


TITLE: <p style="text-align: center;">VARIANCE          353 – 16<sup>TH</sup> STREET NORTH          (LOTS 1/14, BLOCK 8, PLAN 228 BLTO)          OWNER &amp; APPLICANT: CITY OF BRANDON (DANIEL ASHFIELD)</p>		
MEETING DATE: October 18, 2023		Page 1 of 2
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Sonikile Tembo, Principal Planner	MANAGER: Sonikile Tembo, Principal Planner	

**RECOMMENDATIONS:**

That Variance Application V-12-23 to vary Table 18 under Section 65 of the Zoning By-law by reducing the required site area and site width from 670m<sup>2</sup> and 18.2m to 288m<sup>2</sup> and 4.5m in the Educational and Institutional (EI) Zone be approved at 353 – 16<sup>th</sup> Street North (Lots 1/14, Block 8, Plan 228 BLTO) in accordance with the attached letter of intent “Attachment A” and attached drawings “Attachment B”.

**BACKGROUND:**

*Request*

The applicant, Daniel Ashfield of the City of Brandon, is applying to vary Table 18 under Section 65 of the City of Brandon Zoning By-law No. 7124 by reducing the required site area and site width from 670m<sup>2</sup> and 18.2m to 288m<sup>2</sup> and 4.5m in the EI Zone.

*Development Context*

The subject site was recently subdivided from a larger site that included the section of 353 – 16<sup>th</sup> Street North fronting McGregor Avenue. A condition of subdivision approval was that they submit a variance reducing the required area and site width, since, without this variance, the site would not be in compliance with the Zoning Bylaw. The site is vacant and undeveloped, and will be kept as such till further opportunities arise with the adjacent north or south properties.

*History*

The site is located mid-block on the east side of 16<sup>th</sup> Street North between McGregor Avenue and Parker Boulevard. The site is in Methane Gas Zone 2 and south of the site is part of the former Snye Creek.

ANALYSIS:

The applicant is applying to ensure the site is in compliance with the Zoning Bylaw.

*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;*  
This application does not change anything in the surrounding area so will remain 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;*  
No effects as nothing is proposed for the site.
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*  
This variance is necessary to satisfy a condition of subdivision approval.
4. *Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law*  
Development Plan
  - Proposal does not change existing conditions

Zoning By-law

- Beyond the requested variance, proposal complies with all other applicable provisions of the Zoning By-law, such as required front and rear yards and building height

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, public outreach is not required as the proposal does not increase the intensity or density of use on the site. As of the writing of this

report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.