

## Karen Chafe

---

**From:** CityClerk  
**Sent:** Tuesday, March 17, 2020 10:22 AM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: REVISED: 42 Bannerman Street (Cochrane Centre)

Good Morning [REDACTED]:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

**From:** [REDACTED]  
**Sent:** Friday, March 13, 2020 5:12 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** re: REVISED: 42 Bannerman Street (Cochrane Centre)

I am a resident of [REDACTED] for the last [REDACTED]. I have listened, I have complained constantly (out of concern); I have had many phone conversations and discussions SO here I am a year plus later with no results. I think it's time for this City Council to take into consideration what the RESIDENTS have been going through.

Fresh air is supposed to be free but when you Can't open your windows (especially at nighttime) because of the noise from the FAN it becomes unbearable. No matter where I am at whether it is up on the 3rd floor or in the basement there is no escape from the noise. The noise decibels are above normal range.

Simple questions like people having to sleep during daytime because of night shifts, people not feeling well and needing their rest. The hours of operation - 7 days a week - 7am-11pm-.... HOW can one function? Sleep Deprivation sets in and for me it has caused medical issues. I find it unreal that the Council would even consider allowing such a business to exist in such a small scale area when SO many issues have been brought forth.

I can only hope that Great Consideration will prevail for RESIDENTS of [REDACTED] and we can all have our Quiet Street BACK.... This should not become a Business area.

[REDACTED]

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## Karen Chafe

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**From:** CityClerk  
**Sent:** Tuesday, March 24, 2020 11:07 AM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: 42 Bannerman Street

Good Morning [REDACTED]

We acknowledge receipt of your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

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**From:** [REDACTED]  
**Sent:** Monday, March 23, 2020 1:50 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** 42 Bannerman Street

To Whom it May Concern:

I am writing to address concern with the following item:

*An application has been submitted by First Light St. John's Friendship Centre for text amendments to the St. John's Development Regulations. The City of St. John's is considering text amendments to the St. John's Development Regulations to update the definition of Heritage Use and to add Heritage Use as a Discretionary Use to both the Institutional (INST) Zone and Institutional Downtown (INST-D) Zone.*

*In conjunction with the above amendment, the City is also advertising Heritage Use at 42 Bannerman Street (a designated Heritage Building) as a Discretionary Use. The applicant has requested that Council consider food preparation (commercial and community-based) within the Heritage Use. The hours of operation will be 7 a.m. to 11 p.m., 7 days a week.*

As a resident of [REDACTED], our street being blocked is an everyday occurrence. Vehicles pulling into our street are having to back out on to Military Road. I have witnessed many missed calls with large delivery trucks almost striking parked cars and the drivers visibly irritated with those blocking the road. A large no parking sign should be placed and enforced at the junction of [REDACTED] street and the ARNL parking lot. This area is used by

the Go Bus, and residents being dropped off/picked up and is the only exit from our street. Having a business operate out of the kitchen makes this noticeably worse.

The industrial fan that comes from the kitchen is also incredibly loud. It has actually become a sound in my dreams, before waking me up. When I show people the video of the noise and the street blocking, they can't believe its even been allowed at anytime already. If your attention hasn't been drawn to the facebook page created with these videos on it, please take a look at the link below. There are endless reasons why this is not a good idea, and because there are so many reasons, I found it shocking that it was even being considered. I want to support small business, but this is very disruptive to the neighbourhood, and made even worse by being in a heritage building.

I would also like to note that I was unaware of this application and found out through my neighbours, as I am renting the house and not the owner. I only found out yesterday that the property owner received a notification. This makes me question how many people who are renting in the affected area are unaware of this plan.

<https://www.facebook.com/stewartave/>

Facebook

See posts, photos and more on Facebook.

[www.facebook.com](http://www.facebook.com)

Thank you for your time!



