



TITLE: <p style="text-align: center;"> VARIANCE V-36-12-B 1343 – 7TH STREET (LOTS 34/36, BLOCK 14, PLAN 7 BLTO OWNER: KPJ HOLDINGS LTD. APPLICANT: R & M HOMES LTD. </p>		
PRESENTER: Ryan Eidick, BED	AGENDA NO:	
DEPARTMENT: Planning & Building Safety	DATE: November 21, 2012	
CLEARANCES: Acting Senior Planner	REPORT & ATTACHMENTS: 1. Report (# of pages = 2) 2. Application related documents (# of pages = 3) 3. Map, air photo & drawings (# of pages = 4)	
APPROVALS:		
 Community Planner	November 9, 2012 Date	 Acting Senior Planner
		November 14, 2012 Date

BACKGROUND:

R & M Homes Ltd., on behalf of the owner, KPJ Holdings Ltd., is applying to increase the maximum number of dwelling units from three (3) dwelling units to four (4) dwelling units at 1343 7th Street in the RLD Residential Low Density Multiple Family Zone. This would result in the development of a four (4) unit multi-family dwelling.

Development Context

The subject is currently used for a single-family dwelling and is located one block north of Richmond Avenue and within walking distance (500m) from an elementary and middle school. The site is surrounded with a mix of single-family, two-family semi-detached, and multiple family dwellings. Vehicle access to the proposed development would be from the lane which is consistent with other multi-family developments in the area.

DISCUSSION:

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 neighbourhood is zoned RLD and has a mixture of housing types, in particular similar four unit multi-family dwellings have been constructed at 1303, and 1430 7th Street. The proposed one storey height is consistent with the surrounding dwellings, and design elements such as entrances facing the street and a hip roof are consistent with other multiple family dwellings in area.

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 proposal conforms to all other Zoning By-law regulations such as parking and setbacks and is only one storey in height; ensuring neighbours' privacy is maintained. All parking will be accessed off the rear lane; therefore the front yard will be dedicated to landscaping and a pedestrian pathway.

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 three (3) 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 site is designated "Residential" under the City of Brandon's Development Plan, and the proposed development meets all setback and parking requirements listed in the Zoning By-law. The proposed landscaping meets the intent of the City of Brandon's Landscape Design Standards, and the design of the building meets the Urban Design Standards and Guidelines, including section 3.1.1.1 - locating active windows to overlook semi-private and public spaces in front of and behind the subject site, and section 3.1.9.3 – providing clear sightlines to the entryways from streets and parking areas.

Commenting Agencies

Comments requesting conditions of approval are summarized below. All other comments received have otherwise been addressed.

Department of Planning and Building Safety

The department requests that a cash-in-lieu contribution of \$372.57 for public reserve purposes be included as a condition of approval.

Brandon School Division

The School Division requests that a cash-in-lieu contribution of \$283.50 be included as a condition of approval for the extra unit.

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. The Planning Department is not aware of any additional public consultations conducted by the applicant, and to date the Planning Department has not received any written representations from the public in favour of or in opposition to the proposal.

RECOMMENDATION:

1. That the Public Hearing for Variance Application V-36-12-B at 1343 – 7th Street be concluded.
2. That Variance Application V-36-12-B to increase the maximum number of dwelling units from three (3) dwelling units to four (4) dwelling units be approved at 1343 – 7th Street (Lots 34/36, Block 14, Plan 7 BLTO) in accordance with the intent of the application dated September 28, 2012, the attached letter of intent dated August 26, 2012 and the attached site and elevation plans, subject to the following conditions:
 - a) The owner or successor provides written confirmation from the Brandon School Division that the applicant has paid \$283.50 as a cash-in-lieu contribution for school reserve purposes; and
 - b) The owner or successor provides a payment of \$372.57 to the City of Brandon Planning and Building Safety Department as a cash-in-lieu contribution for public reserve purposes.