


TITLE: BY-LAW NO. 7154 TO REZONE PROPERTIES LOCATED AT 660-7TH STREET & 725 VAN HORNE AVENUE OWNER: VAN BI LEE APPLICANT: VBJ DEVELOPMENTS			
PRESENTER: Samuel van Huizen, BES		Page 1 of 2	
DEPARTMENT: Planning & Building Safety		ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Draft by-law	
CLEARANCES: Principal Planner		DATE: August 2, 2016	
APPROVALS:			
Director of Planning & Building Safety Date		City Manager Date	

REQUEST:

The applicant, Steve McMillan, on behalf of the owner Van Bi Lee, is applying to rezone two adjacent properties located at 660 - 7th Street from Industrial Restricted (IR) Zone to Residential Moderate Density Multiple (RMD) Zone. Approval of this application will allow for the development of a 24-unit multi-family dwelling. Two variance requests are being processed concurrently with the zoning amendment application:

1. A setback variance to reduce the minimum required setback for residential development located in the railway protection overlay zone from 30 meters to 18 meters; and
2. A setback variance to decrease the minimum front yard setback from 6.0 meters to 3.0 meters.

BACKGROUND:

Development Context

The subject site is currently undeveloped. The site is bordered by Van Horne Avenue to the south, and the Canadian National (CN) rail line to the northwest. There is consistent grading sloping to the northeast away from Van Horne Avenue. The site is surrounded by residential to the north, south and east, a daycare to the east, and commercial uses to the west. Primary access to the site is from Van Horne Avenue. A portion of 7th Street to the east of the site is currently closed and provides secondary access from Van Horne Avenue to the subject site and the adjoining property at 621-7th Street.

History

The site was occupied by a wood-framed, metal-clad commercial building located at the southeast corner of 660-7th Street and operated as an industrial use. The building was abandoned and the site fell into disrepair. The building was approved for demolition in 2012 and the site is currently undeveloped.

DISCUSSION:

The proposed development conforms to the general objective 1.6.2 (I) of the Brandon & Area Planning District Development Plan 2013 (hereinafter “the Development Plan”), which encourages infill development as a priority. The subject site is designated “Residential” in Map One “Urban Land Use” of the Development Plan. The proposed rezoning is in compliance with section 2.2.4 of the Development Plan which intends to “provide for various ranges of housing density in order to promote a diverse urban fabric”.

Once City Council gives first reading of By-Law No. 7154, the application will proceed to the review and the subsequent public hearing processes.

RECOMMENDATION:

That By-law No. 7154 (Z-05-16-B) to rezone properties located at 660-7th Street and 725 Van Horne Avenue from Industrial Restricted (IR) Zone to Residential Moderate Density (RMD) Zone be read a first time.

Amendment to Zoning By-law 7124

Name of Property Owner: VAN BI LEE
 Name of Applicant: VBJ DEVELOPMENTS
 Civic Address of Property: 660 7TH STREET + 725 VAN HORNE AVENUE
 Legal Description of Property: SEE LAND TITLES



References:

BAPD Development Plan By-law No. 95/01/12
 Applicable Secondary Plan By-law
 City of Brandon Zoning By-Law No. 7124

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 FROM INDUSTRIAL RESTRICTED (IR) ZONE TO RESIDENTIAL MODERATE DENSITY (RMD) ZONE.

As applicant, I confirm and verify to the City that the information provided in this application is true and complete, and 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 Applicant:  Date: July 22, 2016
 Address: 2404 PARK AVENUE R7B0S3 Brandon MB E-Mail: STEVE@VBJDEVELOPMENTS.CA
Street Address Postal Code City/Province
 Home Phone: _____ Cell Phone: 204 761 0904 Work Phone: 204 728 2235
 Signature of Owner:  Date: July 22, 2016
 Address: _____ E-Mail: LEVANBI99@gmail.com
Street Address Postal Code City/Province
 Home Phone: _____ Cell Phone: 204 573 5663 Work Phone: _____

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:	Planning File No. <u>2016-83</u>	CityView No.:	<u>2016-83</u>
Date Application Received <u>July 29/16</u>	Payment Date <u>July 29/16</u>	Receipt No.:	<u>16-4036</u> Amount: \$ <u>3100.00</u>
Re-Zoning - Application			REV01/16

