


TITLE: VARIANCE 1340 – 1ST STREET NORTH OWNER: 1340 BRANDON MB LTD. APPLICANT: PENFOR CONSTRUCTION (JENNEFER WASKUL)		
MEETING DATE: July 16, 2025		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Public outreach report	
PRESENTER: Emmanuel Owusu Ansah, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Variance Application V-14-25 to vary Table 12 Section 55 of the Zoning By-law to increase the building height from 19.0m or four storeys to 23.6m or six storeys in the CG Commercial General Zone to be approved at 1340 – 1st Street North (Lot 5 Block, 1 Plan 848 BLTO) in accordance with the attached letter of intent “Attachment A” and site plan “Attachment B-3”.

BACKGROUND:

Request

The applicant, Jennefer Waskul of Penfor Construction, on behalf of the property owner, 1340 Brandon MB Ltd., is applying to vary Table 12 Section 55 of the Zoning By-law to increase the building height from 19.0m or four storeys to 23.6m or six storeys for property located at 1340 – 1st Street North in the CG Commercial General Zone. Approval of this application will allow for the construction of 48 dwelling units.

Development Context

The subject site is currently vacant and is located on the southwest corner of the 1st Street North/Centre Avenue intersection. Surrounding uses include commercial development to the north, moderate-density residential to the south, low-density residential to the west, and Assiniboine College’s North Hill Campus, along with a Manitoba Transportation & Infrastructure operations office and compound to the east. Centre Avenue provides access to the site.

History

The applicant applied for rezoning from CAR Commercial Arterial to CG Commercial General in 2014, which was approved to allow for the development of two 24-unit residential buildings.

ANALYSIS:

The applicant is proposing to increase only the building height and not the unit count. The redesign raises the building above ground, replacing basement units with more accessible at-grade suites. The footprint will also be reduced to allow for more surface parking, while keeping the same number of units by adding an extra floor.

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;***

While the building will be taller than surrounding structures, there are existing three-storey buildings with similar massing located south of the site. The subject site is located along an arterial street and its location at a prominent corner, the 1st Street North/Centre Avenue intersection being the main access to the Assiniboine College North Hill Campus, supports a more intensified form of development.

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 height increase is not anticipated to produce adverse effects such as shadowing, noise, or traffic congestion. The redesign of the building to eliminate basement units and introduce the at-grade, more accessible units improves livability and building function. Additionally, the building is placed closer to 1st Street North, which allows for a reduced footprint and improved site circulation, which creates room for increased on-site surface parking and greater separation from neighbouring properties, helping to mitigate any potential impacts on the surrounding area.

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 proposed height increase from four to six storeys is the minimum necessary to maintain the previously approved number of dwelling units while eliminating basement suits that are less accessible and less desirable. The revised building design ensures more efficient use of land and addresses site specific constraints, including parking requirements and the need to accommodate the same number of units within a reduced building footprint.

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

The City Plan

- The site is located within “General Urban Area” and is situated along a Commercial Corridor under Map 3: Urban Structure
- 7.1(1)(a) – The General Urban Area supports both existing and future residential development
- 7.1(3) Residential General Policies(b) – proposal provides a mix of housing options and densities to meet the needs of residents with varying incomes, ages and abilities.
- 7.1(3) Residential General Policies(d) – proposal promotes a walkable, bikeable and transit-oriented neighbourhood.
 - The site plan includes more than the required parking .
- 7.1(3) Residential General Policies(e) –proposal supports context-sensitive infill by providing compatible housing near major institutions.
- 7.4(1) Corridor General Policies(a) – proposal supports higher density residential developments along corridors.

Commenting Agencies

All comments have been addressed.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with and exceeding minimum requirements under Subsection 169(3) of The Planning Act, notice was sent to owners of property within 100 metres (328 feet) of the subject property, and also posted on the subject property.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant mailed out all the information to property owners within 100m of the site. The applicant indicated there were no concerns with regards to the development. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.