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**From:** [Karen Chafe](#)  
**To:** [Shanna Fitzgerald](#)  
**Subject:** Fwd: Excessive noise coming from industrial fan at 42 Bannerman Street  
**Date:** Tuesday, March 10, 2020 3:51:30 PM

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March 30th folder  
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**From:** CityClerk <cityclerk@stjohns.ca>  
**Sent:** Tuesday, March 10, 2020 3:42:39 PM  
**To:** [REDACTED] Hope Jamieson <hjamieson@stjohns.ca>  
**Cc:** CityClerk <cityclerk@stjohns.ca>; Andrea Roberts <aroberts@stjohns.ca>; Ann-Marie Cashin <acashin@stjohns.ca>; Ashley Murray <amurray@stjohns.ca>; Dave Wadden <dwadden@stjohns.ca>; Gerard Doran <gdoran@stjohns.ca>; Jason Sinyard <jsinyard@stjohns.ca>; Karen Chafe <kchafe@stjohns.ca>; Ken O'Brien <kobrien@stjohns.ca>; Lindsay Lyghtle Brushett <LLyghtleBrushett@stjohns.ca>; Planning <planning@stjohns.ca>  
**Subject:** RE: Excessive noise coming from industrial fan at 42 Bannerman Street

Good Afternoon [REDACTED]

We thank you for your feedback and advise that we have forwarded the same to the City's Department of Planning, Engineering and Regulatory Services.

All submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

**From:** [REDACTED]  
**Sent:** Tuesday, March 10, 2020 3:34 PM  
**To:** Hope Jamieson <hjamieson@stjohns.ca>  
**Cc:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** Excessive noise coming from industrial fan at 42 Bannerman Street

Hello Hope,

I am writing you today on behalf of the residents of Stewart Avenue, in regards to the current application for rezoning of 42 Bannerman Street (1 Stewart Avenue).

The residents of Stewart avenue have been making numerous noise complaints about the noise emanating from the industrial fan located at 42 Bannerman street for the past year or more, with very little response - only recently did the group running the kitchen agree to limit nighttime operations, and I am glad to see that the zoning application has been updated to range from 7am to 11pm, however, this is not good enough.

The fan on this building is not functioning properly. I invite you to view the following video which shows the decibel reading on this fan being 82dB (that is louder than both a freeway and a freight train): <https://www.facebook.com/stewartave/videos/495760164420203/>

The worst part is that they turn on this fan and leave it on, its not just a passing noise. It is truly worst late in the evening when the city has quieted down, but this fan is still belting out the 82dB which can be heard inside our homes. How are children supposed to sleep in such a situation?

If you are unable to view that video, please just check out the Stewart Avenue Residents Association Group on Facebook, it is posted there.

No permit should be granted to 42 Bannerman street until this fan is fixed or replaced (its my view that the location of the fan is acting to amplify the noise out towards the residential houses - perhaps it should be located on the centers roof, pointing towards the sky, instead of directly at our houses).

Thank you for your time.

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## Karen Chafe

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**From:** CityClerk  
**Sent:** Tuesday, March 24, 2020 11:16 AM  
**To:** [REDACTED]  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** FW: Letter to City of St. John's Council regarding text amendments to St. John's Development Regulations concerning 42 Bannerman Street  
**Attachments:** Letter to City of St. Johns Regarding Development Regulations Amendment and 42 Bannerman Street.pdf

Good Morning [REDACTED]

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

**From:** [REDACTED]  
**Sent:** Monday, March 23, 2020 10:50 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Cc:** [REDACTED]  
**Subject:** Letter to City of St. John's Council regarding text amendments to St. John's Development Regulations concerning 42 Bannerman Street

Hi,

As per the notice i received in the mail regarding the application to the City of St. John's Council for text amendments to St. John's Development Regulations concerning 42 Bannerman Street, attached is my letter on this matter. I own a home on Stewart Avenue which i rent out that is being affected by this application, but my permanent residence is listed below.

Please respond that you did receive this letter as the deadline is 9:30am Tuesday March 24th.

thanks,

--  
[REDACTED]

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**Letter to City of St. John's Council regarding text amendments to St. John's Development Regulations concerning 42 Bannerman Street (Cochrane Centre).**

Dear St. John's City Council Members,

[REDACTED]  
[REDACTED]  
[REDACTED] Stewart Avenue and other surrounding roads are sadly being negatively impacted in many unfortunate ways by a commercial business, The Dublin Bakery. I am told that the building in which they operate (run by the First Light St. John's Friendship Centre) was rented out to them, but not under city zoning rules and certainly without awareness and approval of local residents. I certainly recall getting information provided to me, as a home owner, when Cochrane Street Church was selling to or being absorbed by the First Light St. John's Friendship Centre and that this was going to be a community group providing housing for disadvantaged people, but there was no mention of applications to change zoning or to permit any subletting for commercial use so I'm very curious why this was permitted in the first place. A while back I did, however, receive a letter from the City of St. John's about a local business (Ice Cream Parlour) starting up across from Bannerman Park and as an affected resident was given my opportunity to speak up should I wish. So again, I'm curious as to why this same procedure was not followed for the allowance of the Dublin Bakery to operate in the first place and if they did not follow the proper procedures then why they have not been made to do so like other commercial businesses regardless of whether they have foot traffic purchasing their wares or not?

