

MINUTES OF THE PLANNING COMMISSION MEETING HELD JUNE 15, 2016 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1 ROLL CALL

Commissioners: Calvin Coey
Garnet Boyd
Corinne Robinson
Jack Lindsay

Administration: Louisa Garbo
Ryan Nickel
Andrew Mok
Tyson Fisher

2. ADOPTION OF AGENDA

2016-035

Lindsay-Robinson

That the Agenda for the regular meeting of the Planning Commission to be held June 15, 2016 be adopted as presented.

CARRIED 4/0

3. CONFIRMATION OF MINUTES

2016-036

Lindsay-Robinson

That the minutes of the regular meeting of the Planning Commission held on May 18, 2016 be adopted as presented.

CARRIED 4/0

4.0 PUBLIC HEARING

a. VARIANCE

3620 Victoria Ave
Owner: 5831645 MB Ltd.
Applicant: Birchwood Automotive Group

Mr. Mok indicated that the applicant, Rene Nicholson of Birchwood Automotive Group, on behalf of the property owner, 5831645 Manitoba Ltd., is applying to vary Table 7, subsection 31(b) of the City of Brandon Zoning By-law No. 7124 to reduce the required setback of a freestanding identification sign from the required 1.5m to 0.5m on the east site line and 1.3m on the north site line for property located at 3620 Victoria Avenue in the CAR Commercial Arterial Zone. Approval of this application will allow for a freestanding sign for the automotive sales business to remain in its current location.

Upon presentation by staff, Commissioners questioned the timing of the application.

Rene Nicholson, applicant, presented to the commission.

2016-037 Lindsay-Boyd
That the Public Hearing for Variance Application V-08-16-B at 3620 Victoria Avenue be concluded.

CARRIED 4/0

2016-038 Robinson-Lindsay
That Variance Application V-08-16-B to vary Table 7 under subsection 31(b) of the Zoning By-law to reduce the required setback of a freestanding identification sign from 1.5m from all site lines to 0.5m from the east site line and 1.3m from the north site line in the CAR Commercial Arterial Zone be approved at 3620 Victoria Avenue (Lots 1/10, Block 3, Plan 260 BLTO, exc. Road Plan 557 BLTO) in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and the attached site plan "Attachment B-2".

CARRIED 4/0

FOR

Commissioner Lindsay
Commissioner Robinson
Commissioner Coey
Commissioner Boyd

AGAINST

ABSTAIN

Prior to the above motion being voted on, the following comments were made: Commissioners stated the sign is existing, is not detrimental to the surrounding area and appreciated the applicant coming forward to clean up the outstanding issue.

b. BY-LAW 7129, SUBDIVISION

1910 & 2218 Bell Ave
Owner & Applicant: Waverley Developments

Mr. Mok indicated that the applicant, Waverly Developments Ltd., is applying to rezone properties located at 1910 and 2218 Bell Avenue to allow for the future development of Phase 2, Stage 5 of the Oakridge Estates neighbourhood. The proposed by-law includes the following four requests:

1. Rezone a property located at 2218 Bell Avenue from PR Parks and Recreation to RSD Residential Single Detached. The applicant, Waverly Developments Ltd., is acting on behalf of the owner, Jordan Moffat, to correct an oversight from a previous subdivision registered in 2010, whereby the zoning for the property was not updated to reflect a change in the concept plan for the neighbourhood;
2. Rezone the westernmost 12.0m strip of land along the western boundary in Phase 2, Stage 5 of the Oakridge Estates development as shown on Attachment A from PR Parks and Recreation to RMD Residential Moderate Density (Part NE ¼ 34-10-19 WPM). The proposed RMD Zone will update the zoning for the area to reflect changes to the concept plan for the neighbourhood adopted by City Council;

3. Rezone the eastern portion of land in Phase 2, Stage 5 of the Oakridge Estates development, except for the 9.0m strip of land along the eastern boundary, as shown on Attachment A from DR Development Reserve to RMD Residential Moderate Density; and
4. Rezone the easternmost 9.0m strip of land in Phase 2, Stage 5 of the Oakridge Estates development as shown on Attachment A from DR Development Reserve to OS Open Space.

