

**Public Meeting – 35 Barrows Road
Wednesday, November 20, 2019
Foran Greene Room – 4th Floor, City Hall**

Present: **Facilitator**
 Glenn Barnes

City of St. John's
 Gerard Doran, Development Supervisor
 Hope Jamieson, Councillor – Ward 2
 Sandy Hickman, Councillor at Large
 Shanna Fitzgerald, Legislative Assistant

Proponents
 Justin Fong, representing the proponent, Quidi Vidi Brewery

There were approximately 30 people in attendance, including Councillor Hickman and Councillor Jamieson.

CALL TO ORDER AND BACKGROUND PRESENTATIONS

Glenn Barnes, Chairperson and Facilitator for tonight's meeting, called the meeting to order at 7:01 pm and outlined the process to ensue.

PURPOSE OF MEETING

Glenn Barnes, Chairperson and Facilitator, outlined the purpose of the meeting which is to consider a discretionary use application submitted by Quidi Vidi Brewery requesting approval for an Outdoor Eating and Lounge Area at 35 Barrows Road. The floor area will be approximately 110 m² and will be located on the second level off the Tap Room. The proposed operating hours for the patio will be in line with the Tap Room.

Discussion – Background and Current Status:

Gerard Doran, Development Supervisor for the City, reiterated the purpose of this meeting and noted that this matter was brought forward at the Regular Council meeting of October 21, 2019 and a motion was made to have a public meeting on this matter. There was an increased radius for public notifications of this meeting to include others within Quidi Vidi.

It was noted that this zone is industrial use and not light industrial use. There was a misconception that this area was zoned as light industrial use. The fish plant and brewery are considered industrial use and the brewery is a permitted use under food

and beverage production. It was noted that the regulations have been adopted since 1994 and rezoning has not occurred.

Mr. Doran outlined the following points:

- Staff is investigating the disturbance caused by the activity of the brewery. The Brewery is located in an industrial zone; and if it was being run as a fish plant, there would be heightened activity in the area. The site and harbor are active.
- Parking is also under review. When the application for the Tap Room was reviewed in 2008 there was no consideration made for parking. In the current application the proponent is requesting parking relief. This year transportation has identified about 60 parking spaces within walking distance of the site (Regiment Road, which had a significant update, and Cuckhold's Cove Road with 30 informal spaces).
- Initially in the application for the site work, there was a large accessory building on site, but has since been removed. Warehouse space off site is being rented by the proponent.

PRESENTATION BY THE DEVELOPER

Mr. Justin Fong was in attendance to speak on behalf of Quidi Vidi Brewery. He referenced the following items of concern to residents:

1. Parking

In the last year Cadet Road has been paved to include more parking and now includes a metrobus turnaround. This allows guests to take the bus. Parking is now available on Regiment Road and Cuckhold's Cove Road.

2. Noise

This area has been an Industrial Zone since 1994. Forklifts and trucks are in operation from 8 am to 5 pm Monday to Friday. The diesel-powered shipping containers on site have been replaced with electric sea containers that are smaller and not as noisy. He noted the view is less obstructed and there is no sound emanating from the containers.

3. Traffic

The brewery has rented warehouse space in Donovans. The brewery has 3 delivery vans which operate 5 days a week and on average they would make 3-4 stops to the brewery daily to reload. By moving distribution to Donovans those delivery vans do not have to come to the brewery. Storage and materials are now delivered to the warehouse. This has caused a big improvement in the traffic previously caused by the brewery.

The following points were also noted:

- The Tap Room operates 7 days a week and most nights are closed by 9 pm. There are a few exceptions: Thursday, Friday and Saturday have live music. It was noted that on Thursday nights the music is finished by 8 pm. Saturday afternoons there is a musician playing from 2-5 pm. The loudest night is Friday night when the brewery has its Kitchen Party event. This event is comprised of guys who have been playing for 15 years. This event is public and the busiest night of the week. On Friday nights the music is finished by 10 pm. Mr. Fong did note that in the summertime the Kitchen Party can get hot and they have the windows open in the summer. This was noted to be an issue in the complaints.
- The wharf was once patio space and is now used as storage. Prior to 2018 it was functioning as a patio. In the current application the new patio is proposed just above this existing wharf.
- The new patio will be closed by 11 pm on weekend nights and there are no speakers outside. The windows will be similar to what they are now with doors that open up to the patio.
- There is no storage facility on site in the new plan due to the current rental of the space in Donovans.

COMMENTS FROM THE FLOOR

Glenn Barnes invited those who wanted to speak to line up at center microphone.

The following is a summary of comments that represent the people who spoke and raised concerns and or objections about the development at the meeting. It is noted that the majority of those who spoke live near the subject property.

- Residents do not want noise 7 nights a week until 12:30 – 1 am.
- The hours of operation could creep to a later time.
- Safety of residents in their homes is an issue with people hanging around late at night.
- People would stick around past closing time which means noise later at night.
- Parking is limited for residents in front of their homes.
- Trucks are using the driveway to turn around which is causing damage to the asphalt.
- No longer safe and peaceful.
- Objected to the expansion as there were indoor brewing tanks and small tap room there previously and now there is an outside brewery and storage yard which is inches from abutting land. Sea cans are against abutting property land.

