

MINUTES OF THE PLANNING COMMISSION MEETING HELD AUGUST 15, 2018 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1.0 ROLL CALL

Commissioners: Garnet Boyd
Jack Lindsay
Corinne Robinson
Mary Jo Abbott

Administration: Ryan Nickel
Andrew Mok
Amber Chapil

Absent: Andrew Sieklicki

2.0 ADOPTION OF AGENDA

2018-090 LINDSAY – ABBOTT

That the Agenda for the regular meeting of the Planning Commission to be held August 15, 2018 be adopted as presented.

CARRIED 4/0

3.0 CONFIRMATION OF MINUTES

2018-091 ROBINSON - ABBOTT

That the minutes of the regular meeting of the Planning Commission held on August 1, 2018 be adopted as read.

CARRIED 4/0

4.0

a. Conditional Use; Variance

847 – 11th Street
Owner: J & G Homes Ltd.
Applicant: J & G Homes Ltd.

Community Planner, Andrew Mok, introduced the application as presented in the City of Brandon Planning report.

The applicant, Steve McMillan spoke on behalf of the owners J & G Homes Ltd., to the conditional use and variance applications in regards to building a three unit dwelling that would be compatible with the neighborhood. Spoke with neighboring residents, and received no calls of opposition. Spoke to the suggestions from CN Railway as well as the set back from the actual rail line.

2018-092 ABBOTT - LINDSAY

That the Public Hearing for Conditional Use Application (C-11-18-B) and Variance Application (V-11-18-B) at 847 – 11th Street be concluded.

CARRIED 4/0

2018-093

ROBINSON - LINDSAY

That the Conditional Use (C-11-18-B) to allow for the development of a three dwelling units building on an interior lot in the RLD-Residential Low Density zone be approved at 847 - 11th Street (Lots 15/16, Block 37, Plan 16 BLTO exc. Nly 4 feet of Lot 15) in accordance with the intent of the application "Attachment A-1", the letter of intent "Attachment A-3" and the site plan "Attachment B-2".

CARRIED 4/0

Prior to the above motion being voted on commissioners provided the following supportive comments:

- The design is compatible to the design of the other buildings in the area

2018-094

LINDSAY - ROBINSON

That the Variance Application (V-11-18-B) to vary Section 71(b) of the Zoning By-law by decreasing the distance of multiple dwelling units from a railway right-of-way from 30.0m to 17.0m to allow for the development of a three dwelling units building in the RLD zone be approved at 847 - 11th Street (Lots 15/16, Block 37, Plan 16 BLTO exc. Nly 4 feet of Lot 15) in accordance with the intent of the application "Attachment A-2", the letter of intent "Attachment A-3" and the site plan "Attachment B-2".

CARRIED 4/0

Prior to the above motion being voted on commissioners provided the following supportive comments:

- This is a minimal variation to the set back from the railway
- This is an already developed area
- Suggest triple pane windows to reduce noise from railway

b. By-law No. 7214 Rezone; Subdivision

700 Maryland Avenue

Owner: City of Brandon; Brandon School Division

Applicant: MCM Architects Inc.

Community Planner, Andrew Mok, introduced the application as presented in the City of Brandon Planning report.

The applicant, Denis Labossiere and Guy Hewlko of Brandon School Division and MCM Architects Inc. spoke to rezoning and subdivision to build a new school in the South East corner of Brandon. This school will have an opening capacity of 450 students with a future expansion plan to allow for 675 students. The Provincial award came with a fixed budget and spoke to the additional costs within the development agreement. Item ii and iii to have the developer plant the trees as part of the landscaping of the area. Concerns raised over the traffic index study as it was based on the future expansion plan of 675 students. Are requesting relief of the costs associated with items v, vii, viii, ix and x as these costs are not covered within the Province funding and the work and costs can be done by the City Of Brandon. Propose changing fence line on the West side of the property and will maintain this green space. Would like to have the save harmless agreement rewritten to be agreeable to both parties.

More Information

Debbie Kynoch, area resident, very excited there is a school being built in the southern area of the City. Requested clarification on the location of the fence on the west side to her fence.

Mohammad Abedullah, area resident, requested clarification on the location of the school boundary, the road, and how much area is open space.

Lori Patterson, area resident, requested information on street parking on Maryland, and if no parking will be on both sides of Maryland. Many residents have a single driveway and propose they widen the street to allow for street parking.

2018-095

ROBINSON - ABBOTT

That the Public Hearing for By-law 7214 (Z-02-18-B) to rezone a property at 700 Maryland Avenue (part of 1900 - 6th Street, 1951 - 7th Street, and 1900 - 8th Street) from Open Space (OS) to Educational & Institutional (EI), and Subdivision Application (4500-18-671) to create one (1) lot and a public road be concluded.

