

DECISION/DIRECTION NOTE

Title: 75 Airport Heights Drive MPA1800006

Date Prepared: February 25, 2020

Report To: His Worship the Mayor and Members of Council

Councillor and Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 1

Decision/Direction Required:

Following the Public Hearing, Council may proceed with the next steps in the amendment process for St. John's Municipal Plan Amendment Number 153, 2020, and St. John's Development Regulations Amendment Number 700, 2020.

Discussion – Background and Current Status:

The City received an application to rezone 75 Airport Heights Drive from the Commercial Local (CL) Zone to the Commercial Neighbourhood (CN) Zone for the purpose of an Eating Establishment and Lounge (pub and eatery). An amendment to the St. John's Municipal Plan would be required to support the proposed rezoning, as the property is designated Residential Low Density and would need to be redesignated to Commercial General.

At the Regular Meeting of Council on December 2, 2019, Council adopted the resolutions for St. John's Municipal Plan Amendment Number 153, 2020, and St. John's Development Regulations Amendment Number 700, 2020. Council appointed Ms. Marie Ryan as the Commissioner to conduct a Public Hearing to consider the proposed amendments. The Public Hearing was held at St. John's City Hall on January 16, 2020.

Commissioner Ryan has now submitted her report on the proposed amendments. She recommends approval of the amendments. A copy of the Commissioner's report is attached for Council's consideration.

In conjunction with the above amendments, the City also advertised the Discretionary Use of an Eating Establishment and Lounge at 75 Airport Heights Drive [Parcel ID#46595 & 145223] with a total floor area of 83.3 m² and hours of operation of 11:00 a.m.–12:00 midnight on weekdays and 11:00 a.m.– 1:00 a.m. on weekends. On-site parking is available, but the proposed development would require parking relief of 7 parking spaces to be approved by Council. There were no traffic or parking concerns from staff regarding the requested parking relief.

Commissioner Ryan further recommends that Council exercise its discretion to not allow the pub use. As the proposed Lounge will introduce noise disruptions in a neighbourhood that is

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predominantly residential, staff agree with the Commissioner's recommendation. If the Eating Establishment is approved by Council, the applicant could apply for a liquor license associated with a restaurant. Note, the amendment resolutions have been updated to generalize reference to commercial uses and to remove specific reference to the Eating Establishment and Lounge.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring property owners and residents.
3. Alignment with Strategic Directions/Adopted Plans:
A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live
4. Legal or Policy Implications:
Map amendments to the St. John's Municipal Plan and Development Regulations are required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Not applicable.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications:
Parking relief for seven spaces is considered

Recommendation:

THAT Council approve the attached resolutions for St. John's Municipal Plan Amendment Number 153, 2020 and St. John's Development Regulations Amendment Number 700, 2020, as amended.

THAT Council approve the Discretionary Use of 75 Airport Heights Drive [Parcel ID#46595 & 145223] as an Eating Establishment in the Commercial Neighbourhood (CN) Zone.

THAT Council reject the Discretionary Use of 75 Airport Heights Drive [Parcel ID#46595 & 145223] as a Lounge in the Commercial Neighbourhood (CN) Zone.

THAT Council approve parking relief for 7 spaces for the proposed use of 75 Airport Heights Drive, as per Section 9.1.2(1) of the Development Regulations.

Prepared by: Ann-Marie Cashin, MCIP

Approved by: Ken O'Brien, MCIP

Report Approval Details

Document Title:	75 Airport Heights Drive, MPA1800006.docx
Attachments:	- 75 Airport Heights Drive - Attachments.pdf - Commissioner's Report 75 Airport Hgts Drive - February 17 2020.pdf
Final Approval Date:	Feb 27, 2020

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

Ken O'Brien - Feb 27, 2020 - 10:23 AM

Jason Sinyard - Feb 27, 2020 - 11:21 AM