


TITLE: <p style="text-align: center;">VARIANCE 1637 8TH STREET OWNERS/APPLICANTS: JOHN FEHR & DARRELL ENNS</p>										
PRESENTER: Ryan Eidick	FILE NO: V-27-13-B									
DEPARTMENT: City of Brandon Planning & Building Safety Department	MEETING DATE: February 5 th , 2014									
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: 16.5%; text-align: center;">January 22, 2014</td> <td style="width: 33%;"><i>Original signed by A. Veilleux</i></td> <td style="width: 16.5%; text-align: center;">January 27, 2014</td> </tr> <tr> <td>Community Planner</td> <td style="text-align: center;">Date</td> <td>Principal Planner</td> <td style="text-align: center;">Date</td> </tr> </table>			<i>Original signed by R. Eidick</i>	January 22, 2014	<i>Original signed by A. Veilleux</i>	January 27, 2014	Community Planner	Date	Principal Planner	Date
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BACKGROUND:

John Fehr and Darrell Enns, owners and applicants, are applying for two variances: the first to reduce the minimum required site width from 12.1m to 9.1m, and the second to reduce the minimum required site area from 372m² to 334m² for a property located at 1637 8th Street (Lot 2, Plan 26296 BLTO) in the RSF Residential Single Family Zone.

Zoning/Development Context

The subject property is currently used for a single-family dwelling, and is located on 8th Street, north of Aberdeen Avenue. The property is surrounded with single-family dwellings. The variances are required to accommodate a subdivision application (4500-13-565) being made on the property.

DISCUSSION:

The applicants propose to subdivide the existing 18.29m x 36.56m lot into two identical 9.15m x 36.56m lots. This split will accommodate the construction of two single-family dwellings to be occupied by the applicants, according to the letter of intent. The new dwellings will include rear garages to be accessed from the rear lane; however the rear lane is not maintained in the winter by the City of Brandon. This has been resolved through the subdivision process with a development agreement that requires the landowners to maintain their portion of the rear lane should it continue to be used.

The City of Brandon has recently adopted an Affordable Housing Strategy that outlines different methods of achieving a greater base of affordable dwelling units within the city. Goal #3 of the Strategy is to retain and rejuvenate the existing housing stock through adjusting existing zoning by-law regulations to facilitate the development of affordable housing. Action item 3b recommends exploring amending the minimum lot width in the RSF zone to 9.1m, down from the currently required 12.1m, to accommodate a greater supply of single-family infill lots within established neighbourhoods.

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 area consists of exclusively single-family dwellings; therefore the proposed dwellings are compatible. Although the immediate area does not feature any properties similarly sized to the proposed lot widths, the surrounding neighbourhood does include a range of lot sizes. The proposed one-storey building is consistent with the surrounding neighbourhood as well.

- 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 dwellings will meet all setback requirements in the Zoning By-law, and are designed as one-storey dwellings; therefore no privacy or encroachment concerns should exist for the properties immediately adjacent to the proposed new lots.

- 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 proposal to reduce the minimum site width from 12.1m to 9.1m is considered the minimum modification. Single-family dwellings in RLD zones only require a 7.6m wide parcel. There are many examples of single-family dwellings on narrower parcels than the required 12.1m in RSF zones throughout Brandon. Also, as mentioned earlier, the Affordable Housing Strategy recently adopted by the City of Brandon calls for an investigation into reducing the minimum site width in RSF zones to 9.1m to accommodate more opportunities for infill development.

The request to reduce the minimum site area is also considered the minimum modification, as the proposed 334m² is within 10% of the minimum required site area.

- 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 the proposals meet all other requirements in the Zoning By-law, including setbacks, parking and height.

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

-The applicant will be required to cover the cost of a set of refuse and recycling bins for the new lot.

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. According to the letter of intent (A-1), the applicants contacted the neighbours immediately to the north, south and directly across the street to inform them of their plans, and received positive support for their application. As of the writing of this report, 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-27-13-B at 1637 8th Street be concluded.
2. That Variance Application V-27-13-B to reduce the minimum required site width from 12.1m to 9.1m, and to reduce the minimum required site area from 372m² to 334m² be approved at 1637 8th Street (Lot 2, Plan 26296 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-2) and the attached site plan (B-1) and elevation plans (B-3, B-4, B-5).