


TITLE: CONDITIONAL USE 248 – 4 th STREET (LOTS 5,6 AND 7 BLOCK 38 PLAN 2 BLTO) APPLICANT: ALAIR HOMES BRANDON (CODY SILVIUS) OWNER: WILLMAN MOLANO		
MEETING DATE: May 17, 2023		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Sonikile Tembo, Principal Planner	MANAGER: Ryan Nickel, Director of Planning & Buildings	

RECOMMENDATIONS:

That Conditional Use Application C-03-23 to allow for a four-unit building on an interior site in the Residential Low Density (RLD) Zone be approved at 248 – 4th Street (Lots 5,6 and 7 Block 38 Plan 2 BLTO) in accordance with the attached letter of intent “Attachment A-1”, site plan “Attachment B-2”, and elevation plan “Attachment B-3”.

BACKGROUND:

Request

The applicant, Cody Silvius of Alair Homes, is applying on behalf of the owner, Willman Molano, to allow for a four-unit building on an interior site located at 248 – 4th Street in the RLD Zone.

Development Context

The subject site currently has a duplex dwelling, and is located on the west side of 4th Street in the 200-block. Uses surrounding the site include a mixture of low- to moderate-density dwellings around the site, and commercial along Princess Avenue. The site is in close proximity to Downtown Brandon, religious institutions, three schools, and public transit. Vehicle access is from the rear lane.

History

The house was built in 1891 and currently has two dwelling units in it.

ANALYSIS:*Conditional Use*

The applicant is proposing to construct four-unit building on an interior site in the RLD Zone. The intent of the conditional use process is to ensure that the 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 an area with a mixture of low- to high-density housing types (single-detached, multiple dwellings). The proposed building elevation intends to resemble some of the residential buildings in the surrounding area. Having rear lane access to the site is also consistent with other sites in the 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 will be compatible with the mixture of residential densities in the surrounding area. The proposed building elevation will minimize the visual and privacy impact of the density on the neighbourhood.

3. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law, secondary plans and council's strategic plan

The proposed development conforms to the following policies in the Brandon & Area Planning District Development Plan (Development Plan) 2013:

- Policy 2.2.1: The subject site is within an area identified as "Residential" in Map One: Urban Land Use of the Development Plan,
- Policy 2.2.2: The surrounding residential area already consists of a mix of detached dwellings and multiple dwellings,
- Policies 2.2.4 and 2.2.5: The development will contribute to a range of housing density options in the neighbourhood and increase density in close proximity to schools, transit routes, open space areas and major collector streets, and
- Infill development is a growth priority in the City of Brandon (10.2.3).

The proposed development complies with all other applicable requirements in the Zoning By-law, such as setbacks and parking, except for indicating an accessible parking space to be addressed during the development permit stage.

*Commenting Agencies**City of Brandon*

- The developer is to mitigate increased storm water runoff due to the proposed development. There may be sufficient space to the east of the building to consider constructing a rain garden.
- Development charges will be applicable to the building permit in accordance with the Development Charges By-law and Fee Schedule for the year which the foundation or building permit is issued.
- The applicant will need to contact Real Estate to provide the required unit numbers to the address. Please contact Daniel Ashfield at d.ashfield@brandon.ca to initiate this process

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 circulated the proposal to nearby properties. The applicant identified that the consultation did not result in any comments or concerns. As of writing of this report, the Planning & Buildings Department has not received comment in support or in opposition to this development.