


<p style="text-align: center;">TITLE: VARIANCE AND REZONING 2605 & 2611 ROSSER AVENUE APPLICANT & OWNER: J&G HOMES LTD.</p>		
<p>MEETING DATE: May 15, 2019</p>		<p>Page 1 of 3</p>
<p>DEPARTMENT: Planning & Buildings</p>	<p>ATTACHMENTS:</p> <ul style="list-style-type: none"> A. Application related documents B. Map, air photo & drawings C. Development Review Group Report D. Community Participation Report E. By-law No. 7234 F. Economic Development letter 	
<p>PRESENTER: Sonikile Tembo, Community Planner</p>	<p>MANAGER: Ryan Nickel, Chief Planner</p>	

RECOMMENDATION:

Rezoning

That the Planning Commission recommend City Council approve By-law No. 7234 (Z-01-19-B) to rezone property at 2605 & 2611 Rosser Avenue (Parcels B & C, Plan 54708, & Lots 1 & 2, Block 82, Plan 15 BLTO) from Residential Low Density (RLD) zone to Residential Moderate Density (RMD) zone, subject to the owner or successor entering into a development agreement with the City of Brandon including the following conditions:

1. The Developer agrees to construct a maximum of 8 residential units.
2. The Developer agrees to maintain a 5.0m setback from the neighbouring property to the west.
3. The Developer agrees to a maximum height of 2 storeys to remain consistent with the existing character of the neighborhood.
4. The Developer agrees to provide a tree buffer along the west property line between the site and the neighboring property to the west. Buffer is to be included on the Developer’s submitted landscaping plan.
5. The Developer agrees to contribute \$524.18 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement.
6. The Developer agrees to contribute \$202.50/unit for 7 units totalling \$1,417.50 to the Brandon School Division in lieu of land dedication.
7. The Developer agrees to consolidate Titles No 2955450/2 and 2955447/2, prior to the release of the building permit.

Variance

That Variance Application V-01-19-B to vary Table 10 (9) of the Zoning By-law by reducing the required corner side yard of a reverse corner site from 4.6m to 3.3m; and to vary Table 4 of the Zoning By-law by reducing the minimum number of required parking spaces from 12 to 10 in the Residential Moderate Density (RMD) zone, be approved at 2605 & 2611 Rosser Avenue in

accordance with the letter of intent “Attachments A-3 & A-4”, the site plan “Attachment B2”, and elevation plan “Attachment B-4” subject to the owner/successor signing an agreement and accepting funding from the City of Brandon for the construction of four affordable housing dwelling units.

BACKGROUND:

Request

J&G Homes Ltd., the property owner, is applying to rezone the property located at 2605 & 2611 Rosser Avenue from Residential Low Density (RLD) zone to Residential Moderate Density (RMD) zone (Attachment A-3). The rezoning will allow for development of an eight dwelling unit residential building. Four of the units proposed will be affordable housing units as per agreement with the City.

The rezoning request was submitted concurrently with two variance requests to reduce the number of required parking spaces from 12 to 10 and to reduce the reverse corner side yard setback from 4.6m to 3.3m.

Development Context

The site is located at the northwest corner of Rosser Avenue and 26th. The site is mainly surrounded by residential low and moderate density housing and is within walking distance (400m) of public parks, Brandon University, Valleyview Centennial School, corner stores and two transit routes. A lane north of the site provides vehicle access.

History

The site is vacant. A single detached house that was built in 1925 on 2605 Rosser Ave, and was demolished in 2018.

ANALYSIS:

Rezoning

Approval of this application will allow for an eight dwelling unit residential building on the site (Attachment A-4). Four of these units will be affordable housing units. The location of the site at an intersection of an arterial street (26th) and collector (Rosser Avenue) street lends itself to an increase in density and provides a transition to lower density residential uses to the west. The recommendation includes conditions to ensure the development is a “good fit” with the surrounding the neighbourhood, including limiting the height of the building to two storeys and providing a treed buffer within the minimum 5.0m western side yard setback.

