

DECISION/DIRECTION NOTE

Title: E-Poll - Discretionary Use – 20 Gower Street.

Date Prepared: December 16, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

20 Gower Street:

A Discretionary Use application has been submitted to convert an existing Dwelling at 20 Gower Street into a Bed & Breakfast and Eating Establishment. The dwelling is in the Residential Downtown (RD) Zone and the proposed Bed and Breakfast Use is considered a Permitted Use. The Dwelling is a designated Heritage Building, therefore Heritage Use which “means any Use of a designated heritage building which is, in Council’s opinion, is compatible with the adjoining Uses” may be considered. In this case the proposed Heritage Use is for an Eating Establishment.

The proposed Bed & Breakfast will have 5 rooms, while the Eating Establishment (Heritage Use) will occupy a floor area of 37m² with seating for 12 people. The proposed hours of operation for the Eating Establishment will be 7 days a week from 10 a.m.-11 p.m., by reservation only. A restaurant liquor license is proposed.

Parking is a major concern for many of those who provided comments. This particular property falls within the Downtown Parking Area and since the building is not being expanded, no additional onsite parking is required. In the case of non-residential uses, only Lots over 350m² require parking spaces to be provided for new development, and the proposed Lot area is under this requirement.

Parking concerns were referred to our Transportation Engineering division for review. In this area parking is regulated as a maximum of 2hrs between 9am and 5pm on Monday to Friday. Parking in the area is in high demand, but the additional parking generated from this use would be negligible and should not be a concern for the area.

The back yard of this property is shared with 18, 20, and 22 Gower Street. The owner states that as they only own 20 Gower, the majority of the garden is owned by our neighbors, and any use of our portion of the garden would have to be with consideration of our neighbors and have no intentions of using the back yard for the ‘eating establishment’. The owner does state the once the B&B is open, that guests will visit the garden, or choose to sit on the deck. An outdoor eating area is also considered as a discretionary use and the owner would need to be make an application for approval of this use, which would require further advertising.

ST. JOHN'S

Recommendation:

That the Discretionary Use Application to convert an existing Dwelling at 20 Gower Street into a Bed & Breakfast and Eating Establishment be approved subject to meeting all applicable requirements.

NOTICES PUBLISHED

Applications which have been advertised in accordance with the requirements of Section 5.5 of the St. John's Development Regulations and which are to be considered for approval by Council **via e-poll on December 16, 2020.**

Property Location/ Zone Designation And Ward	Application Details	Submissions Received	Planning and Development Division Notes
20 Gower Street Residential Downtown (RD) Zone Ward 2	Application A Discretionary Use Application has been submitted to convert an existing Dwelling (Heritage Building) into a Bed & Breakfast and Eating Establishment at 20 Gower Street. Description The proposed use is for 5 Bed & Breakfast rooms, while the Eating Establishment (Heritage Use) will occupy a floor area of 37m ² with seating for 12 people. Hours of operation for the Eating Establishment will be 7 days a week from 10 a.m. – 11 p.m., by reservation only. A restaurant liquor license is proposed.	10 Submissions Received (attached)	It is recommended to approve the application subject to meeting all applicable requirements.

Office of the City Clerk and the Department of Planning, Engineering and Regulatory Services, in joint effort, have sent written notification of the applications to property owners and occupants of buildings located within a minimum 150-metre radius of the application sites. Applications have also been advertised in The Telegram newspaper on at least one occasion, and applications are also posted on the City's website. Where written representations on an application have been received by the City Clerk's Department, these representations have been included in the agenda for the Regular Meeting of Council.

Jason Sinyard, P. Eng, MBA
Deputy City Manager,
Planning, Engineering and Regulatory Services

Result of E-Poll – December 17, 2020

Discretionary Use Application – 20 Gower Street

Resolution - That the Discretionary Use Application to convert an existing dwelling at 20 Gower Street into a bed and breakfast and eating establishment be approved subject to meeting all applicable requirements.

