

CITY OF BRANDON PLANNING COMMISSION

REGULAR MEETING

Wednesday, October 18, 2017 - 7:00 p.m.

Council Chambers - City Hall

AGENDA

1.0 Roll Call

2.0 Adoption of Agenda

3.0 Confirmation of Minutes

4.0 Public Hearing

a. CONDITIONAL USE

900 Richmond Avenue East

Owner/Applicant: The City of Brandon

Following receipt of all representation, it is the recommendation of the Planning, Property & Buildings Department:

1. That the Public Hearing for Conditional Use Application C-12-17-B at 900 Richmond Avenue East be concluded.
2. That Conditional Use Application C-12-17-B to allow for the expansion of an automotive service station in the Industrial Restricted (IR) zone be approved at 900 Richmond Avenue East (Lot 1, Plan 2070 BLTO exc Lot 1, Plan 2223 BLTO) in accordance with the intent of the application "Attachment A-1", the letter of intent "Attachment A-2" and the site plan "Attachment B-2", subject to the owner or successor, prior to the issuance of a building permit:
 1. Entering into a development agreement with the City of Brandon subject to the following supplementary conditions:
 - a. The completion of a phase two environmental site assessment on the subject site by a qualified environmental professional within twelve (12) months of the Automotive Service Station being decommissioned;
 - b. The site being remediated to a standard which allows for future development of the lands for uses permitted in the zoning by-law for the site, Remediation to be completed on or before five (5) years from the date the Automotive Service Station is decommissioned and all costs shall be the responsibility of the owner or successor; and
 - c. The site remediation plan to the satisfaction to the General Manager of Development Services or Director of Planning, Property & Buildings. The lands

shall be landscaped and maintained in accordance with the landscape plan until the lands are redeveloped.

b. VARIANCE

140 22nd Street

Owner: Dmytro Lupanchuk

Following receipt of all representation, it is the recommendation of the Planning, Property & Buildings Department:

1. That the Public Hearing for Variance Application V-15-17-B at 140 22nd Street be concluded.
2. That Variance Application V-15-17-B to vary Table 10 of Part III, Division, I, Section 51 of the City of Brandon Zoning By-law No. 7124 to decrease the required side yard projection setback of an accessory building from 0.3 metres to 0.12 metres in the RLD Residential Low Density Zone be approved at 140 22nd Street in accordance with the intent of the application "Attachment A-1", the letter of intent "Attachment A-2" and the site plan "Attachment B-2", subject to the applicant, prior to the issuance of a building permit submitting a letter of support from the owners of 126 22nd Street.

c. VARIANCE & CONDITIONAL USE

2150 Park Avenue

Owner: Mauders R. McNeil & Associates Ltd.

Applicant: Scott Finn

Following receipt of all representation, it is the recommendation of the Planning, Property & Buildings Department:

1. That the combined Public Hearing for Variance Application V-13-17-B and Conditional Use C-14-17-B at 2150 Park Avenue be concluded.
2. That Conditional Use Application C-14-17-B to allow for the expansion of a warehouse use in the Industrial Restricted Zone be approved at 2150 Park Avenue (Lots 1-8, Both Inclusive, Block 36, Plan 720 BLTO) in accordance with the application "Attachment A-1", the letter of intent "Attachment A-2", and the site plan "Attachment B-3".
3. That Variance Application V-13-17-B to allow for decrease of the required corner side yard setback from 4.5 metres to 3 metres, and the required rear yard setback from 3 metres to 1.5 meters in the Industrial Restricted Zone be approved at 2150 Park Avenue (Lots 1-8, Both Inclusive, Block 36, Plan 720 BLTO) in accordance with the application "Attachment A-2", the letter of intent "Attachment A-3", and the site plan "Attachment B-3".

d. CONDITIONAL USE; VARIANCE

2404 Park Avenue

Owner/Applicant: Jacobson & Greiner Inc

Following receipt of all representation, it is the recommendation of the Planning, Property & Buildings Department:

1. That the Combined Public Hearing for Conditional Use Application C-09-17-B and Variance Application V-10-17-B at 2404 Park Avenue be concluded.
2. That Conditional Use Application C-09-17-B to allow for an electronic identification sign in the Industrial Restricted Zone be approved at 2404 Park Avenue (Pt. Lots 1/28, Block 39, SS Plan 720 BLTO) in accordance with the intent of the application "Attachment A-1", the letter of intent "Attachments A-3 and A-4" site plan "Attachment B-3" and elevation plan "Attachment B-2", subject to:
 1. The electronic identification sign shall only display static images lasting at least one (1) minute with instantaneous transitions;
 2. The electronic identification sign shall function only between 7:00am and 11:00pm; and
 3. Prior to the issuance of a building permit for the new electronic sign, removal of the existing electronic sign.
3. That Variance Application V-10-17-B to vary Clause 31 (h)(1) of the Zoning By-law by decreasing the minimum distance separation between an electronic sign and a residential zone boundary from 92.0m to 21.0m, and Subsection 33(d) by increasing the maximum sign surface area of an electronic identification sign from 4.7m² to 11.9m² to install an electronic identification sign in the Industrial Restricted Zone be approved at 2404 Park Avenue (Pt. Lots 1/28, Block 39, SS Plan 720 BLTO) in accordance with the intent of the application "Attachment A-2", the letter of intent "Attachments A-3 and A-4" the site plan "Attachment B-3" and elevation plan "Attachment B-2".

e. CONDITIONAL USE C-13-17-B;

1148 18th Street

Owner: P.R. Hotels Brandon Ltd.

