



Planning & Building Safety Department
 638 Princess Avenue. Brandon MB. R7A 0P3
 T: 204.729.2110 F: 204.728.2406
 www.brandon.ca/planning

Variance to Zoning By-law 6642

Name of Property Owner: City of Brandon
 Name of Applicant: Brandon Community Garden Network
 Civic Address of Property: 120 5th Street North, Title Numbers 1435244/2 and 1994648/2
 Legal Description of Property: Lots 17/20, Block 104, Plan 2 BLTO

References:

BAPD Development Plan By-law No. 78/01/04
 Applicable Secondary Plan By-law
 City of Brandon Zoning By-Law No. 6642

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

Variance Request:

Replace the original 7ft (2.1m) deer fence at the Green Futures North Community Garden To erect a 160ft by 160ft (47.9m by 47.9m), 7ft (2.1m) high wildlife fence around the Green Futures North Community Garden with a smaller enclosure area fence with 5"-7" diameter pressure treated posts at 10' spacing (respectively) and a wildlife fence.

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 Owner: J. Marshall Date: August 7/15
 Address: 410 9TH St Brandon MB E-Mail: t.marshall@brandon.ca
Street Address City/Province Postal Code
 Home Phone: _____ Cell Phone: _____ Work Phone: (204) 729-2232

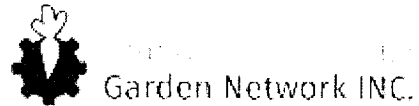
Signature of Applicant: _____ Date: _____
 Address: 410 9th St. Brandon Manitoba E-Mail: bcgninc@gmail.com
Street Address City/Province Postal Code
 Home Phone: _____ Cell Phone: 204-573-5314 Work Phone: 204-7292494

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 & Building Safety Department, 638 Princess Ave, Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

FOR PLANNING DEPARTMENT USE ONLY:			
Community Planner: <u>Robert Zolke</u>	Planning File No.: <u>V-24-15-B</u>	CityView No.: <u>PLVA20150000077</u>	
Date Application Received: <u>Aug. 10/15</u>	Payment Date: <u>Aug 10/15</u>	Receipt No.: <u>N/A</u>	Amount: \$ <u>525.00</u>
Variance - Application			REV01/13

(JH)

410 9th Street
Brandon, MB R7A 6A2
204-573-5314
bcgninc@gmail.com



July 23, 2015

Dear City of Brandon Planning & Building Safety Department,

The Brandon Community Garden Network (BCGN) is an incorporated organization comprised of volunteer garden coordinators and representatives from partner organizations whose goal it is to make vegetable gardening available to anyone in Brandon who wants to grow their own food. The Green Future's North site is located at 120 5th Street North and is in its sixth season as a community garden. This initiative offers the community 81 raised box community garden plots, half of which are grown by participants and volunteers of the Samaritan House Food Hamper Program. The site is also home to three water tanks as well as one 10'x8' tool shed and three picnic tables.

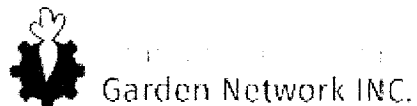
The BCGN wishes to apply for a variance on behalf of the Green Futures North Community Garden Site to erect a 7ft (2.1m) high deer fence at that site. Such a fence would run 160ft by 160ft (47.9m by 47.9m), using 5"-7" diameter pressure treated posts spaced 14' apart. The proposed fencing product, provided in-kind by J & M Industries, is commonly used for wildlife exclusion, and has very little visual impact. The fence is necessary for the viability of the Green Futures North garden site due to challenges that site experiences from wildlife destroying the food being produced prior to harvest. If this variance is approved the fence will be installed prior to winter. The BCGN understand that the site is currently zoned residential and residential by-laws indicate that fencing around a property cannot be more than 6 feet high on side and back of a property and 4.5 feet high on the property frontage.

A previous fence had been installed at the site but was removed due to concerns about the construction of that fence by the Risk Management Department of the City of Brandon. The proposed fence was designed in consultation with the Risk Management Department to address all safety concerns. As there are no immediately adjacent neighbors or buildings there should be no conflict with an additional 30cm -90cm of fencing. The height of the fence being proposed will be less than the initial fence and is the minimum modification of the zoning bylaw while serving the purpose of keeping herbivores out of the gardens.

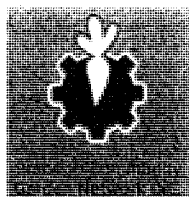
The proposed zoning bylaw modification is consistent with the applicable provision of the development plan by-law, the zoning bylaw and any secondary bylaws, especially pertaining to the adjacent flood fringe areas where very little construction is permitted. There is no secondary plan that impacts the use of this site. The proposed wildlife fence will not be detrimental to the health of welfare of the area nor will it adversely effect potential development of other properties in the area, but will likely improve the property value of the site as has been seen in many cities where community gardens are kept up. The Brandon Community Garden Network assumes all responsibility of maintaining and coordinating the site, to ensure it's compatibility with the neighborhood and its value to Brandon as a community garden.

Representatives from the BCGN will canvass the immediate area to inform neighbours of the BCGN's plans prior to the public hearing. Flyers including contact information will be left in mailboxes where people are not home.

410 9th Street
Brandon, MB R7A 6A2
204-573-5314
bcgninc@gmail.com



Thank-you for considering the BCGN's request. We will be available at the public hearing and will be happy to answer any questions about the variance application and how this fence will contribute to the success of the Green Futures North community garden site.



Blake Hamilton
Brandon Community Garden Network Incorporated
Garden Network Coordinator
204-573-5314
bcgninc@gmail.com



TANYA MARSHALL
MANAGER OF PROPERTY ADMINISTRATION
DEVELOPMENT SERVICES DIVISION
638 Princess Avenue, Brandon, Manitoba R7A 0P3
Phone: (204) 729-2232 Fax: (204) 725-3235
Email: t.marshall@brandon.ca

August 7, 2015

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

Re: **120 - 5th Street North (Lots 17/20, Block 104, Plan 2 BLTO)**

I, Tanya Marshall, Manager of Property Administration for the City of Brandon as owner of 120 – 5th Street North (Lots 17/20, Block 104, Plan 2 BLTO) do hereby authorize the Brandon Community Garden Network to proceed with a Variation application for the construction of a fence in relation to their lease and use of the property for gardening purposes.

Should you have any questions in this regard, please contact me.

Yours truly,

A handwritten signature in cursive script that reads "Tanya Marshall".

Tanya Marshall
Manager of Property Administration



N 1st St N

47.73

49.47

49.63

44.64

Brandon Community Garden Network Incorporated
Green Futures North Fence Variance
120 5th St N

STICKNEY AVE

1:500