

TITLE: CONDITIONAL USE 38 – 16TH STREET OWNER: 10037080 MB LTD (DWIGHT KARDASH) APPLICANT: MYRIA DESIGN (KATE MCKENZIE)		
MEETING DATE: June 16, 2021		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Community participation report	
PRESENTER: Shengxu Li, Community Planner	MANAGER: Ryan Nickel, Chief Planner	

RECOMMENDATIONS:

That Conditional Use Application C-03-21 to allow for the development of a building with eight (8) dwelling units in the Downtown Mixed Use (DMU) Zone, with dwelling units on the first storey adjacent to a Commercial Corridor as identified in The Downtown Brandon Secondary Plan, be approved at 38 – 16th Street (Lots 1, 2 and the S ½ Lot 3, Block 84, Plan 2 BLTO) in accordance with the letter of intent “Attachment A-1 to A-3” and the site plan “Attachment B-3” and elevation plan “Attachment B-4”, subject to:

1. The owner of successor, concurrently with a development permit, removing the site access and approaches, including the portion of the shared approach with 32 – 16th Street, off 16th Street, and restoring the 32 – 16th Street approach flare and boulevard in compliance with the City’s standard construction specifications.

BACKGROUND:

Request

The applicant, Kate McKenzie of Myria Design, on behalf of the property owner, 10037080 Manitoba Ltd., is applying for conditional use approval to allow for the development of a building with eight (8) dwelling units in the Downtown Mixed Use (DMU) Zone, with dwelling units on the first storey adjacent to Commercial Corridor as identified in The Downtown Brandon Secondary Plan.

Development Context

The subject site currently has a single-detached dwelling fronting 16th Street with a detached garage. Uses surrounding the site include lower and moderate density residential development to the north and west, moderate density residential development and commercial development to the east, and office uses to the south and southeast. 16th Street provides access to the site.

History

The site currently has a detached dwelling built in the early 20th century. A previous property owner applied for three variances in 2015 to allow for the development of a building with 12 dwelling units. Council approved the application on appeal, but the approval expired as the previous property owner did not meet the conditions of approval.

ANALYSIS:

The applicant is proposing a building with eight (8) dwelling units, a height of four storeys, and a building footprint of 241.8m² on the site. The proposed development will be facing Rosser Avenue, and providing ten (10) parking spaces accessed from the public lane to the west side of the site.

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 within a few blocks where residential use is predominant along the north side of Rosser Avenue, with commercial uses mostly on the south side. Given the mixed use nature of the surrounding area, and the site being adjacent to existing multiple dwelling buildings, the proposal complements the downtown vision in increasing the number of residents living in downtown, and is therefore 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;

To address the potential parking concerns from this development, the developer proposes ten parking spaces on the site, more than minimum of eight the Zoning By-law requires in the DMU Zone. Although the development proposes four storeys, which is higher than the adjacent single detached dwelling to the north at 32-16th Street, considering the proposed limited exposure of windows and no balconies facing the north, the development will have minimum impact on the existing neighbour's privacy.

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

Consistency with the Development Plan

- Site is designated “The HUB” under Map 1: Urban Land Use of the Brandon & Area Planning District Development Plan 2013
- Provide a mix of housing options and affordability in the neighbourhood (Policies 2.2.2 and 2.2.3)
- Contribute to a range of housing density options in the neighbourhood in close proximity to a major institution (Brandon University) and other amenities (transit route, park) (Policies 2.2.4 and 2.2.5)
- Infill development as one of its growth priorities in the City, and the proposed development allows population growth within developed areas to make the most efficient use of existing roadways, services and infrastructure (Policies 10.2.3 and 10.2.4)

Consistency with the Downtown Brandon Secondary Plan

The Downtown Brandon Secondary Plan (the Downtown Plan) identifies Rosser Avenue as a Commercial Corridor that serves as a primary connection to the edges of the downtown area and promotes pedestrian activities and street vibrancy along the streets. The Downtown Plan also provide flexibility for standalone residential developments along a Commercial Corridor where the use is compatible with the context area and the Downtown’s vision in increasing the number of residents to support business growth and promote safety of environment.

The proposed higher density development is in line with the vision for downtown and complies with urban design policies for the downtown, including:

- Orienting principal building towards and near the site line edge, with primary entry point that directly accesses the sidewalk (Policy 5.3.1.b)
- Locating parking behind or beside the proposed development (Policy 6.2.2.g)
- Additional design emphasis through façade treatment (Policy 5.3.6)

Consistency with the Zoning By-law

The proposed development meets the bulk and siting requirements under Table 14 (Section 59) of the Zoning By-law.

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

- The developer is to remove existing site accesses and approaches along 16th Street and restore the boulevard to the City's construction standards

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 reached out to the adjacent property owners for comments on the application. The community participation report stated that one resident raised concern about parking. The applicant discussed the concern with the resident and explained the parking requirements and actual number of parking spaces provided by the development. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.