


<b>TITLE:</b> <p style="text-align: center;"><b>VARIANCE</b>  <b>222 RICHMOND AVENUE EAST</b>  <b>OWNER: ALL PIPE AND MECHANICAL LTD.</b>  <b>APPLICANT: CRANE STEEL STRUCTURES</b></p>										
<b>PRESENTER:</b> Ryan Eidick	<b>FILE NO:</b> V-25-13-B									
<b>DEPARTMENT:</b> City of Brandon Planning & Building Safety Department	<b>MEETING DATE:</b> January 15, 2014									
<b>CLEARANCES:</b> Principal Planner	<b>ATTACHMENTS:</b> 1. Application related documents 2. Map, air photo & drawings									
<b>APPROVALS:</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><i>Original signed by R. Eidick</i></td> <td style="width: 33%;"><i>December 30, 2013</i></td> <td style="width: 33%;"><i>Original signed by A. Veilleux</i></td> <td style="width: 33%;"><i>January 2, 2014</i></td> </tr> <tr> <td><b>Community Planner</b></td> <td style="text-align: center;"><b>Date</b></td> <td><b>Principal Planner</b></td> <td style="text-align: center;"><b>Date</b></td> </tr> </table>			<i>Original signed by R. Eidick</i>	<i>December 30, 2013</i>	<i>Original signed by A. Veilleux</i>	<i>January 2, 2014</i>	<b>Community Planner</b>	<b>Date</b>	<b>Principal Planner</b>	<b>Date</b>
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**BACKGROUND:**

Crane Steel Structures, on behalf of the owner, All Pipe Mechanical Ltd., is applying to reduce the minimum required front yard setback for a corner lot from 4.5m to 3.2m for a property located at 222 Richmond Avenue East in the MR Industrial Restricted Zone.

***Zoning/Development Context***

The subject property has a vacant building, formerly occupied by Morgan Motors, and is located on the southwest corner of Richmond Avenue East and Frederick Street. The property is surrounded with industrial uses to the east, west and south, and residential properties to the north.

**DISCUSSION:**

The applicant proposes to construct a 139.4m<sup>2</sup> addition to the north side of the existing building to be used as office space. The existing building has a side yard setback of 3.2m, and is considered lawfully non-conforming as its construction predates February 7, 1983. The applicant proposes to construct the addition with a similar setback on the east side for aesthetic and construction purposes.

***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 use and design of the building are consistent with both the existing structure as well as the surrounding industrial developments.

***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;***

The proposed office use will not be detrimental to the surrounding properties, and the site will include a landscaped buffer along the northern property line to provide additional buffering between the industrial property and the residential properties to the north. The proposal also includes new landscaping beds along the northern and eastern sides of the proposed addition, as well as a new landscaping bed on the northwestern corner of the property, thereby increasing the aesthetics of the site from the public rights-of-way.

**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***

The existing building currently has a setback of 3.2m, and the request to reduce the required setback from 4.5m is considered a minimum modification.

**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 "Industrial" in the Development Plan, and the proposal includes a landscaped buffer along the northern property line to remain consistent with both the Development Plan and the Zoning By-law. The proposal meets all other requirements as listed in the Zoning By-law, including all other setbacks, parking, use and height. The proposal also meets the general intent of the Landscape Design Standards as well as the Urban Design Standards & Guidelines.

***Commenting Agencies***

All comments received have been addressed.

***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-25-13-B at 222 Richmond Avenue East be concluded.
2. That Variance Application V-25-13-B to reduce the minimum required front yard setback for a corner lot from 4.5m to 3.2m be approved at 222 Richmond Avenue East (Lots 31/40, Block 3, Plan 278 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3) and the attached site plan (B-2) and elevation plan (B-3).