


TITLE: VARIANCE 722, 726, 730, 734, 738, 742, 746, 750, AND 754 FRANKLIN STREET OWNER: WINNIPEG HABITAT FOR HUMANITY INC. APPLICANT: KEVIN HIEBERT		
MEETING DATE: April 7, 2021		Page 1 of 3
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 Variance Application V-03-21 to vary the following in Table 10 under Section 51 of the Zoning By-law in the Residential Moderate Density (RMD) Zone:

- Decreasing the minimum site width from 7.6m to 6.1m; and
- Decreasing the minimum site area from 232.0m² to 224.0m²,

be approved at 722, 726, 730, 734, 738, 742, 746, 750, and 754 Franklin Street (Lots 2/10, Plan 58381 BLTO) in accordance the letter of intent “Attachment A”, site plan “Attachment B-3”, and subdivision application map “Attachment B-4”, subject to the subdivision as shown on the subdivision application map (Attachment B-4) being registered with Teranet Manitoba.

BACKGROUND:

Request

The applicant, Kevin Hiebert of Habitat for Humanity Brandon, on behalf of the property owner, Winnipeg Habitat for Humanity Inc., is applying to vary Table 10 under Section 51 of the Zoning By-law No. 7124 to decrease the minimum site width from 7.6m to 6.1m and the minimum site area from 232.0m² to 224.0m² for properties located at 722, 726, 730, 734, 738, 742, 746, 750, and 754 Franklin Street in the Residential Moderate Density (RMD) Zone. Approval of this application will allow for development of twelve (12) semi-detached dwelling units on the site, through a subdivision application that the applicant is applying concurrently.

Development Context

The subject site is currently vacant, and is located on the northwest corner of the intersection of Franklin Street and College Avenue. Uses surrounding the site include low- and moderate-density residential to the east and north, and vacant lands to the west and south. The public lane to the west provides vehicle access to the site.

History

The subject sites are part of properties in the area that the City of Brandon (the City) originally donated to Habitat for Humanity Brandon Inc. in 2001 for the development of affordable housing. In 2009, Habitat for Humanity Brandon Inc. received a subdivision approval to create some of the existing lots (including the lots in this application) along both sides of Franklin Street.

ANALYSIS:

The applicant is proposing to decrease the site width from 7.6m to 6.1m and decrease the site area from 232.0m² to 224.0m². The approved variances together with the subdivision of existing lots will create four additional lots that accommodate the development of twelve (12) semi-detached dwellings in the area.

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 area consists of low and moderate density residential with a mixture of lot widths and sizes. Although the majority of lots are wider and bigger than the proposed ones, considering the semi-detached building format resembling one building on a wider lot, the proposal is 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 proposed lots are intended for the development of semi-detached dwellings, which is consistent with the nature of the area. All vehicle accesses to the proposed lots will be from the rear lane, thus not affecting the street parking spaces. The proposed lots are within Zone 2 of the City's Methane Gas Sites Policy, which requires testing to determine mitigation prior to the development. Therefore, the proposal is not considered to be detrimental to the health or general welfare of people living in the surrounding area.

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*

Maintaining the existing site width and site area respectively is not injurious, however, decreasing the site width and site area help create additional lots to increase the affordable housing stocks and still accommodate the required minimum side yard setback for the proposed semi-detached building style.

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

The site is designated “Residential” in the Brandon and Area Planning District Plan, and the proposal meet all applicable requirements in the City’s Zoning By-law, except for the site width and site area incompliance which are being addressed in this variance application. The proposed decrease of site width and site area is also consistent with Goal #3 of the City’s Affordable Housing Strategy to “retain and rejuvenate the existing housing stock through adjusting existing zoning by-law regulations to facilitate the development of affordable housing”.

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

The City of Brandon advises that a development agreement is required as a condition of the subdivision approval.

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 sent letters to the neighbouring property owners to inform the proposal and ask for comments. No comments were received by the applicant. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.