

BY-LAW NO. 7067

BEING A BY-LAW of the City of Brandon to amend Zoning By-law No. 6642.

WHEREAS Section 80(1) of The Planning Act provides that a zoning by-law may be amended;

NOW THEREFORE the Council of the City of Brandon, duly assembled, enacts as follows:

1. The land described as SP Lot 4 and Lot 11, Block 16, identified on a plan of part of the City of Brandon, in Manitoba, registered in the Brandon Land Titles Office Plan as 46966 BLTO and 21 BLTO, commonly known as 347 Douglas Street, and highlighted on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: RSF Residential Single Family Zone

TO: RLD Residential Low Density Multiple Family Zone
2. District Map No. 40, being part of By-law No. 6642, is hereby amended in accordance with Section 1 of this by-law.
3. This by-law shall come into full force and take effect on the day following its passage.

DONE AND PASSED by the Council of the City of Brandon duly assembled this 21st day of October A.D. 2013.

"S. Decter Hirst"

MAYOR

"H. Ewasiuk"

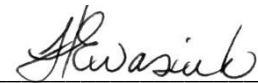
A/ CITY CLERK

Read for a first time this 19th day of August A.D. 2013

Read for a second time this 21st day of October A.D. 2013

Read for a third time this 21st day of October A.D. 2013

I, Heather Coreen Ewasiuk, Acting Clerk of the City of Brandon, DO HEREBY CERTIFY the above within to be a true and correct copy of By-law No. 7067.



H. Ewasiuk, A/City Clerk

TITLE: BY-LAW NO. 7067 TO REZONE PROPERTY LOCATED AT 347 DOUGLAS STREET OWNER & APPLICANT: PRO-FIT RENOVATIONS & PROPERTY MANAGEMENT LTD.			
PRESENTER: Waleed Albakry, MCP		FILE NO: Z-05-13-B	
DEPARTMENT: City of Brandon Planning & Building Safety Department		ATTACHMENTS: <ol style="list-style-type: none"> 1. Application related documents 2. Maps, drawings & air photo 3. By-law No. 7067 4. Planning Commission related information 	
CLEARANCES: <i>Original signed by A. Veilleax</i> Principal Planner		DATE: October 8, 2013	
APPROVALS:			
_____ General Manager of Development Services		_____ City Manager	
_____ Date		_____ Date	

BACKGROUND:

Pro-Fit Renovations & Property Management Ltd. is applying to rezone 347 Douglas Street (SP Lot 4, Plan 46966 BLTO & Lot 11, Block 16, Plan 21 BLTO) from RSF Residential Single Family Zone to RLD Residential Low Density Multiple Family Zone.

Approval of this rezoning would allow the applicant to construct a one-storey two dwelling unit semi-detached building.

Zoning/Development Context

The subject property is currently vacant and located midblock on the east side of Douglas Street, three parcels north of Louise Avenue East. The immediate surrounding area consists of single family dwellings, some of which are zoned RLD Residential Low Density Multiple Family. Rideau Park and Rideau Park Personal Care Home are located two blocks to the west of the subject site. Primary vehicle access to the site is by Douglas Street to the west. This site slopes to the north.

DISCUSSION:

Consistency with the Development Plan

The subject site is designated “Residential” in the Development Plan Map 1: Urban Land Use and the proposal meets general objective 10.2.3(a) of the Development Plan 2013, supporting the intensification of infill areas. The proposal also meets the intent of clause 10.2.4 regarding infill areas as it helps revitalize and redevelop existing areas of the city through intensification. The one-storey height of the proposed building is consistent with intent of clause 10.2.4(II) of the Development Plan 2013, which calls for infill developments to fit in the neighbourhood.

Consistency with the Zoning By-law

The RSF Zone allows for only single family dwellings, whereas the RLD Zone allows for the development of low density 1, 2, 3 and 4 family dwelling units dependent on lot size. Approval of this rezoning would allow the applicant to construct a one-storey two dwelling unit semi-detached building on a 726.53m² lot. The development meets all setback and parking requirements listed in the Zoning By-law. Furthermore, the design of the building meets the Urban Design Standards and Guidelines, such as section 3.1.1.1 - locating active windows to overlook semi-private and public spaces in front of and behind the subject site.

Land Use Analysis

The site is currently vacant and is zoned RSF Residential Single Family. The proposal is residential which is consistent with the surrounding area. Also, the proposed one storey height is consistent with the surrounding dwellings. Each of the two proposed dwelling units will have its own garage coming off Douglas Street to the west, which is consistent with adjacent dwellings.

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.

City of Brandon

- A cash-in-lieu of land dedication of \$323.00 for public reserve purposes is required;
- The main address will remain as 347 Douglas Street and the units will have to be addressed by the developer; and
- The lane to the south and the east of the property is legally open and the proposed development must remain within the property lines.

School Division

A cash-in-lieu of land dedication for school reserve purposes is required.

Public Outreach/Notification

As required under the provisions 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.

Public Hearing Held

The Planning Commission held a public hearing on October 2, 2013 and, in accordance with Section 36(2) of The Planning Act, please find attached the minutes of the hearing. At the public hearing, city staff, the applicant and one of the neighbours made representations. Although the neighbour in attendance expressed some concern about the design of the proposed duplex, he did not oppose the proposed rezoning for a duplex.

The Planning Commission recommended that City Council give By-law No. 7067 second and reading. Since there were no objections registered at the public hearing, in accordance with Section 75 of The Planning Act, City Council may consider giving this by-law third reading immediately after giving second reading.

Public outreach after the Public Hearing

Since one of the neighbours expressed concerns about the design of the proposed duplex during the public hearing, the applicant met with some area residents on October 7, 2013 to discuss the proposed development and shed light on the design of the proposed duplex.

RECOMMENDATIONS:

That By-law No. 7067 (Z-05-13-B) to rezone 347 Douglas Street (SP Lot 4, Plan 46966 BLTO & Lot 11, Block 16, Plan 21 BLTO) from RSF Residential Single Family Zone to RLD Residential Low Density Multiple Family Zone be read a second time.

That the by-law be read a third and final time.