

RIVERVIEW PLANNING ADVISORY COMMITTEE

STAFF REPORT Variance Request

Subject : Variance to increase the size of an accessory building

File number: 22-1958

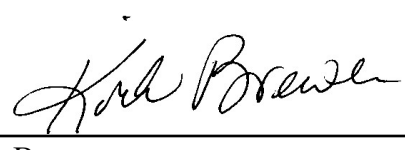
Meeting Date: Wednesday, October 12, 2022

From :

Reviewed by :



Lori Bickford
Planner / Urbaniste



Kirk Brewer
Planner / Urbaniste

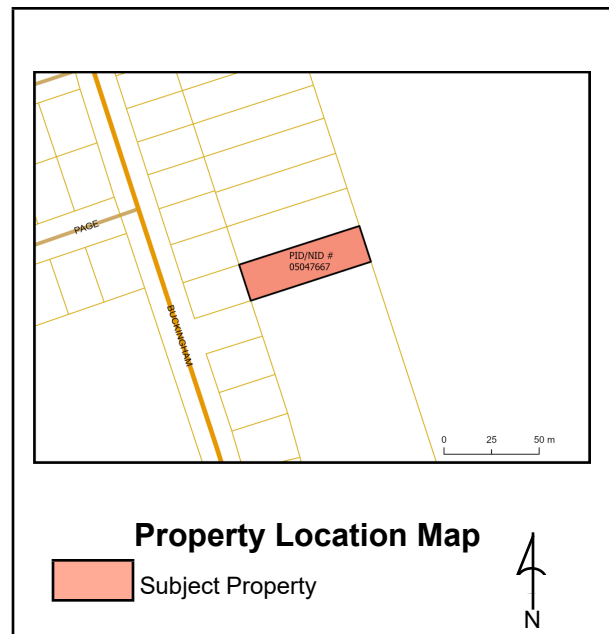
GENERAL INFORMATION

Applicant/: Russell Hayward Hayward Healthy

Landowner : Russell Hayward Hayward Healthy

Proposal:

Variance request to increase the size of an accessory building from 85m² (914ft²) to 96.6m² (1,040ft²)



SITE INFORMATION

Location: 244 Buckingham Ave, Riverview

PID: 05047667

Lot Size: 1,908m² total

Current Use: Residential

Zoning: R1

Future Land

Use: Residential

Surrounding

Use & Zoning: R1 Single Unit Residential; Parks, Recreation, Institutional (Riverview High School)

Municipal

Servicing: Public sanitary sewer, water, and storm sewer

Access/Egress: Buckingham Avenue

Municipal Plan Policies

Policy 5.4.1 It shall be the intention of Council to maintain the character of existing single unit

dwelling neighbourhoods by establishing a Single Unit Dwelling Zone (R1) within the Residential Designation.

Zoning Bylaw and or Subdivision By-law Regulation

35(1) Accessory buildings and structures are permitted in any zone, but in a residential zone other than a RA Zone, they shall not:

(e) exceed the least of 12 percent of the area of a lot, or:

(i) 85 square metres in ground floor if the main use is a single unit dwelling;

Internal Consultation & External Consultation

The application was distributed to the Development Review Committee (Planning, CAO/Clerk, Engineering, Economic Development, Parks, and Fire Department) for comments. No concerns were raised.

Discussion

The proposal is for a new 96.6m² accessory building at 244 Buckingham Avenue. The building meets the zoning by-law height requirements (2.9m to the underside of the eaves, and less than 6m to the peak). The zoning by-law limits the size of accessory buildings to the lesser of 85m², or 12% of the lot area. The proposed building is 5% of the lot area, meets the 12% restriction, but requires a variance to the allowable floor area.

The purpose of the size restriction in residential zones is to maintain consistency among residential properties and not allow over-crowding of yards. Generally speaking, standard rectangular R1 lots range from 600-800m², so 85m²/12% of the lot is an appropriate ratio for most properties to meet the regulation objective.

The properties along this stretch of Buckingham are approximately 98m (~320ft) deep as a result of parcel additions in the 1970s, and are approximately 1/2 an acre, which is substantially larger than the average lot size and depth.

The property in question abuts Riverview High School to the east, and a large vacant property to the south. The property to the north has an oversized (~110m²) accessory building, so this proposal is not anticipated to cause any concerns to surrounding properties.

The variance request being requested is about a 13% increase in the accessory building size. Staff feel this is a reasonable variation to the accessory building size requirements. Due to the larger than average lot size and depth the increased size in the garage will appear to be in proportion to the overall lot, staff feel the requested variance is desirable for the development. Finally, as the variance is relatively minor in nature and in the context of the property, staff feel it is within the intent of the plan and zoning by-law.

Public Notice

Public notice was mailed to property owners within 60m of the subject property on September 28. As of the writing of this report, no comments have been received.

Legal Authority

Community Planning Act 2017, c. 19

53(2)For greater certainty and without limiting subsection (1), a zoning by-law shall divide the municipality into zones, prescribe the purposes for which land, buildings and structures in a zone may be used and prohibit the use of land, buildings and structures for any other purpose, and may

(a) with respect to a zone, regulate:

(iii) the height, number of storeys, ground area, floor area and bulk of buildings and structures,

55(1)Subject to the terms and conditions it considers fit, the advisory committee or regional service commission may permit:

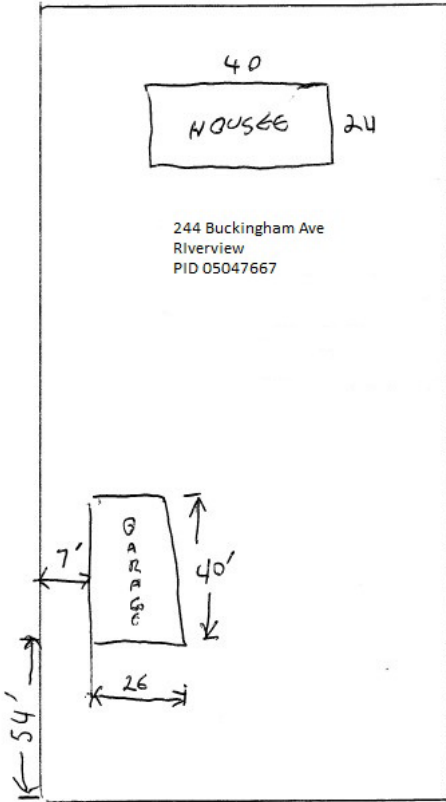
(b) a reasonable variance from the requirements referred to in paragraph 53(2)(a) of a zoning by-law if it is of the opinion that the variance is desirable for the development of a parcel of land or a building or structure and is in keeping with the general intent of the by-law and any plan under this Act affecting the development.

Recommendation

Staff recommends that the Riverview Planning Advisory Committee APPROVE the variance request to increase the size of an accessory building from 85m² to 96.6m² on the property bearing PID 05047667 (244 Buckingham Ave) because the proposal meets the general intent of the zoning by-law due to the property having above average area and dimensions.

Site Plan

Buckingham Ave



Elevations