The applicant is also applying to subdivide property at 1910 Bell Avenue to create two (2) lots and a public road. Approval of these two applications will result in the creation of two (2) parcels for the development of multiple dwellings.

Upon presentation by staff, Commissioners questioned the rules for building height in the zone, total unit count proposed, and financial calculations for contributions per dwelling unit.

John Burgess, applicant, presented to the commission. Commissioners questioned the water table in the area, drainage layout and construction timelines.

2016-039

Boyd-Lindsay

That the combined Public Hearing regarding the following applications be concluded:

1. By-law No. 7129 (Z-02-15-B) to rezone the following properties:
 - a. Property located at 2218 Bell Avenue (Lot 35, Plan 48868 BLTO) from PR Parks and Recreation to RSD Residential Single Detached; and
 - b. Property located at 1910 Bell Avenue (Lot 72, Plan 48868 BLTO) from PR Parks and Recreation and DR Development Reserve to RMD Residential Moderate Density and OS Open Space; and
2. Subdivision application 4500-15-615.

CARRIED 4/0

2016-040

Boyd-Lindsay

That the Planning Commission recommend By-law 7129 (Z-02-16-B) be approved, subject to the following conditions:

1. Prior to the by-law being given third reading, the owner or successor entering into a development agreement with the City of Brandon, including but not limited to the following supplementary conditions:
 - a. The provision of a site plan indicating the phasing schedule for the proposed development;
 - b. A cash-in-lieu of land dedication for school purposes;
 - c. A cash-in-lieu of land dedication for public reserve purposes;
 - d. A financial contribution on a per-unit basis for the future development of a lift station;
 - e. The construction of a sidewalk on the east and west side of the proposed street right-of-way, with the sidewalk along the west side of said right-of-

way continuing west along Bell Avenue to the westerly limit of the proposed development;

- f. The construction of a temporary turnaround at the northern end of the proposed street right-of-way;
- g. The provision of a letter of credit to cover all work within the proposed street right-of-way, such amount to be determined based upon a detailed cost estimate to be submitted by the developer;
- h. The provision of a permanent and indefinite means of legally binding and enforceable access to the subject lands identified in Attachment B-1 of the report of the Community Planner dated June 6, 2016, which shall be sufficient so as to allow for successful registration of an instrument at the Brandon Land Titles Office confirming the legally binding and enforceable means of access, and with the consent in writing of all parties with an interest and required to provide consent to such registration. The proposed means of access is subject to review and approval by the General Manager, Development Services and by Council of the City of Brandon;
- i. The developer will be required to enter into a Statutory Easement Agreement with the City of the existing 250mm water line, 200mm sewer line, land drainage system including pipe, catch basins, and manholes as per the Construction Plans, and approved by the City Engineer;
- j. Confirmation that arrangements have been made for easements to the satisfaction of Manitoba Hydro, MTS Inc., and Westman Communication Group; and
- k. Confirmation that arrangements have been made for postal service to the satisfaction of Canada Post.
- l. That a landscaped buffer of at least 9.1m in width be provided along the western property line of block 2 between the multiple-family dwellings and the adjoining low density residential development.

CARRIED 4/0

FOR

Commissioner Lindsay
Commissioner Boyd
Commissioner Robinson
Commissioner Coey

AGAINST

ABSTAIN

Prior to the above motion being voted on, the following comments were made: Commissioners stated the applicant is continuing development in the area, working toward fulfilling the conditions, cleaning up the zoning and is a well-designed site.

That a landscaped buffer of at least 9.1m in width be provided along the western property line of block 2 between the multiple-family dwellings and the adjoining low density residential development.

Carried 4/0

2016-042

Boyd-Robinson

That the Planning Commission recommend Brandon City Council approve the application to subdivide (4500-15-615) 1910 Bell Avenue (Lot 72, Plan 48868 BLTO) to create two (2) lots and a public road in the PR Parks and Recreation, RMD Residential Moderate Density and DR Development Reserve Zones, subject to the following conditions:

1. The site being rezoned from PR Parks and Recreation Zone and DR Development Reserve Zone to RMD Residential Moderate Family Zone and OS Open Space Zone;
2. The owner or successor submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Inc. and Westman Communications Group, and registering the easement agreement along with the easement plan, if required, in series immediately following registration of the subdivision; and
3. The owner or successor submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for postal service to the satisfaction of Canada Post.

