

Beaubassin Planning Review and Adjustment Committee

STAFF REPORT

Variance Request

Subject : Variance – Accessory building in the front yard
File number: 15-1229
Meeting Date: Wednesday, September 23, 2015
From : Jesse Howatt
Planner

GENERAL INFORMATION

Applicant/: Maurice Leger M.E Leger and Son
Landowner : Jean-Francois Comeau
Proposal: Waive the requirement and allow the construction of an accessory building in the front yard.

SITE INFORMATION

Location: 81 Des Peupliers Road, Town of Shediac

PID: 70568415

Lot Size: 1.59 ha

Current Use: vacant

Zoning: RA

Future Land

Use: Residential unit and Accessory Building

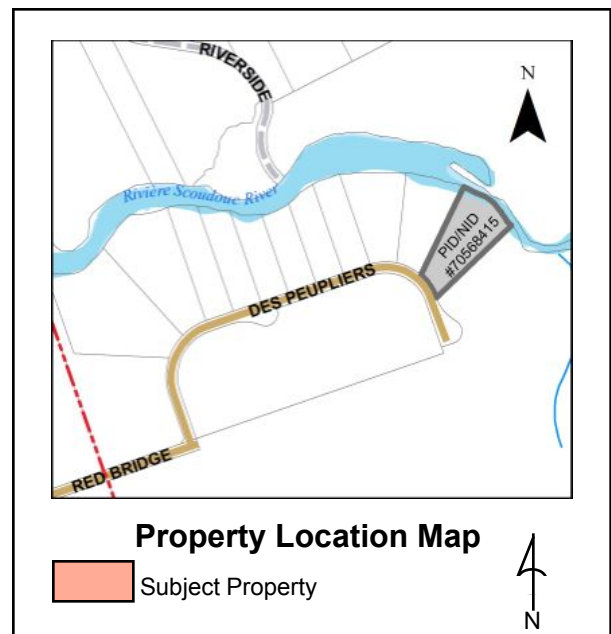
Surrounding

Use & Zoning: The surrounding areas are vacant and residential. The area's zone is rural (RA).

Municipal

Servicing: None

Access/Egress: Peupliers Road



Municipal Plan Policies

There are no general policies in the municipal plan that require removal of accessory buildings. The property in question is in the Shediac Rural District, and the proposal is as follows:

It is proposed to minimize the impact of future developments on natural features.

The proposed development will be a building located more than 100 feet from the street on a woodlot. Therefore, the visual impact on natural features will be minimal.

Zoning Bylaw and or Subdivision By-law Regulation

The zoning by-law limits the construction of accessory buildings in the front yard in the RA zone. The front yard is defined as

Open space extending from one of the lot's side lines to the other between the public thoroughfare (the street line) and the front of the building or its real or imaginary extensions that run parallel to the public thoroughfare, measured perpendicularly from the front lot line to the closest point on a wall.

Internal Consultation & External Consultation

The request was discussed internally at the Commission with the owner's representative.

Discussion

The request has been made to place the accessory building in the front yard as shown in the submitted site plan. The house is in construction and will be built 340 feet from des Peupliers Street. The request is to build an accessory building 305 feet from the street. A variance is required to allow the placement of the accessory building in the front yard. From the street, the lots seem wooded, and the placement of the accessory building in the front yard would not be visible. We do not foresee any conflict with the use of the land.

Public Notice

Public Notice has been mailed on September 9 to neighboring landowners within 60 meters of the subject property.

Legal Authority

- 34(3) Subject to subsection (4), for greater certainty without limiting the general power conferred by subsection (1) or (2), a zoning by-law mentioned therein shall divide the municipality into zones, prescribe the purposes for which land, buildings and structures in any zone may be used, and prohibit the use of land, buildings and structures for any other purpose, and may
- a) regulate as to any zone
 - (v) the placement, location and arrangement of buildings and structures, including their setting back from the boundaries of streets and other public areas, and from rivers, streams or other bodies of water,
- 35(1) The advisory committee or regional service commission may permit, subject to such terms and conditions as it considers fit,
- b) such reasonable variance from the requirements of the zoning by-law falling within paragraph 34(3)(a) as, in its opinion, is desirable for the development of a parcel of land or a building or structure and is in accord with the general intent of the by-law and any plan or statement hereunder affecting such development.

Jesse Howatt, MICU, UPC