

Planning Committee  
Report 62  
June 8, 2022

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Rapport 62  
Le 8 juin 2022

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Le 26 mai 2022

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Motion - Committee of Adjustment Application for 411 and 415 Ravenhill Avenue

ACS2022-OCC-PLC-0005

Kitchissippi (15)

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### Report recommendation

**That the Planning Committee recommend Council approve, pursuant to Section 45 of the Planning Act, that an application to the Committee of Adjustment be permitted in respect to the properties at 411 and 415 Ravenhill Avenue for minor variances associated with reduced setbacks for an accessory structure, reduced length of two parking spaces, and an easement for the benefit of residents at 411 Ravenhill Avenue.**

CARRIED, as amended by the following replacement motion:

### **Motion No PLC 2022-63/2**

Moved by Councillor J. Leiper

***BE IT RESOLVED THAT, pursuant to Section 89(3) of the Procedure By-law, the Planning Committee consider at this meeting a motion in relation to a Committee of Adjustment Application for 411, 415, 419, and 423 Ravenhill Avenue, for the reasons set out in the preamble of that motion.***

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**WHEREAS on February 11, 2021, Planning Committee approved report ACS2021-PIE-PS-0005, a Zoning By-law Amendment for 574, 576 Byron Avenue and 411, 415, 419, 423, 425 and 427 Ravenhill Avenue. The report outlined the zoning amendment required to permit the conversion of the existing triplex buildings to 4-unit low-rise apartment buildings. Council approved the report on February 24, 2021 and the implementing Zoning By-law amendment on February 24, 2021; and**

**WHEREAS** a request has been received to proceed with a Minor Variance application to permit an easement over 415 Ravenhill Avenue for the benefit of 411 Ravenhill, and over 419 Ravenhill for the benefit of 423 Ravenhill, to permit use of the existing accessory waste structure, to permit a minor reduction in pathway width and setbacks as it pertains to the waste structure, and to reduce two existing parking spaces from 5.2 metres to 4.6 metres in length; and

**WHEREAS** the proposed changes do not alter the use of the existing building or existing waste structure in any way; and

**WHEREAS** Subsection 45 (1.3) of the Planning Act does not permit an application for minor variance before the second anniversary of the initial zoning amendment which in this case would be February 24, 2023. To wait until the February 24, 2023 deadline will delay the issuance of a building permit; and

**WHEREAS** Subsection 45 (1.4) of the *Planning Act* permits Council to declare by resolution that such an application would be permitted;

**THEREFORE IT BE IT RESOLVED THAT** the Planning Committee recommend Council approve, pursuant to Section 45 of the Planning Act, that an application to the Committee of Adjustment be permitted in respect to the properties at 411, 415, 419 and 423 Ravenhill Avenue for minor variances associated with reduced setbacks for an accessory structure, reduced pathway width, reduced length of two parking spaces, and an easement for the benefit of residents at 411 and 423 Ravenhill Avenue.

CARRIED