




TITLE: <p style="text-align: center;"> VARIANCE V-37-12-B 805 – 6th STREET LOTS 16/17, BLOCK 53, PLAN 8 BLTO OWNER: DERRICK STEWART APPLICANT: JAMES KAUK </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 = 6) 3. Map, air photo & drawings (# of pages = 6)	
APPROVALS:		
 November 13, 2012 Community Planner	 November 14, 2012 Acting Senior Planner	November 13, 2012 Date
		November 14, 2012 Date

BACKGROUND:

James Kauk, on behalf of the owner, Derrick Stewart, is applying to reduce the minimum required number of parking spaces from six (6) parking spaces to five (5) parking spaces at 805 – 6th Street in the RMD Residential Moderate Density Multiple Family Zone. This would result in the development of a four (4) unit multi-family dwelling on the subject site.

Zoning/Development Context

The subject is currently used for a single-family dwelling and is located on the southeast corner of College Avenue and 6th Street. The site is surrounded by a by a mix of single-family and two-family dwellings, and multiple family dwellings. In particular, directly across the lane from the site is a six (6) unit multiple-family dwelling.

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 proposal will be two-storeys; consistent with the adjacent development, and uses similar materials and roof patterns as the surrounding neighbourhood.

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 applicant proposes to maintain the existing mature trees on the south-west corner of the property while adding new landscaping beds on the north and west sides of the building. Although the building will be two-storeys in height, only two second-storey windows are proposed in an attempt to maintain the southern neighbours' privacy.

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 site is zoned RMD which allows for the proposed density. The parking requirement although not injurious is supportable due to the availability of street parking for guests along College Avenue, and 6th Street.

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 density requirements listed in the Zoning By-law. The proposed site is located within the Downtown Promenade Overlay Zone of the Urban Design Standards and Guidelines and generally conforms to the regulations, , including section 3.1.2.4 – the use of transitional space to separate private and public spaces, and section 3.1.9.3 – providing clear sightlines to the entryways from streets and parking areas.

Commenting Agencies

All comments received have been addressed.

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. Prior to submitting a formal application, the applicants met with individual property owners in the neighbourhood to discuss their proposal. For those that they were unable to meet with in person, the applicants left a letter outlining their plans (see attached application) and gave each homeowner the opportunity to contact them directly with any concerns. 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-37-12-B at 805 - 6th Street be concluded.
2. That Variance Application V-37-12-B to reduce the minimum required number of parking spaces from six (6) parking spaces to five (5) parking spaces in the RMD Residential Moderate Density Multiple Family Zone be approved at 805 - 6th Street (Lots 16/17, Block 53, Plan 8 BLTO)] in accordance with the intent of the application dated October 10, 2012, the attached letter of intent dated September 18, 2012 and the attached site and elevation plans.