Councillor	Agree	Disagree	Did Not Vote
Mayor Breen	X		
Deputy Mayor O'Leary	X		
Councillor Burton			X
Councillor Lane			X
Councillor Hickman	X		
Councillor Hanlon	X		
Councillor Stapleton	X		
Councillor Skinner	X		
Councillor Korab	X		
Councillor Froude			X
Councillor Collins	X		

Karen Chafe

From: CityClerk
Sent: Tuesday, December 8, 2020 11:17 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Monday, December 7, 2020 12:09 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

My family and I reside at [REDACTED] Street. Our back garden abuts the backyard of the subject property. Regarding the application for discretionary use to convert 20 Gower Street into a B&B and eating establishment I wish to raise the following concerns:

1. Noise

The subject property is located in a residential neighbourhood and I am incensed that a proposal for a restaurant with liquor license, open every night to 11 pm, could possibly be considered. There was no mention of the eating establishment using the outdoor space behind the property, but if the applicants have any intention of doing this as well (for the restaurant or the entertainment of B&B guests) then the idea is even more intolerable. The constant noise would severely impact the peaceful enjoyment of our own property. That particular property, along with its two neighbouring properties have, over the years, been the sites of frequent loud late night parties - there is never any enforcement of noise bylaws and I fear allowing such a discretionary use would only make a bad problem worse.

2. Parking

I can imagine you hear parking complaints ad nauseum. Nevertheless, this would also be a huge issue. This is a residential neighbourhood with very few off-street parking options. On-street parking spots are already at a premium. Residents have permits, but it has been my experience that un-permitted cars being parked in front of my home and nearby homes are almost never ticketed. Allowing such an establishment into the neighbourhood would only make this problem worse. And, of course, winter conditions further compound this problem.

3. Zoning concerns

There are plenty of already commercially zoned buildings in the immediate vicinity that are standing empty. An example would be the derelict pool hall at the corner of Duckworth and Cochrane Streets. If the applicants wish to enter the restaurant business, should they not be required to consider options already commercially zoned rather than be allowed to change the character of a pleasant residential neighbourhood?



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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:40 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Application - 20 Gower Street

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Thursday, December 10, 2020 7:37 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Application - 20 Gower Street

Evening,

My name is [REDACTED] and I'm co-owner of Brewdock Beer Bar & Eatery located at 85 Duckworth Street. We at Brewdock would like to show our support for the Postmaster House. Their B&B and dining room are a perfect fit for our artisan district. It is great to see buildings in the area being renovated and repurposed and to see the area continue to grow.

Appreciate your time,

[REDACTED]
Brewdock Beer Bar & Eatery
Beach Head Brewing Co.
[REDACTED]

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From: [CityClerk](#)
To: [REDACTED] [CityClerk](#)
Cc: [Hubert Alacoque](#); [Maureen Harvey](#); [Shanna Fitzgerald](#); [Andrea Roberts](#); [Ann-Marie Cashin](#); [Ashley Murray](#); [Dave Wadden](#); [Jason Sinyard](#); [Karen Chafe](#); [Ken O'Brien](#); [Lindsay Lyghtle Brushett](#); [Planning](#)
Subject: RE: (EXT) 20 Gower Street proposed B & B and Eating Establishment
Date: Tuesday, December 15, 2020 11:28:34 AM

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 15, 2020 9:11 AM
To: CityClerk <cityclerk@stjohns.ca>
Cc: Hubert Alacoque <hubert.alacoque@iddel.ca>
Subject: (EXT) 20 Gower Street proposed B & B and Eating Establishment

To Whom it May Concern:

Regarding the proposal for 20 Gower Street, I have no problem with a B & B or Eating Establishment in the area or on the street. My only concern is the impact it will have on parking (which is paid for by the residents). It may not be a huge concern during summer months, but in winter months I would like to know how it will be managed. Currently, in winter months, it is challenging enough to shovel a parking space and then leave only to return to have either a vehicle without a permit parked there or another resident from the area parked there. In winter, the parking is additionally limited, with snow

banks taking up many spaces. Also worth noting, we are in a pandemic where many people are working from home, (with no end date in sight) and hence are parked on the street for longer periods of time, naturally. If the City already has considered this issue and have come up with a solution, that would be great.