Applicant: Burns Maendel Consulting Engineers Ltd. (BMCE)

Following receipt of all representation, it is the recommendation of the Planning, Property & Buildings Department:

1. That the Public Hearing for Conditional Use Application C-13-17-B at 1148 18th Street be concluded.
2. That Conditional Use Application C-13-17-B to allow for a Planned Unit Development in the Commercial Arterial Zone at 1148 18th Street be approved in accordance with the intent of the application (Attachment A), the letter of intent (Attachments A3 & A4) the site plan (B2) and the following alternative Zoning By-law development standards:
 - Section 29(a) - Allowing required parking spaces to be located off-site on lots 38/42, Block 3, Plan 202;
 - Table 12 – Reducing the minimum front yard setback for a canopy to 0m and building to 7m;

- Table 4 – Reducing the minimum number of required parking spaces from 116 to 114; and
- Table 12 – Increasing the maximum building height from 2.5 storeys or 11m to 6 storeys or 24m;

subject to the owner or successor, prior to the issuance of a building permit:

1. Entering into a development agreement with the City of Brandon subject to the following supplementary conditions:
 - a. The applicant will be responsible to close the existing access located on 18th Street and restore the curb, sidewalk and boulevard to the latest edition of the City of Brandon Standard Construction Specifications.
 - b. The applicant will be responsible to close the existing access located on Aagaard Avenue and restore the curb and boulevard to the latest edition of the City of Brandon Standard Construction Specifications.
 - c. The applicant will be responsible to dedicate the easterly 1m of Lots 11/23, Block 3, Plan 202 BLTO to the City for \$1 for the expansion of the north/south public lane, which will require a Plan of Opening to be completed at their sole cost.
 - d. The applicant agrees to ensure clearances will be maintained as per CSA standards in the 7.1m public lane between 18th and 19th Street. Should any hydro poles located in the lane need to be relocated, all associated costs will be the sole responsibility of applicant.
 - e. The applicant will be responsible to formalize the existing southerly access off 19th Street to the latest edition of the City of Brandon Standard Construction Specifications. The design is subject to review and approval of the City Engineer.
 - f. The applicant will be responsible to construct an additional approach off 19th Street located in the northwest corner of the site. The access is to be constructed to the latest edition of the City of Brandon Standard Construction Specifications. The design is subject to review and approval of the City Engineer.
 - g. The applicant will be responsible to construct all proposed approaches off the public lane as per the approved site plan to the latest edition of the City of Brandon Standard Construction Specifications. The design is subject to review and approval of the City Engineer.
 - h. The applicant will be responsible to resurface the public lane from Aagaard Avenue to the northerly property line. The public lane is to be constructed to the latest edition of the City of Brandon Standard Construction Specifications. The design is subject to review and approval of the City Engineer.
 - i. The applicant will be responsible to construct a speed table/elevated crosswalk; the design of which is to include crosswalk signs, across the north/south public lane located adjacent to the parking lot. The design must comply with the Manual of Uniform Traffic Control Devices for Canadian Standards and is subject to review and approval of the City Engineer.
 - j. The applicant will be responsible to construct a sidewalk along Aagaard Avenue and 19th Street. The sidewalk is to be constructed to the latest edition of the City of Brandon Standard Construction Specifications. The design is subject to review and approval of the City Engineer.
 - k. The applicant acknowledges the site is located in a Zone 3 Methane Site and therefore, agrees to comply with the City of Brandon's Methane Gas Site Policy.

The development of any structure, paved or sealed parking lot or storage area will require, at the expense of the applicant, boring an open hole and testing by a soil technician with the results to be interpreted by a Professional Engineer or a qualified consultant/civil engineering technologist.

- l. The applicant will be responsible to contribute towards fourteen (14) boulevard trees.
- m. The applicant agrees that prior to issuance of a development permit for the subject site, they will submit a landscaping plan that identifies the placement and species type for trees and edge landscaping (i.e. planting beds) in the City boulevard along Aagaard Ave and 19th Street.
- n. The applicant agrees to enter into an Encroachment Agreement with the City of Brandon for the proposed landscape feature and any proposed signs located on the 19th Street City boulevard.
- o. The applicant will be responsible to submit a Detailed Cost Estimate, prepared by their Consulting Engineer for all work proposed within the right-of-way. The cost estimate is subject to review and approval by the City Engineer.
- p. The applicant will be responsible to submit an Irrevocable Letter of Credit totalling 15% of the Detailed Cost Estimate.

And further, that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts.

f. VARIANCE

424 18TH Street North

Owner: Precision Holdings Ltd

Applicant: Ronald Ball

Following receipt of all representation, it is the recommendation of the Planning, Property & Buildings Department:

1. That Variance Application V-12-17-B to vary the City of Brandon Zoning By-law Part III Subsections 69(d)(3&4) to allow a finished grade and first floor elevation below the design level at 424 18th Street (Lot 1, Plan 23069 BLTO) be **referred** to administration to:
 - a. complete best practice research and consult with area landowners and other stakeholders in the diked flood area;
 - b. provide a report to City Council by no later than March 30, 2018 outlining recommended revisions to the floodplain map and the standards for development in the floodplain overlay zone; and
 - c. reschedule the public hearing (following the report to Council) and provide a recommendation based on the revised standards for development in the floodplain overlay zone.

5.0 General Business

- a. Tracking Table
- b. Administrative Business
- c. Absences From Upcoming Meetings

6.0 Adjournment