
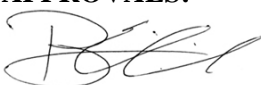



<b>TITLE:</b> <b>VARIANCE V-42-12-B</b> <b>1217 – 13<sup>TH</sup> STREET</b> <b>LOTS 21/25, BLOCK 19, PLAN 193 BLTO</b> <b>OWNER/APPLICANT: GARY &amp; SANDRA KEEBLE</b>		
<b>PRESENTER:</b> Ryan Eidick	<b>AGENDA NO:</b>	
<b>DEPARTMENT:</b> Planning & Building Safety	<b>MEETING DATE:</b> February 6, 2013	
<b>CLEARANCES:</b> A/Senior Planner	<b>REPORT &amp; ATTACHMENTS:</b> 1. Report (# of pages = 2) 2. Application related documents (# of pages = 2) 3. Map, air photo & drawings (# of pages = 4)	
<b>APPROVALS:</b>		
 Community Planner	January 25, 2013 Date	 A/Senior Planner
		January 25, 2013 Date

**BACKGROUND:**

Gary & Sandra Keeble are applying to increase the maximum number of dwelling units from three (3) to four (4) for a property located at 1217 13<sup>th</sup> Street in the RLD Residential Low Density Multiple Family Zone. This would accommodate the construction of a two-storey multiple-family dwelling.

***Zoning/Development Context***

The subject site is currently vacant, and is in the process of being subdivided. The site is located on the southeast corner of Hill Avenue and 13<sup>th</sup> Street, and is surrounded by RLD zoned properties, most which have remained single-family dwellings. The site is directly adjacent to The Keystone Centre to the west and Neelin High School to the north. Recent multi-family developments have been approved on the one thousand block of 13<sup>th</sup> street, one block north of the subject site, including a fourplex at northeast corner of Brandon Avenue and 13<sup>th</sup> Street.

**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 contains a mix of single-storey, bi-level and two-storey dwellings, therefore the proposed two-storey height is compatible. The proposal includes similar design elements as neighbouring properties, including covered entrances and a mixture of construction materials.

***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;***

Parking will be accessed exclusively off the rear lane; therefore the street-facing yards will be dedicated to landscaping and pedestrian pathways connecting to the existing sidewalk along 13<sup>th</sup> Street. In addition, an existing curb cut along 13<sup>th</sup> Street will be closed and the pedestrian walkway reconstructed, creating a safer pedestrian environment. The site is a corner site and therefore the increase in laneway traffic will be minimal with direct access onto 13<sup>th</sup> Street. Privacy for the southern neighbour is considered as no side yard balconies or side yard facing exterior lighting is proposed.

**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 subject site is designated "Residential" in the 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, specifically sections 3.1.1.1 – locating active windows to overlook semi-private and public spaces in front of and behind the subject site, and 3.1.9.3 – providing clear sightlines to the entryways from streets and parking areas. The proposal also meets general objective 1.5.2(n) of the Development Plan, encouraging the re-development of existing serviced lots.

***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 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.

**RECOMMENDATIONS:**

1. That the Public Hearing for Variance Application V-42-12-B at 1217 – 13<sup>th</sup> Street be concluded.
2. That Variance Application V-42-12-B to increase the maximum number of dwelling units from three (3) to four (4) in the RLD Residential Low Density Multiple Family Zone be approved at 1217 – 13<sup>th</sup> Street (Lots 21/25, Block 19, Plan 193 BLTO) in accordance with the intent of the application dated December 4 2012, the attached letter of intent dated November 8 2012 and the attached site plan and elevations, subject to the following condition:
  - a) The subdivision as shown on the attached site plan is registered with the Brandon Land Titles Office.