




TITLE: <p style="text-align: center;">CONDITIONAL USE 417 – 9TH STREET OWNER: RENAISSANCE STATION INC. APPLICANT: VIONELL HOLDINGS PARTNERSHIP (STEPHEN MONTAGUE)</p>		
PRESENTER: Andrew Mok, BES MCIP RPP		Page 1 of 3
DEPARTMENT: Planning, Property & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
CLEARANCES: Chief Planner	MEETING DATE: August 16, 2017	
APPROVALS: <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  Community Planner Date </div> <div style="text-align: center;">  Chief Planner Date </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> July 18, 2017 </div> <div style="text-align: center;"> July 24, 2017 </div> </div>		

REQUEST:

The applicant, Stephen Montague of Vionell Holdings Partnership, on behalf of the property owner, Renaissance Station Inc., is applying to allow for an unimproved surface lot parking facility for a property located at 417 – 9th Street in the HMU HUB Mixed Use Zone.

BACKGROUND:

Development Context

The subject site is developed as a gravel parking lot and is located at the southeast corner of 9th Street and Louise Avenue. The site is surrounded by residential uses to the east, mixed commercial and residential uses to the south and north, and government offices to the west. Access to the site is provided by the lane between 8th and 9th Streets.

History

The subject site originally consisted of three different properties. A church building, located on the northwest corner of the site, was demolished in 2010 and the site was levelled with a gravel surface. The site was informally used as a parking area for surrounding sites. The City of Brandon received a complaint when the site was formalized (electrical outlets, signage) into a substandard parking lot in March 2017 (no hard surfacing, curbing, landscaping) without proper City of Brandon approvals.

ANALYSIS:

The applicant is proposing a gravel-surfaced parking lot be established on the subject site until the property owner is ready to redevelop the site. There are currently no timelines to redevelop the site.

Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:***1. Will be compatible with the general nature of the surrounding area;***

The surrounding area consists of buildings of various sizes. Two of the largest nearby buildings, City Hall and the Provincial Building, have large hardsurfaced parking lots adjacent to them. A parking lot on the subject site is therefore compatible with the general nature of the surrounding area.

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; and

There is demand for parking in this area as demonstrated by the site being informally used for parking since the 2010 demolition of the church building, despite the nearby sites already having their own parking areas. The use is therefore not detrimental to the surrounding area. However, all nearby sites with significant parking areas are hardsurfaced, and the recently-developed parking areas are landscaped in accordance with the landscaping standards of the day. Allowing a permanent substandard parking lot will have a detrimental impact to the surrounding area.

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

Without any restrictions, the proposal does not comply with the Brandon & Area Planning District Development Plan, 2013, The HUB Secondary Plan and the Zoning By-law for the following reasons:

- Policy 13.2.8(b) of the Brandon & Area Planning District Development Plan, 2013 states that parking areas are to be highly functional under all weather conditions (i.e. hardsurfaced)
 - The intent is to ensure parking areas do not contribute excessive amounts of silt and sediment to the storm drainage system
 - The proposal does not conform to this policy as the gravel surface of the parking lot extends to the edges of the subject site, increasing the risk of sediment and salt draining directly onto the surrounding streets, sidewalks and lane
- Parking Provisions Policy (a) under Section 5.0 of The HUB Secondary Plan states that proposed developments should explore shared parking with adjacent uses
 - The intent is to allow multiple uses share parking at different times of the day given that parking supply is more limited compared to equivalent suburban developments
 - The applicant did not state if shared parking will be available, but City administration encourages the applicant to consider this opportunity
- Policy 6.2(e) of The HUB Secondary Plan states that parking lots as a principal use shall only be developed in the Mixed Use area if there is a proven parking shortage in the immediate surrounding area
 - The intent is to have undeveloped sites redeveloped with buildings in which residential or commercial uses can be established
 - The applicant did not submit a parking study with his submission, but the subject site has been used for parking since the 2010 demolition by patrons of nearby sites
- Subsection 29(b) of the Zoning By-law requires parking areas to be hardsurfaced except where they are accessed from a gravel street or lane, and Section 44 requires all sites to be developed

in accordance with the Urban & Landscape Design Standards, which includes provisions on landscaping and buffering of parking areas

- The existing parking area does not conform to the Zoning By-law due to the gravel surface and lack of landscaping

To address the non-compliances in considering the applicant's request to establish a substandard parking lot pending redevelopment, City administration recommends a temporary approval for a maximum of five years for the parking lot as currently developed, prior to which the following must occur:

- The parking lot must be redeveloped to conform with all applicable standards in the Zoning By-law and the Urban & Landscape Design Standards; or
- The site must be redeveloped to accommodate a building (see Attachment B-3 for a possible concept).

Issues related to the development of the site as a parking lot, such as drainage, will be addressed under a development permit should this application be approved.

Commenting Agencies

The City of Brandon did not receive any additional comments or concerns about this proposal.

Notification

As required under s. 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 property and notice posters were posted on the property.

Public Outreach

In accordance with section 13 of the Zoning By-law, no additional public outreach effort is required as no increase in intensity or density of use is proposed. As of the writing of this report, the Planning, Property & Buildings Department has not received representation in favour of or in opposition to this application.

RECOMMENDATIONS:

That the Public Hearing for Conditional Use Application C-05-17-B at 417 – 9th Street be concluded.

That Conditional Use Application C-05-17-B to allow for a substandard gravel surface parking lot in the HMU HUB Mixed Use Zone be approved at 417 – 9th Street (Lots 11/13, Block 8, Plan 2 BLTO) in accordance with the intent of the application “Attachment A-1” and the attached letter of intent “Attachment A-2”, subject to:

1. Prior to five (5) years after the date of approval, the site must be either:
 - a) Developed so that the existing parking lot conforms with all applicable standards in the Zoning By-law and the Urban & Landscape Design Standards, or
 - b) Redeveloped so that the site includes a principal building accommodating uses in accordance with the intent of the HUB mixed-use zone.