


TITLE: BY-LAW NO. 7138 TO REZONE PROPERTY LOCATED AT 1620 BRAECREST DRIVE OWNER: 6410405 Manitoba Ltd. APPLICANT: Steve McMillan											
PRESENTER: Ryan Nickel, RPP		Page 1 of 2									
DEPARTMENT: Planning & Building Safety		ATTACHMENTS: A. Application related documents B. Map C. Draft by-law									
CLEARANCES: Principal Planner		DATE: Feb/22/2016									
APPROVALS: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"></td> <td style="width: 20%; text-align: center;">02/24/16</td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td style="text-align: right;">Director of Planning & Building Safety</td> <td style="text-align: center;">Date</td> <td style="text-align: center;">City Manager</td> <td style="text-align: center;">Date</td> </tr> </table>					02/24/16			Director of Planning & Building Safety	Date	City Manager	Date
	02/24/16										
Director of Planning & Building Safety	Date	City Manager	Date								

REQUEST:

The applicant, Steve McMillan, on behalf of the property owner, 6410405 Manitoba LTD., is applying to rezone the southerly 75.3m by the easterly 97.4m of Lot 1 Plan 1874 the property located at 1620 Braecrest Drive from Commercial General (CG) Zone to Residential Low Density (RLD) Zone. The rezoning along with the concurrent subdivision will allow for the development of 18 semi-detached dwellings.

BACKGROUND:

Development Context

The subject site is located south of Braecrest Drive and approximately 100m east of 18th Street North. The western portion of the site is currently occupied by a religious institution and the eastern portion is undeveloped. The undeveloped eastern portion of the property is proposed to be subdivided into two parcels. The proposed parcels are surrounded by public reserve lands to the east and south, and the existing religious institution located to the west. The public reserve to the east will serve to provide a 30.0m separation between the proposed development and an existing detached and semi-detached condo development. There is an existing public transit stop situated directly north of the proposed development. Access for both the proposed residential apartments and condo units will be provided by a shared access off Braecrest Drive.

History

In 1999, there was a proposal to develop a combination of assisted living units for seniors and bungalow style condominiums. It was determined that the property would have to be rezoned to Commercial General (C2) in order to allow for residential uses. In 2001, the property was subsequently rezoned from Highway Commercial District (C3) to Commercial General (C2) in order to allow for a multiple family residential and commercial development. The previous Zoning By-law 6642 maintained the Commercial General (CG) zone when it came into force and effect later that year. Plans for the residential and commercial uses were set aside and in 2007, the property was issued a permit to construct the Grand Valley Community Church.

DISCUSSION:

The rezoning application, along with the concurrent subdivision application, will result in the creation of two (2) parcels. The northern parcel is proposed for two 18-unit multi-family buildings and the southern parcel is proposed to be developed as 18 semi-detached dwellings. The northern parcel is zoned Commercial General (CG) which allows for the development of multi-family dwellings as a permitted use. The southern portion must be rezoned to RLD as the CG zone does not allow semi-detached dwellings. Both the northern and southern parcels are being planned concurrently as part of the process, a conditional use for a Planned Unit Development has also been requested for approval. The Planned Unit Development will allow the applicant to propose specific development standards, and to demonstrate the benefit of these standards in a site design analysis submission. Once City Council gives first reading of By-Law No. 7138, the application will proceed to the review and the subsequent public hearing processes.

RECOMMENDATION:

That By-law No. 7138 (Z-01-16-B) to rezone the southerly 75.3m by the easterly 97.4m of the property located at 1620 Braecrest Drive Lot 1, Plan 1874 from Commercial General (CG) Zone to Residential Low Density Multiple Family (RLD) Zone be read a first time.

