


<p>TITLE: SUBDIVISION 4500-23-734; BY-LAW NO. 7366 TO SUBDIVIDE AND REZONE PART OF 1307 – 18TH STREET N (PART OF LOT 1, PLAN 23049 EXC ROAD PLAN 39509 BLTO) APPLICANT: KATE MCKENZIE OF MYRIA DESIGN LTD. OWNER: 6864598 MANITOBA LTD.</p>		
<p>MEETING DATE: October 18, 2023</p>		<p>Page 1 of 3</p>
<p>DEPARTMENT: Planning & Buildings</p>	<p>ATTACHMENTS: A. By-law No. 7366 B. Application related documents C. Map, air photo & drawings D. Development Review Group Report E. Community Engagement Report F. Objection Letters G. Administration letter to residents</p>	
<p>PRESENTER: Sonikile Tembo, Principal Planner</p>	<p>MANAGER: Sonikile Tembo, Principal Planner</p>	

RECOMMENDATIONS:

Rezoning

That the Planning Commission recommend City Council amend By-law No. 7366 (Z-07-23) to rezone Part of 1307 – 18th Street North from Commercial Arterial (CAR) to Residential Moderate Density (RMD) Zone by deleting Sections 3 and 4 in their entirety and substituting therefor:

3. This By-law will come into force when the City of Brandon Planning & Buildings Department receives written confirmation that the plan for Subdivision Application 4500-23-734 is registered in the Brandon Land Titles Office.
4. This By-law will be repealed without coming into force three years after the date of this By-law's adoption unless the City of Brandon Planning & Buildings Department receives written confirmation that the plan for Subdivision Application 4500-23-734 is registered in the Brandon Land Titles Office, or the applicant applies for an extension of time before the expiration of the three-year period to register Subdivision Application 4500-23-734 and Council approves the extension.

That the Planning Commission recommend City Council approve By-law No. 7366 (Z-07-23) as amended.

Subdivision

That the Planning Commission recommend City Council approve the application to subdivide (4500-23-734) Part of 1307 – 18th Street N (Part of Lot 1, Plan 23049 Exc Road Plan 39509 BLTO)

to create one (1) lot and an extension of Quail Ridge Drive, subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in "Attachment D" of this report, and that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts.

BACKGROUND:

Request

The applicant, Kate Mckenzie of Myria Design Ltd., on behalf of the property owner, 6864598 Manitoba Ltd., is applying for the following:

- To rezone part of the property located at 1307 – 18th Street N from Commercial Arterial (CAR) to Residential Moderate Density (RMD) Zone,
- To subdivide the abovementioned lot to create one lot and the extension of a public street (i.e. Quail Ridge Drive).

Approval of this application will allow for the development of 132 residential units (4-17 unit buildings on the north side and 4-16 unit buildings on the south side) and the extension of Quail Ridge Drive.

Development Context

The site is currently mostly undeveloped with a warehouse along 18th Street North (Kullberg's) on the northwest corner. A natural drainage course runs through the center of the site. Commercial uses are to the north of the site, with low-density residential to the east and high density to the southeast. Access to the site is provided by Mockingbird Drive on the north and the Service Road to the west.

History

The subject site was the home of the former Patmore Garden Centre and Nursery from 1974 to July 2016. In 2022, a subdivision and conditional use application were approved to develop a warehouse for Kullbergs.

The Braecrest Drive Corridor Functional Design was completed in 2019 and included considerations to extend Quail Ridge Drive to reduce traffic volumes at the intersection of 18th Street North and Braecrest Drive, in the short term. Given that the province and city are moving forward with improvements to the Braecrest and 18th Street North intersection; the Quail Ridge extension is now being completed as a result of the development at 1307 18th Street North.

ANALYSIS:

Approval of this application will allow for the development of 132 residential units with recreational spaces, easement over the existing drainage channel, and the extension of Quail Ridge Drive. (Attachment C).

Consistency with the Development Plan

- Map One: Urban Land Use—site is designated as “Commercial” but adjacent to “Residential” designated lands. The portion of the site that fronts the major arterial street 18th Street North will remain as a commercial use and designation.
- Policies 2.2.2 and 2.2.4—proposed development provides a mix of housing options and densities within the plan area

Consistency with the Zoning By-law

- Proposed RMD site is consistent with the bulk and siting requirements under Table 10 Section 51 of the Zoning By-law
- Proposed density (132 units) and building height (3 storeys) complies with proposed moderate density zoning.
- 132 units includes 12 one bedroom units, 56 two bedroom units, and 64 three bedroom units
- 197 surface parking spaces proposed, which complies with minimum parking requirements (194 required).
- Bicycle parking will be identified at time of development permit
- 6.5m wide treed buffer to be planted between development and existing Whistler landing low density development to the south
- 3 wide treed buffer to be planted between development and existing commercial zoned property to the east
- Primary greenspace/amenity area located central to site
- Pedestrian connections provided within site to common amenity areas and pathway connection to the east of the future Quail Ridge Drive.

Consistency with Braecrest Functional Study

- A memo by the City Engineer is attached (Attachment G) explaining why the reason for the alignment and design of Quail Ridge Drive as a local Street.
- A Pathway connection will be provided to the East of Quail Ridge Drive and connect to the pathway system on Braecrest Drive.

Commenting Agencies

All comments have been addressed or attached as conditions of approval in the Development Agreement (Attachment D). Applicant will not proceed to 2nd and 3rd reading till Administration has received a satisfactory Class C Estimate for the design and construction of the Quail Ridge extension, and Drainage Study to justify the drainage area calculation provided.

City administration recommends amending Sections 3 and 4 of By-law No. 7366, as we are now dealing with both rezoning and subdivision of the same site. When the City first received the

rezoning application, there was no associated subdivision application, which is why the wording is different. With an associated subdivision application now under consideration, and with a development agreement recommended to be a condition of subdivision approval, City administration advises Council may consider approving the rezoning provided the applicant successfully registers the associated subdivision.

LEGISLATIVE REQUIREMENTS:

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 was also posted on the subject property and advertised in the Brandon Sun on October 5 and 12, 2023.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant reached out to nearby property owners and also held a public open house to address resident concerns (Attachment E). As of the writing of this report, the Planning & Buildings Department has not received representation in favour of this application but has received several letters of objection (Attachment F). Administration also sent a letter (Attachment G) to residents addressing some of the concerns they had regarding why what is being proposed by the developer is different from the concept shared during the 2019 Braecrest Functional Study.