

# DECISION/DIRECTION NOTE

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**Title:** Notices Published - Discretionary Use for a Clinic and Parking Relief  
22 O'Leary Avenue  
DEV2100014

**Date Prepared:** March 1, 2021

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** Ward 4

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**Decision/Direction Required:** To consider a Discretionary Use application and parking relief for a Clinic that was submitted by Body Quest Health & Wellness Center for 22 O'Leary Avenue.

**Discussion – Background and Current Status:**

The proposed Use is for a Clinic which will provide massage therapy, counselling, occupational therapy services, chiropractic, and nurse practitioner services. The Clinic will have a floor area of approximately 204 m<sup>2</sup> and will employ 7 full-time employees. Hours of operation are Monday–Thursday, 8 a.m.-8 p.m., and Friday 9 a.m-4 p.m. Parking relief has been requested. The proposed application site is in the Commercial Industrial (CI) Zone.

One submission was received.

Current occupancies within the Building include an Eating Establishment, Office, Storage, Church and one vacant suite, plus the proposed Clinic Use. There are currently 50 parking spaces on-site, which adequately accommodated the existing occupancies. The proposed Clinic would require 18 parking spaces, and only 8 parking spaces are available. The applicant states that the Church parking is only used on Sunday morning and a few evenings during the week, therefore parking needs should not overlap. In order to accommodate the proposed use, parking relief for 10 spaces is requested, which can be considered subject to Section 9.1.2(1) of the Development Regulations.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighbouring property owners.
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.

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4. Legal or Policy Implications: St. John's Development Regulations Section 9.1.2(1).
5. Privacy Implications: Not applicable
6. Engagement and Communications Considerations: Public advertisement in accordance with Section 5.5 of the St. John's Development Regulations. The City has sent written notices to property owners within a minimum 150-metre radius of the application sites. Applications have been advertised in The Telegram newspaper at least once and are posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

**Recommendation:**

That the application for a Clinic at 22 O'Leary Avenue be approved subject to all applicable requirements and parking relief be granted for 10 parking spaces.

**Prepared by:**

Lindsay Lyghtle Brushett, MCIP Supervisor – Planning & Development  
Planning, Engineering and Regulatory Services

**Approved by:**

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

**Report Approval Details**

Document Title:	Notices Published - 22 O'Leary Avenue.docx
Attachments:	
Final Approval Date:	Mar 3, 2021

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

**Lindsay Lyghtle Brushett - Mar 2, 2021 - 3:50 PM**

**Jason Sinyard - Mar 3, 2021 - 10:45 AM**