

MINUTES OF THE PLANNING COMMISSION MEETING HELD APRIL 03, 2013 AT 7:30 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1. ROLL CALL

Commissioners: Leo Boivin
Colleen Anderson
Don Jessiman
Garnet Boyd

Administration: Ryan Nickel
Andrew Mok
Brenda Rosset

2. ADOPTION OF AGENDA

2013-034

Boivin-Jessiman

That the Agenda for the regular meeting of the Planning Commission to be held April 3, 2013 be adopted as presented.

CARRIED 4/0

3. CONFIRMATION OF MINUTES

2013-035

Boyd - Boivin

That the minutes of the regular meeting of the Planning Commission held on March 20, 2013 be adopted as presented.

CARRIED 4/0

4.0 PUBLIC HEARING

a. Bylaw No. 7047 Application to Rezone Z-09-12-B & CONDITIONAL USE C-02-13-B

Property Located at 2405 Victoria Avenue
Parcels A/B & D, Plan 49547 BLTO
Owner/Applicant: 5996067 Manitoba Ltd.

Prior to proceedings, Commissioner Boyd, who is on the Board of Governors for the Brandon University, removed himself due to perceived conflict of interest.

Mr. Mok indicated on behalf of the owner and applicant, 5996067 Manitoba Ltd., is applying to rezone 2405 Victoria Avenue (Parcels A/B & D, Plan 49547 BLTO) from EI Educational and Institutional to CAR Commercial Arterial and RMD Residential Moderate Density Multiple Family; and to allow for a Planned Unit Development in the CAR Commercial Arterial Zone & RMD Residential Moderate Density Multiple Family Zone.

Upon presentation by staff, Commissioner Jessiman requested clarification on the proposed left turning lane on Victoria Ave. Mr. Mok stated based on traffic analysis the left turning lane will minimize the number of cueing vehicles on Victoria Ave. Part of the centre median would be modified to accommodate the left turn. Commissioner Anderson requested clarification on who would pay for the improvement. Mr. Mok stated it will be at the developers cost. Commissioner Boivin inquired regarding bus access from the 25th street entrance. The question was deferred to the applicant. Commissioner Anderson questioned if there was a vehicle connection from the commercial area to the residential area. Mr. Mok clarified there is no vehicular through access. Commissioner Anderson wondered how many times there have been applications

for development on this land. Mr. Nickel stated this is the first rezoning application, although the site had been through a development plan amendment.

Kirk Brugger (owner / applicant) stated that a meeting was held with local residents and stake holders regarding the development. He clarified that the site is designed to allow for bus access and circulation. Commissioner Anderson wondered if housing was strictly for BU students. Mr. Brugger deferred to BU representatives. Commissioner Anderson inquired regarding the status of the proposed uses. Mr. Brugger advised that a letter of intent has been signed with the financial institution.

IN FAVOUR

Angie Doherty (representing Brandon Youth Soccer Association), stated Mr. Brugger is a huge supporter of the community and has allowed them to use the Fleming School site for soccer. He has maintained the current site and has every intention to enhance it. Naydia Ball (Board Member for Westman Dreams for Kids and Chair for Children's Country Fair), stated the Country Fair has been held at the Fleming School site and Mr. Brugger has been very accommodating. Bob Bachinski (Commercial Property Owner in the area), supports Mr. Brugger's development 100%. Rebecca Roozendaal stated she is in support for the proposed daycare. Scott Lamont (Brandon University, stated he is in favour of both the commercial and residential development. He was available for any questions regarding the University's role. Commissioner Jessiman asked for clarification on the daycare usage. Mr. Lamont clarified that both the residential and daycare uses are meant for university students, however extra units or spaces may be offered to residence. Commissioner Boivin asked if the units are strictly rental. Mr. Lamont clarified that at the moment rental was the intended use. Commissioner Boivin wondered if the savings from the donated land is being passed along to the students in their rental fees. Mr. Lamont advised that the rates for the housing project would be determined by the Manitoba Housing Corporation, who would fund the project.

MORE INFORMATION

John Roozandal (rural Brandon resident), wanted to know what the current and future tax revenue is on the property. Mr. Brugger advises he is currently paying \$45,000.00 per year in taxes on the empty lot. Once it is developed the revenue from the front area would be roughly \$200,000.00.

2013-036

Boivin-Jessiman

That the combined Public Hearing regarding By-law No. 7047 to rezone 2405 Victoria Avenue (Parcels A/B & D, Plan 49547 BLTO) from EI Educational and Institutional to CAR Commercial Arterial and RMD Residential Moderate Density Multiple Family and Conditional Use Application C-02-13-B be concluded.

CARRIED 3/0

2013-037

Boivin-Jessiman

That the Planning Commission recommend By-law 7047 be given second reading, and further, that the Planning Commission recommend third reading be held in abeyance pending the execution of a development agreement between the City of Brandon and the owner/successor attached to the report of the Community Planner dated March 22, 2013,

pursuant to Section 150 of The Planning Act.

CARRIED 3/0

Prior to the above motions being voted on, the following comments were made: Commissioner Boivin stated the rezoning to commercial makes sense along an arterial street and the residential plan, with lower density around the edges fits well with the area. Commissioner Anderson stated there is lots of public support and the comprehensive design will fit in well with the surrounding area.

2013-038

Boivin - Jessiman

That Conditional Use Application C-02-13-B to allow for a Planned Unit Development in the CAR Commercial Arterial Zone & RMD Residential Moderate Density Multiple Family Zone be approved at 2405 Victoria Avenue (Parcels A/B & D, Plan 49547 BLTO) in accordance with the intent of the application dated February 12, 2013, the attached letter of intent dated February 8, 2013 and the attached impact study, subject to the following condition:

- a) The subject site is rezoned from EI Educational and Institutional to CAR Commercial Arterial and RMD Residential Moderate Density Multiple Family.