The question of whether they followed proper procedure for operating in a residential zone aside, they have been operating for over a year I understand and for pretty much that entire time have been a neighbourhood nuisance, to put it lightly.

There are 2 huge issues with this building and company operating in this manner. The first is the use of an insanely loud industrial fan that is being run, in most cases, all day and all night. My tenants and several others on my street and in my neighbourhood have made numerous complaints to the city about this and a video, recently posted to the Stewart Avenue Residents Association page <https://tinyurl.com/vzcolyj>, clearly demonstrates just how loud this fan is with time stamped examples of it running at 12:30am and 5am at high noise levels. In the video you'll see a certified decibel meter demonstrating that this fan is hitting over 80db which by the city's own bylaws is too much in a residential area. I personally chose random times to hear this for myself and even during the day with traffic and ambient noise of everyday life it is extremely loud. I even went across the street to Government House grounds and could hear it clearly from there as well.

I cannot imagine any sane person let alone experienced council members in civic responsibility thinking that 1 hour of this absurdly loud noise is acceptable let alone allowing it to run for now

amended time on the application of 7am-11pm. It is all bad enough in the colder months when this can be heard through closed doors and windows, but just imagine trying to sleep or just live with this going when your windows are open or you are simply in your back yard trying to enjoy a peaceful meal, garden, read, relax, etc...

This deafening fan is seriously impacting the entire neighbourhood. I have had several conversations with residents on my street and in the area and they assure me that their sleep, health, and overall well being have all been harmfully affected. One elderly neighbour who has lived on this street for the better part of 30 years has broken down crying several times to me about not being able to sleep at night and not knowing what to do about it after making several complaints to the city to no avail.

The 2<sup>nd</sup> major issue from this business is the dangers its operating behaviour is posing on residents and passersby. If you look at the map you provided in the notice to home owners you can see that Stewart Avenue is basically a small road of 1 house wrapping around from Military road and 5 houses on Stewart Ave, all on the same side. This road then joins into the College of Registered Nurses of Newfoundland & Labrador parking lot which in turn opens onto Military road. Anyone who comes in our road and even into the CRNNL parking lot knows to enter onto Stewart and exit through the parking lot as kind of an unwritten one-way street as all the parked cars on Stewart face in that direction. The Dublin Bakery has trucks doing shipping and receiving drop offs right in the middle of the connection between Stewart Avenue and the CRNNL parking lot. Again, this is finely demonstrated on the facebook page <https://tinyurl.com/vzcolyj> including time lapse video showing just how long they stay there and just how disruptive and dangerous they are. You will see them blocking residents, patrons of the CRNNL, and visitors alike for long periods of time forcing them to back up into normally oncoming traffic on Stewart Avenue and then into traffic coming around a turn on Military Road. This is a completely ignorant and dangerous act which they repeatedly do. The CRNNL is a private parking lot and the Bakery has no business or permission to idle there for 20+ minutes at a time blocking traffic and creating both a danger and fire hazard to the residents of Stewart Avenue.

Finally, this personally is affecting my ability as a landlord to provide a safe and respectable place for my tenants to live and thus could also affect the much needed income that this rental property provides. My tenants have expressed already that they don't believe they will stay through another summer of not being able to sleep and enjoy the property and as a taxpaying citizen of two homes in the City of St. John's, this is unacceptable that they and others have to make that choice. Naturally, other landlords would be in the same situation as I am and the same goes for any home owner period in this area looking to sell their property right now or in the near future. How appealing is a loud industrial fan going all day and night to a prospective buyer or renter, I would ask? The answer to that question is painfully clear.

I would also like to point out that as this is a Heritage Area, home owners are bound by a number of strict guidelines as to what we can and can't do with our properties so I would also

put the question to you of why is this Heritage zoned building been allowed to install and operate this blaring fan. I find it hard to believe that this was done so under the appropriate guidelines and restrictions of the city's Heritage rules and regulations.

I will close by saying that this is simply a quality of life issue. Every resident in St. John's has the right to enjoy and utilize their own property in peace and without undue duress or danger to their health and well being. Can any one of you argue against that belief and then in the same instance can any one of you listen to and watch the video of the industrial fan and the blocking of traffic and honestly say that this should not only be permitted to continue, but that a special amendment will be made to the St. John's Development Regulations to allow it so?

