ST. JOHN'S

Decision Note

Title: Text Amendment – Definition of Dwelling Unit

Date Prepared: August 6, 2026

Report To: Regular Meeting of Council

Councillor and Role: Councillor Tom Davis - Planning

Ward: N/A

Decision/Direction Required:
To consider a text amendment to the Envision St. John's Development Regulations to update the definition of a dwelling unit.

Discussion – Background and Current Status:
The proposed amendment to the Envision St. John's Development Regulations will update the definition of a dwelling unit. The revised definition will serve as the standard definition used across all divisions within the City, ensuring consistent interpretation and application of what constitutes a dwelling unit in municipal regulations, programs, and services. This approach is consistent with City of St. John's past practice and past court interpretation.

In the Development Regulations, the current definition is:
DWELLING UNIT means any Building, or portion thereof, which is occupied in whole or in part, as the home or residence of one or more human beings, with kitchen and bathroom facilities for the resident(s).

Staff propose replacing the current definition of "Dwelling Unit" with the following:
DWELLING UNIT means any Building, or self-contained portion thereof, having the following features:

- *Sleeping facilities.*
- *Washroom facilities with a toilet, sink and tub and/or shower; and*
- *Kitchen facilities with a sink, refrigerator and conventional stove or cooktop together with wall oven.*

This updated definition clarifies the features hat must be included in a dwelling unit and describes the elements in washroom and kitchen facilities. The new definition removes the reference to a dwelling unit having to be "occupied", thus clarifying that a vacant unit is still considered a dwelling unit.

Public Consultation

Public consultation will be carried out in accordance with Section 4.8 of the Development Regulations. As this is a simple text amendment to revise the wording of an existing definition, staff recommend public notification (not a public meeting).

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.

2. Partners or Interested Parties: Various City divisions that use the definition of a dwelling unit, including Planning & Development, Regulatory Services, Legal, Assessment, and Land Information Systems.

3. Is this a New Plan, Master Plan, Strategy, Report, or Framework: 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.

   An Effective City: Ensure accountability and good governance through transparent and open decision making.

5. Alignment with Adopted Plans: Envision St. John's Municipal Plan and Development Regulations.

6. Accessibility and Inclusion: Not applicable.

7. Legal or Policy Implications: A text amendment to the Envision St. John's Development Regulations is required.

8. Privacy Implications: Not applicable.

9. Engagement and Communications Considerations:

10. Human Resource Implications: Creating a consistent, clear definition of a dwelling unit for use throughout all City departments will improve workflows. Removing the reference to "occupied" in the definition will reduce the administrative burden of needing to determine the occupancy status of a unit.

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 consider a text amendment to the Envision St. John's Development Regulations to update the definition of a dwelling unit. Further, that the text amendment be publicly advertised in accordance with the Development Regulations.

Prepared by: Faith Ford, MCIP, Planner III
Approved by: Ken O'Brien, MCIP, Chief Municipal Planner

Report Approval Details

Document Title:	Text Amendment – Definition of Dwelling Unit.docx
Attachments:	
Final Approval Date:	Aug 6, 2026

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

Ken O'Brien - Aug 6, 2026 - 11:26 AM

No Signature - Task assigned to Jason Sinyard was completed by delegate Ken O'Brien

Jason Sinyard - Aug 6, 2026 - 12:35 PM