

# DECISION/DIRECTION NOTE

**Title:** 13 George Street, Second Storey Deck, INT2200008

**Date Prepared:** May 11, 2022

**Report To:** Committee of the Whole

**Councillor and Role:** Councillor Maggie Burton, Heritage

**Ward:** Ward 2

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## **Decision/Direction Required:**

To approve a second storey deck at 13 George Street, O'Reilly's Irish Newfoundland Pub.

## **Discussion – Background and Current Status:**

The City has received an application from O'Reilly's for a second storey deck at 13 George Street. The subject property is within the Commercial District of the St. John's Municipal Plan, Heritage Area 1 and is zoned Commercial Downtown Mixed (CDM).

The applicant has requested to remove the existing awning sign and replace it with a second storey deck. The proposed design is attached for review. Should the deck be approved, the second storey windows would be replaced with doors to the deck, similar to the ground level doors. The railings will be black wrought iron to match the black of the existing windows and signage will be located on the deck railings. There is currently flood lighting on the awning sign, which will also be included in the new signage, as well as pot lights under the deck to wash the building and light the ground floor patio.

The deck will extend to cover the existing ground floor patio, but not to go beyond the fencing and the applicant would enter into an agreement with the City that includes a requirement to maintain a walking area. Any support structures would have to maintain distance for snow clearing. Note, only the second storey deck is proposed at this time. The ground floor patio expansion shown on some renderings is the temporary summer patio and is shown for information only.

Photos of the property from 1984, 2009 and 2021 are provided for reference. Renovations over time have been completed with all appropriate permits and were reviewed by the Heritage Advisory Committee at the time.

From Schedule D – Heritage Design Standards of the St. John's Heritage By-Law, the following applies for non-residential buildings in Heritage Area 1:

- Decks and balconies shall not be permitted on a façade facing a public street unless it is an original feature of the building. In this case, original style and design to be maintained.

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- Decks and balconies on other facades visible from a public street may be permitted where, in the opinion of the Inspector, the design is compatible with the period/architectural style of the streetscape.
- Door styles shall be compatible with the period/architectural style of the streetscape.

Under the current design guidelines, a new deck would not be permitted on the subject property as it is in Heritage Area 1.

The application was presented to the Panel for two considerations:

- Should new decks and balconies be permitted on a façade facing George Street?
- Should the proposed design be approved?

Panel members were in support of an amendment to the heritage design standards, noting that having additional outdoor spaces in this area would further animate George Street and adds atmosphere while providing additional capacity for businesses. It was also noted that there are a number of existing decks in that portion of George Street, so it is not introducing a new element to the heritage area. There is already precedent on the adjacent buildings, and they are permitted on the north side of George Street which is in Heritage Area 2. The Panel would like to continue reviewing such applications to ensure that the decks would be compatible with the period and architectural style of the streetscape. Therefore, it is recommended that Council direct the Legal Department to prepare an amendment to the Schedule D of the Heritage By-Law to consider new decks and balconies in Heritage Area 1 on George Street only, at the discretion of Council. This will be brought to Council separately by the Legal Department.

The proposed change to the design standards was also reviewed by the George Street Association Board and generally there were no concerns. The draft wording of the change will be forwarded to the Association for review.

With respect the proposed deck at 13 George Street, subject to the Heritage Design Standards being amended, the Panel recommended to approve the deck and sign as proposed. They agreed the addition of the deck would not alter the overall façade of the building from a heritage perspective and would animate the streetscape.

### **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring residents and property owners; George Street Association.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

A Sustainable City: Facilitate and create the conditions that drive the economy by being business and industry friendly; and being a location of choice for residents, businesses and visitors.

4. Alignment with Adopted Plans: St. John's Heritage By-Law
5. Legal or Policy Implications: An amendment to the St. John's Heritage By-Law is required.
6. Privacy Implications: Not applicable.
7. Engagement and Communications Considerations: Consultation with the George Street Association.
8. Human Resource Implications: Not applicable.
9. Procurement Implications: Not applicable.
10. Information Technology Implications: Not applicable.
11. Other Implications: Not applicable.

**Recommendation:**

That Council, subject to Schedule D of the Heritage By-Law being amended to allow for consideration of new decks and balconies on facades facing George Street, approve a second storey deck and signage at 13 George Street, as proposed.

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**Approved by: Ken O'Brien, MCIP, Chief Municipal Planner**

**Report Approval Details**

Document Title:	13 George Street, Second Storey Patio, INT2200008 (COTW).docx
Attachments:	- 13 George Street - Attachments.pdf
Final Approval Date:	May 12, 2022

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

**Ken O'Brien - May 11, 2022 - 4:45 PM**

**Jason Sinyard - May 12, 2022 - 9:50 AM**