


<b>TITLE:</b> <b>REZONING APPLICATION Z-04-16-B and V-12-16-B;</b> <b>BY-LAW NO. 7150 TO REZONE</b> <b>PROPERTY LOCATED AT 2105 BRANDON AVENUE</b> <b>OWNER: CITY OF BRANDON</b> <b>APPLICANT: WESTMAN SENIORS CO-OP HOUSING LTD</b>			
<b>PRESENTER:</b>		<b>Page 1 of 7</b>	
<b>DEPARTMENT:</b> Planning & Building Safety		<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings C. Public participation report D. Draft by-law	
<b>CLEARANCES:</b> Principal Planner		<b>MEETING DATE:</b> August 17, 2016	
<b>APPROVALS:</b>			
<i>Original signed by R. Zilke</i> <b>Community Planner</b>	June 27, 2016 <b>Date</b>	<i>Original signed by R. Nickel</i> <b>Principal Planner</b>	June 27, 2016 <b>Date</b>

**REQUEST:**

The applicant, Westman Seniors Housing Ltd., is applying to rezone a property located at 2105 Brandon Avenue (Lot 1, Plan 58054 BLTO) from Parks and Recreation (PR) Zone to Residential Moderate Density (RMD) Zone. The applicant is also applying for a parking variance concurrently, to reduce the minimum required number of parking stalls from 95 to 70 stalls. Approval of these applications will allow for the development of a 63-unit apartment building.

**BACKGROUND:**

***Development Context***

The subject site is currently a developed baseball diamond that is not in use, and is located at 2105 Brandon Ave (Lot 1, Plan 58054 BLTO in SE ¼ 5-10-19W). The site is level and flat with an old baseball backstop located in the northern portion of the site and an incomplete sidewalk running along the western edge of the site. There is an existing utility easement (MTS) that runs along the east, north, and west periphery of the site. The site is surrounded by a commercial use to the east and north-west (Source for Sports and Eagle Gymnastics), light industrial use (Horizon Builders) to the north, and residential uses to the west and south. The subject site is located outside the railway overlay for the railway situated to the north. The proposed development will be approximately 300 metres from retail uses and the commercial corridor on 18<sup>th</sup> Street. Access to the site is provided by 22<sup>nd</sup> Street which is a standard public road into an unimproved gravel road running along west along the site. There is a transit stop located east along Brandon Ave of the subject site. The proposed sidewalk along the site connects to the existing sidewalk to the east.

### ***History***

In 2014 the City of Brandon and the Province of Manitoba formed a partnership whereby funding and land for the development of new affordable housing rental units on five parcels of municipally owned land were brought together. 2105 Brandon Avenue is the third parcel of land to be awarded for development under this partnership. Following a public process that included a formal call for Requests of Expression for Interest and a formal Request for Proposals process, Western Manitoba Seniors Non Profit Housing Coop Ltd's (WMSHC) proposal to develop an \$11.3 million four storey 63-unit senior's housing co-op project was selected. On January 6<sup>th</sup>, 2014 City Council adopted a resolution to close the subject property as a public reserve and had requested Administration to proceed to subdivide 18.29 metres of the eastern portion of the property and consolidate with this land with the adjacent property located at 2025 Brandon Ave.

### **REZONING:**

#### ***Consistency with the Development Plan***

The proposed development conforms with the Development Plan:

- the subject site is within an area identified as "Residential" in Map One: Urban Land Use of the Development Plan (2.2.1);
- contributes to a range of housing density options in a neighbourhood (Policy 2.2.4);
- increases density adjacent to a school, along a transit route and within close proximity to an arterial street/commercial area (Policy 2.2.5);
- provides a variety of development options and affordable housing within existing neighbourhoods (Policies 2.2.2 & 2.2.3)

#### ***Consistency with the Zoning By-law***

The proposed development conforms with the Zoning By-law:

- The proposed RMD Zone allows for the development of medium rise, moderate density buildings with multiple dwellings.
- The proposed development requires two variance requests:
  - Increase the maximum density from 61 to 63 units; and
  - Decrease the minimum required parking from 95 to 70 spaces.
- The proposed development complies with all other requirements and standards in the Zoning By-law.

### **VARIANCE:**

#### ***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;***

#### ***Density Variance***

The area contains a mixture of land uses, with commercial development to the east and multi-family to the west, low rise residential to the south of Brandon Ave. The proposed development is compatible with the mix use character of the area, particularly with the existing commercial services to the east. Brandon Ave has been identified as a collector road with an existing urban transit route (Richmond West No. 1) in the development plan. Therefore, increasing density along Brandon Ave is compatible with the existing general nature of the area.

Parking Variance

The applicant will contribute to upgrades along 22<sup>nd</sup> Street to a full urban standard. There will be on street parking available for visitors to the site along 22<sup>nd</sup> Street in addition to the 10 visitor stalls located in the front yard. The majority of the required parking stalls will be located to the rear of the proposed building which will minimize the visual impact of surface parking.