Amendment to Zoning By-law 6642

Name of Property Owner: 6410405 Manitoba Ltd.
 Name of Applicant: VBJ Developments Ltd.
 Civic Address of Property: 1620 Braecrest Drive
 Legal Description of Property: Part of Lot 1 Plan 1874 BLTO

References:

BAPD Development Plan By-law No. 95/01/12
 Applicable Secondary Plan By-law
 City of Brandon Zoning By-Law No. 6642

Prior to submitting a formal application, the Planning & Building Safety Department strongly recommends that all applicants meet with a Community Planner to complete a pre-application review

Proposal:

To rezone part of Lot 1 Plan 1874 BLTO from CG Commercial General Zone to
 RLD Residential Low Density Multiple Family Zone.

See letter of intent

I undertake to observe and perform all provisions of The Planning Act, the Development Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.

Signature of Owner: Jared Jacobson Digitally signed by Jared Jacobson Date: 2015.12.15 14:44:57 -06'00' Date: December 15, 2015

Address: 2404 Park Avenue R7B0S3 Brandon Manitoba E-Mail: vbj3@jandggroup.ca
Street Address Postal Code City/Province

Home Phone: _____ Cell Phone: _____ Work Phone: 2047282235

Signature of Applicant: Steve McMillan Digitally signed by Steve McMillan Date: 2015.12.15 14:41:50 -06'00' Date: December 15, 2015

Address: 2404 Park Avenue R7B0S3 Brandon Manitoba E-Mail: steve@vbjdevelopments.ca
Street Address Postal Code City/Province

Home Phone: _____ Cell Phone: 2047610904 Work Phone: 2047282235

The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Planning & Building Safety Department, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

FOR PLANNING DEPARTMENT USE ONLY:			
Community Planner: <u>Plot 316</u>	Planning File No.: <u>2-01-16-B</u>	CityView No.: <u>PLZBLA2016-8</u>	
Date Application Received: <u>01/26/16</u>	Payment Date: <u>Jan 27/16</u>	Receipt No.: <u>2016-3529</u>	Amount: <u>\$3850.00</u>
Re-Zoning - Application			REV01/13



Letter of Authorization

Date: December 15, 2015

To: City of Brandon
Planning & Building Safety Department
638 Princess Avenue
Brandon, MB
R7A 0P3

RE: 1620 Braecrest Drive (address or legal description of application)

I (We) hereby give authorization to:

VBJ Developments (Applicant's name)

To apply for a Development application for the above address.

Registered Owner(s) on the Current Status of Title or Certificate of Title:

6410405 Manitoba Ltd

December 15, 2015

Name (Print)

Name (Signed)

Date

Name (Print)

Name (Signed)

Date

Name (Print)

Name (Signed)

Date

Name (Print)

Name (Signed)

Date

January 25, 2016

Letter of Intent

City of Brandon Planning & Building Safety Department
 638 Princess Avenue
 Brandon Manitoba
 R7A 0P3

Re: Subdivision, Zoning & Conditional Use Applications for 1620 Braecrest Drive (Lot 1 Plan 1874)

VBJ Developments is applying on behalf of the owner 6410105 Manitoba Ltd for multiple planning applications for the development of two 18-unit apartment style buildings and 18 bareland condominium row house units at 1620 Braecrest Avenue. A Site Design Analysis (SDA) was submitted with these applications to comply with policy 16.2.3 of the Brandon and Area Planning District Development Plan and also act as supplementary information to this letter of intent. The Planning Applications required are as follows:

Subdivision:

A previous minor subdivision application (4500-15-623) was given Conditional Approval by the BAPD Board on January 7, 2016 to split 1620 Braecrest Drive (Lot 1 Plan 1874 BLTO) into two separate lots. The new lot being created from this subdivision will be further subdivided into two lots identified as Parcel 1 and Parcel 2, as shown on submitted site plan B. Parcel 2 will then be further subdivided into 18 bareland condominium units and common element as shown on submitted site plan C.

Rezoning:

An amendment to the zoning bylaw is required to rezone Parcel 2 from Commercial General (CG) Zone to Residential Low Density Multiple Family (RLD) Zone to allow for the development of 18 bareland condominium units, consisting of one duplex and four 4plex buildings.

Conditional Use:

Based on our submitted site plan A, we are applying for a Conditional Use Application for a Planned Unit Development to set alternative zoning requirements for the proposed development. These new standards are outlined in the table below.

