

<p style="text-align: center;"><b>TITLE:</b>  <b>VARIANCE</b>  <b>705 LORNE AVENUE</b>  <b>OWNER: CITY OF BRANDON</b>  <b>APPLICANT: WESTMAN YOUTH FOR CHRIST</b></p>		
<p><b>MEETING DATE:</b>  June 19, 2019</p>		<p><b>Page 1 of 4</b></p>
<p><b>DEPARTMENT:</b>  Planning &amp; Buildings</p>	<p><b>ATTACHMENTS:</b></p> <ul style="list-style-type: none"> <li>A. Application related documents</li> <li>B. Map, air photo &amp; drawings</li> <li>C. Community Participation Report</li> <li>D. Letter of Objection</li> </ul>	
<p><b>PRESENTER:</b>  Shengxu Li, Community Planner</p>	<p><b>MANAGER:</b>  Ryan Nickel, Chief Planner</p>	

**RECOMMENDATIONS:**

**Rear Yard Setback Variance**

That Variance Application V-05-19-B to vary Table 14 of the Zoning By-law by reducing the minimum required rear yard setback from 7.6m to 2.5m in the HUB Mixed Use (HMU) Zone to allow for construction of two (2) fifteen (15) unit multiple dwelling buildings be approved at 705 Lorne Avenue (Lots 1/6, Block 41, Plan 2 BLTO) in accordance with the letter of intent “Attachment A-1 and A-2”, the site plan “Attachment B-2” and elevation plans “Attachment B-3, B-4 and B-5”.

**Parking Variance**

That Variance Application V-05-19-B to vary Clause 30(a)(3) of the Zoning By-law by reducing the minimum number of required parking spaces from thirty (30) to twenty three (23) in the HUB Mixed Use (HMU) Zone to allow for construction of two (2) fifteen (15) unit multiple dwelling buildings be approved at 705 Lorne Avenue (Lots 1/6, Block 41, Plan 2 BLTO) in accordance with the letter of intent “Attachment A-1 and A-2”, the site plan “Attachment B-2” and elevation plans “Attachment B-3, B-4 and B-5”.

**BACKGROUND:**

***Request***

The applicant, Dwayne of Westman Youth for Christ, on behalf of the property owner, City of Brandon, is applying:

- Vary Table 14 of the Zoning By-law by reducing the minimum required rear yard setback from 7.6m to 2.5m; and
- Vary Clause 30(a)(3) of the Zoning By-law by reducing the minimum number of required parking spaces from thirty (30) to twenty three (23) in the HUB Mixed Use (HMU) Zone.

Approval of this application will allow for construction of two (2) fifteen (15) units multiple dwelling buildings on the site.

### ***Development Context***

The subject site is currently a parking lot, and is located on mid-block between 6<sup>th</sup> Street and 8<sup>th</sup> Street along Lorne Avenue. Uses surrounding the site include a senior housing and senior centre to the west, an indoor recreation facility to the north, a parking lot to the east and two residential homes to the south across Lorne Avenue. The site is within walking distance (400m) of many community amenities, including public parks, school, churches, public library, and downtown shopping area. Multiple public transit routes are located in close proximity to the site including along 10<sup>th</sup> Street and Princess Avenue. Access to the proposed parking spaces is from the public lane.

### ***History***

A building on the site was demolished in the late 90s, and the site was vacant until it was developed as parking lot and leased to adjacent building tenants by the City.

### **ANALYSIS:**

The applicant is proposing to reduce the minimum required rear yard setback from 7.6m to 2.5m to allow the building B on the north side to be built close to the site line. The applicant is also proposing to reduce the required on-site parking spaces from 30 spaces to 23 spaces (including 9 spaces provided on an alternative site to the east).

### ***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;***

##### **Setback**

The intent of a 7.6m rear yard setback is to ensure enough space for parking to the rear of new developments. Providing parking in the side yard maintains the character of the area and allows the rear yard to be reduced to 2.5m thus allowing more buildable area on the property.

##### **Parking**

Requirements for on-site parking in the downtown are less than other areas of the City due to the increased use of transit, walking/cycling, and culture of on-street parking. The City also has a practice of reducing parking requirements for residential uses less likely to generate the demand for parking (ex: homeless youth).

- 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;**

Setback

The site is adjacent to an existing parking lot to the north. The proposed development will also provide a fence to respect privacy of YMCA daycare centre over the parking lot. Therefore, the decreased (north side) rear yard setback will not negatively affect the welfare of people or potential development in the surrounding area.

Parking

There will be 30 dwelling units in total in the proposed development and 14 of them will be dedicated to homeless youth. In accordance with the applicant's letter of intent, homeless youth typically do not have vehicles. The applicant's maximum anticipated parking demand for the development is 17 spaces; one parking space for the 14 homeless youth units and one space each for the barrier free and market units. The actual parking demands generated by the proposed development (max 17) will be less than parking spaces provided (23).

- 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**

Setback

The proposed 2.5m rear yard setback increases the buildable area on the property and provides additional space between the two buildings to accommodate landscaping area and pedestrian connection. Therefore, it is the minimum modification of the zoning by-law to relieve the injurious effect on the property.

Parking

Requiring more parking spaces on-site than is required reduces the buildable area of the property and limits development potential. Supporting a reduction in parking reduces the injurious impact of unnecessarily limiting development on the property and facilitates an affordable housing development.

- 4. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law**

Setback and Parking

The site is located in an area designated "The HUB" in the Brandon and Area Planning District Development Plan and the proposed development maintains this designation. The site is also located in Mixed Use Character Area in the HUB Secondary Plan. The proposed multiple dwelling development is allowed in the Mixed Use Character Area, and conform to the policy that providing housing for all income levels and demographics and contributing to a vibrant and pedestrian friendly community.

Apart from the setback and parking variances requests, the proposed development complies with other applicable provisions in the Zoning By-law.

### ***Commenting Agencies***

All comments have been addressed and summarized below.

#### ***City of Brandon***

- Engineering and Water Resources Department recommend that additional off-site parking be established prior to a change in use or demographics in the proposed development

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

In accordance with 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 site and notice posters were posted on the site.

#### ***Public Outreach***

In accordance with Section 13 of the Zoning By-law, the applicant conducted in-person communication with adjacent residents, and held meetings with key stakeholders. During those public outreach efforts, comments regarding parking, YMCA daycare expansion, and security were received. The applicant provide feedback to those comments in the community participation report (Attachment C). As of the writing of this report, the Planning & Buildings Department has received one letter of opposition to the parking variance application (Attachment D), citing concerns with a shortage of parking in the area.