

MINUTES OF THE PLANNING COMMISSION MEETING HELD JANUARY 15, 2014 AT 7:30 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1 ROLL CALL

Commissioners: Colleen Anderson
Don Jessiman
Leo Boivin
Garnet Boyd

Administration: Ryan Eidick
Tyson Fisher
Angie Veilleux
Waleed Albakry
Ryan Nickel

2. ADOPTION OF AGENDA

2014-001

Boyd-Boivin

That the Agenda for the regular meeting of the Planning Commission to be held January 15, 2014 be adopted as presented.

CARRIED 4/0

3. CONFIRMATION OF MINUTES

2014-002

Boivin-Jessiman

That the minutes of the regular meeting of the Planning Commission held on December 18, 2013 be adopted as presented.

CARRIED 4/0

4.0 PUBLIC HEARING

a. CONDITIONAL USE

Property Located At 1340 Richmond Avenue East

Owner/Applicant: Heritage Co-op

Mr. Eidick indicated that Heritage Co-op, owner and applicant, is applying to allow for an automotive service station for a property located at 1340 Richmond Avenue East in the MR Industrial Restricted Zone

Upon presentation by staff, Commissioners asked for clarity on discussions with MIT about access onto Richmond Ave. E. and decommission clean-up procedures and future approvals required. Mr. Eidick indicated contact was made with MIT and this portion of Richmond Ave East is under city control and that Manitoba Conservation determines standards for proper decommissioning of site and that older sites predate current conditional use and that only expansion beyond the current submittal would require further approvals.

Barry Cooper, Petroleum Division Manager, Heritage Co-op gave brief history of previous decommissioning of Heritage Co-op sites. Commissioners asked about other

sites and construction timelines. Mr. Cooper indicated that no other facilities will be shut down and that construction would start as soon as possible.

2014-003 Boivin-Jessiman
That the Public Hearing for Conditional Use Application C-18-13-B at 1340 Richmond Avenue East be concluded.

CARRIED 4/0

2014-004 Boivin-Jessiman
That Conditional Use Application C-18-13-B to allow for an automotive service station be approved at 1340 Richmond Avenue East (Lot 2, Plan 41783 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3) and the attached site plan (B-2) subject to:

1. The owner or successor, prior to the issuance of a building permit:
 - a. submitting written confirmation to the satisfaction of the City of Brandon Planning & Building Safety Department that a cross-access agreement has been registered on the Title to the subject property and 1310 Richmond Avenue East (Plan 23784 BLTO);
 - b. entering into a development agreement with the City of Brandon, and submitting written confirmation to the City of Brandon Planning & Building Safety Department that the development agreement has been registered on the Title to the subject property; and
 - c. submitting written confirmation to the satisfaction of the City of Brandon Planning & Building Safety Department that a shared-access agreement has been registered on the Titles to the subject property and 1340 Richmond Avenue East (Lot 1, Plan 41483 BLTO).

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioners said the application fits the plan for the area, is in a good location and there were no objections from the public.

- b. **VARIANCE**
Property Located at 222 Richmond Ave E
Owner: All Pipe and Mechanical Ltd.
Applicant: Crane Steel Structures

Mr. Eidick indicated that Crane Steel Structures, on behalf of the owner, All Pipe Mechanical Ltd., is applying to reduce the minimum required front yard setback for a corner lot from 4.5m to 3.2m for a property located at 222 Richmond Avenue East in the MR Industrial Restricted Zone.

Upon presentation by staff, Commissioners asked about any environmental health issues for office workers. Mr. Eidick deferred to the applicant.

Ron Allen, owner, of All-Pipe mechanical presented. Commissioners asked about the design of the building questioning the safety of the design from a roof/snow

perspective. Mr. Allen said he would defer to Crane Steel during the build for details and also noted an environmental study found no issues.

2014-005 Boyd-Jessiman
That the Public Hearing for Variance Application V-25-13-B at 222 Richmond Avenue East be concluded.

CARRIED 4/0

2014-006 Boyd-Jessiman
That Variance Application V-25-13-B to reduce the minimum required front yard setback for a corner lot from 4.5m to 3.2m be approved at 222 Richmond Avenue East (Lots 31/40, Block 3, Plan 278 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3) and the attached site plan (B-2) and elevation plan (B-3).