CARRIED 3/0

Prior to the above motions being voted on, the following comments were made: Commissioner Boivin advised the presentation was well done, and it was beneficial how closely Mr. Brugger worked with the community. Commissioner Anderson stated it is a very positive plan and it will be nice to see the land developed.

- b. SUBDIVISION 4500-13-543;
By-Law No. 7056 (Application Z-02-13-B) To Rezone
Property Located at 1660 34th Street
PT. NE¼ 9-10-19 WPM
Owner/Applicant: Waverly Developments Ltd.

Mr. Mok indicated on behalf of the owner/applicant Waverly Developments Ltd. is applying to re-zone 1660 – 34th Street (Pt. NE ¼ 9-10-19 W.P.M.) from DR Development Reserve Zone to RSF Residential Single Family Zone; and to subdivide 1660 – 34th Street to create 34 lots and a public road in the RSF Residential Single Family Zone.

Commissioner Boivin wondered why the whole area would not be re-zoned all at once. Mr. Nickel advised rezoning of a subdivision is tied to development agreements which is tied to improvements and a timeline which determines the speed at which developments go through this process.

Mr. John Burgess, on behalf of owner and applicant, advised they subdivide and rezone according to market demand at the time. Approximately 10 to 12 builders have bought 35 out of 41 lots to date. Commissioner Boivin asked for clarification on the expansion of the Bulrush area. Mr. Burgess advised that will be the third phase of development with the land south of that being reserved for the Brandon School Division. Commissioner Boivin enquired about the lot sizes in the development. Mr. Burgess advised lots generally have 55' frontage.

2013-039 Boivin-Boyd
That the combined Public Hearing regarding By-law No. 7056 to rezone 1660 – 34th Street (Pt. NE ¼ 9-10-19 W.P.M.) from DR Development Reserve Zone to RSF Residential Single Family Zone and Subdivision Application 4500-13-543 at 1660 – 34th Street be concluded.

CARRIED 4/0

2013-040 Boyd - Jessiman
That the Planning Commission recommend By-law 7056 be given second reading, and further, that the Planning Commission recommend third reading be held in abeyance pending the execution of a development agreement between the City of Brandon and the owner/successor attached to the report of the Community Planner dated March 22, 2013, pursuant to Section 150 of The Planning Act.

CARRIED 4/0

2013-041 Boyd - Jessiman
That the Planning Commission recommends Brandon City Council grant approval to subdivide 1660 – 34th Street (Pt. NE ¼ 9-10-19 W.P.M.) to create 34 lots and a public road in the RSF Residential Single Family Zone, subject to the following conditions:

- a) The subject site is rezoned from DR Development Reserve to RSF Residential Single Family; and
- b) The owner or successor provides written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for a Joint Use Easement and Plan of Easements to the satisfaction of Manitoba Hydro, MTS Inc. and Westman Communications Group.

CARRIED 4/0

- c. **CONDITIONAL USE C-01-13-B**
1701 Moreland Avenue
Lot 2, Plan 1809 BLTO
Owner: 6589597 Manitoba Ltd.
Applicant: Chris Kowalchuk

Mr. Mok indicated on behalf of the owner 6589597 Manitoba LTD., and applicant Chris Kowalchuk, is applying for a conditional use to allow a truck and farm implement repair business for a property located at 1701 Moreland Avenue in the CAR Commercial Arterial Zone.

Upon presentation by staff, Commissioner Boivin inquired if the existing sign will remain. Mr. Mok advised the sign will remain. Commissioner Jessiman wondered if there are requirements for curbing and paving. Mr. Mok advised Moreland Avenue is a gravel road, the zoning by-law exempts sites accessed from a gravel road from hardsurfacing.

Dan Burns, on behalf of the applicant was available to answer any questions. Commissioner Anderson inquired if there were any concerns regarding competition with

other trucking companies in the area and if the purchase of the sale depends on this application. Mr. Burns advised it is not a retail type of business therefore competition is not a concern.

2013-042 Jessiman - Boyd
That the Public Hearing for Conditional Use Application C-01-13-B at 1701 Moreland Avenue be concluded.

CARRIED 4/0

2013-043 Jessiman - Boyd
That Conditional Use Application C-01-13-B to a conditional use for truck and farm implement repair business in the CAR Commercial Arterial Zone be approved at 1701 Moreland Avenue (Lot 2, Plan 1809 BLTO) in accordance with the intent of the application dated February 6, 2013, the attached letter of intent dated February 4, 2013 and the attached site plan and elevations.

CARRIED 4/0

Commissioner Boivin stated it is a good location for the business.
Commissioner Anderson stated it is nice to see another business moving into the current empty business site.

5.0 GENERAL BUSINESS

a. Tracking Table

Mr. Nickel advised of an upcoming rezoning/subdivision public hearing for Bulrush Bay as the next phase of the brookwood development. The rezoning for application for 1406 Other upcoming applications include an electronic sign at 620 34th St. and a height variance at 831 Braecrest Drive.

b. Administrative Business

Mr. Nickel advised no further admin business.

c. Absences from the April 17, 2013 meeting

None to report

6.0 ADJOURNMENT

2013-044 Jessiman-Boyd
That the meeting does now adjourn. (8:58 p.m.)

CARRIED 4/0

Original signed by R. Nickel
Ryan Nickel
Acting Sr. Planner

Original signed by C. Coey
Calvin Coey
Chairperson