

TITLE: BY-LAW NO. 7155 TO AMEND THE ZONING BY-LAW RESPECTING SNOW DISPOSAL SITES APPLICANT: CITY OF BRANDON		
PRESENTER: Robert Zilke, MCIP RPP		Page 1 of 3
DEPARTMENT: Planning, Property & Buildings	ATTACHMENTS: A. Draft by-law	
CLEARANCES: Chief Planner	MEETING DATE: February 1, 2017	
APPROVALS: <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  Jan. 23, 2017 Community Planner Date </div> <div style="text-align: center;">  Jan. 23, 2017 A/Chief Planner Date </div> </div>		

REQUEST:

The City of Brandon is applying to include the following provisions in the Zoning By-law No. 7124 to regulate snow disposal sites:

- Definitions for “Snow disposal facility” and “Water body”
- Minimum buffer distances from a snow disposal facility to any residential or water body
- A reference to the Transportation Association of Canada Design Guidelines for locating and designing a snow disposal facility
- Include “snow disposal facility” in Table 15: Industrial Use Table as a permitted use in the IG Industrial General and IH Industrial Heavy Zone, and as a conditional use in the IR Industrial Restricted Zone

BACKGROUND:

Development Context

Since the closure of the City of Brandon-run snow disposal site at 1825 Victoria Avenue East (i.e. Crystal flats), there has been an increase in private companies storing excess amounts of snow on privately owned sites. This has created several unregulated storage grounds for large quantities of snow throughout the city. These sites are not designed to accommodate the drainage of the excess water from the melt, resulting in some instances in water runoff trespass onto adjacent private and public properties.

ANALYSIS:

The City of Brandon currently does not regulate storage of snow as a principal use. The proposed amendment includes provisions to define the use, restrict it to certain areas, and include provisions to ensure surrounding properties and important ecological features are not adversely impacted.

Consistency with the Development Plan

The Brandon & Area Planning District Development Plan, 2013 (“the *Development Plan*”) does not specifically address snow disposal but focuses on important issues that snow disposal can directly affect such as stormwater/drainage and water quality. Section 12.2.14 of the *Development Plan* encourages mitigation of drainage impact of development and its effect on stormwater drainage systems. Policy 14.2.1 protects water quality from developments or activities that may have detrimental effect on water quality due to sediments or contaminants into waterway or groundwater.

Snow cleared from various types of sites (e.g. parking lots, construction sites, lanes) can contain various types of sediments such as salt, sand and hydrocarbons. When the snow melts, this concentration of sediments stored can runoff onto adjacent sites and negatively affect soil and water quality. Collection of vast quantities of snow and stored in one location can also result in excess water draining onto adjacent sites when the snow melts. This zoning amendment includes protectionist regulations to mitigate negative effects of contaminated snowmelt drainage in relation to water bodies and residential properties.

Consistency with the Zoning By-law

The intention of a zoning by-law is to segregate incompatible land uses from each other and minimize negative effects of one land use to another. The snow disposal amendments ensure that snow disposal is regulated to appropriate areas of the city (i.e. industrial sites) and away from sensitive land uses that are to be protected (i.e. water bodies and residential uses).

Land Use Analysis

The proposed amendments seek to mitigate the negative effects of sites with concentrated snow collection from water bodies and residential areas. The proposed amendment will ensure that snow disposal areas are located within industrial areas away from more sensitive land uses such as residential, recreational and commercial areas.

Commenting Agencies

No comments of concern or objection were received in regards to the proposed amendment.

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 has also been advertised in the Brandon Sun on January 12, 2017 and January 19, 2017.

Public Outreach

As of the writing of this report, the Planning, Property & Buildings Department has not received representation in favour of or in opposition to this application.

RECOMMENDATIONS:

That the Public Hearing regarding By-law No. 7155 (Z-06-16-B) to amend Zoning By-law No. 7124 be concluded.

That the Planning Commission recommend By-law No. 7155 (Z-06-16-B) be approved.