I do not want my name or address publicly displayed in this matter.

Regards,

[REDACTED]

[REDACTED]

[REDACTED] This email may contain confidential and/or privileged information intended only for the individual(s) addressed in the message. If you are not the intended recipient, any other distribution, copying, or disclosure is strictly prohibited. If you have received this email in error, please notify me immediately by return email and delete the original message.

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Attention: City Clerk Ms. E Henley
2020

December 15,

Subject: Application - 20 Gower Street

To whom it may concern,

With regard to this application our concern is about the parking for the establishment and the capacity - if this is a Covid-19 capacity which would be increased later.

We are concerned about turnover and the number of cars seeking parking where there is already quite limited parking for residents.

Thank you for your consideration of these concerns.

We wish to remain anonymous.

Thank you,

██████████

██████████

██████████

Karen Chafe

From: CityClerk
Sent: Monday, December 7, 2020 11:33 AM
To: [REDACTED] CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Saturday, December 5, 2020 4:53 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Hello,

I am writing in regards to the Bed and Breakfast established at 20 Gower Street. We reside across the street at [REDACTED] St. Please provide this feedback anonymously.

We welcome entrepreneurial use of the vacant homes on our street. Our concerns are limited to the following:

1. Parking on the street in our area of Gower street is scarce and becomes much more so in the winter months. We are concerned that a bed and breakfast operating as a restaurant as well would create a lot of problems with parking. Where is parking to be done? How many guest passes will be provided to this business property? We would request that this be limited to the maximum number allowed per dwelling in a residential area.
2. A bed and breakfast and a restaurant are two different things. The fact that there will be lunch and dinner service 7 days a week could change the quality of the neighbourhood substantially. Noise is one concern, but so is the constant traffic and foot traffic that comes with a restaurant. Is this residential area zoned for a restaurant? What are the restrictions placed on such places when they cohabit a neighbourhood with families etc?

We want to see businesses succeed in our community, especially at this difficult time, but are concerned about the character of our street in line with the above concerns.

Thank you.

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Karen Chafe

From: CityClerk
Sent: Thursday, December 10, 2020 3:16 PM
To: [REDACTED]
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street feedback

Good Afternoon Lorne:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: Planning <planning@stjohns.ca>
Sent: Thursday, December 10, 2020 1:42 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: FW: (EXT) 20 Gower Street feedback

From: [REDACTED]
Sent: Thursday, December 10, 2020 12:52 PM
To: Planning <planning@stjohns.ca>
Subject: (EXT) 20 Gower Street feedback

To whom it may concern,

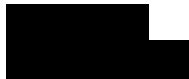
In reference to the 20 Gower Street proposal, I personally like it. Twelve people would provide a pretty unique and quaint atmosphere and of course provide a livelihood for the owners and a destination for many.

I think businesses like Halliday's, Georgetown Bakery, Volcano Bakery, Food for Thought, The Parlour, Caines, etc add so much to the downtown. **Without them, we are just a suburb that happens to be situated downtown.**

I realize the parking concerns, and fully understand the NIMBY sentiment, but I don't see this 12-seater being a major issue.

My one and only caveat would be that the proprietor consistently includes in their advertising, and advises all guests/reservations that they are "walking or taxi only, no parking provided on Gower or neighbouring streets".

Thank you,



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Karen Chafe

From: CityClerk
Sent: Monday, December 7, 2020 11:32 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Friday, December 4, 2020 9:43 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Good Evening,

[REDACTED]

My only concern about this application is how parking is going to work for the B&B/restaurant. With five rooms and 12 dining guests, I'm concerned about where they will park since we don't have a glut of parking spaces at that end of Gower/Wood Street.

The closing hours are in line with other establishments in this end of town.

Best regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We acknowledge that the lands on which Memorial University's campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi'kmaq, Innu, and Inuit of this province.

