


TITLE: BY-LAW NO. 7368 TO REZONE PROPERTY LOCATED AT 639 VAN HORNE AVENUE (WLY 40 FT OF LOTS 28/30, BLOCK 70, PLAN 8 BLTO) OWNER: ABH RENNOVATIONS LTD. APPLICANT: LENI SHIJU		
MEETING DATE: October 18, 2023		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7368 B. Application related documents C. Map, air photo & drawings D. Development Review Group Report E. Community Engagement Report	
PRESENTER: Sonikile Tembo, Principal Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That the Planning Commission recommend City Council approve By-law No. 7368 (Z-08-23) to rezone 639 Van Horne Avenue (Wly 40 ft of Lots 28/30, Block 70, Plan 8 BLTO) from Industrial Restricted (IR) to Residential Moderate Density (RMD), subject to the owner or successor entering into a development agreement with the conditions outlined in “Attachment D” of this report, and that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City’s interests in accordance with any procedures, policies, by-laws and Acts.

BACKGROUND:

Request

The applicant, Leni Shiju, is applying on behalf of the owner, ABH Renovations, to rezone the property located at 639 Van Horne Ave from Industrial Restricted (IR) to Residential Moderate Density (RMD). Approval of this application will allow for construction of a duplex dwelling.

History

The site is currently vacant. The City issued a demolition permit in 2021.

Development Context

The subject site is currently vacant. Though not adjacent, the site is in proximity to the CN railway line. Surrounding uses include commercial to the north and further east, low-density residential to the east and south, and moderate-density residential to the west and further north. Though the site has frontage along Van Horne Avenue, the current site access is through a neighbouring property to the west and north known as 621 – 7th Street

ANALYSIS:

Approval of this application will allow for the construction of a duplex dwelling.

Consistency with the Development Plan

- The site is near a “Residential”/“Commercial” designation boundary under the Brandon & Area Planning District Development Plan, and therefor can be considered to be within the area designated “Residential”
- The proposed site is in close proximity to grocery stores (Superstore), amenities (community gardens), institutions (school and hospital) and transit routes (Routes 23 and 17)

Consistency with the Zoning By-law

- The proposed duplex is generally a good fit in the neighbourhood of higher density development as it provides a mix of housing options, forms and densities
- Parking and access off Van Horne Avenue is consistent with the surrounding area with several garages and parking spaces coming off Van Horne Avenue
- The site is currently zoned IR, and requires rezoning to a residential zone to allow for the proposed development
- The proposed development generally meets the bulk and siting requirements under the RMD Zone

Commenting Agencies

All comments have been addressed and summarized below or added as conditions in Attachment D.

General Drainage

- In the absence of a drainage easement or agreement with 621 – 7th Street, all site stormwater runoff to be directed to Van Horne Avenue

Site Access

- Access will be permitted from Van Horne Avenue, but limited to 7.0m in width within right-of-way for a double-car garage in accordance with Transportation Association of Canada (TAC) design guidelines

LEGISLATIVE REQUIREMENTS:Notification

In accordance with Section 168 of The Planning Act, notice of the public hearing was sent to owners of property within 100 metres (328 feet) of the subject property. Notice was also posted on the subject property and advertised in the Brandon Sun on October 5, 2023 and October 12, 2023.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant engaged the nearby property owners regarding the application (Attachment E). As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.