I implore you to vote AGAINST this application and consider the collective voice of residents in this area as a plea to do the right thing here and allow our neighbourhood to be safe, peaceful, and prosperous for us all.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

## Karen Chafe

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**From:** Mayor  
**Sent:** Wednesday, March 18, 2020 3:28 PM  
**To:** CityClerk; Karen Chafe  
**Subject:** Fwd: 42 BANNERMAN STREET

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**From:** Mayor <mayor@stjohns.ca>  
**Sent:** Wednesday, March 18, 2020 3:26:57 PM  
**To:** [REDACTED]  
**Subject:** Re: 42 BANNERMAN STREET

Thank you for your email. We will forward same to the City Clerks office to ensure it is placed on the agenda for all of Council.

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**From:** [REDACTED]  
**Sent:** Wednesday, March 18, 2020 3:21:43 PM  
**To:** Mayor <mayor@stjohns.ca>  
**Subject:** 42 BANNERMAN STREET

Mayor Breen, I ask that you please review my letter of objection to the application submitted to Council for the property at 42 Bannerman Street.

## Good Day

I am writing this email to voice my objection to the application by *First Light St. John's Friendship Centre* related to 42 Bannerman Street. The City is considering text amendments to the Regulations to update the definition of Heritage Use as it pertains to this property, a designated Heritage Building.

The applicant has requested that Council consider food preparation (commercial and community-based) within the Heritage Use. The proposed hours of operation will be 7 a.m. to 11 p.m., 7 days per week, a minor adjustment from the original request that the kitchen operate for 24 hours, 365 days of the year.

If the City makes these proposed changes to the St. John's Development Regulations, future developers could introduce similar uses in their historic properties. Established residents within the historic sections of St. John's, will lose their rights to quiet enjoyment

of their properties. If this City Council surrenders to developers by approving these zoning changes, it will risk the destruction of heritage buildings all over this city.

Originally, *First Light St. John's* was given permission to develop "subsidized housing units" at 42 Bannerman Street and to have a "Centre for Performance and Creativity". When did the original intent of this building change and why was this alteration permitted without notice to neighbouring residents? The *First Light St. John's* website now states that the building is "ideal for meetings, workshops, receptions, recitals, rehearsals and weddings".

*First Light* displays rental forms on their website boasting of "access to our commercial kitchen". The initial approval for First Light permitted an "ARTS" area at 42 Bannerman. Why did the City allow this group to install an industrial kitchen in that facility when it is not consistent with that mandate? According to the Stewart Avenue residents, *First Light St. John's* has already begun to illegally operate a commercial kitchen on this site. Their activities, trucks and exhaust fans have been running nighttime hours, disrupting the lives of these nearby residents.

The *First Light* group has not respected the rights of the neighbouring residents and has openly contravened existing municipal rules. They demonstrate a blatant disregard for proper permits and zoning protocols and should not be rewarded for flouting the law. I am asking the City to refuse to modify Heritage Use Guidelines and to remain firm in defence of our historic buildings and the residents who maintain our traditional neighbourhoods.

There are several major problems related to this proposed change of permitted use for heritage properties in St. John's, especially with the building at 42 Bannerman Street.

**TRAFFIC:** Bannerman Street is a very small, narrow street, in desperate need of repair, so adding to the traffic congestion in this area would be folly. This facility will increase traffic in our entire area of one-way streets, with trucks coming and going to that site for 16 hours of every day. This situation should never be allowed to come about.

**PARKING:** On their website *First Light* states that there is "limited parking at the Bannerman Street entrance, but on-street parking on many of the streets in the area". This is blatantly untrue! Our area is already overwhelmed with cars parking all day long, while the owners work at the Revenue Canada Building downtown! In spite of the signage requiring permits for on-street parking, bylaw enforcement has not been responsive to neighbourhood complaints about this abuse. We should not be further burdened as *First Light* creates additional demand for parking spaces and creates problems for the entire neighbourhood.

**NOISE:** Besides the problem of fans from the commercial kitchen spewing odours into the air, there is the noise level of these exhaust fans running for 16 hours every day of every

week. Keeping the area clear for the increased traffic, especially in winter, will mean additional noise and disturbance as plows and trucks deal with snow removal from the facility access areas.

