


<b>TITLE:</b> <b>VARIANCE</b> <b>240—18<sup>TH</sup> STREET</b> <b>OWNER: BRANDON UNIVERSITY</b> <b>APPLICANT: DEANNA SMID</b>		
<b>MEETING DATE:</b> April 20, 2022		<b>Page 1 of 3</b>
<b>DEPARTMENT:</b> Planning & Buildings	<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings	
<b>PRESENTER:</b> Bernice Leyeza, Community Planner	<b>MANAGER:</b> Ryan Nickel, Director of Planning & Buildings	

**RECOMMENDATIONS:**

That Variance Application V-05-22 to vary Table 17 under Section 64 of the Zoning By-law to allow an urban beekeeping ancillary use in the Educational and Institutional (EI) Zone be approved at 240 – 18<sup>th</sup> Street (Lots 1 to 40, Block 40, Plan 15 BLTO) in accordance with the attached letter of intent “Attachment A-1” and the attached site plan “Attachment B-3” subject to:

1. This order being valid for up to five (5) years from the date of approval; and
2. The owner or successor, prior to establishing the beekeeping use, providing the Planning & Buildings Department written confirmation that their apiarist is certified by the Province of Manitoba.

**BACKGROUND:**

***Request***

The applicant, Deanna Smid, on behalf of the property owner, Brandon University, is applying to vary Table 17 under Section 64 of the City of Brandon Zoning By-law No. 7124 to allow beekeeping as a temporary land use, of not more than five years, for property located at 240 – 18<sup>th</sup> Street in the Educational and Institutional (EI) Zone. Approval of this application will allow for temporarily hosting of up to four (4) beehives on the rooftop of Harvest Hall.

***Development Context***

The subject site is currently surrounded by predominantly residential development, with some commercial uses along adjacent major streets, such as Victoria Avenue and 18<sup>th</sup> Street, Princess Avenue and Victoria Avenue. The site is located to the west of downtown area, south of Princess Avenue, north of Victoria Avenue, and west of 18<sup>th</sup> Street. A public lane separates the campus from a low-density residential area to the west.

***History***

The Brandon University (“campus”) was founded in the early 20<sup>th</sup> Century as a liberal arts college, and became a university after receiving its charter. The buildings on the current campus site were constructed in the 1900s. In 2017, Brandon University adopted their Master Plan for the Brandon University Campus (“Master Plan”). The Master Plan provides a guiding framework for the future development of the campus’ built form, open spaces, and pedestrian movement on the campus.

**ANALYSIS:**

The applicant is requesting a variance for a temporary use to allow for hosting beehives, up to a maximum of four (4), on the rooftop of Harvest Hall. Beehives will be installed, maintained, and removed by a beekeeper registered under the Manitoba Bee Act. This is part of a pilot project in partnership with Brandon Neighbourhood Renewal Corporation and Prairie Mountain Health regarding honeybee populations and food security.

***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 surrounding area consists of a mix of predominantly residential and commercial developments that mainly cater to the students and staff of Brandon University. The beehives will be installed on the rooftop of Harvest Hall, which is located in the Central Campus Hub in the Master Plan and is surrounded by the rest of the campus. The Master Plan states that the Central Campus Hub, which includes Harvest Hall, should be the centre of student and campus activity (Policy 3.1.1.3). Although there are no other institutions or independent beekeeper within the City of Brandon limits, the proposal does not alter 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 requested variance does not affect the primary land use or function since the request is small scale in nature (i.e. installing up to four (4) beehives), so the beehives can be considered as an auxiliary use on campus. Allowing the beehives installed on Harvest Hall’s rooftop will not be detrimental to the health or general welfare of people living or working in the surrounding area, as the location of the beehive on the rooftop is relatively far enough from the roof edge. The applicant ensures to consider Winnipeg’s guidelines for urban beekeeping:

- Maximum number of hives permitted is four (4) plus one nucleus hive on zoning lots greater than 557m<sup>2</sup> (6,000ft<sup>2</sup>)
- Hives must be setback 6m (20ft) away from any property line

- Fences are required unless the hives are located on rooftops at least 2.5m (8ft) above grade

The beehive's location (i.e. Harvest Hall) is approximately 120m (394ft) away from the nearest property line to the west, and three residence buildings surround Harvest Hall to the west, south, and east sides, with the north side of Harvest Hall facing a parking lot. Therefore, the location will not negatively affect other properties or potential development in the surrounding area.

City administration acknowledges that permitting beekeeping temporarily under the maximum allowable time under the Planning Act (i.e. five (5) years) may have implications to the adjacent residential dwellings. Therefore, the City is requiring the applicant submit applicable certification/registration of their apiarist recognized by the Province of Manitoba.

**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 applicant is conducting a pilot project, and is therefore seeking temporary approval of beehives. Allowing beekeeping on the site temporarily through this variance is the minimum modification of the Zoning By-law to relieve its injurious effect on the property.

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

Beekeeping is not described as a light agriculture use nor listed as one of the land uses in the Zoning By-law. Although beekeeping is not listed as a land use in the Zoning By-law, the proposal is consistent with the Brandon University's Master Plan and Strategic Plan 2022-2027, which aims to enhance physical infrastructure in existing and new spaces. Furthermore, pursuant to Clause 97(2)(a) of The Planning Act, the Planning Commission may consider temporary land uses by way of a variance. Aside from the variance application being requested, the proposal complies with the applicable provisions of the Zoning By-law.

***Commenting Agencies***

The City did not receive any comments of significant concern.

**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 property owners who owned lands in the adjacent area for comments on the variance proposal through a mailout on February 23, 2022 and door-to-door consultation between February 18 and March 18, 2022. The applicant mostly received positive feedback from adjacent property owners and occupants. The applicant also received concerns regarding the application, more specifically that the application may harm individuals who are allergic to bee stings and that beekeeping may take food resources and public attention away from native pollinators. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.