July 22, 2016

Letter of Intent

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

Re: Zoning & Variance Applications for 660-7th Street & 725 Van Horne Avenue

VBJ Developments is applying on behalf of the owner 6320201 Manitoba Ltd to rezone 660-7th Street and 725 Van Horne Avenue from Industrial Restricted (IR) Zone to Residential Moderate Density (RMD) Zone in order to allow for residential development. A Variance application is also required for two amendments to the zoning bylaw. The first variance is to reduce the railway protection overlay zone required setback for residential development from 30 metres down to 18 metres. The second variance is to reduce the required front yard setback from 6 metres down to 3 metres.

Zoning Request

The property is designated Residential in the Brandon & Area Planning District Development Plan 2013. The proposed rezoning change from IR to RMD conforms to the Development Plan.

The zoning change will allow for the construction of a 24-unit multifamily dwelling on the property to serve the residential needs of central Brandon. The property is located close to many necessary services in downtown Brandon. The proposed development is located close to retail (1 block from Superstore), education (3 blocks from Betty Gibson Elementary School), and medical services (6 blocks from Hospital). The property is also located very close the Brandon Police Station.

The exterior of the building is still in the final design process but will meet the exterior design requirements as outlined in the City of Brandon Urban & Landscape Design Standards Manual.

Variance Request

The property falls within the Railway Protection Overlay Zone which doesn't allow residential development within 30 metres of a railway right of way. The first Variance request is to reduce the setback distance from 30 metres down to 18 metres. The proposed site plan incorporates a berm and crash wall to offset the reduced setback. These components are in line with the development of lands near railway corridors as outlined in the City of Brandon Urban Design Guidelines and also the Guidelines for New Development in Proximity to Railway Operations prepared for the Federation of Canadian Municipalities and the Railway Association of Canada.

The second Variance request is to reduce the required front yard setback from 6 metres down to 3 metres. This request is supportable, in our opinion, based on the front yard setback of the adjacent

single family dwellings to the east along Van Horne Avenue. This will also help increase the distance of the building from the railway right-of-way.

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, MCIP
VP of Planning Services
VBJ Developments Ltd.

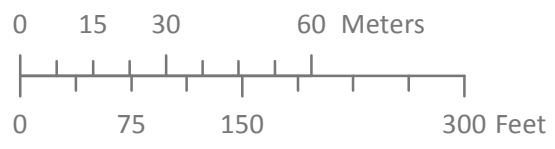


It begins with a plan.


Rezoning & Variance Application



Zoning Application Z-05-16-B, By-law No. 7154
 Amending Schedule B of By-law No. 7124
 Variance Application V-17-16-B
 660 7th Street + 725 Van Horne Avenue