FIRES: Over the years that I have lived in my home on [REDACTED] Street, I have seen a lot of development but also, a lot of fires! My biggest worry is with untrained groups using this commercial kitchen and the frightening potential of a major fire in that old building. *First Light* clearly does not appear to be too concerned for the safety and comfort of their own tenants in that building. I see no evidence that they are concerned about the noise, the parking problems or the safety of the citizens who live nearby.

Ours is primarily a residential neighbourhood, and we have invested a lot of money into our homes. We take pride in maintaining our traditional houses and that effort is recognized by the thousands of tourists who flock to our area each summer.

It **IS** time for the City to re**COGNIZE** that tax payers in the historic area want to experience "peaceful enjoyment of our properties," a statement publicly proclaimed by our Mayors (both past and present) as they boast about the old City of St. John's

We want the City to acknowledge **their obligation to protect all citizens and** to ensure that rules and exemptions for developers do not negatively impact **OUR rights to the peace and safety Of** our homes!

**I strongly disagree with this application and request that this action be rejected by all members of Council.**

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Regards

[REDACTED]



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## Karen Chafe

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**From:** CityClerk  
**Sent:** Tuesday, March 3, 2020 2:13 PM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: First Light application

Good Afternoon [REDACTED]

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

**From:** [REDACTED]  
**Sent:** Sunday, March 1, 2020 9:51 AM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** First Light application

Hello!

My name is [REDACTED] and I live at [REDACTED]. I received a notice that First Light St. John's Friendship Centre has made an application to amend Heritage Use at 42 Bannerman Street in order to consider food preparation.

First Light St. John's Friendship Centre provides vital programs and services that strengthen our community. They do amazing work and I fully support this application. It will reap positive results and should be green-lit.

Sincerely,  
[REDACTED]

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## Karen Chafe

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**From:** CityClerk  
**Sent:** Tuesday, March 24, 2020 11:14 AM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: 42 Bannerman Street

Good Morning [REDACTED]:

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

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**From:** [REDACTED]  
**Sent:** Monday, March 23, 2020 7:18 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** 42 Bannerman Street

Dear Mayor Danny Breen and St. John's Councillors:

I'm writing to express my opposition to this application. My wife wrote earlier, but I should express my concerns too.

This is more than "not-in-my-backyard". Citizens should never find themselves suddenly living next door to a factory. This is close to what we've experienced.

First Light St. John's Friendship Centre been renting this space for businesses for well over a year, long before this zoning application.

The noise from this kitchen fan is unacceptably loud for a residential area. It's over 80-decibels, which is comparable to a freight train. Children play basketball only feet away from this fan, doing damage to their developing ears. We can hear it in our bedrooms, from our back yards, and over our TVs.

This noise alone is intolerable.

And just as bad, this area is not suited for the extra-large trucks, which block all traffic. Multiple times a day, we're literally trapped. The streets here just aren't big enough. We were already at capacity before all this.

There's already an abundance of commercial zoning throughout St. John's. Businesses can operate in any of these

spaces already zoned for such things. But not in areas where people live and children play.

There's a petition to oppose this, and it currently has 100 signatures. (<https://www.change.org/42-bannerman>)

For every voice you're hearing, there are even more who don't have the time or resources to write. We're all active voters, and we're all watching very closely how this vote goes. Please do the right thing, and stop the destruction of a beautiful residential area.

Thank you for taking the time to hear us out. We really appreciate your consideration, especially given the global situation we're all dealing with.

Regards,

A solid black rectangular box used to redact the signature of the sender.

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## Karen Chafe

---

**From:** CityClerk  
**Sent:** Friday, March 20, 2020 12:22 PM  
**To:** [REDACTED]; CityClerk  
**Cc:** Danny Breen; Sheilagh O'Leary; Hope Jamieson; Maggie Burton; Debbie Hanlon; Dave Lane; Sandy Hickman; Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: 42 Bannerman Street

Good Afternoon:

We acknowledge receipt of your email and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

---

**From:** [REDACTED]  
**Sent:** Thursday, March 19, 2020 6:47 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Cc:** Danny Breen <dbreen@stjohns.ca>; Sheilagh O'Leary <soleary@stjohns.ca>; Hope Jamieson <hjamieson@stjohns.ca>; Maggie Burton <mburton@stjohns.ca>; Debbie Hanlon <dhanlon@stjohns.ca>; Dave Lane <dlane@stjohns.ca>; Sandy Hickman <shickman@stjohns.ca>  
**Subject:** 42 Bannerman Street

Dear Mesdames and Sirs:

This letter is written to oppose the application by First Light to rezone the affordable housing building at 42 Bannerman Street for commercial use.

