

DECISION/DIRECTION NOTE

Title: E-Poll - Discretionary Use – 79 MacBeth Drive.

Date Prepared: December 16, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

A Discretionary Use application has been submitted to operate a Retail Business as a Home Occupation, which will involve the sale of miscellaneous items online (example toys and clothing). Clients will pick up purchased items from the home and the business will operate daily between 9 a.m. and 8 p.m, while pickup times are by appointment only.

There was a concern with traffic and speed within the neighbourhood. Transportation Engineering provided the following response: surveys upstream and downstream of the curve in MacBeth at civic 79 have shown that the typical speeds are in the 45-50kph range and average speeds are around 40kph. With these speeds this area does not qualify for traffic calming. This is an area with ongoing complaints from a few residents but there is no evidence of a technical problem that needs to be addressed.

Recommendation:

That the Discretionary Use Application to operate a Retail Business a a Home Occupation at 79 MacBeth Drive be approved subject to meeting all applicable requirements.

ST. JOHN'S

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
79 MacBeth Drive Residential Low Density (R1) Zone Ward 1	Application A Discretionary Use Application has been submitted to operate a Retail Business as a Home Occupation at 79 MacBeth Drive. Description The business will involve the sale of miscellaneous items online (example toys and clothing), and clients will pick up purchased items from the home. The business will operate daily between 9 a.m. – 8 p.m. Pickup times will be by appointment only, with individual pickup spaces 15 minutes apart, 10-20 times per week. Two on-site parking spaces are provided for the business.	1 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 – 79 MacBeth Drive

Resolution “That Council approve the discretionary use application to operate a Retail Business Home Occupation at 79 MacBeth Drive.”

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	

From: [CityClerk](#)
To: [REDACTED]; [CityClerk](#)
Cc: [Garrett Donaher](#); [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) 79 MacBeth Drive
Date: Tuesday, December 15, 2020 11:23:11 AM

Good Morning:

We thank you for your feedback and advise that your email has been forwarded to the City's Department of Planning, Engineering & Regulatory Services for a response to the questions asked.

Elaine Henley

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


From: [REDACTED]
Sent: Monday, December 14, 2020 4:28 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) 79 MacBeth Drive

Good evening,

With regards to a Discretionary Use Application to operate a Retail Business as a Home Occupation at 79 Macbeth Drive, I humbly request that before any such application be considered let alone approved, that the City fulfill the commitment it made over two years ago to install speed bumps on the corner of Macbeth Drive that includes the address in question. Councillor Stapleton did email local residents on or about 2019/10/07 in which she stated and I quote "Macbeth is on our list for speed bumps". To date no speed bumps have been installed. In fact on 2020/10/09 Councillor Stapleton wrote that Macbeth Drive will NOT be receiving traffic calming. Now the City is considering bringing additional traffic to our corner, a corner we have been lobbying for traffic calming for over 12 years. There have been numerous reported near misses, and many, many emails, pictures sent and pleas made. This is a residential area. If the City wishes to bring commercial traffic to an area that has been reported as problematic from a traffic perspective, that is one thing, but could someone, anyone, your Worship, please, finally advise when traffic calming will be implemented. A response to this request is anticipated.

Regards,

[REDACTED]



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