Residential Bulk and Siting Requirements (Parcel 1)	Zoning Standards as per City of Brandon Zoning Bylaw 7124	New Zoning Standards for
a. Side Yard and Corner Side Yard Setback	4.6 metres	3.0 metres

The side yard and corner side yard reduction request is in line with the requirements for the Residential Moderate Density Multiple Family (RMD) Zone which allows for 3 storey buildings.

Residential Bulk and Siting Requirements (Parcel 2)	Zoning Standards as per City of Brandon Zoning Bylaw 7124	New Zoning Standards for Proposed Parcel 2
a. Corner Side Yard Setback	3.0 metres	1.8 metres
b. Site Width	7.6 metres	6.86 metres
c. Site area	232 square metres	190 square metres

The site originally had the required 3.0 metre side yard for the two corner lots (Units 1 & 8); however due to some grading issues we needed to provide some more space between the emergency access road and the east limit of the property to allow for a more gradual slope to the road. We are also constrained on the west side of the property by the Church parking lot.

The other two alternative standards being requested are for the site width and site areas of the inner two units of each 4plex building (Units 2/3, 6/7, 10/11, 14/15). These lots are 6.86 metres wide because of the absence of side yards as they share common party walls. With the minimum 1.2 metre required side yards included, these lots would have a site width of 9.26 metres; easily conforming to the minimum requirement of 7.6 metres. In addition to site width; the site area is also deficient because of the absence of side yards. With the minimum required side yards included, these lots would have a site area of 256.87 square metres; which conform to the minimum requirement of 232 square metres.

We feel by allowing these alternative standards; the site design of the development is not negatively impacted and would function no differently from the required standards of the City of Brandon Zoning Bylaw 7124.

The proposed plan for the property aligns with the City of Brandon's recent push for infill development. There is no Secondary Plan By-law affecting this area and also no environmental issues.

If there are any questions related to the above information please don't hesitate to contact me for clarification. We hope to receive your support on this development.

Sincerely,

Steve McMillan
VP of Planning Services
VBJ Developments Ltd.


Schedule "A"



By-Law No. 7138
 Amending By-Law No. 7124, Schedule B, Map 2
 Zoning By-Law Amendment Z-01-16-B
 1620 Braecrest Drive
 (Lot 1, Plan 1874 BLTO)



LEGEND

-  Proposed lot(s) to be rezoned from CG to RLD
- CG - Commercial General Zone
- OS - Open Space Zone
- RLD - Residential Low Density Zone

**City of Brandon
 Planning & Building
 Safety Department**



Map Created: 02/04/16
 Revised: 02/22/16

It begins with a plan.

