

Variance to Zoning By-law No. 7124

Name of Property Owner: Profile Paving Ltd.
 Name of Applicant: Burns Maendel Consulting Engineers Ltd.
 Civic Address of Property: 1430 Parker Boulevard
 Legal Description of Property: Lots 8-15, 30-37, (PT Lots 16, 17 & 29) Block 5, Plan 223, BLTO

References:


BAPD Development Plan By-law No. 95/01/12
 Applicable Secondary Plan By-law
 City of Brandon Zoning By-Law No. 7124

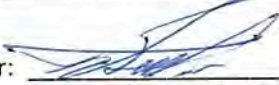
Prior to submitting a formal application, the Planning, Property & Buildings Department strongly recommends that all applicants meet with a Community Planner to complete a pre-application review

Variance Request(s):

To vary Section 68(d)(3) and (4) of the City of Brandon Zoning By-law to permit the first floor of a building to be constructed 1.5m below the design flood level in the floodplain overlay zone. Subsequently, the finished grade for the building will be 1.65m below design floor level.

As the applicant, I confirm and verify to the City that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the Development Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.

Signature of Applicant:  Date: 5-Oct/2018
 Address: 1331 Princess Avenue, Brandon, MB Postal Code: R7A 0R4
 Phone No.: (Primary) 204-728-7364 (Secondary) _____
 Email Address: d.burns@bmce.ca

Signature of Owner:  Date: Oct 5/18
 Address: Unit A, 750-5th Street, Brandon, MB Postal Code: R7A 3L4
 Phone No.: (Primary) 204-725-9302 (Secondary) _____
 Email Address: paving@mts.net

The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Planning, Property & Buildings Department, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

FOR PLANNING DEPARTMENT USE ONLY:			
Community Planner: <u>Ar</u>	Planning File No.: <u>V-18-18-B</u>	CityView No.: <u>PLVA2018-147</u>	
Date Application Received: <u>Oct. 5/18</u>	Payment Date: <u>10/9/18</u>	Receipt No. <u>2018-6899</u>	Amount: <u>\$ 625.00</u>
<small>(Variance Application)</small>			<small>REV.05/2017</small>

October 5, 2018

City of Brandon
Planning & Building Safety Department
638 Princess Avenue
Brandon, MB
R7A 0P3

Reference: 1430 Parker Boulevard

Subject: Letter of Intent for Variance Application

We write this letter of intent on behalf of Profile Paving for submittal with a Variance Application for the property located at 1430 Parker Boulevard; the site is legally described as Lots 8-15, 30-37, (PT Lots 16, 17 & 29) Block 5, Plan 223, BLTO.

We previously applied for and received variance V-10-18-B which allowed for construction of the first floor of the building 0.4m below design flood level and the finished grade of the building to be 0.6m below the design flood level in the Floodplain Overlay Zone. Following this variance approval, final design for the site was completed and submitted to the City of Brandon for review. During the final design it was determined that the approved building height was difficult to achieve without impacting the surrounding drainage. The City of Brandon Engineering Department reviewed and concurred with our concerns. We met to discuss the limitations of the site and it was agreed that the building could not be constructed at the proposed height without negatively impacting the area drainage. As such, a revised elevation is necessary that will control the drainage and meet the requirements of the City of Brandon Engineering Department.

Revisions to the design have been completed to accommodate the comments provided by the City of Brandon and to confirm the feasibility of the new elevation requested. We have at this point completed the final design which has been submitted to Engineering for approval. This application is requesting a reduction in the required elevation by approximately 1.1m from the originally proposed elevation.

We are requesting to vary Section 69(d)(3) and (4) of the City of Brandon (COB) Zoning By-law to permit the first floor of a building in the floodplain overlay zone to be constructed 1.5m below the design flood level. Subsequently, the finished grade for the building will be 1.65m below the design flood level.

Site Summary

The 1.6ac site was previously developed as a fuel distribution site that was decommissioned approximately 20 years ago. The property has since been remediated and is now ready for development.

The property is zoned Industrial Restricted (IR) and is surrounded by IR zoned property on the north (Giant Car/Truck Wash and the COB Hilton Lift Station), south (vacant) and west (Old Dutch Foods Ltd). The east property, across 14th St N, is zoned Public Reserve and is developed with a baseball field.

Project Summary

The proposed development of this site will consist of a 60'x76' steel clad pole building with a small office and machine storage area. The fenced compound will store construction machinery.

The site is currently built-up to the required slab elevation. For information for anyone who views the site the raised area located in the southeast portion of the site represents the final grade elevation at the building corners. If the building were to be constructed at the elevation required in the by-law, it would need to be 1.95m (6'5") above the current grade at the building location.

The building will result in 6:1 to 5:1 side slopes off the east and south buildings sides, which is an acceptable slope to permit maintenance around the building. The following table shows how much higher the building will be constructed compared to the existing elevation of each property corner.

Location on Site	Existing Ground Elevation	Difference Between Existing Elevation and Proposed Grade at Building
NW Corner	357.95m	1.20m higher (4')
NE Corner	357.40m	1.75m higher (5'9")
SW Corner	358.35m	0.80m higher (2'7")
SE Corner	357.75m	1.40m higher (4'7")

The Planning Act

As per section 97(1) of the Planning Act, the following analysis has been completed:

Will it be compatible with the general nature of the surrounding area?

The exterior storage of construction machinery is compatible with the other low impact industrial operations surrounding the site.

Will it 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 raised building slab will be significantly higher than adjacent properties; however, it will not be detrimental to people working in the area nor will it negatively affect other properties. Drainage will not be impacted as elevations along the property line, as well as off site, will remain the same.

Is it the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property?

Raising the building to the proposed elevation is the minimum modification required to relieve the injurious effect while still maintaining acceptable grades and drainage on site. The building needs to be setback 10.0m from the property line to permit the construction of manageable side slopes on the east and south sides. Increasing the elevation more will require additional land be forfeited in order to accommodate the steep slope.

Is it generally consistent with the applicable provision of the development plan by-law, the zoning by-law and any secondary plan by-law? There are no secondary plans that include this property.

Development Plan Provisions

The objectives within 15.0 Hazardous Conditions Policies are to safeguard human life, health, and investments in buildings and property while minimizing public expenditures for protection or disaster assistance in areas subject to flooding. The nature of this development consists of a budget industrial building with surface parking for machinery. In a high-water event the equipment can easily be moved off site. People will not be living or sleeping in this building, so threat to human life is not a concern.

Zoning By-law Provisions

The site plan meets all requirements for building setbacks, projections and obstructions. The proposed parking exceeds the minimum requirements.



1331 Princess Avenue
Brandon, MB R7A 0R4
Tel: 204.728.7364
Fax: 204.728.4418
www.bmce.ca

We anticipate we have provided you with sufficient details for City Administration to support this application. If you have any questions or require additional information, please contact the undersigned.

Yours truly,
BURNS MAENDEL CONSULTING ENGINEERS LTD.

A handwritten signature in blue ink that reads "D Burns".

Daniel Burns, P.Eng.
Civil Engineer