




TITLE: EXTENSION—VARIANCE 563 – 3RD STREET OWNER: DORNN CONSTRUCTION LTD. APPLICANT: BRIAN DORNN		
PRESENTER: Andrew Mok, BES MCIP RPP		Page 1 of 1
DEPARTMENT: Planning, Property & Buildings	ATTACHMENTS: A. Extension request letter B. Original and Appeal Variance Orders C. Original public hearing report D. Appeal hearing report	
CLEARANCES: Chief Planner	MEETING DATE: May 17, 2017	
APPROVALS: <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  Community Planner April 26, 2017 Date </div> <div style="text-align: center;">  Chief Planner April 27, 2017 Date </div> </div>		

DISCUSSION:

The applicant, Brian Dornn, on behalf of the property owner, Dornn Construction Ltd., is requesting a deadline extension to Variance Order 01/16 to vary Table 11 of the City of Brandon Zoning By-law No. 7124 to decrease the minimum required interior side yard from 3.0m to 1.2m and Subsection 51.1.(b) of Zoning By-law No. 7124 to decrease the Railway Protection Overlay Zone for dwelling units from 30.0m to 20.0m for a property located at 563 – 3rd Street in the RMD Residential Moderate Density Zone.

Building Not Yet Constructed

Section 101(1) of The Planning Act states that variance orders expire and cease to have any effect if not acted upon within twelve (12) months of the date of the decision. To date, the applicant has not obtained a building permit to construct the building, citing construction scheduling issues.

The Planning, Property & Buildings Department advises it received the request prior to the original deadline, and it has no concerns with the extension request. The Planning, Property & Buildings Department recommends approval of an extension to the deadline of Variance Order 01/16 by twelve (12) months from the original expiry date. Therefore, the new expiry date shall be May 3, 2018.

RECOMMENDATION:

That the approval deadline of Variance Order 01/16 be extended to May 3, 2018.