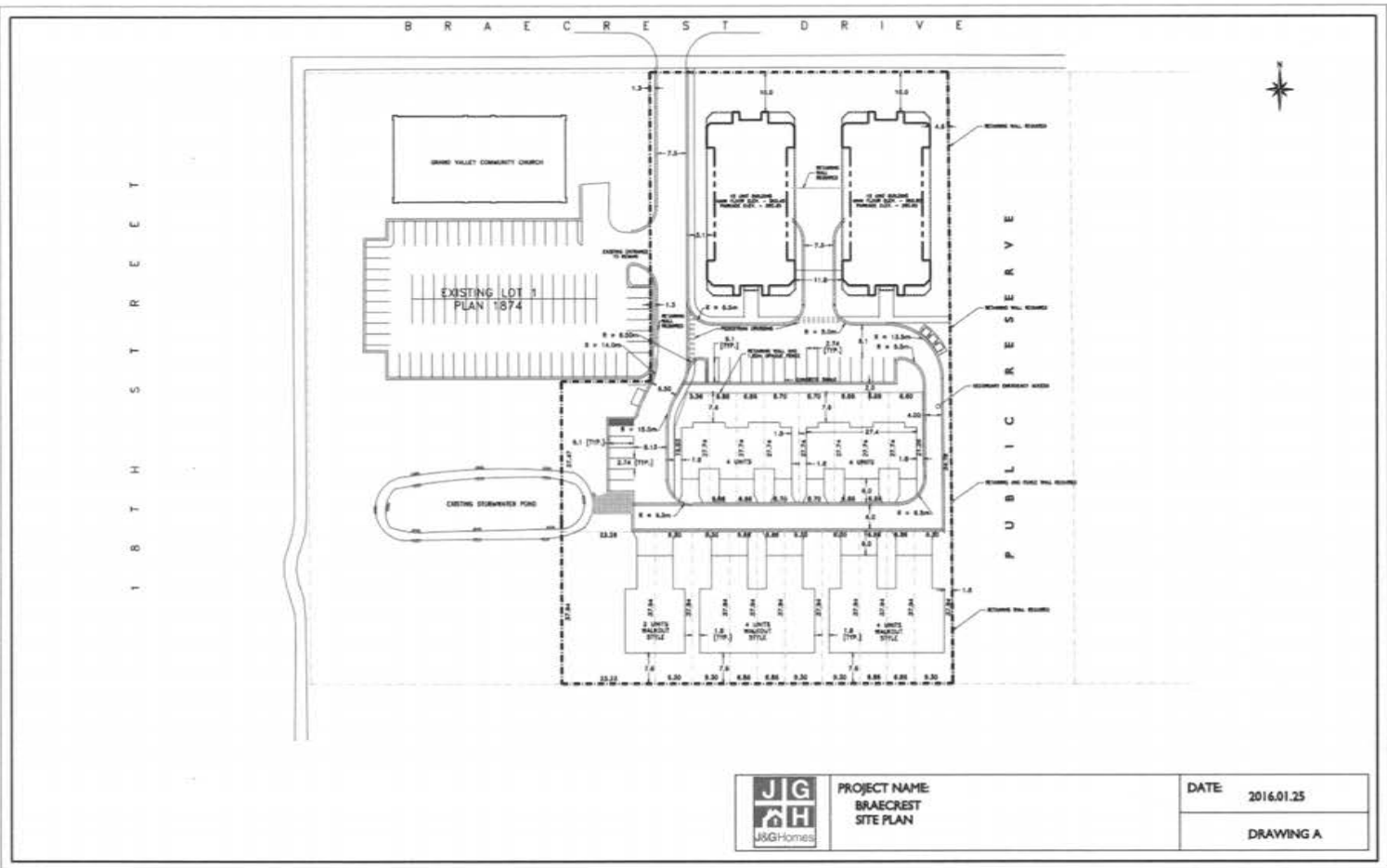


FIGURE 1: DEVELOPMENT SITE PLAN

2404 Park Avenue
 Brandon, Manitoba R7B 0S3
 Phone: (204) 728-2235
 Fax: (204) 727-1670
 Email: Steve@VBJDevelopments.ca
 www.vbjdevelopments.ca

BY-LAW NO. 7138

BEING A BY-LAW of the City of Brandon to amend Zoning By-law No. 7124.

WHEREAS Section 47(2) of The Planning Act provides that a zoning by-law may be amended;

NOW THEREFORE the Council of the City of Brandon, duly assembled, enacts as follows:

- 1. The land described as the southerly 75.3m by the easterly 97.4m of Lot 1, identified on a plan of part of the City of Brandon, in Manitoba, registered in the Brandon Land Titles Office as Plan 1874 BLTO, commonly known as 1620 Braecrest Drive, and identified on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: CG Commercial General Zone
TO: RLD Residential Low Density Zone**
- 2. Schedule B, Map 2 being part of By-law No. 7124, is hereby amended in accordance with Section 1 of this by-law.**
- 3. This by-law shall come into full force and take effect on the day following its passage.**

DONE AND PASSED by the Council of the City of Brandon duly assembled this day of A.D. 2016.

MAYOR

CITY CLERK

Read for a first time this	day of	A.D. 2016
Read for a second time this	day of	A.D. 2016
Read for a third time this	day of	A.D. 2016