The Stewart Ave Residents Association represents the small community that lives on and around Stewart Ave. This proposal impacts us directly. In fact, the industrial kitchen in question has a large "1 Stewart Ave" sign on it. This is a quiet, residential area. Until First Light arrived.

At the time of this writing, over 80 people have signed our petition to oppose this, and stop all commercial operations at 42 Bannerman Street. You can see this here: <https://www.change.org/42-bannerman>

Rezoning will permit First Light to continue operation of a commercial kitchen in this affordable housing building — a heritage building renovated using taxpayer dollars.

In effect, First Light proposes Council retroactively sanction the unapproved change in building use. This is a classic example of the expression "It's easier to ask forgiveness than ask permission".

The presumption that city councils generally grant retroactive approvals only encourages inappropriate behaviour and applications such as this.

Operating their kitchen for commercial purposes has been far too disruptive to the nearby community. In reflecting upon the application by First Light, there are a number of points for Council to consider, as follows.

### **First, this is not a viable street for shipping/receiving commercial goods**

This street is too small. Stewart Avenue is a short and narrow finger street off Military Road. During the operation of its commercial kitchen, trucks are required on the street for pickup/delivery purposes, as recently as March, 2020.

Any commercial shipping/receiving truck is large enough to disrupt, or block entirely, residents' use of the street.

This photo shows the truck blocking the road. This truck is always left idling and without a driver. Sometimes for half an hour, cars cannot pass. Such an inconvenience to residents is common now, and would continue unabated if the area were rezoned. This is a fire hazard, a safety hazard, and a total disruption to the community.



This video shows several instances of this, as well as why this street can't handle any operation of this nature:

<https://www.facebook.com/stewartave/videos/642635603216552/>

First Light still has commercial rental forms available on their website today, where they boast "access to our commercial kitchen". They go on to admit that there's "limited parking at the Bannerman Street entrance" and suggest using our community's limited on-street parking. Most of the parking in this area is by permit only, and is used in its entirety by residents. Suggesting in promotional materials that this space could be used for commercial purposes is yet another example of total disregard for our residents.

## **Second, the noise from the kitchen's industrial fan is unacceptable**

The loud noise produced from the industrial kitchen fan is well beyond any reasonable level for a residential area. We can hear the fan inside our homes, with all doors and windows closed, and over the usual volume of our televisions.

During the past year the fan would turn on and off at intermittent intervals, day and night, all days of the week. Residents are constantly disturbed by the loud start-up bang, followed by hours of droning hum from this fan. It's like living next to a factory. Because we are.

A test with a decibel meter revealed that First Light's fan operates at over 82-decibels. This video shows the measurement of the fan's noise, as well as instances of it running at unreasonable hours, such as 5:10 AM:

<https://www.facebook.com/stewartave/videos/495760164420203/>

If City Council is willing to discuss at great length concerns about noise from a proposed rooftop lounge across from the Bannerman Brewing Co, (The Telegram, page A8, Tuesday March 10, 2020) then there should be great concern about First Light's attempt to rezone affordable housing into commercial space for any for-profit business. At least with the Brewdock Bar & Eatery it's estimated the sound will be under 70-decibels, they'll turn off speakers at 9pm, and only operate about 45 days a year. First Light's proposal is to sanction an even louder fan, from 7am to 11pm, 365 days a year — on a quiet residential-only street.

## **Third, a total disregard for the community**

First Light is currently renting out this space to commercial businesses right now. They've been doing so for well over a year. No city approval. No community discussion. Because they think it's easier to ask forgiveness than to ask for approval.

At all hours of the night, the giant industrial fan would echo down the quiet street, vibrating our windows and walls. Late-night use only stopped because of public backlash.

First Light's response to the community's cries wasn't to stop this behaviour — it was to apply for this rezoning to make it legal, while still continuing to operate.

In summary, we strongly oppose the application made to Council by First Light and respectfully request its rejection.

Sincerely,

**The Stewart Ave Residents Association**

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Any correspondence with employees, agents, or elected officials of the City of St. John's may be subject to disclosure under the provisions of the Access to Information and Protection of Privacy Act, 2015, S.N.L. 2015, c.A-1.2.

