

**MINOR VARIANCE APPLICATION**  
**Under Section 45 of the *Planning Act***

**To be held on Wednesday, March 15, 2017, starting at 1:00 p.m.**  
**Ben Franklin Place, The Chamber, Main Floor, 101 Centrepointe Drive**

**File No.:** D08-02-17/A-00012  
**Owner(s):** Donna Kyd  
**Location:** 181 Richmond Road  
**Ward:** 15 - Kitchissippi  
**Legal Description:** Lot 4 & Part Lot 5, Reg. Plan 369  
**Zoning:** TM H(15)  
**Zoning By-law:** 2008-250

**PURPOSE OF THE APPLICATION:**

The Owner wants to use the existing porch structure and patio area, located on the south and west sides of the building, for a commercial use in conjunction with the existing retail business on the site. The area within the porch measures 11.96 m x 6.5 m and the patio area measures 13.84 m x 3.0 m. The outdoor commercial patio would seat approximately 30 people on the porch and patio and would be serviced from the refreshment trailer/shed in operation typically during the period from April to December.

**RELIEF REQUIRED:**

In order to proceed, the Owner requires the Authority of the Committee for a Minor Variance from the Zoning By-law to permit an outdoor commercial patio to be located 12.42 metres from a residential zone (adjacent lands to the north of the property) whereas the By-law states that an outdoor commercial patio is prohibited in any yard facing or abutting a residential zone or abutting a yard or lane facing or abutting a residential zone unless it is located a minimum of 30 metres from the residential zone.

**THE APPLICATION** indicates that the Property is not the subject of any other current application under the *Planning Act*.