CARRIED 4/0

2018-096

ABBOTT - LINDSAY

That the Planning Commission recommend City Council approve By-law No. 7214 (Z-02-18-B) to rezone part of 1900 – 6th Street, 1951 – 7th Street, and 1900 – 8th Street (Lots 1/21 and 26/46, Blocks 3/4 and Part Lots 1/21 and 26/46, Block 5, Plan 300 BLTO, and Part Parcels B/H, Plan 37279 BLTO) from Open Space (OS) to Educational & Institutional (EI).

CARRIED 4/0

Prior to the above motion being voted on commissioners provided the following supportive comments:

- Reasonable request, allow construction of school that is needed in the area

2018-97

LINDSAY - ABBOTT

That the Planning Commission recommend Brandon City Council approve the application to subdivide (4500-18-671) 1900 – 6th Street, 1951 – 7th Street, and 1900 – 8th Street (Blocks 3/5, Plan 300 BLTO, and Parcels B/H, Plan 37279 BLTO) to create one (1) lot and a public road in the Open Space (OS) and Educational & Institutional (EI) Zones, subject to the following conditions:

- A. The owner or successor enters into a development agreement with the City of Brandon, to be registered in series with the subdivision, with the following conditions:
 - i. The Developer agrees to construct an elementary school as per the attached site plan (Schedule B).
 - ii. The Developer agrees to pay a contribution towards twenty (20) boulevard trees. The amount of payment for such trees will be calculated at the time of execution of the development agreement and based upon the City's tree

contract pricing for the current year. Payment in full will be required at the time of execution of the development agreement.

- iii. The Developer agrees to provide a landscaping plan showing the location of the twenty (20) boulevard trees. Tree species will be determined by the City of Brandon at the time of planting.
- iv. The Developer agrees to design and construct an access from the Lands to Maryland Avenue to allow for separate lanes of traffic turning right and left onto Maryland Avenue. Such design will be subject to the review and acceptance of the City Engineer. All costs associated with the access will be at the sole cost of the Developer.
- v. The Developer agrees to contribute towards the upgrade of the southbound 1st Street right turn auxiliary lane at the intersection with Maryland Avenue and 1st Street in the amount of \$13,000.00. This contribution will be held in a Reserve Account and applied towards the future upgrade. Payment in full will be required at the time of execution of the development agreement.
- vi. The Developer agrees to contribute towards land drainage sewer upgrades to redirect the existing land drainage sewer outlet from the MacLeod Drive alignment, which presently crosses through the Lands, to Cornwallis Crescent in the amount of \$83,259.65. This contribution will be held in a Reserve Account and applied towards the future upgrade. Payment in full will be required at the time of execution of the development agreement.
- vii. The Developer agrees to contribute towards the southeast lift station servicing the area in the amount of \$19,200.00 based upon a 0.037 Residential Equivalent Unit/person (including staff and students) of a full build out school population of 845. This contribution will be applied to upgrades already completed by the City of Brandon. Payment in full will be required at the time of execution of the development agreement.
- viii. The Developer agrees to arrange with the City of Brandon Operations Division for the installation of a crosswalk at the Maryland Avenue/MacLeod Drive intersection. All costs associated with the crosswalk will be at the sole cost the Developer.
- ix. The Developer agrees to arrange with the City of Brandon Operations Division for the installation of RB-55 ("No Parking") signage on both sides of Maryland Avenue adjacent to the site. All costs associated with the signage will be at the sole cost the Developer.
- x. The Developer agrees that should relocation of any existing Brandon Transit bus stop(s) be required to accommodate the development, the Developer agrees to arrange with the City of Brandon Operations Division the relocation of the bus stop(s). All costs associated with the relocation will be at the sole cost of the Developer.
- xi. The Developer agrees should the Brandon School Division proposed to extend their fencing on the west side of the Lands to meet up with existing fencing at the rear of the 9th Street properties, the Brandon School Division will maintain City owned lands within the fenced area and provide gates for City access to the ditch from Maryland Avenue for maintenance purposes. All costs associated with the fencing and gates will be at the sole cost the Developer.

- xii. The Developer will agree to save harmless the City by way of inclusion of save harmless clauses in the development agreement as the property is located within Methane Gas Zones 1, 2 and 3.

- B. The owner or successor submits written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for an easement agreement and Plan of Easement to the satisfaction of BellMTS, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision.

CARRIED 4/0

Prior to the above motion being voted on commissioners provided the following supportive comments:

- In favour of the development of a school
- The costs associated with the requirements in the development agreement, and to discuss this with City Councillors what contribution the City may or may not be able to make in the future
- The applicants to discuss their concerns with the City
- Encourage the City to speak to the Engineering Department regarding parking on the street

5.0 GENERAL BUSINESS

- a. **Tracking Table**
- b. **Administrative Business**
- c. **Absences From Upcoming Meetings**
Commissioner Boyd – September 5, 2018

6.0 ADJOURNMENT

2018-098 ABBOTT - LINDSAY
That the meeting do now adjourn (8:30 p.m.)

CARRIED 4/0

Original signed by A. Chapil
Amber Chapil
Planning Commission Clerk

Original signed by G. Boyd
Garnet Boyd
Chairperson