## Karen Chafe

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**From:** CityClerk  
**Sent:** Monday, March 23, 2020 9:12 AM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: 42 Bannerman Street

Good Morning [REDACTED]

We thank your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

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**From:** [REDACTED]  
**Sent:** Saturday, March 21, 2020 7:12 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** 42 Bannerman Street

Members of the St. John's City Council:

The application for re-classifying 42 Bannerman Street [into a commercial operation](#) is unbelievable. In the application it states that they wish to bypass the parking requirements. Has there been a parking or traffic study on how this facility will affect the narrow streets surrounding this building? There is very little parking available, even for the people living in the area.


A commercial kitchen has been illegally operating here for over a year; in a building zoned for residential use and community space. 42 Bannerman Street was renovated **using taxpayer dollars** for the sole purpose of providing community space and **affordable housing**. The primary entrance being used by the illegal commercial venture, is 1 Stewart Ave.

Delivery trucks often park blocking the roadway on Stewart Ave, a narrow side street next to the building in question. This increased traffic blocks the exiting of Stewart Ave, making it a fire and safety hazard.

My husband and I live on [REDACTED] — it's a small quiet narrow little street. Or at least it was. Before the huge industrial-grade fan was installed, creating a public nuisance, with unreasonably high noise levels for the residents. This fan has kept us awake at night, and caused undue stress in our daily lives.

I urge all members of council to reject this application, and investigate the behaviour of this so-called non-profit, and their blatant disregard for the community.

Sincerely,



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## Karen Chafe

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**From:** CityClerk  
**Sent:** Monday, March 9, 2020 10:01 AM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: 42 Bannerman Street

Good Morning [REDACTED]

We thank you for your feedback and advise that all submissions will be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Friday, March 6, 2020 11:02 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** 42 Bannerman Street

Hi,

I live on [REDACTED] and I do have concerns around the new proposal. We moved on [REDACTED] because we really enjoyed the peaceful nature of the street there was no business but there were kids as it's close to bishop Feild. I have concerns about operations in this building especially considering they are 24 hours and food operations. It will be unwanted traffic to our peaceful street. It's a residential zone and a family zone. I would really like to keep it that way. It's so wonderful to see all the kids playing on our street increased traffic would prevent this.

Thanks  
[REDACTED]

Sent from my iPhone

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March 20, 2020

**Via Mail and Email (cityclerk@stjohns.ca)**

Office of the City Clerk  
PO Box 908  
St. John's, NL A1C 5M2

**Re: REVISED: 42 Bannerman Street (Cochrane Centre)**

Dear Sir/Madam:

Council's request for comments with respect to an application to amend the Heritage Use of 42 Bannerman Street (Cochrane Centre) to include food preparation (commercial and community-based) with hours of operation 7am to 11pm, seven days a week is timely.

The College of Registered Nurses of Newfoundland and Labrador ("CRNNL") in recent months has identified a significant increase in both commercial and residential traffic utilizing the CRNNL parking lot as a thoroughfare. Indeed, prior to receipt of Council's request for comments, CRNNL was reviewing its options to eliminate the flow of traffic which has become increasingly disruptive to our operations. Issues include:

- large commercial vehicles blocking staff parking;
- vehicles visiting 42 Bannerman Street parking in CRNNL's parking lot impacting staff parking and those with business at CRNNL;
- staff having to move vehicles in CRNNL's parking lot to enable large vehicles to drive through the parking lot;
- placement of a commercial garbage bin directly on CRNNL's parking lot – despite numerous requests to have this bin removed from the property, the bin is repeatedly located back on CRNNL's property and has impacted snow clearing of CRNNL's parking lot;
- on one occasion a staff member parked on **CRNNL's parking lot** and not blocking the thoroughfare had the following note left on their windshield: "you cannot park here, you are preventing the GoBus from coming down. There are plenty of parking spots. Next time, I will be calling a tow truck, your plate number has been recorded".

It is noteworthy that the information presented in Council's request for comments does not address the manner in which the commercial business intends to access 42 Bannerman Street. To be clear, CRNNL parking lot may not be used to facilitate access to 42 Bannerman Street.

As a final note, the diagram attached to Council's request for comments setting out the "subject property" is inaccurate, and indeed, encompasses a portion of CRNNL parking lot. For your ease of reference, attached is a survey which clearly sets out CRNNL's property.