- Residents were of the understanding that the area was light industrial zone and not industrial.
- Section 10.29 of the St John's Development Regulations state that IQ Zone permitted uses are fish processing, harbor use, handcraft and cottage industries, and food and beverages uses, provided such uses are in appropriate scale. It was felt that the appropriate scale has been exceeded.
- A landscape buffer should be required between the brewery and resident's property as a screen will not stop noise. Noise bounces off cliffs and it's a sound bowl due to the unique geographic location.
- Parking relief was questioned for full industrial village.
- Baby related businesses in Quidi Vidi have no parking left. Brewery employees are parking there and parking all day.
- Esthetic of Quidi Vidi is affected by the brewery tanks and a noisy business that is detrimental to the surrounding fishing village. The appearance of this activity is ugly to tourists and for residents through their windows.
- Tap room over 100 decibels last week when measured. There is concern that the deck will be noisy with food noises and the door opening and closing.
- The Salt Box downtown had their proposal turned down because of potential noise for people who live 3 blocks away, but this industrial brewery is in middle of residential area. Quidi Vidi is a gem within the city. It's a small fishing village that now holds a large industrial brewery.
- Resident provided a picture that was taken from adjoining property that showed activity on the lot with boxes and delivery trucks and a busy parking lot.
- Weddings can be an issue because of the large party buses.
- Concern about the historic value of Quidi Vidi. It was noted that there are guidelines around heritage in Quidi Vidi. The Village should be designated as Historic.
- Water is decreasing in size now because of extension into water.
- Quidi Vidi has the highest pedestrian traffic with no sidewalks.
- Brewery is no longer a microbrewery and is now a major industrial project. It increases everything else in the village and because traffic and parking issues already exist the issues will be magnified.
- Parking is an issue in Quidi Vidi as boaters could not get up and down because people have parked within the launch way.
- Suggestion was made for there to be parking on site where the sea cans are.
- Restaurant will bring more people and more noise and will ruin the good thing they have going now.

In response to these concerns Justin Fong and Gerard Doran noted the following:

- Justin Fong noted the brewery is open weekdays but only until 9 pm. The patio will only be open for 6 weeks approximately based on the weather.
- Gerard Doran noted the discretionary use application can put condition on hours stated on the application.
- Gerard Doran noted the parking relief clause is at the discretion of Council. City staff would develop parking throughout the Village to allow it. It is not an unusual request to require parking relief.
- Gerard Doran noted that there is a requirement for a screen fence between the brewery and the full length of the abutting property. There can be a 3M landscape buffer or a screen fence. This application includes a screen fence.
- Justin Fong noted that they have approximately 30 staff and that staff park at the brewery, on Cadet Road as well as Cuckhold's Cove Road.
- Justin Fong noted that the brewery tanks do not make noise now as they were changed from diesel to electric to mitigate that issue. The brewery changed the storage containers last week.
- Justin Fong noted that the containers shown in the photo of the parking lot that was presented by a resident have now been removed off site.
- Gerard Doran noted that the waterfront area being developed is also industrial Quidi Vidi. The owner of the property applied for a water lot which consists of 10M from shoreline into harbor to extend wharf. Two individual property owners applied to develop land between the large wharfs and the brewery and were successful in their applications. These were Crown land applications with development plans.
- Justin Fong commented that parking on site was maintained because they removed rock face and moved the larger sea can.

The following is a summary of comments that represent the people who spoke and support the development at the meeting.

- It was noted that the accessory building being relocated is a positive change to the application.
- Resident commended the Fongs for what they have done with the property as well as their mitigation of noise levels.
- Visitors' experience is important, and tourism is a large part of Quidi Vidi.
- Brewery is an asset to the Village.
- Brewery is a key attraction in the Village and a very popular tourist attraction.
- Moving distribution off site has made a big difference to the congestion of the site.

- It was noted that the paving of the road has made a significant improvement to parking.
- If deck area is closed at a reasonable hour sound should not be an issue.
- This project is a benefit and a positive contribution to the community. It does not detract from surrounding properties.
- Resident commends concessions that have been made and recommends that more are made.
- This development will not worsen the parking or the traffic. Parking has always been a problem, but overall improvements have been made.
- Building is not any bigger as they are just adding a deck.
- Brewery is a positive contribution to the community.

It is noted that a majority of the people that spoke offered their support of the brewery but had concerns about parking, noise and traffic.

CONCLUDING REMARKS

The Facilitator acknowledged receipt of written submissions which will be appended to this report and proceeded to outline how the comments of the meeting will be captured and forwarded to Council:

- a) All written submissions will be redacted in accordance with Privacy Legislation and will be appended to this report.
- b) Comments made at the meeting will be referenced by the name of the person responsible, ONLY if it is their wish that their name be referenced.
- c) All other comments will be summarized and presented as either being in favor or opposed to the matters raised.

This report highlights the points made without reference to the persons responsible for making them. The Chair, however, did encourage those who wished to have their comments registered to make a written submission which, would be appended to this report.

Mr. Barnes indicated that once the minutes of this meeting are prepared and combined with written redacted submissions, the matter will be included in the published Council Agenda in due course.

ADJOURNMENT

The meeting adjourned at 8:23 pm.

Glenn Barnes
Chairperson/Facilitator