

DECISION/DIRECTION NOTE

Title: Notices Published – 265 Duckworth Street – DEV2100084

Date Prepared: July 7, 2021

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required: A Discretionary Use Application has been submitted by The Ship Pub for 265 Duckworth Street.

Discussion – Background and Current Status: The proposed Use is for a permanent patio for an Outdoor Eating Area and Lounge. The outside area will be 34m² and located at the rear of the building. Hours of operation for the Outdoor Area are seven days a week from noon to 3 a.m. The proposed site is zoned Commercial Central Mixed Use (CCM).

Two submissions were received. Concerns raised pertain to both noise and access. The applicant advised that an entrance will be provided at the rear of the building for access to the patio. The hours of operation for the pub are noon until 2a.m. Monday to Wednesday and 3a.m. Thursday to Sunday; therefore, the proposed patio hours should reflect inside hours of operation. Unlike the temporary parklets which follow the Noise By-Law hours of operation, many of the bars/lounges within the Downtown are open much later in the evenings, along with their associated patios.

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.

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6. Engagement and Communications Considerations: 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 meter 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 an Outdoor Eating Area and Lounge at 265 Duckworth Street with the revised hours of operation of Monday – Wednesday, noon – 2 a.m. and Thursday – Sunday, noon – 3 a.m. (approved via e-poll on July 7, 2021).

Prepared by:

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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 - 265 Duckworth Street.docx
Attachments:	
Final Approval Date:	Jul 8, 2021

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

Lindsay Lyghtle Brushett - Jul 7, 2021 - 5:49 PM

Jason Sinyard - Jul 8, 2021 - 9:52 AM