



April 23, 2020

City of Brandon
Planning, Property & Building Department
638 Princess Avenue
Brandon, MB
R7A 0P3

Attn: Planning, Property & Building Department

Re: Variance & Conditional Use Application for property at 4110 Victoria Avenue, Brandon, MB

Please consider this letter of intent as part of our application for a conditional use order and a variance to Zoning By-law 7214 for the purpose of constructing a 4 storey multiplex with commercial space on the main floor at 4110 Victoria Avenue in Brandon MB. According to *Table 11* of the *City of Brandon Zoning by-law 7214*, located in Part 3, Division 2, multiple dwellings as part of a commercial development are permitted only under conditional use. Additionally, according to *Table 12*, in Part 3, Division 2, the maximum height in the CAR Zone is 2.5 storeys. As such, we are requesting a variance to increase the height to 4 storeys. This letter is submitted to you by Myria Design and Keller Developments on behalf of the property owner, 6864598 MANITOBA LTD.

Existing Property

The existing property at 4110 Victoria Avenue has the legal description known as parcels "D", "E", "F" and "G" Plan 59688 BLTO. There is a small parcel on the corner of 42nd Street and Victoria Avenue which is not part of this property and is developed as a commercial business. Access to 4110 Victoria Avenue is from 42nd Street. It is currently an empty lot. In recent years other multiplexes have been constructed on adjacent lots to the South. The property is zoned CAR.

Proposed Development

We are proposing to construct a 4-storey multiplex which will have commercial space on the main floor and 6 residential units on each of the 2nd, 3rd, and 4th floors. We have included preliminary floor plans, a building elevation, and a site plan as part of this application.

Criteria for Conditional Use and Variance

The proposed development will meet the criteria for approving a conditional use and a variance application:

1) Will it be generally compatible with the nature of the surrounding area?

We believe our development will fit in to the surrounding area with both its commercial and residential components. The proposed development contains commercial space on the main floor which ties into the commercial component of the Victoria Avenue corridor. The residential aspect of the development ties in nicely to the adjacent multiplexes that have been built to the

South of this property in recent years. This building should be a nice transition between the two zones.

2) Will it 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 proposed development will have residential, and either office or mercantile spaces and therefore should not cause any health or safety concerns to people living in the area. The building will comply with all necessary codes and bylaws.

Additionally, the development will only rejuvenate and improve the look of an existing property and should have no other affect on properties or future development in the area.

3) Is it the minimum modification of the zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property?

We believe that for a development of this nature the additional storeys are necessary to make it financially sustainable for a lot this size.

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

We believe the development is consistent with these plans and by-laws.

If you have any questions or require further information regarding this application, please do not hesitate to contact me.

Kind Regards,



Kate McKenzie, C.E.T.

MYRIA DESIGN

Letter of Authorization

Date: 23/04/2020

To: City of Brandon
Development Services
638 Princess Ave
Brandon, MB
R7A 0P3

RE: 4110 Victoria Ave.
(civic address or legal description of property)

I (We) hereby give authorization to:
Keller Developments (Applicant's name) to apply for a permit
(building/development/other) for the above address.

Registered Owner(s) on the Current Status of Title or Certificate of Title:

<u>Evan Keller</u> Name (Print)	<u>[Signature]</u> Name (Signed)	<u>23/04/2020</u> Date
 Name (Print)	 Name (Signed)	 Date
 Name (Print)	 Name (Signed)	 Date
 Name (Print)	 Name (Signed)	 Date

Staff Initials and Date

STATUS OF TITLE

Title Number **2931148/2**
Title Status **Accepted**
Client File **203941 / Keller Ent / TBS-jr**

The Property Registry

A Service Provider for the Province of Manitoba



1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

6864598 MANITOBA LTD.

IS REGISTERED OWNER SUBJECT TO SUCH ENTRIES RECORDED HEREON IN THE FOLLOWING DESCRIBED LAND:

PARCELS "D", "E", "F" AND "G" PLAN 59688 BLTO
EXC: OUT OF PARCEL "E" ALL MINES AND MINERALS
AND EXC: OUT OF PARCEL "G" ALL MINES AND MINERALS AS SET FORTH
IN TRANSFER R66689
IN NE 1/4 16-10-19 WPM

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type: **Caveat**
Registration Number: **1366914/2**
Instrument Status: **Accepted**

Registration Date: 2014-09-17
From/By: CITY OF BRANDON
To: TOPASANNAH HEUCHERT AS AGENT

Amount:
Notes: No notes
Description: DEVELOPMENT AGREEMENT

Instrument Type: **Caveat**
Registration Number: **1383671/2**
Instrument Status: **Accepted**

Registration Date: 2015-07-30
From/By: CITY OF BRANDON
To: TOPASANNAH HEUCHERT AS AGENT

Amount:
Notes: No notes
Description: DEVELOPMENT AGREEMENT

Instrument Type: **Caveat**
Registration Number: **1383672/2**
Instrument Status: **Accepted**

Registration Date: 2015-07-30
From/By: CITY OF BRANDON
To: TOPASANNAH HEUCHERT AS AGENT

Amount:
Notes: No notes
Description: DEVELOPMENT AGREEMENT

Instrument Type: **Easement**
Registration Number: **1389453/2**
Instrument Status: **Accepted**

Registration Date: 2015-11-19
From/By: 6733540 MANITOBA LTD.
To: TRENT BRIAN SHOLDICE AS AGENT

Amount:
Notes: No notes
Description: EASEMENT

Instrument Type: **Easement**
Registration Number: **1402141/2**
Instrument Status: **Accepted**

Registration Date: 2016-08-02
From/By: 6733540 MANITOBA LTD.
To: MB HYDRO-ELEC BRD, MTS INC & WESTMAN MEDIA CO-OP LTD.

Amount:
Notes: No notes
Description: STATUTORY EASEMENT

Instrument Type: **Easement**
Registration Number: **1402142/2**
Instrument Status: **Accepted**

Registration Date: 2016-08-02
From/By: 6733540 MANITOBA LTD.
To: CENTRA GAS MANITOBA

Amount:
Notes: No notes
Description: STATUTORY EASEMENT

Instrument Type: **Mortgage**
Registration Number: **1424835/2**
Instrument Status: **Accepted**

Registration Date: 2017-12-01
From/By: 6864598 MANITOBA LTD.
To: VANGUARD CREDIT UNION LIMITED

Amount: \$3,000,000.00
Notes: No notes
Description: No description

3. ADDRESSES FOR SERVICE

6864598 MANITOBA LTD.
110 - 11TH STREET
BRANDON MB
R7B 4G2

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Brandon

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

2854821/2 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	Transfer Of Land
Registration Number:	1424834/2
Registration Date:	2017-12-01
From/By:	6733540 MANITOBA LTD.
To:	6864598 MANITOBA LTD.
Consideration:	\$375,000.00

10. LAND INDEX

Lot D Plan 59688

Lot E Plan 59688
NE 16-10-19W EXC M&M

Lot F Plan 59688
NE 16-10-19W

Lot G Plan 59688
NE 16-10-19W EXC M&M

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE
SYSTEM OF TITLE NUMBER 2931148/2