

DECISION/DIRECTION NOTE

Title: Outdoor Eating Area
48 Kenmount Road
DEV2100022

Date Prepared: March 22, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 4

Decision/Direction Required: To consider a Discretionary Use application submitted by Five Guys Burger and Fries for an Outdoor Eating Area at 48 Kenmount Road, Avalon Mall.

Discussion – Background and Current Status: The outside eating area will be approximately 81 m² and will be located on the Kenmount Road side of the Building (Avalon Mall). The hours of operation for the Outdoor Area will be seasonal, seven days a week from 11 a.m. to 11 p.m. The proposed application is in the Commercial Regional (CR) Zone.

1 submission was received in support of the application.

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.

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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 submitted by Five Guys Burger and Fries for an Outdoor Eating Area at 48 Kenmount Road, Avalon Mall, subject to all applicable requirements.

Prepared by:

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Approved by:

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Planning, Engineering and Regulatory Services

Report Approval Details

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

Lindsay Lyghtle Brushett - Mar 22, 2021 - 4:12 PM

Jason Sinyard - Mar 23, 2021 - 3:25 PM