

Item 10.2.1

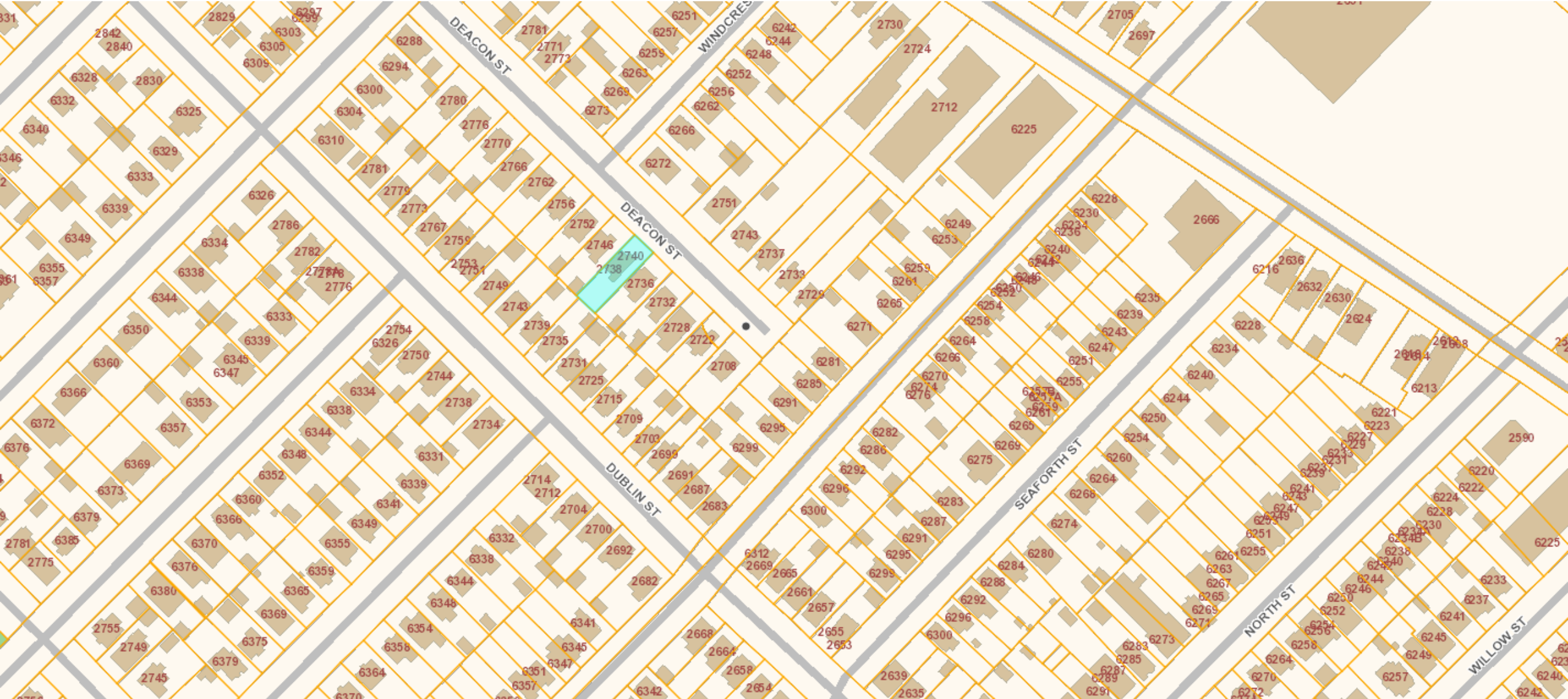
**HALIFAX**

**Case 21605  
Variance Hearing  
2740 Deacon Street, Halifax**

Halifax and West Community Council

April 9, 2019

# Location





Seaforth Street

Summit Street

Vienna Street

Dublin Street

Deacon Street

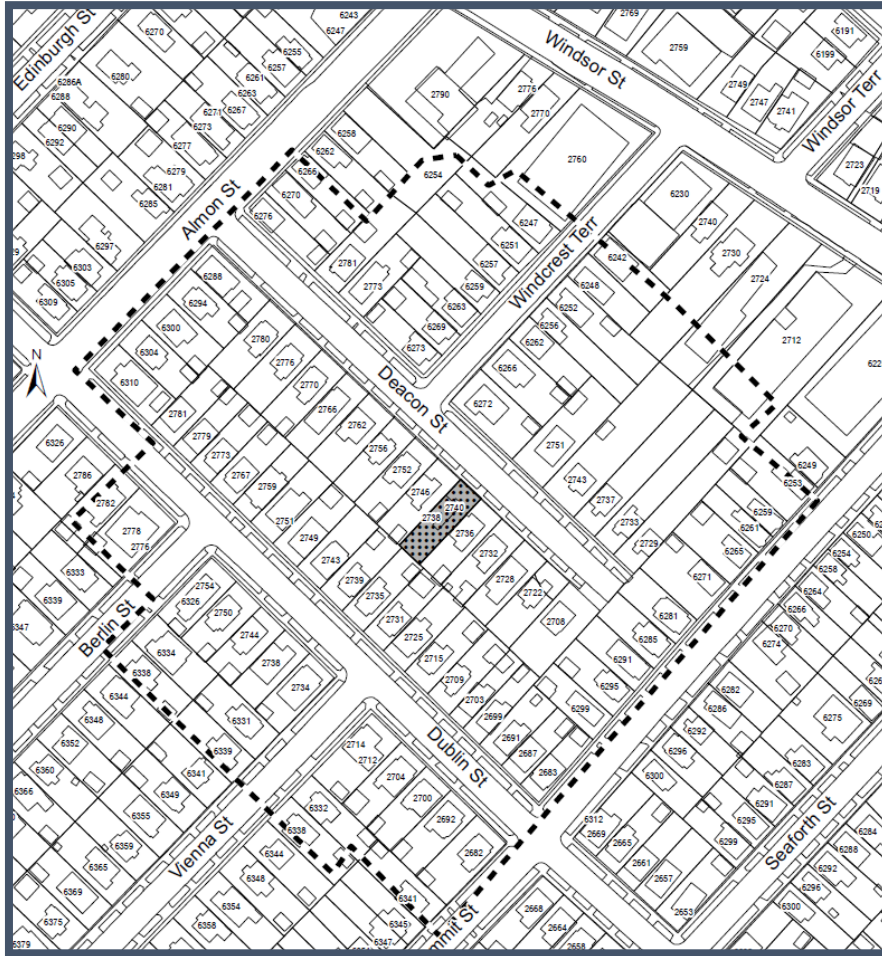
Windcrest Terrace

Almon Street

Windsor Street

Windsor Terrace

# Context



- Halifax Peninsula Land Use By-law
- R-2 (General Residential) Zone

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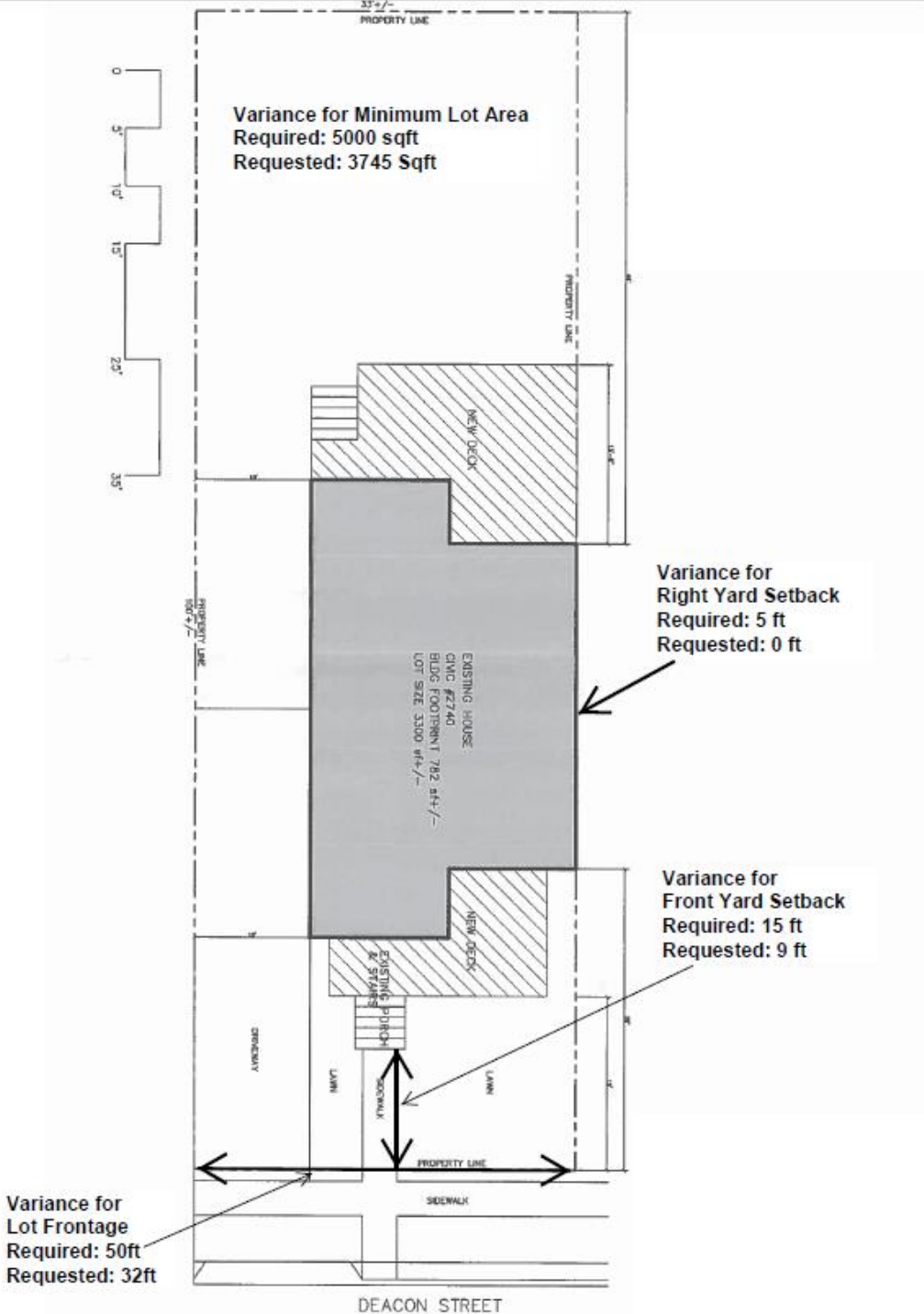
# Background

- Permit issued in August of 2017 for internal conversion of a single unit dwelling to a two unit dwelling.
- Staff became aware during the course of construction that the dwelling had been modified outside the scope of the original approval. House had been raised 26 inches, resulting in an increase in volume to the building. Front steps extended beyond existing setback.
- Variance application needed to relax the standard requirements for development of a two unit dwelling, as internal conversion clause no longer enabled.

# Variance Request

	<b>Requirement</b>	<b>Proposed</b>
Minimum Lot Area	5000 square feet	3745 square feet
Minimum Lot Frontage	50 feet	32 feet
Minimum Right Side Yard	5 feet	0 feet
Minimum Front Yard	15 feet (12 foot non-conforming)	9 feet

# Site Plan



# 2740 Deacon Street



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# Consideration of Proposal

250 (3) A variance may **not** be granted where:

- (a) the variance **violates the intent** of the development agreement or land use by-law;
- (b) the difficulty experienced is **general to properties in the area**;
- (c) the difficulty experienced results from an **intentional disregard** for the requirements of the development agreement or land use by-law.

# Alternatives

If Halifax and West Community Council approves the appeal the variance will be denied.

Should Halifax and West Community Council deny the appeal this would result in the variance being approved. This is the recommended alternative.

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