Consistency with the Development Plan

- Encourages the provision of an adequate supply of affordable housing (2.1 b).
- Provides a mix of housing options in the neighbourhood as well as housing affordability for various income levels (2.2.2, 2.2.3).
- Contributes to a range of housing density options in the neighbourhood and increase density in close proximity to major institutions, schools, transit routes, open space areas and major collector streets (2.2.4, 2.2.5).
- Higher density should be encouraged to locate on main arterials and collectors within 400m of an existing transit stop (13.2.3).
- Infill development is one of the three priorities for growth in the City of Brandon, and the proposal accommodates population growth within developed areas while ensuring contextually appropriate infill development (10.2.3, 10.2.4).

Consistency with the Zoning By-law

- The site is currently zoned RLD, and requires rezoning to RMD to accommodate the proposed eight dwelling unit building.
- The applicant has submitted the rezoning with two variance requests, to reduce the minimum number of required parking spaces from 12 to 10 and reduce the reverse corner side yard setback from 4.6m to 3.3m.

The proposed development complies with all other applicable Zoning By-law requirements.

Variance

The applicant is proposing to reduce the minimum number of on-site parking spaces from 12 to 10 and establish 4 of the 8 units as affordable as defined in the City's affordable housing strategy. According to the Affordable Housing Strategy adopted by council, affordable housing parking variances should be supported to one space per unit. The second variance request is to reduce the corner side yard of the reverse corner from 4.6m to 3.3m that allows an increased setback buffer between the proposed development and the neighbouring property to the west.

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;

Parking and Setback

The rezoning and variances would result in the development of an eight dwelling unit residential building. The area includes mixture of residential use types including lower density (single detached, duplex, fourplex) and moderate density housing along 26th Street to the north. The location of the site at an intersection of an arterial street (26th) and collector (Rosser Avenue) street lends itself to an increase in density and provides a transition to lower density residential

uses to the west. The reverse corner sites in the surrounding area have varying setbacks from side streets. The proposed 3m setback is generally compatible with the variety of corner side yard setbacks in the area including multiple sites with similar 3m setbacks.

- 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;**

Parking

Reducing the required on-site parking will increase the demand for on-street parking. However, the demand for parking will be mitigated by the smaller size of the units (800 square feet), the proposal to include four affordable units and adjacent transit service. Reducing the minimum number of required parking spaces by two spaces will have an impact on neighbourhood parking, but the impact will be relatively minimal and should not be detrimental.

Setback

The reverse corner sites in the surrounding area have varying setbacks from side streets including many that are similar proposed development. The proposed reverse corner side yard reduction to 3.3m will be compatible with the general nature of the area.

- 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**

Parking

Requiring 1.5 parking spots per unit is not injurious to the applicant, however supporting a reduction to one space per unit for the affordable units will facilitate an affordable housing development on the site.

Setback

The proposed 3.3m setback complies with the typical corner side yard setback of 3.0m. The site is defined as a reverse corner as the property across the lane to the north fronts onto 26th street, thus requiring an additional front yard setback of 4.6m. Shifting the building closer to 26th street allows a greater side yard setback from the existing single detached lot to the west and relieves the injurious effect on the applicant's property.

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

Parking and Setback

The area is designated "Residential" and the proposal maintains this use. Eight units are proposed on the consolidated site in the RMD zone. The proposed building is short two parking

spaces and the reduced reverse corner side yard allows for the buffer required under the Urban & Landscape Design Standards and requested by the neighboring property. The site otherwise complies with all other provisions in the Zoning By-law.

Commenting Agencies

All comments have been addressed and summarized below

Development Agreement

A development agreement is required for the rezoning with the following conditions:

- Maximum of eight dwelling units
- Consolidation of the two parcels
- 5.0m setback from neighboring property to the west
- Maximum 2 storeys to fit the neighborhood character
- Tree buffer between the site and the neighboring property to the west
- Cash in lieu of land dedication for public reserve purposes in the amount of \$524.18

Brandon School Division

\$1,417.50 required as cash-in-lieu of land dedication for school purposes (202.50/unit, total new density is 7 units since a single detached house was demolished)

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 April 25, 2019 and May 2, 2019.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant submitted a community participation report (Attachment C). As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.