

December 30, 2019

Email: [REDACTED]

Dear [REDACTED]

Re: Request for Access to Information under Part II of the Access to Information and Protection Privacy Act (the ATIPP Act, 2015)

On November 27, 2019, the City of St. John's received your request for access to the following information:

Any and all information pertaining to the permit approval and conditions thereto for 90 Duckworth Street (the old firehall), including without limiting any requirements relating a buffered zone or fencing for the last 5 years.

Enclosed is the information you requested. Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in Section 42 of the ATIPP Act. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner:

Office of the Information and Privacy Commissioner
2 Canada Drive; P. O. Box 13004, Stn. A, St. John's, NL. A1B 3V8
Telephone: (709) 729-6309; Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to Section 52 of the Act.

If you have any further questions, please feel free to contact me by telephone at 576-8429 or by e-mail at kcutler@stjohns.ca.

Yours truly,



Kenessa Cutler
ATIPP Coordinator

ST. JOHN'S

From: [Kenessa Cutler](#)
To: [Kenessa Cutler](#)
Subject: FW: ATI Request - 90 Duckworth Street
Date: Friday, December 20, 2019 3:51:34 PM
Attachments: [Memo to staff - 90 Duckworth Street.pdf](#)
[image001.png](#)
[image002.png](#)

From: Ken O'Brien <kobrien@stjohns.ca>
Sent: Friday, December 20, 2019 3:23 PM
To: Kenessa Cutler <kcutter@stjohns.ca>
Cc: Aggi Westcott <awestcott@stjohns.ca>
Subject: FW: ATI Request - 90 Duckworth Street

Hi, Kenessa. I found the public notice of the commissioner's hearing in November 2017 for 90 Duckworth Street and its proposed conversion to a restaurant and brew pub:

<http://www.stjohns.ca/public-notice/public-hearing-90-duckworth-street>

The land-use assessment report (LUAR, posted at http://www.stjohns.ca/sites/default/files/CSJ_FileUpload/Planning/90%20Duckworth%20Street%20LUAR%20%28revised%20Sept%202017%29.pdf, contains information on fences.

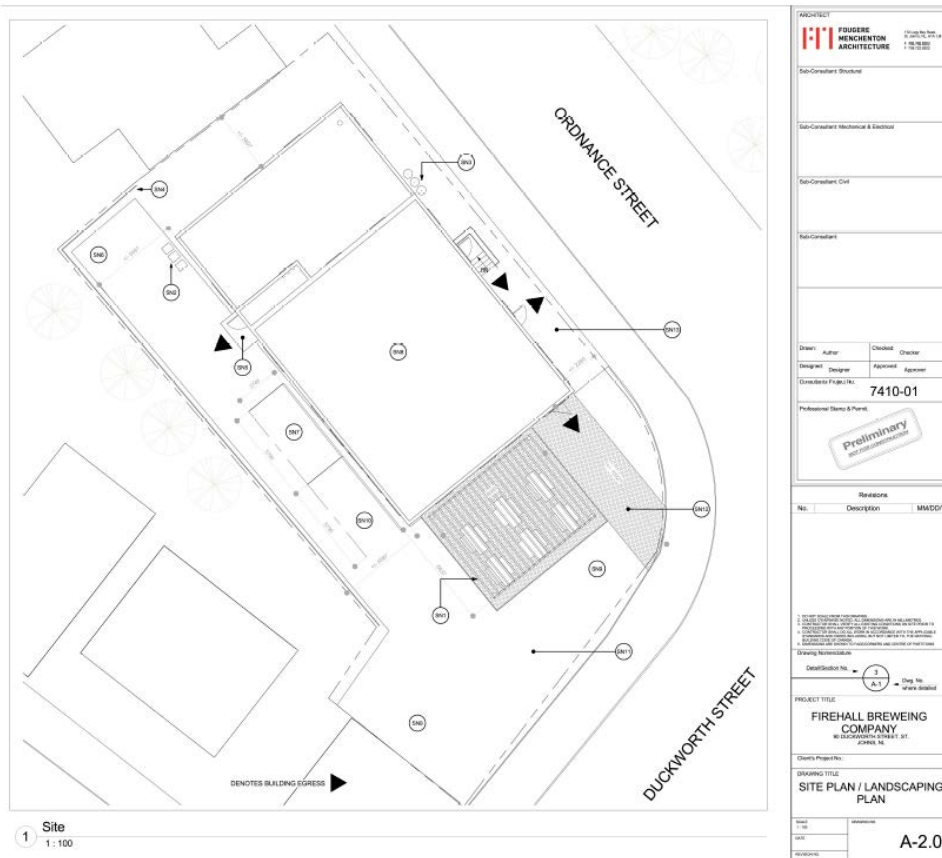
Page 4 contains the following statement:

We will erect an 8' high wooden fence with horizontal boards along our west property line to further shield our operation and patrons from our neighbours on Wood St.

In the original document – page 14 (or page 22 of the 30-page PDF), the following statement is included:

A 1.8m opaque screen will be erected along the west side of the property line to shield the view of our operations from our neighbours on Wood St. (See figure on following page outlining the location of privacy fence, snow/garbage storage, etc)

The following page is the site plan / landscaping plan:



The following page contains the legend for this drawing:

SITE PLAN NOTES	
SN1	WOOD CANOPY: WOOD CANOPY CONSISTING OF WOODEN JOISTS, BEAMS, AND COLUMNS. WOODEN COLUMNS RESTING ON CONCRETE PIER FOOTINGS, SAUNA TUBE CONSTRUCTION. FOOTINGS TO BE BUILT TO 4" MINIMUM BELOW GRADE. SPANS, BEAM SPECIFICATIONS, COLUMN AND FOUNDATION DESIGN TO BE SPECIFIED BY A STRUCTURAL ENGINEER LICENSED TO PRACTICE IN NEWFOUNDLAND AND LABRADOR.
SN2	GARBAGE BINS.
SN3	PROPANE TANKS
SN4	PRIVACY FENCE TO EXTEND TO FOUNDATION WALL OF ADJACENT BUILDING. FENCE TO BE 1.8m IN HEIGHT.
SN5	RAISED CONCRETE PAD.
SN6	SNOW STORAGE
SN7	PARKING.
SN8	THIS BUILDING CONTAINS LARGE SPAN INTERIOR SPACE WITH OVERHEAD DOOR ACCESS. IT IS INTENDED FOR THE CONTRACTOR TO STORE THE MAJORITY OF CONSTRUCTION MATERIALS INSIDE OF THE BUILDING DURING CONSTRUCTION.
SN9	CONSTRUCTION PARKING.
SN10	ADDITIONAL CONTRACTOR LAY DOWN SPACE.
SN11	ASPHALT.
SN12	CONCRETE PAVERS.
SN13	GRAVEL.

That is all the information that comes to mind regarding "a buffered zone or fencing".

Regards,

Ken

Ken O'Brien, MCIP
 Chief Municipal Planner
 City of St. John's - Planning, Engineering and Regulatory Services
 Phone 709-576-6121 Fax 709-576-2340 Email kobrien@stjohns.ca

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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