

Karen Chafe

From: Ken O'Brien
Sent: Tuesday, February 2, 2021 3:59 PM
To: CityClerk; [REDACTED]
Cc: Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Application to Operate Kinesio-Massage Therapy and Training Clinic at 32 Guzzwell Drive

To [REDACTED]: Thank you for your detailed comments and concerns. They have been circulated to all members of Council for consideration when they vote on the application.

I noted your comments about the zoning in place in your neighbourhood north of the bridge across the Virginia River. I wanted to point out that the zoning north and south of the bridge is the same, the Residential Low Density (R1) Zone. That permits single detached houses, with or without subsidiary or basement apartments, as well as some provision for limited home-based businesses. Thus, the applicants have applied, we have advertised their application, and Council will decide.

I'm aware of areas where the original neighbourhood was developed, possibly with covenants in place, to prevent basement apartments in houses. However, please note that this would be an agreement between private parties. The restriction may or may not be registered as part of the survey for the property. In any event, it is not part of the land-use zone under the St. John's Development Regulations and thus would not be enforced by the City.

The issue of basement apartments is not part of the current application, so I hesitated to bring it up here. But your email caught my eye.

That being said, I do appreciate your concern for your neighbourhood. Community interest helps make the city a great place to live.

Regards,

Ken O'Brien

Ken O'Brien, MCIP
Chief Municipal Planner
City of St. John's – Planning, Engineering and Regulatory Services
John J. Murphy Building (City Hall Annex), 4th floor (working from home)
Mail: PO Box 908, St. John's NL Canada A1C 5M2
Phone 709-576-6121 (rings to my home) Email kobrien@stjohns.ca www.stjohns.ca

From: CityClerk <cityclerk@stjohns.ca>
Sent: Monday, February 1, 2021 3:41 PM
To: [REDACTED] CityClerk <cityclerk@stjohns.ca>
Cc: Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Dave Wadden <dwadden@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Karen Chafe <kchafe@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>;

Planning <planning@stjohns.ca>

Subject: RE: (EXT) Application to Operate Kinesio-Massage Therapy and Training Clinic at 32 Guzzwell Drive

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: Monday, February 1, 2021 2:09 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Application to Operate Kinesio-Massage Therapy and Training Clinic at 32 Guzzwell Drive

The residents at [REDACTED] and [REDACTED] in a joint submission wish to go on record as **Opposing** this application.

We are in opposition to the business activity proposed in the application for the following reasons:

1. The older part (north of the bridge) of our subdivision is zoned R1 - Residential Exclusive.

We purchased our properties in the 1990's based upon that premise.

No one is permitted to even have a registered two apartment dwelling in the area.

Thus any resident who wanted to garner additional income from their properties to meet mortgage and other various expenses are unable to do so.

No business activity, not even home-based, was permitted in the area.

2. The anticipated negative impact upon our home values.

Years ago when the newer part (south of the bridge) of our subdivision was built, our home values were negatively impacted.

That newer construction allowed for (a) much lower priced homes being built and (2) two apartment dwellings being erected.

Unbelievable as it may sound that negative effect is still being felt in our reduced property values in 2021 vis-a-vis similar priced subdivisions that existed at the time.

3. The potential for such a business activity in the vicinity impinging upon the ability to sell our homes.

Potential buyers looking for a home within 150 metres of 32 Guzzwell Drive may be discouraged because of the proximity to the business activity.

This would result in a lost sale to current residents which would be magnified in down or depressed real estate markets.

4. It is indicated in written notice to residents that the applicant would be the sole employee.

There are two concerns here (a) adequate enforcement by the city to ensure compliance to the one employee scenario, and (b) the proposed business activity makes provision for a "Training Clinic". Under (b) that could entail more than one individual(s) being trained at any given time. If that were to occur then there would be insufficient parking spaces if, e.g. 4 or 5 individuals were being given training at the same time. There are only two parking spaces identified with this application.

In addition what is noted in theory often does not occur in practice. There is provision in the application for two off-street parking spaces. Be rest assured in reality this will not happen. Parking will occur on Walwyn Street and Guzzwell Drive near this property and some of it will be close to the stop sign for Walwyn Street. This becomes magnified with snow clearing during the winter months as there is no sidewalk on that side of Walwyn Street on which 32 Guzzwell Drive is bordering.

5. There will be some increase in the volume and flow affecting traffic patterns. Sufficient a concern given that children and pets are frequently on both streets near this property. This business activity will be ongoing for 6 days a week, and of that, Monday to Thursday until 7 pm in the evening. Children and pets will be on the street at that time, and, this situation becomes aggravated during the shortened hours of daylight during the winter months.

6. Those residents adjacent to or directly opposite this property on both Walwyn Street and Guzzwell Drive would have to take added precaution when leaving their driveways of not hitting a parked vehicle near this property or a moving vehicle into or out of this property.

7. The written notice to residents potentially affected by this application indicates "one client at a time for a 60 minute appointment, with a 60 minute buffer between appointments". Is this buffer because under the current covid environment a requirement for sanitizing the premises between client appointments? If so, then it is anticipated the number client visits to this business will increase when covid comes under control.

8. No matter what the scale or type of this business activity, it does not belong in a R1 Zoned Exclusive residential area. It belongs in a commercially zoned area. Business activity is business activity regardless of scale and how it is presented. So to approve this application is setting a precedent, and may result in further submissions, and or approvals of this type in the future. To approve this application will change permanently the character of our neighborhood.