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioners said the application meets the tests of the planning act, is compatible with area, not detrimental to environment and is good that another business is going into that area.

c. **CONDITIONAL USE**

428 8th Street

Owner: Renaissance Station Inc.

Applicant: Jim Kauk

Mr. Albakry indicated that Jim Kauk, on behalf of the owner, Renaissance Station Inc., is applying for a conditional use for a site located at 428 8th Street (Lot 6, Block 8, Plan 2 BLTO) to allow for a surface parking lot with 18 parking spaces in the HMU HUB Mixed Use Zone.

Upon presentation by staff, Commissioners asked, timing of development and plans for paving. Mr. Albakry noted the lot will be paved and deferred questions to the applicant.

Jim Kauk, property manager, for Renaissance Station summarized occupancy and parking needs of Renaissance Station. Commissioners asked about public access, timeline for development, accessible stall locations and the access system and snow clearing. Mr. Kauk said the lot will be for residents only, that lighting, pavement and cameras will be installed, handicapped spots could be relocated and that the access arm may or may not be part of the plan. Snow clearing will be the responsibility of Renaissance Station.

2014-007 Boivin-Jessiman
That the Public Hearing for Conditional Use Application C-17-13-B at 428 8th Street be concluded.

CARRIED 4/0

2014-008 Boivin-Jessiman
That Conditional Use Application C-17-13-B to allow for a surface parking lot with 18 parking spaces be approved at 428 8th Street (Lot 6, Block 8, Plan 2 BLTO) in accordance with the intent of the application, the attached letter of intent (A-3) and the attached site plans (B-2 & B-3).

CARRIED 4/0

d. **VARIANCE**
1031 1st Street
Owner: Mitchell Hassler & Natasha Eckert
Applicant: Anne Boychuk

Mr. Eidick indicated that Anne Boychuk, on behalf of the owners, Mitchell Hassler and Natasha Eckert, is applying to reduce the minimum required rear yard setback for an accessory building from 0.60m to 0.20m, and to increase the maximum projection for eaves from no closer than 0.30m to no closer than 0.00m for a property located at 1031 1st Street in the RLD Residential Low Density Multiple Family Zone.

Upon presentation by staff, Commissioners asked if the applicant has to pay for encroachment rights. Mr. Eidick indicated there will be a fee based on the amount of encroachment.

Anne Boychuck attended.

2014-009 Jessiman-Boyd
That the Public Hearing for Variance Application V-23-13-B at 1031 1st Street be concluded.

CARRIED 4/0

2014-010 Jessiman-Boyd
That Variance Application V-23-13-B to reduce the minimum required rear yard setback for an accessory building from 0.60m to 0.20m, and to increase the maximum projection for eaves from no closer than 0.3m to no closer than 0.0m from the rear property line be approved at 1031 1st Street (Lots 10/11, Block 1, Plan 14 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3) and the attached site plan (B-2), subject to:

a. the owner or successor, prior to the issuance of a building permit, submitting written confirmation to the satisfaction of the City of Brandon Planning & Building Safety Department that an encroachment agreement has been registered on the Title to the subject property.

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioners said the sale will now be made, is consistent with other building in area and prior concerns with the application have been addressed.

e. **BY-LAW NO. 7070**

**Amendments to Zoning By-Law No. 6642
Public Outreach Regulations**

Mr. Albakry indicated that The City of Brandon is applying to amend Zoning By-law 6642 to include a provision regarding public outreach regulations further expanding on existing requirement set out in the Planning Act and outlined the changes and outlined input received from the Poverty Committee

Upon presentation by staff, Commissioner Boyd asked if Poverty Committee recommendations would be implemented. Mr. Albakry indicated research would be undertaken.

2014-011 Boyd-Jessiman
That the Public Hearing regarding By-law No. 7070 (Z-13-13-B) to include a section on public outreach regulations in the City of Brandon Zoning By-law 6642 be concluded.
CARRIED 4/0

2014-012 Boyd-Jessiman
That the Planning Commission recommend By-law 7070 (Z-13-13-B) be approved.
CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioner Boivin asked for clarification of the purpose of the by-law. Commissioners said it provides consistency with zoning by-laws and improves public input and resolves issues and concerns with stakeholders.

f. **BY-LAW NO. 7079**
The North Gateway Secondary Plan

Ryan Nickel and Michelle Drylie (PlanningAlliance), indicated that the City of Brandon is applying to establish a Secondary Plan By-law to facilitate the long term planning of the north gateway lands, providing a policy and land use framework for new development.

