


TITLE: <p style="text-align: center;">CONDITIONAL USE 250 – 3RD STREET</p> OWNER AND APPLICANT: MURRAY FLETCHER		
MEETING DATE: September 1, 2021		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Bernice Leyeza, Community Planner	MANAGER: Andrew Mok for Ryan Nickel, Director of Planning & Buildings	

RECOMMENDATIONS:

That Conditional Use Application C-07-21 to allow for a duplex in an interior lot with a width less than 15.2m in the Residential Low Density (RLD) Zone be approved at 250 – 3rd Street (Lot 5 and the Sly 12.5ft of Lot 6, Block 37, Plan 2 BLTO) in accordance with the attached letter of intent “Attachment A-1”, site plan “Attachment B-3”, and elevation plan “Attachment B-4”.

BACKGROUND:

Request

The applicant, Murray Fletcher, is applying to allow for a duplex in an interior lot with a width less than 15.2m for a property located at 250 – 3rd Street in the RLD Zone.

Development Context

The subject site is currently vacant, and is located mid-block on the west side of 3rd Street between Princess and Lorne Avenues. Primary vehicle access to the site is from the paved back lane. The site is surrounded by a mixture of low- to high- density dwellings, a church, schools, and other community amenities.

History

The City issued a permit to demolish a detached dwelling in February 2021.

ANALYSIS:

A duplex in the RLD Zone that has a site width of less than 15.2m requires conditional use approval. The intent of the conditional use process is to ensure that development is an appropriate fit in the neighbourhood.

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 a neighbourhood that has a predominant mixture of single-detached, duplex, and multi-unit dwellings within 200m. The two-storey building type and parking in the rear yard are compatible with the general nature of buildings 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 proposed building's design is consistent with the existing residential developments in the neighbourhood (e.g. two-storeys, hipped roof, parking in the rear yard), and therefore will not have negative impacts or effects on other properties or potential development in the surrounding area.

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 proposal conforms to the Brandon & Area Planning District Development Plan 2013 (Development Plan):

- 2.2.1—Site is within the “Residential” area in Map One: Urban Land Use of the Development Plan
- 2.2.2—Proposal provides a mixture of housing options in the neighbourhood
- 2.2.4 & 2.2.5—Proposed development will contribute to a range of housing density options in the neighbourhood, and increase density in close proximity to major institution, transit routes, open space areas and major collector streets
- 10.2.3—Infill development is one of the top growth priorities in the City of Brandon

The subject site is within the Downtown Expansion area identified in the Downtown Brandon Secondary Plan. The proposal will increase the number of residents living in the area and encourage the redevelopment of underutilized buildings and sites (Section 6.3.1).

The proposal also conforms to the Zoning By-law, including setbacks and parking, except for proposed gravel parking surface. The lane is hardsurfaced, and therefore the parking spaces must also be hardsurfaced (Subsection 29(b)). If the Planning Commission approves this

application, the applicant must update the site plan accordingly when applying for a building permit.

Commenting Agencies

The City received the following comments:

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- Private amenity spaces (e.g. covered decks, porches, patios) should be provided for each dwelling unit in multiple-dwellings with at-grade private entrances (Urban Landscape and Design Manual Section 3.2b)
 - This [provision](#) is part of the Zoning By-law that was amended on August 16, 2021. (See Section 4(b) of the link)
 - This matter can be addressed in detail during the building permit stage

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 mailed their proposal to the property owners of nearby properties. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.