking permits are not available. There is paid parking spaces in the area and after 6pm and weekend parking is free. The building location is within the downtown making it walkable and is located on a bus 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 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 Interested Parties: Property owner and neighboring property owners.
3. Is this a New Plan or Strategy: No
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 8 "Parking Requirements", Section 10.5 "Discretionary Uses" and Section 10 "Commercial Mixed Use (CM) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public advertisement in accordance with **Section 4.8 Public Consultation of the St. John's Envision Development Regulations.** The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.

10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Information Management Implications: Not applicable.
14. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Discretionary Use application for 75-81 Harvey Road for two Dwelling Units on the 1st Storey of the building and approve parking relief for one space.

**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:	Notices Published - 75- 81 Harvey Road.docx
Attachments:	
Final Approval Date:	Jun 12, 2025

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

**Lindsay Lyghtle Brushett - Jun 10, 2025 - 3:50 PM**

**Jason Sinyard - Jun 12, 2025 - 2:40 PM**