

DECISION/DIRECTION NOTE

Title: Notices Published – 55 Kiwanis Street – DEV2100102

Date Prepared: July 5, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 4

Decision/Direction Required: A Discretionary Use Application has been submitted by People's Pizza for a Takeout Pizzeria at 55 Kiwanis Street.

Discussion – Background and Current Status: The Takeout will be approximately 93m² and will employ 8 people. Hours of operation will be Sunday to Thursday, 11 a.m. to 1 a.m. No eating area will be located within the building; only takeout service will be provided. Parking relief has been requested. The proposed site is in the Commercial Neighbourhood (CN) Zone.

Three submissions were received. Concerns pertain to hours of operation, excessive traffic and speeding in the area, line markings on the street and traffic flow, amount of parking available onsite and the added volume of traffic in/out of the site. The application was reviewed by both Development Engineering and Transportation. It was noted that the city has not received any complaints regarding speeding in this area and that Kiwanis Street is classified as a collector road and is zoned commercially. As future development occurs in the area, line painting may follow if warranted by the Traffic Division.

Parking relief is requested for one parking space and under Section 9.1.2 Council may relieve an applicant of parking. Based on the Development Regulations the proposed Takeout Pizzeria requires 12 parking spaces, while only 11 parking spaces are available. Existing occupancies within the building include a Medical Aesthetics Clinic, Hearing Clinic and Hair Salon. The property owner has monitored parking on site since January 2021, to determine the number of parking spaces utilized. Over the 29 visits at various times of day it was reported there were no more than 6 vehicles on the lot at any one time, which has 35 parking spaces in total. The property owner does not feel there will be any concerns with parking at the site, especially with the varied hours of operation of current tenants.

Key Considerations/Implications:

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

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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.
5. Privacy Implications: No 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 Takeout Pizzeria at 55 Kiwanis Street and relieve 1 parking space (approved via e-poll July 5, 2021).

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 - 55 Kiwanis Street.docx
Attachments:	
Final Approval Date:	Jul 7, 2021

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

Lindsay Lyghtle Brushett - Jul 6, 2021 - 11:41 AM

Jason Sinyard - Jul 7, 2021 - 9:45 AM