


<b>TITLE:</b> <p style="text-align: center;"><b>VARIANCE</b>  <b>412 15<sup>th</sup> STREET</b></p> <b>OWNER: Pro-Fit Renovations and Property Management</b> <b>APPLICANT: Steve McMillan</b>										
<b>PRESENTER:</b> Andrew Mok, BES MCIP RPP		<b>Page 1 of 4</b>								
<b>DEPARTMENT:</b> Planning & Building Safety	<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings C. Public Outreach Report									
<b>CLEARANCES:</b> Principal Planner	<b>MEETING DATE:</b> March 2, 2016									
<b>APPROVALS:</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><i>Original Signed by Robert Zilke</i></td> <td style="width: 15%;"><i>March. 8, 2016</i></td> <td style="width: 33%;"><i>Original Signed by Ryan Nickel</i></td> <td style="width: 15%;"><i>March. 9, 2016</i></td> </tr> <tr> <td style="text-align: center;"><b>Community Planner</b></td> <td style="text-align: center;"><b>Date</b></td> <td style="text-align: center;"><b>Principal Planner</b></td> <td style="text-align: center;"><b>Date</b></td> </tr> </table>			<i>Original Signed by Robert Zilke</i>	<i>March. 8, 2016</i>	<i>Original Signed by Ryan Nickel</i>	<i>March. 9, 2016</i>	<b>Community Planner</b>	<b>Date</b>	<b>Principal Planner</b>	<b>Date</b>
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**REQUEST:**

The applicant, Steve McMillan, on behalf of the property owner Pro-Fit Renovations and Property Management Ltd., is applying to vary the following under Zoning By-law No. 7124 for property located at 412 – 15<sup>th</sup> Street in the RLD Residential Low Density Zone:

- Table 10: Residential Bulk and Siting Requirements under section 51 of the City of Brandon Zoning By-law by increasing the maximum allowed dwelling units from two (2) to four (4); and
- Table 4: Required Parking and Loading Spaces under section 26 to decrease required parking stalls from six (6) to five (5).

Approval of this application will allow for the development of a four-unit multiple dwelling.

**BACKGROUND:**

***Development Context***

The subject site is located along 15<sup>th</sup> Street just south of Louise Avenue; the site is currently vacant with a two storey single detached dwelling directly adjacent to the north and south. The site is surrounded by residential developments to the north, south and west, with a community centre and green space directly east across 15<sup>th</sup> Street. Access to the site is provided by an existing back lane to the west of the site. The site is located approximately two blocks east of Brandon University, and four and a half blocks to the west of properties within the Downtown HUB Secondary Plan Area. The site is also located directly along the Central Belt bus route, with a bus stop located to the south on the subject block.

***History***

The site was previously occupied by a single-detached dwelling that had significant fire damage and as a result remained in a state of disrepair. During the time of disrepair there were various complaints regarding lack of property maintenance. A demo permit was issued in 2013 to demolish the damaged home and address the property maintenance issues regarding the leftover debris and the removal of the old foundation.

Recently redeveloped properties in the general area include two four-unit buildings at 245 & 229 12<sup>th</sup> street and an eight-unit building at 1406 Lorne Avenue.

### **ANALYSIS:**

The applicant proposes to develop a two-storey four-unit multiple dwelling with parking along the rear lane. The variance requests will allow the applicant to increase the allowable density by two units and reduce the required parking stall count by one.

#### ***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 surrounding area includes a mixture of residential detached, residential low density and residential moderate density zoned properties. The predominant built form character is one and a half to two and a half storey dwellings constructed in the early 1900's. The proposed building reflects the forms, patterns and decorative elements of adjacent buildings using a pitched gabled roof incorporating a dormer to break up the roof line and accentuate the front entrance. The entrance for the front and back units on the lower level is well defined through the use of a veranda/deck oriented towards the street which is in compliance with the clause 4.2(a) of the City of Brandon Urban Design Standards & Guidelines. The proposed two storey fourplex dwelling, as designed, will be generally compatible with the built form character and mixture of housing types 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;***

The proposal is a residential development and will not impair the integrity and character of the neighbourhood as it does not generate noise, vibration, dust, lighting, odour or traffic at a level that is commensurate with a RLD zoned area. The proposed density increase from two (2) to four (4) units is consistent with the policies in the Development Plan to increase density in close proximity to the university and the hub area; the design of the building is in keeping with the existing character of the area. The potential detrimental impact of one less on-site parking space is mitigated by the walkability of the site within the hub area and the existence of a bus route directly adjacent to the parcel as well as on-street parking available adjacent to the community centre directly across the street. The maximum bedroom within the fourplex will be limited to 10 total to ensure the parking generated from the use is not detrimental to the area. The proposed variance to increase the maximum allowed dwelling units from two (2) to four (4), as proposed, will not likely be detrimental to the surrounding area.

***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***

Limiting the site to two (2) dwelling units and providing 1.5 parking spaces per unit does not impose an injurious effect on the subject site. However, due to the location of the subject site within the HUB area and its close proximity to Brandon University, the proposed development is in support of the revitalization effort of the central neighbourhood area as a whole.

***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 proposed development conforms to the following Development Plan policies:

- 2.2.1 (location of residential development)—the subject site is within an area identified as “Residential” in Map One: Urban Land Use of the Development Plan;
- 2.2.2 (housing mix)—the surrounding residential area already consists of a mix of detached dwellings and multiple dwellings;
- 2.2.3 (affordable housing)-Introducing higher density and alternative housing types in the existing area will encourage a mix of income levels and cater to the affordable housing demand.
- 2.2.5 (higher density housing)—more intense residential developments are encouraged to be located in close proximity to The HUB and major institutions.

The proposed development complies with all other applicable provisions of the Zoning By-law. Four (4) dwelling units is consistent with the intent of the zone, and the design of the building is in keeping with the established character of the area through the location of entrances, windows and architectural features.

### ***Commenting Agencies***

All comments have been addressed and are summarized below.

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

A cash-in-lieu of land dedication for public reserve purposes in the amount of \$245.98.

### ***Notification***

As required under s. 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***

The applicant went door-to-door to residents within the area of the subject property and gave the residents an overview of the proposed application. No direct opposition received. As of the writing of this report, the Planning & Building Safety Department has not received any written comments from the public in favour of or indicating opposition to the proposal.

### **RECOMMENDATIONS:**

That the Public Hearing for Variance Application V-03-16-B at 412 – 15<sup>th</sup> Street be concluded.

That Variance Application V-03-16-B to vary Table 11 of Zoning By-law No. 6642 by increasing the allowable density from two (2) units to four (4) and decreasing the required parking stalls from six (6) to five (5), in the RLD Residential Low Density Zone at 412 – 15<sup>th</sup> Street (Lot 9, Block 15, Plan 2 BLTO) be approved in accordance with the intent of the application “Attachment A-1”, the attached letter of intent “Attachment A-2” and the attached site plan “Attachment B-2”, subject to the owner or successor, prior to the issuance of a building permit:

- a. submitting floor plans identifying no more than 10 total bedrooms within the four dwelling units;
- b. submitting \$245.98 to the City of Brandon Planning & Building Safety Department as a cash-in lieu contribution for public reserve purposes; and
- c. prior to the issuance of a building permit, submitting written confirmation to the City of Brandon that the Brandon School Division has received a cash-in lieu contribution for school purposes.