


TITLE: <p style="text-align: center;">VARIANCE 1020 PATRICIA AVENUE OWNER: MATTHEW ALEXANDER PLANTE APPLICANT: CAM PLANTE</p>		
MEETING DATE: June 21, 2023		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Bernice Leyeza, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Variance Application V-04-23 to vary Table 10 under Section 51 of the Zoning By-law in the Residential Large Lot (RLL) Zone by reducing the required site area from 4,048.0m² to 2,728m² and required site width from 22.8m to 18.3m be approved at 1020 Patricia Avenue (Wly 169 Feet Block 8, Plan 320 BLTO) in accordance with the attached letter of intent "Attachment A-1" and site plan "Attachment B-4".

BACKGROUND:

Request

The applicant, Cam Plante, on behalf of the property owner, Matthew Alexander Plante, is applying to vary Table 10 under Section 51 of the Zoning By-law to decrease the following in the Residential Large Lot (RLL) Zone at 1020 Patricia Avenue to construct a detached dwelling on a proposed lot:

1. Required site area from 4,048.0m² to 2,728m²
2. Required site width from 22.8m to 18.3m

The applicant has concurrently applied to subdivide the site to create a new lot for this detached dwelling.

Development Context

An existing detached dwelling occupies the western portion of the subject site that is located on the south side of Patricia Avenue, between 10th and 11th Streets. A hydro pole is located between the existing accesses on Patricia Avenue. The site is predominantly surrounded by low-density residential uses, undeveloped lands in the R.M. of Cornwallis to the south, and commercial uses along 18th Street. Patricia Avenue provides access to the site.

History

The existing detached dwelling on the site was built in 1978. Council has considered the associated application to subdivide the site into two lots at its June 19, 2023 meeting. Approval will be contingent on, amongst other things, approval of this variance application.

ANALYSIS:

The applicant is proposing to decrease the following in the RLL Zone to construct a detached dwelling in the proposed east lot:

1. Required site area from 4,048.0m² to 2,728m², and
2. Required site width from 22.8m to 18.3m

Consistency with Part 6, Section 97(1)(b) of The Planning Act and Demonstration that the Variance:

1. *Will be compatible with the general nature of the surrounding area;*

Properties in the surrounding area, especially those in the south of Patricia Avenue, have varying site widths and areas due to additional subdivisions over the original grid plan. The proposed variance requests will be compatible with the general nature of the surrounding area.

2. *Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;*

The proposed development is to construct a detached dwelling on the site, which will not be detrimental to the surrounding areas nor have negatively affect other properties.

3. *Is the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and*

Due to the current zoning of the site and the existence of a detached dwelling in the western portion of the site, the proposed subdivision must occur to ensure the existing dwelling will comply with the RLL Zone requirements, resulting in the proposed eastern lot to be narrower and of reduced land area than required. The requested variance is therefore the minimum modification of the Zoning By-law required to relieve its injurious effect on the applicant's property.

4. *Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law*

The area is designated "Residential" under the Development Plan and the proposal maintains this use. Apart from the variance requests, the proposal complies with all other provisions in the Zoning By-law.

Commenting Agencies

There were no comments of significant concern regarding the variance application.

LEGISLATIVE REQUIREMENTS:*Notification*

In accordance with Section 169 of The Planning Act, notice of this Public Hearing regarding this application was sent to owners of property within 100 metres (328 feet) of the subject site and notice posters were posted on the site.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant performed door-to-door and mailout outreach with nearby properties. The applicant identified that the consultation did not result in any comments or concerns. As of writing of this report, the Planning & Buildings Department not received representation in favour of or in opposition to this application.