


TITLE: VARIANCE 512 – 7TH STREET OWNER: 102125951 SASKATCHEWAN LTD APPLICANT: ERIC OLSON		
MEETING DATE: July 6, 2022		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Justin Quigley, Community Planner	MANAGER: Ryan Nickel, Director of Planning & Buildings	

RECOMMENDATIONS:

That Variance Application V-09-22 to vary Table 10 under Part III, Division 1, Section 51 of the Zoning By-law to increase the permitted density of dwelling units from six (6) to eight (8) unit in the RMD Zone be approved at 512 – 7th Street (Lots 11 and 12, Block 74, Plan 8 BLTO) in accordance with the letter of intent “Attachment A-1” site plan “Attachment B-3” and elevation plans “Attachments B-7 & B-8”, subject to the applicant or owner, prior to issuance of a building permit, providing design details for the City of Brandon Engineering Department’s approval addressing increased site stormwater runoff.

BACKGROUND:

Request

The applicant, Eric Olson, on behalf of the property owner, 102125951 Saskatchewan Ltd., is applying to increase the permitted density from six (6) to eight (8) dwelling units. Approval of this application will allow for the construction of a multi-unit residential complex with eight dwelling units.

Development Context

The site is bound by 7th Street to the east, a rear lane to the west, and residential properties to the north and south. The area has a mix of single-detached and multi-unit residential to the north, east, and south of the site. General commercial units are to the west, comprising of a mix of strip-mall style commercial and a grocery store. Access is provided along the rear lane.

History

The site previously had a single detached dwelling and detached garage, which had been vacated and in disrepair until demolished in 2021. The site is currently undeveloped.

ANALYSIS:

The applicant is proposing to build an eight-unit multi-unit residential dwelling on a site that, based on site area, currently allows for a maximum density of six dwelling units.

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 structure is consistent with the bulk and siting of a six-unit multi-unit residential despite the intention to develop eight dwelling units on the site. Residential uses in the surrounding neighbourhood includes a mix of single-detached and multi-unit. The design is generally consistent with the general nature of the surrounding area and is therefore compatible.

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 multi-unit residential dwelling will consist of four one-bedroom units on the main storey and four three-bedroom units on the second and third storeys. The first storey therefore maintains the same footprint as the second and third storeys. While the request is to increase the unit density of the residential dwelling, the structure itself still complies with all other Zoning By-law regulations by maintaining appropriate setbacks to all site lines and placing all required parking on site and along the rear lane.

The site is currently undeveloped, which means any new development on the site will increase the level of stormwater runoff due to an increase in hard surfacing. It is therefore necessary to ensure at the time of building permit that sufficient detail be provided to mitigate the increase in stormwater runoff. Subject to the condition that, prior to issuance of a building permit, stormwater runoff be mitigated through detailed design, the building will therefore not be detrimental to the health or general welfare of people living or working in the surrounding area, nor will it negatively affect other properties or potential development.

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 Zoning By-law calculates density by units/hectare. In the RMD Zone, density cannot exceed 86.0 units/hectare. Due to the size of this site, eight units would result in a density of 109.6 units/hectare. This density calculation does not consider the bedroom count of each unit, which means that the proposed eight-unit residential building with four one-bedroom and three-bedroom units each has less density from a per-person perspective than six three-bedroom units, which would be permitted as of right. The City therefore believes that the

increase in density is the minimum modification to relieve the injurious effect of the Zoning By-law on the applicant's 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*

Brandon & Area Planning District Development Plan 2013

- Area designated "Residential" (Map 1)
- Site will offer a mix of housing options for the neighbourhood (Policy 2.2.2)
- Site will provide a range of housing density (Policy 2.2.4)

City of Brandon Zoning By-law

- Parking requirement in Zoning By-law for one bedroom units (with a dwelling unit area of 51.0m² or less) is one space per unit, instead of the typical 1.5 spaces per unit.
- Proposed development complies with all other requirements within the Zoning By-law, such as setbacks and parking

Commenting Agencies

There were no comments of significant concern regarding this application.

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 door-to-door consultation. The applicant stated they have not received any significant comments in support or in opposition to the proposed.