

# DECISION/DIRECTION NOTE

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**Title:** Discretionary Use for Eating Establishment  
11 Barrows Road  
DEV2100015

**Date Prepared:** March 23, 2021

**Report To:** Regular Meeting of Council

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

**Ward:** Ward 2

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**Decision/Direction Required:** To consider a Discretionary Use application for a temporary Eating Establishment with outdoor seating at 11 Barrows Road.

**Discussion – Background and Current Status:** The Eating Establishment will occupy the existing 22.3m<sup>2</sup> building and will operate seasonally 7 days a week, 9 a.m.–10 p.m. Picnic tables will be provided within a 30m<sup>2</sup> area on the Lot. No fence is proposed around the site. The proposed Use will be temporary until November 2022. Parking is provided along Maple View Place. The proposed application site is in the Industrial Quidi Vidi (QV) Zone

Two submissions were received.

Concerns were raised in regard to inadequate parking and the use of existing parking on Maple View Place by other businesses in the area. The Engineering Transportation Division reviewed the application and determined that traffic and parking are an ongoing concern within this area of Quidi Vidi. The applicant confirmed they own the existing parking spaces along Maple View Place and have not designated the spaces to other businesses, but have allowed the use of these parking spaces as a courtesy. The parking spaces along Maple View Place meet the minimum number of required parking spaces for the proposed Use.

Noise from the use of outdoor speakers was noted as another concern, along with noise from patrons onsite and deliveries. Should speakers be proposed, music should not be loud enough to be heard off-site, as outlined in the City of St. John's Noise By-Law. The applicant advised that there will be approximately 5-6 picnic tables provided within the 30m<sup>2</sup> area, so large crowds are not expected, thereby reducing associated noise levels. Closing time for the establishment is 10 p.m. and patrons are expected to leave at that time. Alcohol will not be served at this establishment, and there will be a no smoking policy on site. Deliveries to the site would be scheduled within business hours, and given the small scale of the Use, are expected to be limited in frequency.

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**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.
4. Legal or Policy Implications: Not applicable.
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 Council approve the application for a temporary Eating Establishment with outdoor seating at 11 Barrows Road until November 2022, subject to all applicable requirements.

**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 - 11 Barrows Road.docx
Attachments:	- Site Plan.pdf
Final Approval Date:	Mar 24, 2021

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

**Lindsay Lyghtle Brushett - Mar 24, 2021 - 9:13 AM**

**Jason Sinyard - Mar 24, 2021 - 9:22 AM**