

# DECISION/DIRECTION NOTE

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**Title:** Proposed Rebuild of a Dwelling in the Watershed – 661 - 665 Thorburn Road – DEV2200102

**Date Prepared:** August 26, 2022

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Jamie Korab, Development

**Ward:** Ward 4

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**Decision/Direction Required:**

Request to demolish and rebuild a Single Detached Dwelling in the Watershed at civic number 661-665 Thorburn Road.

**Discussion – Background and Current Status:**

An application was submitted to demolish and rebuild a Single Detached Dwelling at civic number 661-665 Thorburn Road, which is located in the Watershed (W) Zone. There are currently two (2) existing Dwellings on the Lot, creating a non-conformity. The proposal is to remove and replace the smaller Dwelling, which measures 70.6m<sup>2</sup>. The proposed new replacement Dwelling will be increased in size by 50% to 106m<sup>2</sup>, as per Section 104 of the City of St. Johns Act.

Section 104 (4)(c) of the City of St. John’s Act states that Council may permit the erection on the land of a building to replace an existing building destroyed by fire or an existing building dilapidated 50% or more. A Building Inspector determined that the Dwelling proposed to be replaced is more than 50% dilapidated.

As per the Watershed (W) Zone in the Envision Development Regulations, all Uses and Zone Standards shall be in the discretion of Council. As per Section 4.9 “Land Use Report (LUR)”, Council shall require a Land Use Report as part of the Development application review process for applications related to or involving development in the Watershed Zone, but where the scale or circumstances of the proposed Development does not merit a LUR, Council may accept a staff report in lieu. As the proposal to rebuild the Dwelling has been reviewed by Regional Water and the Development Engineer and there are no major concerns outside of the conditions for approval, it is recommended that this staff report be accepted as the LUR.

As part of the review by Regional Water, it was identified from mapping imagery that clear cutting has been occurring at the rear of this property. Prior to any building permits being issued, the property owner must remediate and reinstate the portion of the property which has been clear cut.



**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.

4. Alignment with Adopted Plans: St. John's Municipal Plan and Development Regulations and City of St. John's Act.
5. Accessibility and Inclusion: Not applicable.
6. Legal or Policy Implications: St. John's Envision Development Regulations Section 10 "Watershed (W) Zone", Section 4.9 "Land Use Report", and the City of St. John's Act Section 104.
7. Privacy Implications: Not applicable.
8. Engagement and Communications Considerations: Not applicable.
9. Human Resource Implications: Not applicable.
10. Procurement Implications: Not applicable.
11. Information Technology Implications: Not applicable.
12. Other Implications: Not applicable.

**Recommendation:**

That Council approve the demolition and rebuild of the smaller Dwelling at civic number 661-665 Thorburn Road, subject to the following conditions:

1. The floor area of the proposed new replacement Dwelling will not be allowed to expand more than 50% of the existing Dwelling;
2. The development must meet all requirements of the Department of Planning, Engineering and Regulatory Services; and
3. The area clear cut at the rear of the property must be reinstated before any Building Permits are issued.

**Prepared by:**

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**Approved by:**

Jason Sinyard, P. Eng., MBA, Deputy City Manager  
Planning, Engineering & Regulatory Services

**Report Approval Details**

Document Title:	Development Committee - Proposed Rebuild of Dwelling in the Watershed – 661 Thoburn Road – DEV2200102.docx
Attachments:	- Aerial Map.pdf - Aerial Map Zoom.pdf
Final Approval Date:	Aug 26, 2022

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

**Lindsay Lyghtle Brushett - Aug 26, 2022 - 12:05 PM**

**Jason Sinyard - Aug 26, 2022 - 1:45 PM**