

DECISION/DIRECTION NOTE

Title: Discretionary Use
657 Topsail Road
DEV2100018

Date Prepared: March 29, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 3

Decision/Direction Required: To consider a Discretionary Use application submitted by Jungle Jim's for an Outdoor Eating Area at 657 Topsail Road.

Discussion – Background and Current Status: The Outside Eating Area will be approximately 31.2 m² and will be located at the front of the building in the parking area. Hours of operation for the Outdoor Area will be seasonal from June 1 – October 1, seven days a week from 11:30 a.m. – 9:00 p.m. The proposed application site is in the Commercial Highway (CH) Zone.

1 submission was received which is in favour of the application.

Current occupancies within the Building include Jungle Jim's Eating Establishment, an Office, and a Take-Out Use. There are currently 58 parking spaces on-site, which adequately accommodated the existing occupancies. The proposed Outside Eating Area will eliminate 4 parking spaces, making the site deficient by one (1) parking space during the seasonal use of the patio. The applicant states that parking is not a concern in the area as there are many existing shared parking lots. In order to accommodate the proposed use, parking relief for 1 parking space 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.
4. Legal or Policy Implications: St. John's Development Regulations Section 9.1.2(1).

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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 Discretionary Use application submitted by Jungle Jim's for an Outdoor Eating Area at 657 Topsail Road, subject to all applicable requirements and approve parking relief for one (1) parking space.

Prepared by:

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Approved by:

Jason Sinyard, P. Eng, MBA Deputy City Manager
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Report Approval Details

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

Lindsay Lyghtle Brushett - Mar 30, 2021 - 10:31 AM

Jason Sinyard - Mar 30, 2021 - 11:18 AM