


TITLE: VARIANCE 8 WINCHESTER DRIVE OWNER: VIONELL BERTINEOUS JACOBSON AND ROBIN PATRICIA JACOBSON APPLICANT: J & G HOMES LTD. (STEVE MCMILLAN)		
MEETING DATE: August 5, 2020		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Shengxu Li, Community Planner	MANAGER: Ryan Nickel, Chief Planner	

RECOMMENDATIONS:

That Variance Application V-09-20 to vary Table 10 under Section 51 of the Zoning By-law to decrease the required front yard from 6.0m to 1.5m in the Residential Single Detached (RSD) Zone be approved at 8 Winchester Drive (Lots 9/10, Plan 54876 BLTO) in accordance with the letter of intent "Attachment A-1" and the site plan "Attachment B-2", subject to the owner or successor providing written confirmation to the City of Brandon Development Services Division that arrangements have been made for the existing utility easement's relocation to the satisfaction of Manitoba Hydro, Centra Gas Manitoba, BellMTS, and Westman Communications Group, with all costs and expenses incurred in connection with the easement relocation being the sole responsibility of the owner or successor of this site.

BACKGROUND:

Request

The applicant, Steve McMillan of J & G Homes Ltd., on behalf of the property owner, Vionell Bertineous Jacobson and Robin Patricia Jacobson, is applying to vary Table 10 under Section 51 of the City of Brandon Zoning By-law No. 7124 to decrease the required front yard from 6.0m to 1.5m at 8 Winchester Drive in the Residential Single Detached (RSD) Zone. Approval of this application will allow for an attached garage addition to the detached dwelling.

Development Context

The subject site currently has a detached dwelling, and is located on the east side of the Winchester Drive cul-de-sac, near the west City limit. The site is trapezoidal in shape due to the street's cul-de-sac design. A 4.6m wide utility easement exists within the front yard along the curved front site line. The site is located in a residential area surrounded by detached dwellings, except for agricultural uses in the RM of Cornwallis to the west. Winchester Drive provides vehicular access to the site.

History

The existing house was built in 2016. The current property owner consolidated two properties (former 4 Winchester Drive and 8 Winchester Drive) to make it a larger site.

ANALYSIS:

The applicant is applying to decrease the required front yard from 6.0m to 1.5m to enable construction of an additional two bays to the existing attached garage.

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 site is located in a residential area where double- and triple-wide attached garages are a significant building form. Though the proposal with additional bays makes the building form larger than the typical ones in the surrounding area, considering the site is in a trapezoidal shape that forces the building into an L-shape, and the driveway approach width at the curb will not change, the proposal will not have an overwhelming appearance.

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 proposed attached garage addition will be on the west side of the existing garage. Though the total number of five garage bays is not typical in the area, given there are no dwellings adjacent to the proposed garage addition, the impact of the garage's decreased front yard setback on neighbouring people and properties is minimal.

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 trapezoidal shape of the site limits space for structures at the site's northwest corner. Due to site constraints, the proposed garage addition significantly reduces the front yard setback at the southwest corner. Though there is no injurious effect of the zoning by-law on the site, decreasing the front yard setback is the minimum modification of the zoning by-law to allow for the proposed structure on the site.

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

Apart from this variance request, the proposal is consistent with all other applicable provisions of the development plan and zoning by-law.

Commenting Agencies

All comments have been addressed and summarized below.

Manitoba Hydro

Manitoba Hydro and Centra Gas Manitoba, along with BellMTS and Westman Communications Group, have a joint use easement in the front yard and are coordinating with other utility companies to evaluate options of relocating the existing easement to allow for the proposed garage addition. The City therefore recommends as a condition of approval that the applicant work with all relevant utility companies to address the utility easement relocation issue. All costs incurred in connection with any easement relocation shall be the site owner's sole responsibility.

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, no additional public outreach effort is required, as the variance to the Zoning By-law is not resulting in the increase of density of use of the site. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.