Could the city clerks office please acknowledge receipt of our submitted comments by return email.

Respectfully submitted,

[REDACTED]

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Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.

Karen Chafe

From: CityClerk
Sent: Tuesday, February 2, 2021 9:58 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) Concerning 32 Guzzwell Drive

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: Monday, February 1, 2021 10:21 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Concerning 32 Guzzwell Drive

Dear City Clerk;

I am writing out of concern for the proposed use of the residence located at the corner of Walwyn Street and Guzzwell Drive (32 Guzzwell Drive) for Commercial (business) purposes.

Almost 20 years ago we chose to move into this neighbourhood which specifically was and is designated as residential "low" density i.e. no apartments. We have enjoyed this neighbour with these characteristics. A business operating in this residential family centered neighborhood will change the traffic and parking for six out of seven days of the week. The driveway for this property is not on Guzzwell Drive but is off Walwyn Street. Though there is a paved two car driveway off Walwyn Street, will the clients of this business park their vehicles in the one potentially available parking space if it is shoveled out in the winter? Once we get past this period of time with COVID-19 considerations and the Pandemic, will this mean that the number of clients and frequency increase and therefore will the traffic increase? Will the one client at a time with a 60-minute buffer be maintained and enforceable by the City during Pandemic and after Pandemic? The owners of this house have not been using the front door off of Guzzwell Drive which is evident by the lack of snow clearing in the front of the house and around the front door. They use the rear doors for entry to the house which is their choice .. their prerogative, but I question the flow of their clientele to this property. Clients would enter off of Walwyn Street and potentially they would park closer to that part of the property frankly at the intersection of Walwyn Street and Guzzwell Drive.

I wish to reiterate that this neighborhood is zoned as residential. Please keep it residential and don't open the door to permitting a business to operate out of a residence.

Regards,



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Karen Chafe

From: CityClerk
Sent: Monday, February 1, 2021 1:54 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) Comments

Good Morning:

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

Elaine Henley

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

From: [REDACTED]
Sent: Monday, February 1, 2021 12:02 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Comments

Dear City clerk, I am replying with respect to the letter sent to me re 32 Guzzwell Drive.

My name: [REDACTED]

Address: [REDACTED]

My comments : I have no objection to the occupant of 32 Guzzwell Drive starting a Home business. All the best to her/him.

Any questions : [REDACTED]

Thanks.

Sent from my iPad

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subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.

Karen Chafe

From: CityClerk
Sent: Tuesday, February 9, 2021 11:21 AM
To: Andrea Roberts; CityClerk
Cc: Ken O'Brien; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Lindsay Lyghtle Brushett; Planning
Subject: RE: (EXT) Re: Property 32 Guzzwell Drive Message Therapy

FYI

Elaine Henley

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

From: Andrea Roberts <aroberts@stjohns.ca>
Sent: Monday, February 8, 2021 9:00 AM
To: CityClerk <cityclerk@stjohns.ca>
Cc: Ken O'Brien <kobrien@stjohns.ca>
Subject: FW: (EXT) Re: Property 32 Guzzwell Drive Message Therapy

FYI, additional comments from resident.

Andrea Roberts, P.Tech
Senior Development Officer
Planning, Engineering & Regulatory Services
City of St. John's | P.O. Box 908 | St. John's, NL A1C 5M2
(709) 576-8430 | email: aroberts@stjohns.ca
ST. JOHN'S

From: [REDACTED]
Sent: Saturday, February 6, 2021 5:08 PM
To: Andrea Roberts <aroberts@stjohns.ca>
Subject: (EXT) Re: Property 32 Guzzwell Drive Message Therapy

Thank you for your reply.

We are also very concerned about the possible increase in traffic on Walwyn Street because it is a very narrow street

and there are a lot of small children in this area. For that reason we are not in favour of the proposed business.
Thank you.

On Friday, February 5, 2021, 11:53:31 a.m. NST, Andrea Roberts <aroberts@stjohns.ca> wrote:

Good Afternoon,

Thank you for your email. Please see the responses to your questions below:

1. Will there be visible signage for the business? There will be one non-illuminated sign less than 0.2 sq m in size used to identify the parking space for the business on the property.
2. Will further expansion of the business be considered? No expansion of business will be considered with the exception of virtual services provided only by myself, the sole employee, which will in effect likely reduce the clientele population coming to the dwelling over time. (City Comment: if there is expansion of the business considered in the future, a new application and public notification would be required)

I hope this helps, but please feel free to reach out if you have further questions.

Regards,

Andrea Roberts, P.Tech
Senior Development Officer
Planning, Engineering & Regulatory Services
City of St. John's | P.O. Box 908 | St. John's, NL A1C 5M2
(709) 576-8430 | email: aroberts@stjohns.ca

-----Original Message-----

From [REDACTED]
Sent: Tuesday, February 2, 2021 4:55 PM
To: CityClerk <cityclerk@stjohns.ca>
Subject: (EXT) Re: Property 32 Guzzwell Drive Message Therapy

We were out of town for a week so our response is a little late. Our response is really in the form of questions:
Will there be visible signage for the business? Will further expansion of the business be considered?

We will need those questions answered before we can give any opinion as to whether or not we are okay with this proposition.

Thank you
[REDACTED]

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