


<b>TITLE:</b>  <b>BY-LAW NO. 7280</b> <b>ASSINIBOINE GARDENS SECONDARY PLAN</b>		
<b>MEETING DATE:</b> October 21, 2020		<b>Page 1 of 3</b>
<b>DEPARTMENT:</b> Planning & Buildings	<b>ATTACHMENTS:</b> <ul style="list-style-type: none"> <li>A. By-law No. 7280 Assiniboine Gardens Secondary Plan</li> <li>B. Maps of the Secondary Plan</li> <li>C. Appendices of the Secondary Plan</li> <li>D. Reference Maps of the Secondary Plan</li> </ul>	
<b>PRESENTER:</b> Sonikile Tembo, Community Planner	<b>MANAGER:</b> Ryan Nickel, Director of Planning & Buildings	

### **RECOMMENDATIONS:**

That the Planning Commission recommend City Council approve the Assiniboine Gardens Secondary Plan By-law No. 7280, subject to deleting Subsection 3.1.7 in its entirety and substituting therefor, "Grade separated connections should be considered for connection of the Downtown with the Assiniboine Gardens Secondary Plan area."

### **BACKGROUND:**

#### ***Request***

Sonikile Tembo of the City of Brandon is proposing a new secondary plan that sets a framework for development in the area south of the Assiniboine River protected by the dike.

#### ***Development Context***

The Assiniboine Gardens Secondary Plan (AGSP) area is located south of the dike and north of Stickney and McDonald Avenues, covering approximately 121 hectares. North of the AGSP area is the Assiniboine River and Riverbank Discovery Centre, to the south is the CP rail yard and Downtown Brandon. Vehicle access to the area is only through 18<sup>th</sup> and 26<sup>th</sup> Streets North, with pedestrian access through both streets and the Red Willow Pedestrian Bridge across the Assiniboine River.

## History

The first dike for The Assiniboine Gardens was built in 1976 in response to a major flood where the floodwaters reached Stickney Avenue. At this time, the land use vision was primarily for industrial development, naturalized greenspace areas, and commercial uses along 18th Street North. The City largely maintained this vision until 2000 when the City adopted a revitalization strategy to facilitate more residential development in the area. Due to market and regulatory challenges, the vision to intensify The Assiniboine Gardens did not materialize.

In 2017, Council directed City administration to review policies on development within diked areas of the Assiniboine River floodplain. In June 2019, the City met with the community to discuss the risk of development in the floodplain area, of which the area south of the river is also known as “The Assiniboine Gardens”. Based on feedback received, the City moved forward with a conservative approach in creating a vision for future development that balances the desire for development with the need to protect people and property from future flooding events. The City shared this vision with the public at a December 2019 open house at the Riverbank Discovery Centre. The City drafted the plan policies and maps after reviewing feedback from the open house, and hosted a webinar in June 2020 to obtain additional public feedback.

Feedback included (details in Attachment C-9: Public Engagement Report)

- Concerns about the effect of these changes on existing properties
- Clarification on requirements for new construction
- Concern about lack of existing services
- Lack of connection across the railway has greatly reduced business for commercial establishments in this area
- Potential for “business park” type of development instead of industrial
- Possibility of having more density along Stickney Avenue
- Financial implications of proposed upgrades on the city and existing residents

## **ANALYSIS:**

The AGSP establishes a vision for the Assiniboine Gardens area and provides policy direction on land use, connectivity, infrastructure, environment and implementation.

### **Plan Objectives**

- To prepare a Secondary Plan that is consistent with The Planning Act and conforms to the Development Plan
- To balance the desire for economic development and rights of existing property owners while considering the risk to people and property due to flooding and other emergencies
- To provide a development framework for properties within the Secondary Plan area that ensures compatible, efficient, and connected land uses
- To align the land use vision with the existing greenspace and recreation vision for the area as outlined in the Greenspace Plan and the Assiniboine River Corridor Master Plan

- To bring new investment and vibrancy to the area while ensuring the cost-effective provision of municipal infrastructure

### Highlights of the AGSP

- *Land use*
  - Residential land use policies allow for a moderate increase in low density residential development on areas with existing rights of way and services
  - Employment Land policies allow for increase of both commercial and light industrial uses that are compatible with the area
  - Greenspace and recreation uses are proposed to align with existing Greenspace Master Plan and Assiniboine River Corridor Master Plan
- *Servicing* – Existing water, domestic sewer, and storm water services require evaluation and upgrades to accommodate proposed changes
- *Connectivity*
  - Identifies gaps and opportunities for connectivity in the area
  - Some streets are not up to City standard, limiting development, and there is an opportunity for improved connectivity between this area and the downtown and other areas of the city
- *Environment* – The floodplain, methane gas sites, environmentally impacted sites, and the possible presence of heritage resources all pose challenges to development
- *Implementation*
  - The AGSP includes transition areas where the most significant changes are anticipated to occur over 20+ years
  - These are estimates based on market conditions and City finances/budgeting

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

- Policy 1.1.5
  - Proposed changes will limit development within the flood prone area
  - Residential development is limited by only allowing low density residential
- Policy 15.2.2
  - Proposed policies allow for continuation of existing development in the diked areas with limited intensification
  - Development within 100 feet of the Snye Creek bed is subject to an engineer's investigation and analysis pursuant to the Methane Gas Sites City Policy
  - Geotechnical and other necessary testing and reports are required for development in low lying areas prone to ground water flooding and others as necessary
  - Save harmless agreement is required for all development within the floodplain

### ***Commenting Agencies***

The City did not receive any comments of significant concern.

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

In accordance with Section 168 of The Planning Act, notice of the public hearing was sent to owners of property in the secondary plan area and within 100 meters (328 feet) of the area. Notice was also posted at City Hall, A.R McDiarmid Civic Complex, Shoppers Mall, and the Corral Centre, and advertised in the Brandon Sun on October 1 and October 8.

#### ***Public Outreach***

Section 13 of the Zoning By-law does not apply, as this is an application for a secondary plan. That said, the City had discussions with some of the property owners affected by the proposed policies prior to drafting the secondary plan. The public engagement report begins on page Attachment C-9. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.

### **STRATEGIC ALIGNMENT:**

City Council has identified Economic Development, and Recreation and Greenspaces as strategic priorities for the City. The proposed AGSP provides a framework for possible revenue generation through an increased tax base and the sale of City-owned land, as well as opportunities for more and better connected recreation and green spaces.

### **FINANCIAL IMPACT:**

The financial impact of development on the City is dependent on revenue from the sale of City-owned lands in the area and increased tax base from new development. If the area develops slowly, the necessary infrastructure improvements will not be possible or will be significantly delayed. Attachment C-6 to C-8 provides further financial details as information.

### **RISK ASSESSMENT:**

The AGSP acknowledges the risk of flooding in the area despite the existence of the floodproofing measures such as the City's dike system, as well as challenges for sudden mass evacuations of the area due to limited access points. The AGSP addresses this by allowing only a limited amount of development in the area.

### **COMMUNICATION STRATEGY:**

City administration held an open house in December 2019, webinars in June 2020 and regularly updated residents and interested parties through email updates. As well, the website was kept up to date with project information including contact information for anyone wanting to discuss the project or seek clarification.