

DECISION/DIRECTION NOTE

Title: Set the Parking Requirement for Change of Non-Conforming Use
27 Mayor Avenue
DEV200189

Date Prepared: January 11, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required:

To set the parking requirement for a Change of Non-Conforming Use application at 27 Mayor Avenue.

Discussion – Background and Current Status:

An application was submitted by Terra Bruce Productions Inc. for a Change of Non-Conforming Use from a dance studio (Judy Knee School of Dance) to a theatre rehearsal studio at 27 Mayor Avenue. The proposed Change of Non-Conforming Use has undergone public notification and will be referred to Council under Notices Published at the January 18th, 2021, Regular Meeting.

The proposed theatre rehearsal use will involve both office and rehearsal space for a theatre and TV production company and will occupy the space where the dance studio was located. There is an existing Dwelling Unit in the Building, which will remain. The proposed theatre rehearsal use will accommodate a maximum of 25 members. There will be no public business or customer interaction on site, and no public performances.

There are currently 13 parking spaces on site, one of which will be used for the existing Dwelling Unit and 12 parking spaces for the theatre rehearsal studio. As the parking requirement for a theatre rehearsal studio is not specified in the Development Regulations, it is to be set by Council as per Section 9.1.1.

The applicant has provided the following justification as to why they feel 12 parking spaces are sufficient for their business:

- 25 people is the maximum number of people working on a project at a time and the purchaser anticipates having that full complement on site at most 1 day per week and that would be during weekday working hours.

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- Many of the people who work on Terra Bruce Production projects do not live in Newfoundland and Labrador, and therefore stay in area hotels and travel by taxi or on foot.
- Of those who live in Newfoundland and Labrador, the vast majority live in the centre city and downtown areas and are dedicated pedestrians.
- Currently Terra Bruce Productions is operating at Club One on New Gower Street and their full complement is 24 staff on-site and again just one day a week. Currently they use 5 parking spaces leased from a private operator and it has proven more than adequate, given so few people actually drive to the site. Terra Bruce Productions expects the same to be the case at 27 Mayor Avenue: and
- Regarding the current owners use of the parking spaces, based on the class size it is hard to see how the purchaser's impact on the neighbourhood would be more than the current owners, particularly as dance classes would consist of a lot of dropping off and picking up of younger students and subsequently idling/blocking in the area which would cease once the purchasers take ownership.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans: *St. John's Strategic Plan 2019-2029 - A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: St. John's Development Regulations Section 5.5 and Section 9.1.1.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Change of Non-conforming Use advertised subject to Section 5.5.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council set the parking requirement at 12 parking spaces for the proposed theatre rehearsal studio at 27 Mayor Avenue subject to meeting all applicable regulatory requirements.

Prepared by:

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Planning, Engineering & Regulatory Services

Approved by:

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

Report Approval Details

Document Title:	Development Committee - Request fto Set Parking Requirement - 27 Mayor Avenue - DEV2000189.docx
Attachments:	- Aerial Map - 27 Mayor Ave.pdf
Final Approval Date:	Jan 14, 2021

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

Lindsay Lyghtle Brushett - Jan 13, 2021 - 10:58 AM

Jason Sinyard - Jan 14, 2021 - 11:13 AM