

adjacent property. As part of the variance application, a 1.5m landscaped buffer along Park Avenue East as well as a landscaped island within the parking area to the east of the site will be provided. A small northwestern portion of the property used for parking and containing no structure (Attachment B-2) is situated in Zone 4 of the Methane Gas Sites Policy. In accordance with Section 3.04 of the Methane Gas Sites Policy, any development on an area located within Zone 4 of the Methane Gas Sites Policy is at the discretion of the developer.

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 majority of uses located along both sides of Park Avenue East are industrial in nature which include large parking and outdoor storage areas. The existing truck wash use and proposed addition are compatible with the uses in the surrounding 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;

There are no residential dwellings within close proximity to the subject site. The truck wash business is already established at the subject site; expanding the truck wash business to include a total of 10 wash bays will likely not negatively affect the surrounding properties.

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 northwest interior side yard is 21.6m which can allow for 2 additional 7.0m wide wash bays while complying with the required 4.5m interior side yard. Designing the site to include two additional wash bays will not likely generate any injurious effect on the subject site.

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 "Industrial" in Map 1: Urban Land Use of the Development Plan 2013, which supports the truck wash facilities. Furthermore, truck wash facilities are permitted uses in the MG Industrial General Zone. Except for the required variance for the northwest interior side yard, the existing truck wash facility along with the proposed building addition will meet the parking and setback requirements as set forth in the Zoning By-law. In accordance with Section 5 of the Urban & Landscape Design Standards Manual regarding Landscape Design, a 1.5m landscaped buffer along Park Avenue East as well as a landscaped island within the parking area to the east of the site will be provided.

Commenting Agencies

All comments are summarized below:

City of Brandon:

- A small northwestern portion of the property is situated in Zone 4 of the Methane Gas Zone.
- Easement agreement with the City of Brandon for the drainage swales located on the sides of the property is required.
- A drawing showing the width of the swales are required prior to preparing the easement agreement.
- A plan showing the specific details of the retaining wall is required when applying for the building permit application.

Notification

As required under Section 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.

Public Outreach

In accordance with the Zoning By-law Appendix D, Public Hearing requirements, a representative of the applicant went door-to-door to speak with business owners within the area of the subject property and gave them an overview of the proposed building addition and the required interior side yard variance. As indicated by the applicant in the attached community participation report (Attachment C), the neighbours contacted did not express any concerns regarding the proposed variance as long as the drainage plan for the whole site was approved by the Engineering Department. As of the writing of this report, the Planning & Building Safety Department has not received written comments in favour of or in opposition to this application.

RECOMMENDATIONS:

That the Public Hearing for Variance Application V-10-15-B at 347 Park Avenue East be concluded.

That Variance Application V-10-15-B to vary Table 15 under Section 43 of the Zoning By-law by decreasing the required northwest interior side yard from 4.5m to 0.3m in the MG Industrial General Zone be approved at 347 Park Avenue East (Lot 1, Plan 37192 BLTO) in accordance with the intent of the application “Attachment A-1”, the attached letter of intent “Attachment A-3 through Attachment A-6” and the attached site plan “Attachment B-3” subject to:

1. The owner or successor, prior to the issuance of a building permit, submitting written confirmation to the City of Brandon Planning & Building Safety Department that an easement agreement for drainage purposes has been registered on the Title to the subject property.