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;***

Density Variance

Increase in density will precipitate an increase in traffic entering and exiting the site. However, this increase in traffic will be mitigated by upgrading 22<sup>nd</sup> street to a full urban standard. Full upgrades to 22<sup>nd</sup> Street will minimize dust from vehicular traffic. An increase in density will have minimal effect on privacy, the proposed building orientation faces no direct neighbours except for commercial uses to the east. Any increase in water runoff caused by the increase in building footprint shall be handled by a formalized road and drainage plan.

Parking Variance

The proposed reduction in parking will likely not result in a significant increase in on-street parking. In accordance with the applicant's letter of intent (Attachment A-3) as the majority of residents in the development will likely not have more than one vehicle per unit. The site will also provide an ingress only loading zone off Brandon Ave and direct exiting vehicles onto 22<sup>nd</sup> Street in order to minimize vehicular conflicts. Increase street parking will be available on the newly constructed 22<sup>nd</sup> Street.

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***

Density Variance

The proposed extra two units does not significantly change the scale and intensity of the building. Internal changes to the lobby were made to accommodate the extra units which did not result in an increased building footprint. Therefore, the additional two residential units is a minimum modification of the Zoning By-law to accommodate more affordable units.

Parking Variance

Requiring more than one parking stall per unit reduces the potential for development on the property. The proposal maintains at least one stall per residential unit as identified as a "Quick Win" in the Affordable Housing Strategy.

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

Density Variance

The proposed development conforms to the following Development Plan:

- the subject site is within an area identified as "Residential" in Map One: Urban Land Use of the Development Plan (2.2.1);
- contributes to a range of housing density options in a neighbourhood (Policy 2.2.4);

- increases density adjacent to a school, along a transit route and within close proximity to an arterial street/commercial area (Policy 2.2.5);
- provides a variety of development options and affordable housing within existing neighbourhoods (Policies 2.2.2 & 2.2.3)

The proposed site and building design complies with the standards set out in the City of Brandon Zoning By-law 7124 as well as Schedule C Urban & Landscape Design Standards Manual by orientating the principal building towards the street (Brandon Ave) and the building façade to enhance the architectural appeal.

#### Parking Variance

The proposed design of the site provides parking to the rear of the building and is buffered by raised curb sidewalks and common greenspace separation which complies with Sections 3.4 (a)(b) of the Urban and Landscape Design Standards. The proposal provides guest stalls in the front yard however, provides separation of these stalls from the proposed sidewalk and public right-of-way with common greenspace.

Except for the density and parking variances, the proposal complies with all other setback provisions of Table 10: Residential Bulk and Siting Table.

#### ***Consistency with the Affordable Housing Strategy***

The proposed variance is consistent with the recommendations in the affordable housing strategy that, “administration generally support affordable housing projects that request variations up to one space per unit”.

#### **LAND USE ANALYSIS:**

##### ***Site Amenities***

The proposal incorporates common amenity areas such as passive greenspace with seating and community gardens for residents. These amenity spaces are located central to the site for ease of access for all residents and provide a buffer from the principal building and the parking area. There are two maintenance sheds located onsite for residents to store gardening implements and similar equipment to maintain the existing greenspace.

##### ***Sustainable Practices***

The site design promotes urban agriculture in the form of community gardens. The proposal does not alter the existing landscaped area substantially since it is currently level and flat. There is a minimal use of hardscapes onsite, which reduces the rate of runoff and minimizes the urban heat island effect.

##### ***Active Transportation***

The proposal also extends the existing sidewalk that ends at 2025 Brandon Ave along the southern and western periphery of the site. This sidewalk provides a connection to an existing transit stop south of Brandon Ave and a connection to commercial services east of the subject site.

**SERVICING ANALYSIS:*****Transportation***

The Developer proposes to locate an ingress/egress approach in the southeast corner of the development off of Brandon Avenue. Such approach will provide a “drop-off” location at the building and a parking area for visitors. There will be an “egress only” driveway located in the southwest corner off of 22<sup>nd</sup> Street. Such egress will also function as a secondary access for Fire and Emergency Services. The Developer proposes to locate an ingress/egress approach in the northwest corner of the site in order to access on-site parking for residents. The Developer will be required to construct 22<sup>nd</sup> Street to a full urban section for the entire length of the property. All final approach configurations are subject to the approval of the City Engineer.

***Sanitary Sewer System***

The Residential High Density development proposes to service the property off of 22<sup>nd</sup> Street; with the size of the sewer connection yet to be determined by the Developer. The proposed sewer line is to connect to an existing 150mm City wastewater main. The Engineering Department has reviewed the proposal and based on the wastewater main size within the 22<sup>nd</sup> Street right-way recommends the Developer connects to the 250mm wastewater main located within Brandon Avenue. The Servicing Design is to be submitted to the Engineering Department and subject to approval by the City Engineer. The proponent is required to submit estimated design flow calculations to the City of Brandon’s Engineering Department for final review of sufficient capacity within the sanitary sewer system.

