

HALIFAX

**Case 24051
Variance Hearing
5832 West St, Halifax**

Regional Centre Community Council

June 22nd, 2022

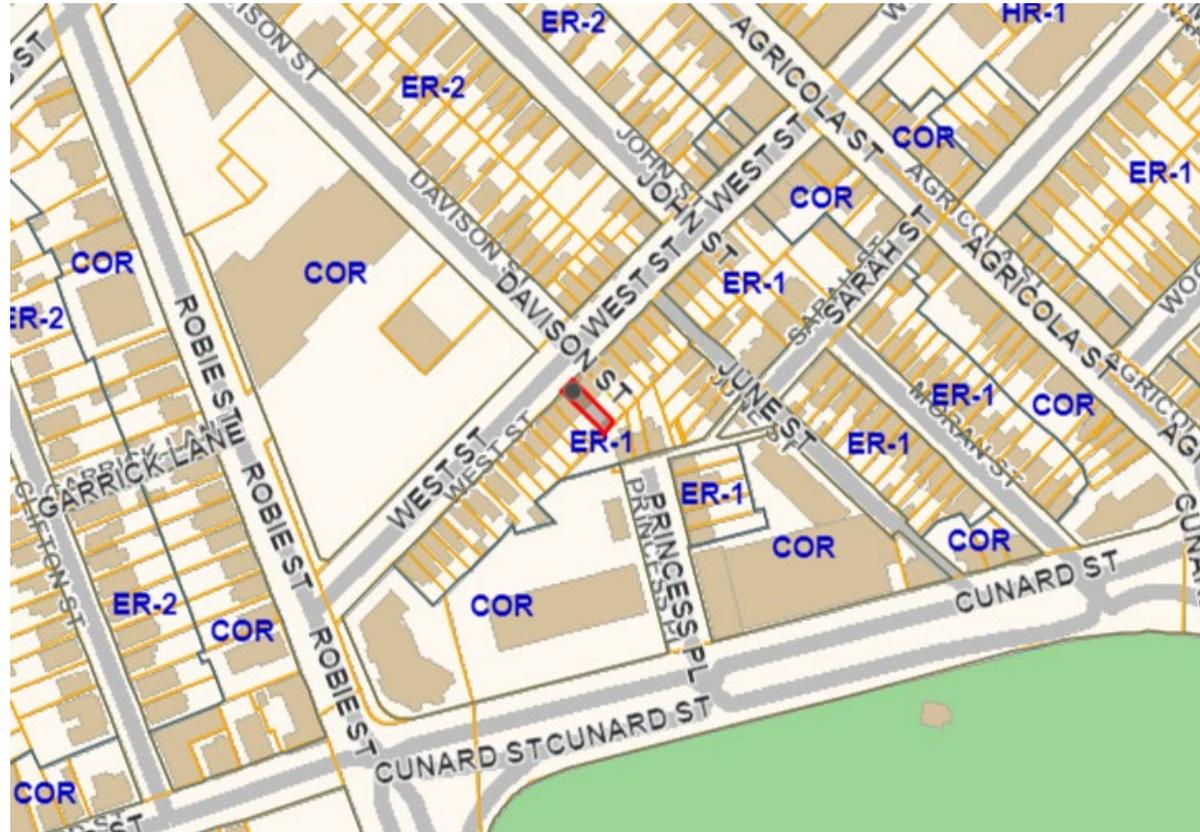
Proposal

- A variance request has been submitted for 5832 West St in Halifax to construct a two-storey addition to the rear of the dwelling. The applicant has proposed this addition to increase living space by adding a bedroom to the second storey and reconfiguring the kitchen and dining area on the main level.
- To facilitate this project, a variance has been requested to increase the maximum permitted lot coverage for an undersized lot from 50% to 55.5%.

Background

- The property is located in the ER-1 (Established Residential 1) Zone of the Regional Centre Land Use By-law.
- This property has a lot area of 130 square metres and is considered an undersized lot within the Regional Centre Land Use By-law (LUB).
- The existing lot coverage on the subject property is 46%. The proposed addition will increase the building footprint from 57.2 sq m to 70.4 sq m and increase the lot coverage to 55.5%.