Upon presentation by staff, Commissioners asked for clarification regarding the golf course lands, Monterey Estates and the 6m buffer. Mr. Nickel indicated that the land is privately held and that the 6m buffer is already part of the modular home park. Commissioners asked for clarification of street locations, water, wastewater and drainage. Ted Snure gave an overview of existing systems, requirements for future sewer, water and drainage in the area and possible methods of funding development.

IN FAVOUR

Paul Johnstone, representative of Graham Capital, owners of Northern Pines golf course spoke about the benefits of the plan tying the City of Brandon to the North Hill and the process. Commissioners asked if Mr. Johnstone had contributed to the plan and future plans of the golf course. Mr. Johnstone confirmed they had been involved ideas have been addressed by the plan. The golf course will remain open until November 2015.

Glen Newton, G. D. Newton and Associates, complimented the planning department on the plan and for taking input through the process. Mr. Newton commented on the

challenges of the development community to understand the impact of planning documents. Mr. Newton spoke about the document adjusting to changing market forces in the city. Ms. Veilleux clarified the secondary plan is a by-law, however it can be amended in the future through the planning act over time.

OPPOSED

Millie and Jacob Boschman, area residents, suggested changes for the green space immediately south of Claire Ave including extending the buffer to include mature trees in the area. Barb Roberds, area resident, indicated concerns with density and building sizes near Northern Pines estates.

MORE INFORMATION

Steve Morrison, Peter Behrens, Jack Elves, area residents, spoke about a drainage agreement and asked for clarification of a drainage plan for his area, asked for clarification on service road location, the proposed highway infrastructure.

Ms. Drylie explained the purpose of the secondary plan, the review process that takes place during the lifespan of the plan and how to amend the plan. Ms. Drylie clarified how density ranges are determined. Ms Drylie explained that developers must use the appropriate density. Ms. Drylie explained that the service road is included in the 18th street corridor on the map and while no immediate changes will happen to 18th street, a future urban design study will be completed. Mr. Snure spoke about current drainage on some properties as well as future plans for drainage for new development. Mr. Snure said the highways alignment is an adopted policy and would have to go before city council to deviate from the plan. The plan will be driven by development and will work with developers as applications come forward.

2014-013

Boyd-Jessiman

That the Public Hearing regarding By-law No. 7079 to adopt the North Gateway Secondary Plan be concluded.

CARRIED 4/0

2014-014

Boivin-Boyd

That By-law No. 7079 be amended to include the following minor alterations:

a. by deleting 4.2.4 in its entirety and substituting it with the following therefor:

“Development within Residential Low Density Areas shall be within a density range of 18 units per net hectare to 40 units per net hectare.”;

b. by deleting Table 1 in its entirety;

c. by deleting policy 4.3.4 in its entirety and substituting it with the following therefor:

“Development within Residential Moderate Density Areas shall be within a density range of 41 units per net hectare to 86 units per net hectare.”;

- d. by deleting in policy 4.3.10 the word “low” and substituting therefor the word “moderate”;
- e. by deleting Table 2 in its entirety;
- f. by deleting policy 5.1.2 in its entirety and substituting it with the following therefor:

“Stand-alone residential development within Mixed Use areas shall be within a density range of 41 units per net hectare to 86 units per net hectare.”;

- g. by deleting Table 3 in its entirety.

CARRIED 4/0

2014-015

Boivin-Boyd

That the Planning Commission recommend By-law 7079 be approved as amended.

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made:
Commissioners said it is a good plan for city, adjacent homeowners and developers and the presentation addressed some concerns from the public and Commissioners. Commissioner Jessiman asked for an explanation as to where the application goes next. Ms. Veilleux clarified the process for the application.

5.0 GENERAL BUSINESS

- a. **Tracking Table** Ms. Veilleux updated the Commissioners on the tracking tables.
- b. **Administrative Business** Ms. Veilleux reminded everyone meetings will begin at 7 pm starting in Feb and the Manitoba Planning Conference will be held in Brandon in February.
- c. **Absences from Feb 5, 2014 meeting** None noted

6.0 ADJOURNMENT

2014-016

Jessiman-Boyd

That the meeting does now adjourn. (9:39 p.m.)

CARRIED 4/0

Original signed by Angie Veilleux
Angie Veilleux
Principal Planner

Original signed by Calvin Coey
Calvin Coey
Chairperson