



December 19, 2024

## NOTICE TO AREA RESIDENTS

Dear Residents:

Please be advised that the Town has reviewed all public input received with regards to the proposed child care centre at 326 Tolt Road. To date we have 81 respondents in opposition to the centre and 7 respondents in support. We have also received a petition with 49 signatures in opposition.

From our analysis of the opposition, the 3 predominant concerns appear to be the following:

1. Impacts to Traffic (67 out of 81 responses)
2. Suitability of the site for well and septic services (39 out of 81 responses)
3. Lack of transparency and public input (26 out of 81 responses)

The purpose of this notice is to provide additional information. Public dialogue is encouraged, and we hope providing this information assists in such dialogue.

### Meeting on Tuesday November 12<sup>th</sup>, 2024

On Tuesday November 12<sup>th</sup>, 2024 the Town Council met with the property owner and representatives from the management and Board of Directors of the proposed child care centre. This centre is a not-for-profit operation that is being funded by the Federal and Provincial Government to provide 90 spaces for \$10/day child-care for parents within Portugal Cove-St. Philip's. It is anticipated by the Board of Directors that most spaces will be taken by Portugal Cove-St. Philip's parents of which there has been a highlighted need in the community. These applicants are not associated with proponents for a recent child care facility that was rejected by the City of St. John's.

### Impacts to Traffic

There has been no consulting study to predict the impact to traffic caused by the daycare centre or to better assess the current traffic performance of Tolt Road. Council has determined that concerns about traffic are viewed to be more of a community-wide concern and should be considered in the context of the broader community. Council envisions there will be approximately 60 vehicles with an average of 1.5 children per day doing drop-offs in the morning and pick-ups in the afternoon. The morning drop-offs will be in intervals between 7am and 9am while pick-ups will be in intervals between 4pm to 6pm. This means 30 vehicles per hour in the morning and evening associated with pick-up and drop-off. There will also be some extended hours of operation to increase access to the daycare for parents who work outside of typical workday shifts if there is a need in the community. The extended hours of operation is expected to further distribute the traffic impact.

The predominant traffic load for Portugal Cove-St. Philip's is believed to be morning commutes into the greater St. John's area for work from 7am to 9am and returning from 4pm to 6pm. There will be up to 20 employees employed by the centre driving to and from the centre in the morning and afternoon. The flow of traffic caused by these employees is expected to be in the opposite direction of the predominant traffic load and, as a result, council expects their impact on will be minor.

If local traffic issues are observed, the Town can evaluate and consider ideas to mitigate impacts such as infrastructure upgrades, improved sidewalks, intersection improvements, etc. If traffic

concerns are so great in the community that residents feel the need to call for the rejection of daycare facilities, we really need to find a way as a community to decide how we will prioritize and invest in traffic infrastructure. If there are reckless drivers creating safety issues, we need to find a way as a community to discourage that behaviour instead of putting that issue on the shoulders of a property owner and a not-for-profit organization trying to better our community. In the Town's 2023-2028 strategic plan a high priority goal is to "Ensure Safety and Security of Property and People". Council is united in overseeing continuous efforts to enhance public safety year-over-year.

#### Suitability of the site for well and septic services

The design and construction of well and septic systems is overseen by officials from the Provincial Government through the Department of Digital Government and Service NL. The two existing buildings on the property of 326 Tolt Road will have access from Tolt Road and will be undergoing substantial renovations to create suitable infant rooms, toddler rooms, preschool rooms, and school age rooms. With the approval-in-principle issued by the Town on October 10<sup>th</sup>, 2024, the Board of Directors can now begin to prepare engineering plans for the building spaces and building systems needed to support the facility. These plans have to be designed in accordance with guidelines set by the provincial government and required approvals. Prior to obtaining a building permit from the Town to undertake the renovations, these plans and approvals must be submitted to the Town's Planning and Development Department. It is anticipated that any technical concerns regarding the suitability of the site for well and septic services will be addressed through this process and, if there are irreconcilable issues resulting from that process, the project will not be able to continue.

#### Lack of transparency and public input

Between April and September 2024, the Town processed Development Regulations Amendment 36 to support the ability to have stand-alone daycares in Residential Medium Density zones. During the consultation period there were no objections from the community and council had believed there would be widespread support for such changes. In September 2024, the discretionary use public notices were published with respect to the 326 Tolt Road child care facility and no objections were received by October 1<sup>st</sup>, 2024. The application was found to be compliant with all of the Town's development regulations and council then voted to issue an approval-in-principle for the facility.

We also issue notices to residents within 50 meters of a property seeking to establish a business and we acknowledge that there was a processing error which resulted in this not occurring prior to reviewing the application. Council was not aware that this notice had not been circulated prior to the October 1<sup>st</sup> council meeting. Upon discovery of this issue, Council determined that the best course of action would be to invite residents to provide input and feedback while continuing with the approval process. This seemed reasonable to Council as there was no opposition to any of the other notice processes to date and it was expected that the public reaction would be positive.

Council is sensitive to sentiments of the public claiming that there is a lack of transparency or lack of opportunity for residents to provide public input to the Town. Council strives to give as much opportunity as possible to participate. We have ongoing consultations now with respect to the 2024-2034 Municipal Plan and Development Regulations to introduce additional regulations to enhance transparency and tools for public engagement. The Town is highly responsive to requests for information while protecting private information when obligated to do so under the Access to Information and Protection of Privacy Act. Council will sincerely take any constructive feedback provided and continue to enhance processes that improve transparency.



**Portugal Cove  
St. Philip's**

**Where do we go from here?**

The Planning and Development Department is overseeing this file and will engage with the proponents as they work to meet the conditions outlined in their Approval in Principle and progress toward obtaining necessary permits. The Town may issue permits upon receipt and review of the following documentation (but not limited to):

- Copy of Legal Property Survey;
- Detailed Building Plans/Floor Layout;
- Scaled Site Plan (indicating access points, play areas, and spatial buffers or screening between the commercial development and nearby residential areas);
- Parking Plan (for off-street parking).
- Service NL Certificate of Approval (for the on-site water and sewage system).
- Approved Plot Plan (for the on-site water and sewage system).
- Approval for Fire and Life Safety (from Service NL).
- Approval for Building Accessibility (from Service NL).
- Approval and/or License (from Family and Child Care Connections, if applicable).


The Town may issue an Occupancy Permit after the renovation of the buildings is complete, subject to receipt and review of the following documentation:

- National Building Code and Fire Code of Canada Certificate of Release (signed);
- Electrical Certificate of Release (signed);
- Final Electrical Certificate of Inspection (from Service NL);
- Plumbing Certificate of Release (signed);
- Final Commercial Access Inspection (by the Town's Public Works Department);
- Final Certificate of Approval (from Service NL for the on-site water and sewage system);
- Final Approval for Fire and Life Safety (from Service NL), and;
- Final Approval for Building Accessibility (from Service NL).

Additionally, the applicant must provide copies of all necessary approvals or licenses from other applicable regulatory government agencies as required.

If there is any other input residents want to provide, please send your input by e-mail to [planning@pcsp.ca](mailto:planning@pcsp.ca); however, Council does not intend to rescind or reject the application for this child care facility unless there is some failure on the part of the applicant to meet the technical requirements set forth in the development review process over the coming months.

Kind Regards,



Jody Murray  
Chief Administrative Officer  
Town of Portugal Cove-St. Philip's