


TITLE: CONDITIONAL USE AND VARIANCE 21 8th STREET OWNER: CITY OF BRANDON APPLICANT: CARLA RICHARDSON		
MEETING DATE: May 16 th , 2018		Page 1 of 4
DEPARTMENT: Planning, Property & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Community Participation Report	
PRESENTER: <i>Original signed by S. Li</i> Shengxu Li, Community Planner	MANAGER: <i>Original signed by R. Nickel</i> Ryan Nickel, Chief Planner	

RECOMMENDATIONS:

Conditional Use

That Conditional Use Application C-06-18-B to allow for office use on the 1st floor in the HUB Entertainment and Shopping (HES) Zone be approved at 21 8th Street (Lot 19, Block 75, Plan 2 BLTO) in accordance with the intent of the application “Attachment A-1”, the letter of intent “Attachment A-3” and the site plan “Attachment B-2”, and elevation plans “Attachment B-4”, subject to:

1. The owner or successor, prior to the issuance the building permit, submitting an updated west building elevation plan to the satisfaction of the Department of Planning, Property and Buildings proposing alternative material(s) to reduce the amount of steel paneling.

Variance

That Variance Application V-04-18-B to vary Table 14 of the Zoning By-law by decreasing the building height from two storeys to one storey to allow for the development of a transit terminal building in the HUB Entertainment and Shopping (HES) Zone be approved at 21 8th Street (Lot 19, Block 75, Plan 2 BLTO) in accordance with the intent of the application “Attachment A-2”, the letter of intent “Attachment A-3” and the site plan “Attachment B-2” and elevation plan “Attachment B-4”.

BACKGROUND:

Request

The applicant, Carla Richardson, on behalf of the property owner, City of Brandon, is applying to allow for the development of a transit office building for a property located at 21 8th Street in the HUB Entertainment and Shopping (HES) Zone:

- Conditional Use – to allow for the office use on the 1st storey in the HES Zone

- Variance – to vary Table 14 of the Zoning By-law by decreasing the building height from two (2) storeys to one (1) storey in the HUB Entertainment and Shopping (HES) Zone

Development Context

The site currently has a 60m² transit terminal building located on northwest corner of 21 8th Street property. Uses surrounding the site include Prairie Mountain Health Access Centre to the west across the rear lane, Cando Rail Services building to the south across a parking lot, Samaritan House building to the northwest corner across the closed 8th Street right-of-way. The public lane off 7th Street provides vehicle access.

ANALYSIS:

The existing building will be demolished and a new 1246 sq. ft. building will be constructed on the same site. The new proposed building will incorporate a transit information office and a rest station for transit operators to improve the overall functionality of the transit system.

Conditional Use

Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:

1. Will be compatible with the general nature of the surrounding area;

The site is located in Brandon Downtown Transit Terminal, which is surrounded by institutional and business office uses. The proposed transit station building will be compatible with the general nature of 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 site design of proposed transit station building will be consistent with the existing site configuration that parking spaces are located at the rear yard accessed off the public lane. Only pedestrian can access the front entrance; therefore, the proposal will not be detrimental to the health of people working in the surrounding area and negatively affect other properties or potential development.

3. 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 with Brandon & Area Planning District Development Plan 2013:

- The subject site is within an area identified as “The HUB” in Map 1: Urban Land Use of Development Plan
- To encourage a mix of uses including residential, commercial, institutional, and park uses, at appropriate locations (7.1 b)

The proposed development conforms with policies of City of Brandon the HUB Secondary Plan By-law No. 7010:

- Parking: On-site parking is located behind the building
- Glazing on facades: A minimum 50% glazing on facades of building to achieve visual transparency
- Building coverage: 100% building coverage on front yard to maximize the space and define the streetscape
- Weather protection for pedestrian: Canopy on the entrance is proposed to provide weather protection for pedestrians

The proposed development complies all other requirements in the Zoning By-law, except for the minimum height of proposed building:

- The proposed building has one (1) storey while the Zoning By-law requires buildings in the HES Zone should have minimum two (2) storeys

The applicant has concurrently applied for variance to address the non-compliance. Analysis is provided under the variance portion of this report.

Variance

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;

See conditional use analysis.

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;

See conditional use analysis.

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 two storey minimum height in the HES Zone intends to provide densifications of built environment and mixed use opportunities. However, as the proposed building is located in the transit terminal and fronts the closed 8th Street right-of-way, it is supportable to have one storey building to accommodate the transit service function and to relieve the injurious effect of the Zoning By-law on the property.

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

See conditional use analysis.

Commenting Agencies

All comments have been addressed and summarized below.

Brandon Downtown Development Corporation

- The applicant might consider amending the proposal to incorporate elements that would be more in keeping with the vision for downtown, such as more glazing along façade and incorporating materials, such as brick
- The applicant might consider to incorporate a food and beverage component for the proposed development to comply with the HUB Secondary Plan policy to prioritize a mixture of the entertainment and shopping uses

City of Brandon

- With the construction of the new building, four parking stalls will be lost. The City currently leases parking stalls in this lot to the public. These lessee's have been contacted by the Property Department and steps are being taken to accommodate the lost parking
- The canopy is encroaching into the closed 8th Street right-of-way; however, the Property section is supportive of this design feature, as it appears to be in line with the vision for the downtown
- Address of the new building will remain the same

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 approached the adjacent businesses to discuss the proposed development. As of the writing of this report, the Planning, Property & Buildings Department has not received any representation in favour of or in opposition to this application.