At Memorial University, the fall 2020 semester is proceeding in a primarily remote/online environment. As academic programs, research operations and student and administrative services continue, Memorial is committed to supporting students, faculty and staff to be safe and successful.

MUNup is a new online tools and resources hub to help students succeed while learning remotely. With transition and orientation programs, services, virtual events and community engagement opportunities, the sky's the limit.

For more information on Memorial University and COVID-19, visit <https://www.mun.ca/covid19/>

Courage is the price that life exacts for granting peace. The soul that knows it not, knows no release from little things; Knows not the livid loneliness of fear, nor mountain heights where bitter joy can hear the sound of wings. —Amelia Earhart

Remember that the most difficult tasks are consummated not by a single burst of energy or effort, but by consistent application of the best you have within you. —Og Mandino

The best teachers are not the ones who provide you all the answers. They're the ones who get deeply excited by the questions they cannot answer, the ones who teach how to question and doubt the things you learn. —Richard Feynman

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Karen Chafe

From: CityClerk
Sent: Thursday, December 3, 2020 9:41 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street

Good Morning:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 2, 2020 7:02 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street

Hello,

I have no objection to #20 Gower being a B & B, but I do object to a restaurant operating out of the same building.

This is a residential area, and it will devalue my property to have a noise maker next door, as well as clog up the little parking we have right now. If they want a restaurant, tell them to go down the hill to Duckworth Street, it shouldn't be allowed over here.

I own [REDACTED], [REDACTED]

[REDACTED]

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From: CityClerk
Sent: Friday, December 11, 2020 11:39 AM
To: [REDACTED], CityClerk
Cc: Andrea Roberts, Ann-Marie Cashin, Ashley Murray, Dave Wadden, Jason Sinyard, Karen Chafe, Ken O'Brien, Lindsay Lyghtle Brushett, Planning
Subject: RE: (EXT) 20 Gower Street Discretionary Use

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 9, 2020 11:19 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street Discretionary Use

We are in full support of the discretionary use at 20 Gower Street.

The 5 rooms and small eating area along with a respectable closing time seems like a great fit to the neighborhood. The city should support more projects like this to help diversify the downtown core, help neighborhoods become more walkable, livable and with the ability to conduct business in.

The downtown has many empty buildings and derelict buildings, so it's amazing to see the new ownership put life and renovations into this heritage building.

[REDACTED]
[REDACTED]
[REDACTED]

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Karen Chafe

From: CityClerk
Sent: Friday, December 11, 2020 11:39 AM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street Discretionary Use

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Wednesday, December 9, 2020 11:19 AM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street Discretionary Use

We are in full support of the discretionary use at 20 Gower Street.

The 5 rooms and small eating area along with a respectable closing time seems like a great fit to the neighborhood. The city should support more projects like this to help diversify the downtown core, help neighborhoods become more walkable, livable and with the ability to conduct business in.

The downtown has many empty buildings and derelict buildings, so it's amazing to see the new ownership put life and renovations into this heritage building.

[REDACTED]
St. John's, NL

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Karen Chafe

From: CityClerk
Sent: Tuesday, December 8, 2020 12:59 PM
To: [REDACTED]; CityClerk
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) 20 Gower Street - Comments

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be forwarded to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley
City Clerk
t. 576-8202
c. 691-0451

From: [REDACTED]
Sent: Tuesday, December 8, 2020 12:48 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 20 Gower Street - Comments

Hello,

I am a resident of [REDACTED] Street and the only concern I have with the Bed and Breakfast and Eating Establishment being established at 20 Gower Street is the parking. With all the AirBnBs in the neighbourhood, and its proximity to downtown, the neighbouring streets are overrun with guest parkers and non-permit parkers. Property owners with residential permits are often unable to secure a parking, which is rather frustrating. I would ask that guest parking permits not be provided for each occupant of the Bed and Breakfast (as that would mean 5 guest permits for what was intended as one resident), and that parking rules in the area are strictly adhered to by guests and monitored by the City.

If you have any questions, please let me know.

Thank you,

[REDACTED]

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