Site Location / Neighbourhood



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Aerial View of 5832 West St



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Site Photographs



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100 m Notification Area

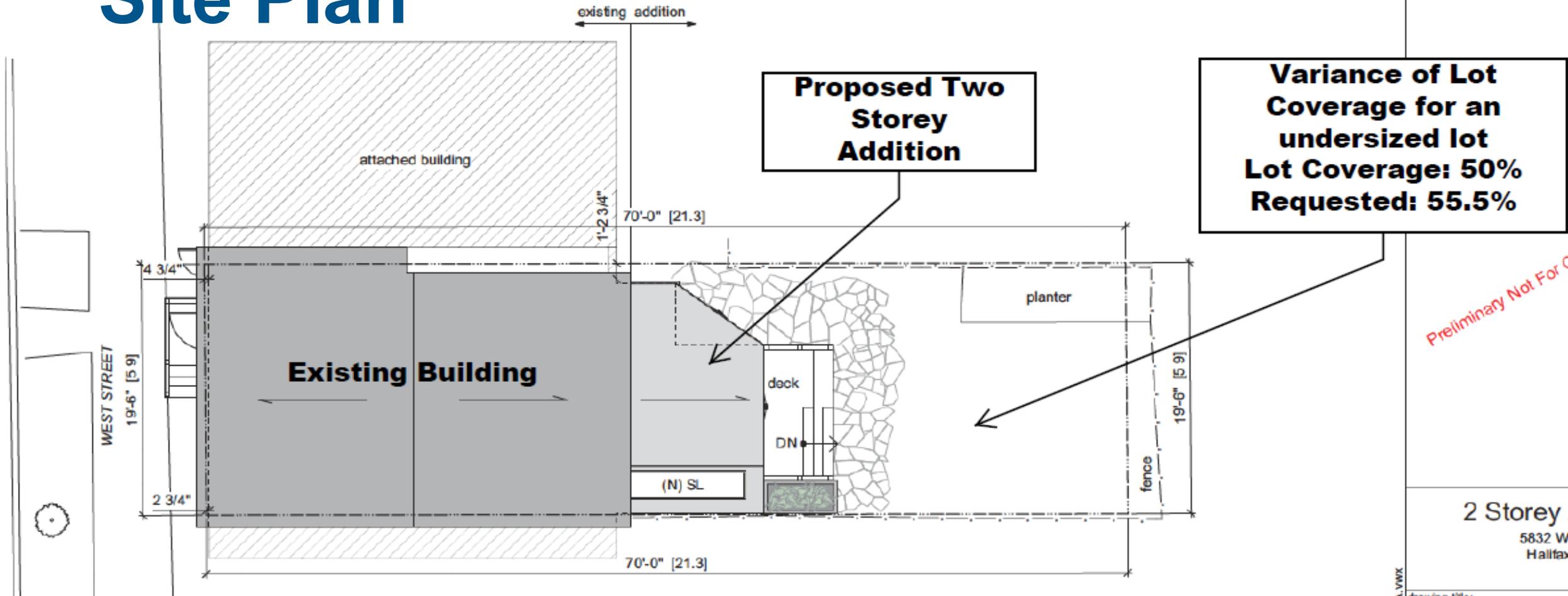


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Variance Request

	Zone Requirement	Variance Requested
Maximum Lot Coverage	50% (for lots under 325.0 sq m)	55.5%