CARRIED 4/0

FOR

Commissioner Lindsay
Commissioner Boyd
Commissioner Robinson
Commissioner Coey

AGAINST

ABSTAIN

Prior to the above motion being voted on, the following comments were made: Commissioners stated the application fits in well with the zoning in the area, the property would be difficult to develop without the new road being constructed, the application is consistent with the development plan, the neighbourhood plan and the zoning by-law.

c. BY-LAW 7142

2335 Patricia Ave

Owner: P.J.W. Hall Investments Ltd.

Applicant: VBJ Developments

Mr. Mok indicated that The applicant, Steve McMillan of VBJ Developments, on behalf of the property owner, P.J.W. Hall Investments Ltd., is applying to rezone a portion of property located at 2335 Patricia Avenue from DR Development Reserve to RMH Residential Mobile/Modular Home. Approval of this application will allow for the expansion of the existing Brentwood Mobile Home Park.

Upon presentation by staff, Commissioners asked for clarification of the road connection for the second access, time frame for north connection being built.

Steve McMillan, applicant, presented to the commission. Commissioners stated the current site access is a short term solution. Commissioners questioned emergency access, phasing and storm water retention.

2016-043

Robinson-Lindsay

That the Public Hearing regarding By-law No. 7142 (Z-02-16-B) to rezone a portion of property located at 2335 Patricia Avenue (Lot 2, Plan 2041 BLTO exc. Plan 41766 BLTO) from DR Development Reserve to RMH Residential Mobile/Modular Home be concluded.

CARRIED 4/0

2016-044

Lindsay-Boyd

That the Planning Commission recommend By-law 7142 (Z-02-16-B) be approved, subject to:

1. Prior to the by-law being scheduled for second reading, the owner or successor submitting a site plan with the following revisions:
 - a. Identify lands for a future roadway and active transportation connection to future developable lands to the north of the site; and
 - b. Realignment of the internal intersection to the south of the site to form a conventional three (3) way stop "T" intersection; and
2. Prior to the by-law being given third reading, the owner or successor entering into a development agreement with the City of Brandon, including the following supplementary conditions:
 - a. a future dedication of land to allow for a roadway connection between 2335 Patricia Avenue (Brentwood Mobile Home Park) and 1955 34th Street (Bellafield Neighbourhood);
 - b. a financial contribution to the 1st Street sanitary sewer lift station;
 - c. a cash-in-lieu of land dedication for public reserve purposes;
 - d. a cash-in-lieu of land dedication for school purposes;
 - e. confirmation that arrangements have been made for easements to the satisfaction of Manitoba Hydro, MTS Inc., and Westman Communication Group; and
 - f. confirmation that arrangements have been made for postal service to the satisfaction of Canada Post.

CARRIED 4/0

FOR

Commissioner Lindsay
Commissioner Robinson
Commissioner Coey

AGAINST

ABSTAIN

Commissioner Boyd

Prior to the above motion being voted on, the following comments were made: Commissioners stated the applicant has addressed the main issues, the application is consistent with the development plan, and the request is a continuation of the Brentwood Mobile Home Park.

5.0 GENERAL BUSINESS

- a. **Tracking Table**
Mr. Nickel spoke about upcoming applications. The July 6, 2016 meeting will be cancelled.
- b. **Administrative Business**
Commissioner Coey has tendered his resignation from the planning commission.
- c. **Absences From Upcoming Meetings**
Commissioner Lindsay will be away for the August 3, 2016 meeting.

6.0 ADJOURNMENT

2016-045 Robinson-Lindsay
That the meeting does now adjourn. (8:04 p.m.)

CARRIED 4/0

Original signed by R. Nickel

Ryan Nickel
Principal Planner

Original signed by C. Coey

Calvin Coey
Chairperson