... 2

Office of the City Clerk  
Page 2  
March 20, 2020

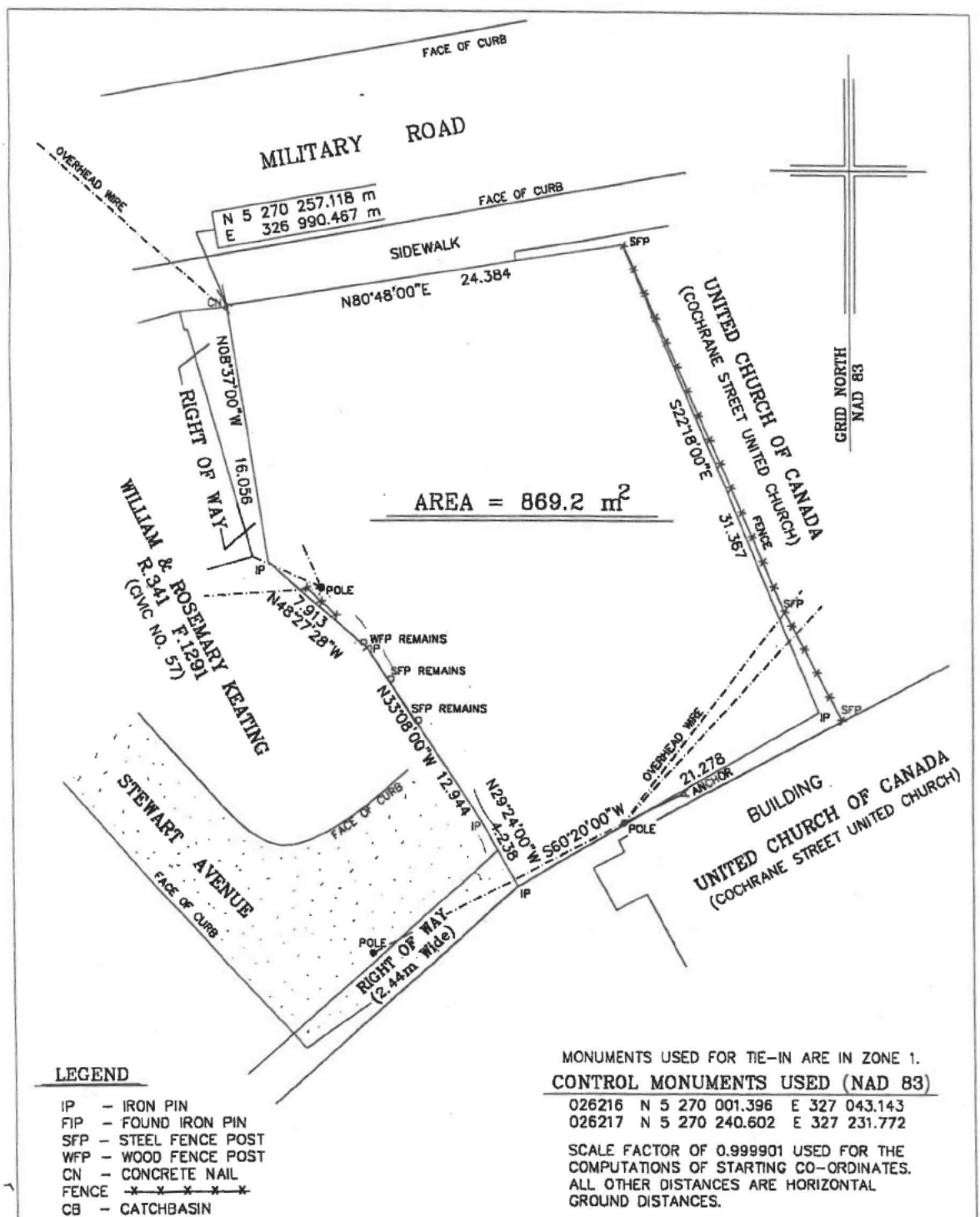
To conclude, CRNNL is NOT consenting to the use of its property to access 42 Bannerman Street for a commercial purpose and will take whatever action is required to prevent the continued trespass onto its property.

Yours truly,

A handwritten signature in cursive script that reads "Lynn Power".

Lynn Power  
Executive Director

Attachment



*William Doyle*

# PROPERTY SURVEY

CIVIC NO. 55  
MILITARY ROAD

St. John's, Newfoundland

WILLIAM DOYLE & ASSOCIATES LTD.  
Newfoundland Land Surveyors

SCALE:	1 : 300	JOB NO.	02 - 279
DATE:	AUGUST 16, 2002	SURVEY:	W.D.