Site Plan



Proposed Two Storey Addition

**Variance of Lot Coverage for an undersized lot
Lot Coverage: 50%
Requested: 55.5%**

Preliminary Not For Construction

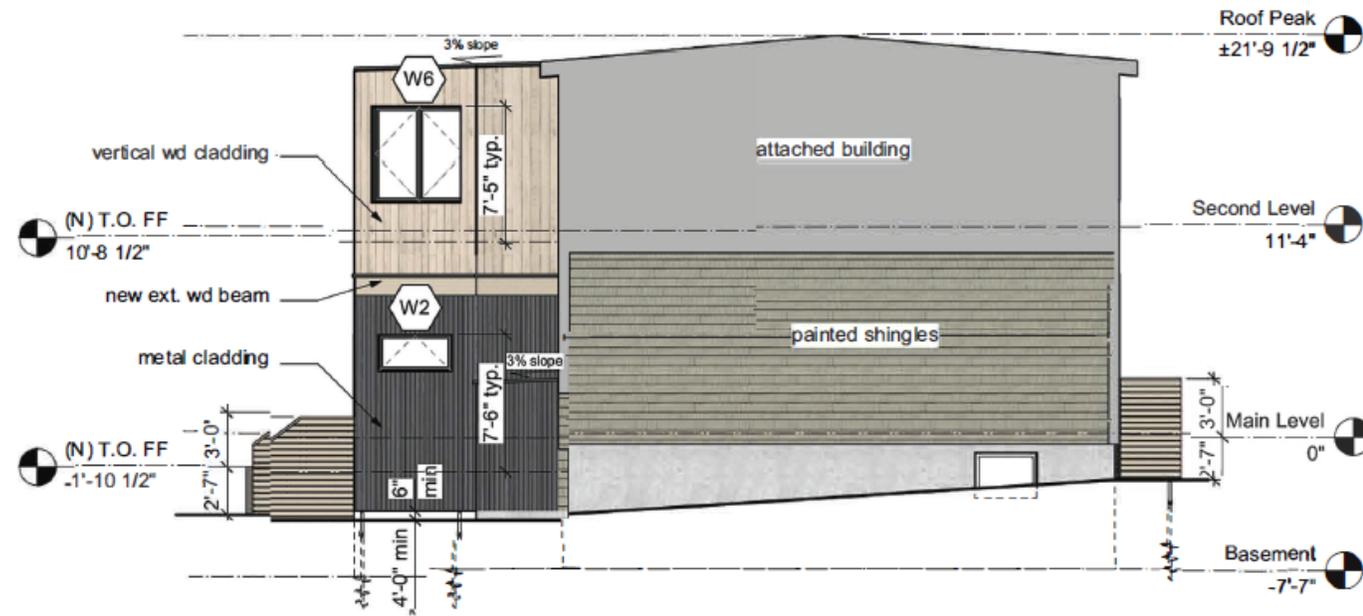
2 Storey A
5832 We
Halifax,

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Side and Rear Elevations for Proposed Addition



3 Proposed South Elevation
1/8" = 1'-0"



4 Proposed East Elevation
1/8" = 1'-0"



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Variance Criteria

250 (3) A variance may not be granted where

- (a) the variance violates the intent of the 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 land use by-law.

Does the proposal violate the intent of the land use by-law?

- This variance request is to increase the maximum permitted lot coverage to allow an addition to an existing dwelling on an undersized lot. The LUB relaxes maximum lot coverage for lots under 325.0 sq m to accommodate development on undersized lots.
- As the intent of the LUB is to allow increased lot coverage on undersized lots to accommodate development, this proposal does not violate the intent of the LUB.

Is the difficulty experienced general to properties in the area?

- The difficulty meeting the maximum lot coverage requirement is due to the lot size of the subject property and the footprint of the existing single unit dwelling.
- Many of the surrounding ER-1 zoned properties facing West St are undersized lots and may face similar challenges. The average lot size of surrounding properties is approximately 151 square metres.
- The difficulty of meeting lot coverage requirements on an undersized lot is general to the area.

Is the difficulty experienced the result of an intentional disregard for the requirements of the LUB?

- There is no intentional disregard of LUB requirements as the applicant has applied for this variance prior to commencing any work on the property.

Alternatives

Council may overturn the decision of the Development Officer and allow the appeal, resulting in approval of the Variance.

Or

Council may uphold the Development Officer's decision and deny the appeal, resulting in refusal of the Variance. **This is the recommended alternative.**

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