

DECISION/DIRECTION NOTE

Title: Notices Published – 300 Torbay Road - DEV2200085

Date Prepared: July 19, 2022

Report To: Regular Meeting of Council

Councillor and Role: Councillor Jamie Korab, Development

Ward: Ward 1

Decision/Direction Required: A Discretionary Use application has been submitted for 300 Torbay Road.

Discussion – Background and Current Status: The proposed Use is for a Restaurant and Lounge, which will have a floor area of approximately 142 m² and is located on the second level of the building. Hours of operation will be seven (7) days a week from noon to midnight. Parking is provided on-site.

Two submissions were received. Concerns raised include proximity to residential uses, associated noise, traffic and parking concerns, litter and poor behaviour of patrons visiting the site, and concern pertaining to the first floor use of the building.

Currently no specific use is proposed for the first floor of the building. The restaurant and lounge are proposed for the second floor, and both are Discretionary Uses within the Commercial Neighbourhood (CN) Zone. Adjacent uses are commercial and open space, while residential uses are located on the opposite side of Torbay Road. The city's Noise By-Law is applicable, which is in affect from 11pm to 7am. The change of use was reviewed by the Transportation Engineering division and there are no traffic concerns. Sufficient parking is provided on-site for the proposed Use.

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:

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

Choose an item.

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4. Alignment with Adopted Plans: St. John's Envision Municipal Plan and Development Regulations.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Development Regulations Section 10.5 "Discretionary Use" and Section 10 "Commercial Neighbourhood (CN) Zone".
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Public advertisement in accordance with Section 4.8 of the Envision 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 twice 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.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

Recommendation:

That Council approve the Discretionary Use application for a Restaurant and Lounge at 300 Torbay Road.

Prepared by:

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Approved by:

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Report Approval Details

Document Title:	Notices Published - 300 Torbay Road.docx
Attachments:	
Final Approval Date:	Jul 20, 2022

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

Lindsay Lyghtle Brushett - Jul 19, 2022 - 2:01 PM

Jason Sinyard - Jul 20, 2022 - 2:28 PM