

# DECISION/DIRECTION NOTE

---

**Title:** Proposed Extension to Commercial Garage in the Watershed  
INT1900097  
760 Thorburn Road

**Date Prepared:** September 16, 2019

**Report To:** His Worship the Mayor and Members of Council

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

**Ward:** 4

---

## **Decision/Direction Required:**

To reject the application for a proposed extension to the roof height of a Commercial Garage in the Windsor Lake Watershed.

## **Discussion – Background and Current Status:**

An application was submitted for approval to raise the roof height of an existing Commercial Garage at 760 Thorburn Road, which is located within the Windsor Lake Protected Watershed.

A Commercial Garage is not a Permitted or a Discretionary use in the Watershed Zone, making it an existing non-conforming use. Section 106(2)(d) of the City Act states that Council may permit the erection on that land of a building or extension to an existing building, subject to the written recommendation of the City Manager that a permit be issued for that building or extension.

As the raising of the roof of the commercial garage will increase the size of vehicles that can be serviced by the garage, this in turn will also increase the number of vehicles that are able to be serviced, which will increase the intensity of this commercial use. As this is an intensification of a non-conforming use in the Watershed, staff does not recommend that the City Manager grant a permit to raise the roof of this commercial garage.

## **Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable
3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications:  
Sections 10.46 Watershed (W) Zone & 5.1.3 Discretionary Powers of the St. John's Development Regulations, & Section 106 (2)(d) of the City of St. John's Act

# ST. JOHN'S

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: Not applicable.

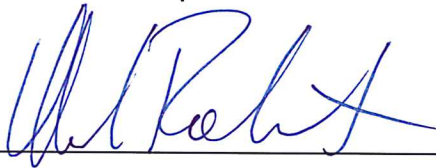
**Recommendation:**

Based on the advice of staff and the Development Committee, it is recommended that the application to raise the roof be rejected as this would intensify a commercial use within a protected watershed, as determined by the City Manager and Council.

**Prepared by/Signature:**

Andrea Roberts – Development Officer

Signature: \_\_\_\_\_



**Approved by/Signature:**

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

Signature: \_\_\_\_\_



**Approved by/Signature:**

Kevin Breen, City Manager

Signature: \_\_\_\_\_



AAR/dlm

**Attachments:** Map



SUBJECT PROPERTY

1:750

760 THORBURN RD