***Water Distribution System***

The Residential High Density development proposes to service the property off of 22<sup>nd</sup> Street; with the size of the water connection yet to be determined by the Developer. The proposed water line is to connect to an existing 150mm City water main. The Engineering Department has reviewed the proposal and based on the water main size within the 22<sup>nd</sup> Street right-way recommends the Developer connects to the 250mm water main located within Brandon Avenue. The Servicing Design is to be submitted to the Engineering Department and subject to approval by the City Engineer. The proponent is required to submit pressure test results to the City of Brandon’s Engineering Department for final review.

***Storm Water Management***

The Residential High Density development proposes to connect a storm sewer pipe to the existing storm sewer on 22<sup>nd</sup> Street and has identified an estimated storage requirement based on a 25-year storm. The Engineering Department advises the Developer will be required to manage post development drainage on site and provide a design in which releases drainage from the site in to the City’s land drainage system at a rate that equals predevelopment conditions. Such design is to be submitted by way of a Drainage Plan and is subject to approval by the City Engineer.

***Commenting Agencies***

All comments have been addressed and summarized below.

***Utilities***

MTS Inc., Manitoba Hydro and Westman Communications Group will require easements as a condition of subdivision approval.

*Canada Post*

Canada Post will require mailboxes to be provided on site for the new multiple dwellings as a condition of subdivision approval.

*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 has also been posted on the subject property and advertised in the Brandon Sun on July 28, 2016 and Aug 4, 2016.

*Public Outreach*

In accordance with section 13 of the Zoning By-law, the applicant conducted their public consultation by distributing in person an information pamphlet that outlined the proposed development. This pamphlet has created an opportunity to communicate with surrounding property owners in the area, however according to their public outreach report there has been no comments received.

As of the writing of this report, the Planning & Building Safety Department has not received any written comments to this application.

**RECOMMENDATIONS:**

That the combined Public Hearing regarding the following applications Z-04-16-B and V-12-16-B be concluded.

*Rezoning*

That the Planning Commission recommend By-law 7150 (Z-04-16-B) be approved, subject to prior to the by-law being given third reading, the owner or successor entering into a development agreement with the City of Brandon, including but not limited to the following supplementary conditions:

- a) that the agreement be specific to the site plan submitted for the construction of 63 dwelling units and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement;
- b) A cash-in-lieu of land dedication for school purposes;
- c) A cash-in-lieu of land dedication for public reserve purposes;
- d) Confirmation that arrangements have been made for easements to the satisfaction of Manitoba Hydro, MTS Inc., and Westman Communication Group;
- e) Confirmation that arrangements have been made for postal service to the satisfaction of Canada Post;
- f) The Developer is required to construct a new Boulevard Sidewalk for the entire length of the Lands fronting Brandon Avenue and 22<sup>nd</sup> Street. Should any combined curb and sidewalk exist within the right-of-way, such sidewalk shall be removed. In conjunction with the sidewalk design, the Developer is required to install wheelchair ramps at the northeast corner of the intersection of Brandon Avenue and 22<sup>nd</sup> Street. Such sidewalk shall conform to the latest edition of the City of Brandon, Standard Construction Specifications and the work shall be completed by a bonded contractor with the City of Brandon;
- g) The Developer is required to restore the curb and sod the boulevard for the entire length of the property fronting onto 22<sup>nd</sup> Street. Such work shall conform to the latest edition of the City of

- Brandon, Standard Construction Specifications and the work shall be completed by a bonded contractor with the City of Brandon;
- h) The Developer is required to construct 22<sup>nd</sup> Street for the entire length of the lands to a full Urban Section complete with curb and gutter. Such work shall conform to the latest edition of the City of Brandon, Standard Construction Specifications and the work shall be completed by a bonded contractor with the City of Brandon;
  - i) The Developer will be required to submit a Detailed Cost Estimate outlining all work and associated costs to be completed as per the Development Agreement. This DCE shall be prepared by the Developers Engineering Consultant;
  - j) The Developer will be required to provide to the City a Letter of Credit in the amount of 15% of the total cost of the DCE; such total to be reviewed and accepted by the City of Brandon;
  - k) The Developer will be required to contribute towards City boulevard trees; trees in which shall be located within the boulevard along Brandon Avenue and 22<sup>nd</sup> Street. The total number of trees and location of same shall be determined by the Landscaping Plan to be submitted by the Developer;
  - l) The Developer will be required to enter into an Easement Agreement with the City of Brandon for City services located within the private property running adjacent to 22<sup>nd</sup> Street. Such Easement Agreement will be prepared the City of Brandon and forwarded to the Developer for signing; and
  - m) Should any hydro poles create an obstruction to vehicle access/function to the site, the Developer will be required to relocate such hydro poles at their sole cost.

### ***Variance***

That the Planning Commission recommend Brandon City Council approve the variance application (V-12-16-B) 2105 Brandon Avenue (Lot 1, Plan 58054 BLTO) to vary the minimum required parking stall count from 95 to 70 and to increase maximum allowable units from 61 to 63, subject to the site being rezoned from PR Parks and Recreation Zone to RMD Residential Moderate Family Zone.