

TITLE: <p style="text-align: center;">VARIANCE 1041 13TH STREET OWNER: CLIFF HOUSEMAN APPLICANT: 6115480 MANITOBA LTD.</p>										
PRESENTER: Ryan Eidick	FILE NO: V-16-13-B									
DEPARTMENT: City of Brandon Planning & Building Safety Department	MEETING DATE: October 2, 2013									
CLEARANCES: Principal Planner	ATTACHMENTS: 1. Application related documents 2. Map, air photo & drawings									
APPROVALS: <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><i>Original signed by R. Eidick</i></td> <td style="width: 33%;"><i>September 20, 2013</i></td> <td style="width: 33%;"><i>Original signed by A. Veilleux</i></td> <td style="width: 33%;"><i>September 23, 2013</i></td> </tr> <tr> <td>Community Planner</td> <td>Date</td> <td>Principal Planner</td> <td>Date</td> </tr> </table>			<i>Original signed by R. Eidick</i>	<i>September 20, 2013</i>	<i>Original signed by A. Veilleux</i>	<i>September 23, 2013</i>	Community Planner	Date	Principal Planner	Date
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Community Planner	Date	Principal Planner	Date							

BACKGROUND:

6115480 Manitoba Ltd., on behalf of the owner, Cliff Houseman, is applying to increase the maximum number of dwelling units from two (2) dwelling units to three (3) dwelling units for a property located at 1041 13th Street (Lots 33/34, Block 11, Plan 193 BLTO) in the RLD Residential Low Density Multiple Family Zone.

Zoning/Development Context

The subject property is currently used for a single-family dwelling, and is located on the east side of 13th Street, north of Brandon Avenue and immediately to the east of the Keystone Centre grounds. The property is surrounded with similarly zoned RLD properties, many of which have recently been or currently are being redeveloped into multiple-family dwellings.

DISCUSSION:

The applicant proposes to construct a single-storey, three-unit multiple-family dwelling, with two of the units fronting east on 13th Street, and the third unit fronting the rear lane. Vehicular access and parking will be exclusively from the rear lane.

Consistency with Part 6, Section 97(1)(b) of The Planning Act and Demonstration that the Variance:

1. ***Will be compatible with the general nature of the surrounding area;***
The immediate neighbourhood already features a number of multiple-family dwellings, and the site and building design of the proposed dwelling is consistent.

2. ***Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;***
As vehicular access will be exclusively from the rear lane, the front yard will remain as a landscaped area with direct pedestrian connections to the existing sidewalk. The proposal is one-storey in height and also exceeds the minimum side yard setback requirements, thereby reducing privacy concerns for the adjacent dwellings.

3. *Is the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and*

Though limiting the site to just two dwelling units does not impose an injurious effect on the subject site, increasing the density allows the Planning Department to hold the redevelopment of the subject site to a higher standard, such as adherence to the City's Urban Design Standards and Guidelines.

4. *Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law*

The subject site is designated "Residential" in the Development Plan, and is consistent with general objective 1.5.2(n), encouraging the re-development of existing serviced lots. The proposed development meets all setback and parking requirements as listed in the Zoning By-law, and the proposed building design and landscaping meets the intent of the City of Brandon's Landscape Design Standards as well as the Urban Design Standards and Guidelines, specifically section 3.1.9.3 – providing clear sightlines to the entryways from streets and parking areas.

Commenting Agencies

A summary of comments requesting conditions of approval or recommending rejection of the application are summarized below. All other comments received have otherwise been addressed.

Planning & Building Safety Department

Requires a cash-in-lieu of land contribution of \$247.83 for public reserve purposes.

Brandon School Division

Requires a cash-in-lieu of land contribution of \$202.50 for school purposes.

Public Outreach/Notification

As required under s. 169 of The Planning Act, notice of this Public Hearing regarding this application was sent to owners of property within 100 metres (328 feet) of the subject property and notice posters were posted on the property. The Planning & Building Safety Department is not aware of any additional public consultations conducted by the applicant, and to date the Planning & Building Safety Department has not received any written comments from the public in favour of or in opposition to the proposal.

RECOMMENDATIONS:

1. That the Public Hearing for Variance Application V-16-13-B at 1041 13th Street be concluded.
2. That Variance Application V-16-13-B to increase the maximum number of dwelling units from two (2) dwelling units to three (3) dwelling units be approved at 1041 13th Street (Lots 33/34, Block 11, Plan 193 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3) and the attached site plan (B-1) and elevation plans (B-2 & B-3) subject to:
 - a. The owner or successor submitting, prior to the issuance of a building permit:
 - i. \$247.83 to the City of Brandon Planning & Building Safety Department as a cash-in-lieu contribution for public reserve purposes
 - ii. written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$202.50 as a cash-in-lieu contribution for school purposes.