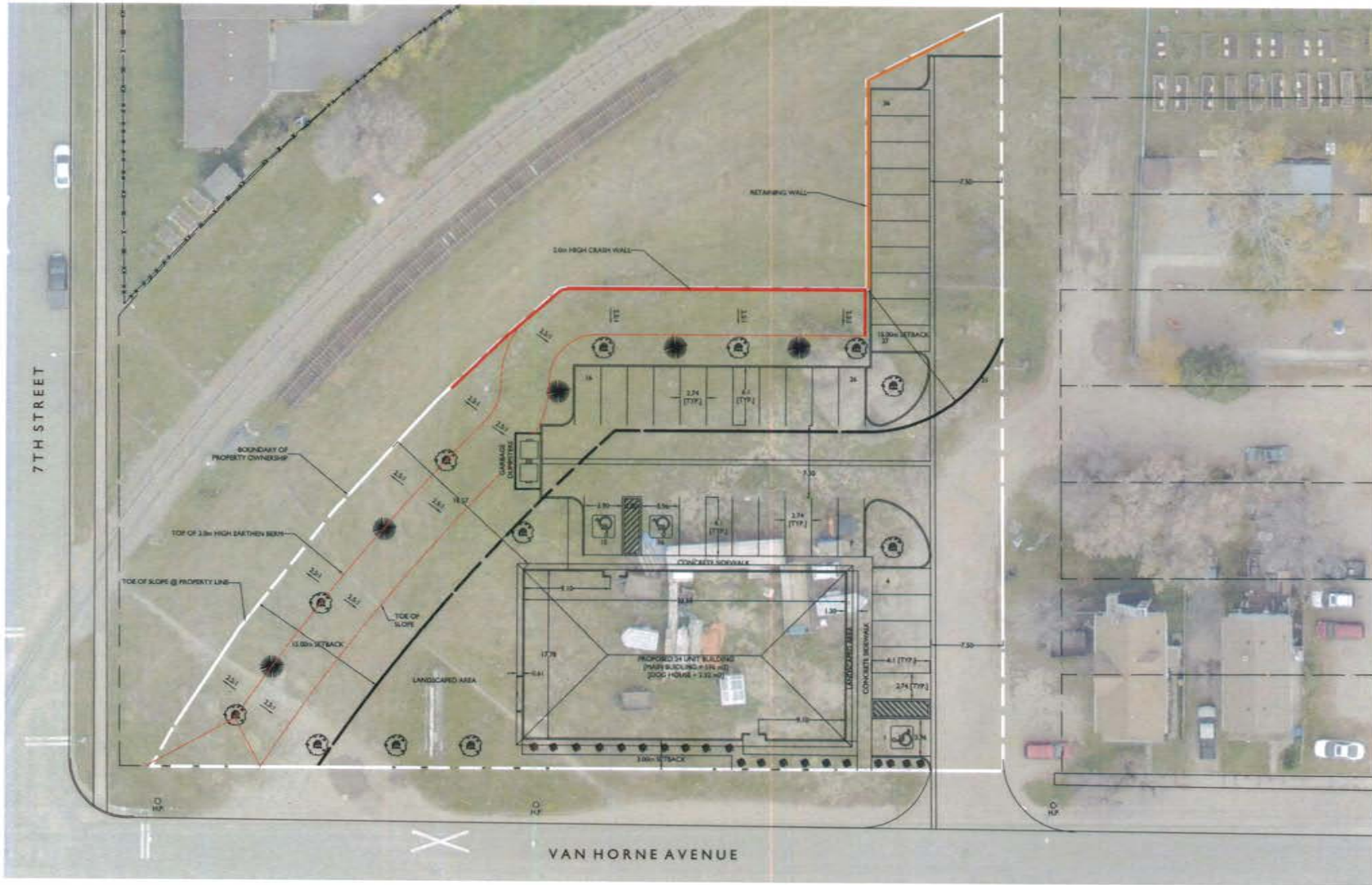
Legend

-  Proposed lot to be varied and rezoned from IR to RMD
- CG - Commercial General
- IR - Industrial Restricted
- RMD - Residential Moderate Density

City of Brandon
 Planning & Building
 Safety Department



Map Created: 08/02/16
 Revised: 08/03/16



LEGEND			
	CONIFEROUS TREE		DECIDUOUS TREE
	SHRUB		



PROJECT NAME:
660 7th Street & 725 Van Horne Ave
SITE PLAN

DATE:	2016.07.22
SCALE:	N.T.S.

BY-LAW NO. 7154

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

WHEREAS Section 80(1) 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:
Firstly: Lots 1 to 5 , both inclusive, Block 71, Plan 8 BLTO in NE 1/4 14-10-19 WPM, Secondly: Parcel 'A' Plan 51401 BLTO excluding all mines and minerals in NE 1/4 14-10-19 WPM, commonly known as 660-7th Street; and

Firstly: All those portions of lots 27 to 30 block 71 plan 8 BLTO which lie SE of a line drawn concentric with and radially distant south-easterly 49.5 feet from centre line of the Canadian Northern Railway right-of-way Plan 265.5 BLTO excluding all mines, minerals, mineral oils, petroleum, gas, coal, gravel and valuable stone as set forth in transfer R73009 in NE 1/4 14-10-19 WPM, Secondly: Parcel 'A' Plan 43705 BLTO excluding all mines and minerals and all matters as set forth in the Crown Lands Act in NEW 1/4 14-10-19 WPM, commonly known as 725 Van Horne Avenue, and identified on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: IR Industrial Restricted Zone
TO: RMD Residential Moderate 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