

MINUTES OF THE PLANNING COMMISSION MEETING HELD JUNE 5, 2013 AT 7:30 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1. ROLL CALL

Commissioners: Calvin Coey
Leo Boivin
Colleen Anderson
Don Jessiman
Garnet Boyd

Administration: Ryan Nickel
Ryan Eidick
Waleed Albakry
Brenda Rosset

2. ADOPTION OF AGENDA

2013-064

Boyd-Anderson

That the Agenda for the regular meeting of the Planning Commission to be held June 5, 2013 be adopted as presented.

CARRIED 5/0

3. CONFIRMATION OF MINUTES

2013-065

Anderson - Jessiman

That the minutes of the regular meeting of the Planning Commission held on May 15, 2013 be adopted as presented.

CARRIED 5/0

4.0 PUBLIC HEARING

a. BY-LAW NO. 7048 TO REZONE

Property Located at 25 26th Street & 1820 Pacific Avenue
Owners: 5326028 Manitoba Ltd. & City of Brandon
Applicant: VBJ Developments

Mr. Eidick indicated on behalf of the applicant VBJ Developments, on behalf of the owners, 5326028 Manitoba Ltd. and the City of Brandon, is applying to re-zone 25 26th Street and the western portion of 1820 Pacific Avenue from RLD Residential Low Density Multiple Family to RMD Residential Moderate Density Multiple Family. This would accommodate the development of multiple apartment buildings totaling one hundred and forty-four (144) dwelling units.

Mr. Eidick advised that one letter of opposition was received from a neighboring industrial property to the east expressing a concern regarding the lack of a buffer between the residential buildings and his property.

Upon presentation by staff, Commissioner Anderson inquired if a fence would be required along the railroad line and what would happen if the City of Brandon decided not to lease the land in the future. Mr. Eidick advised a fence is not required, and the lease agreement would be tied to the development. Commissioner Boyd asked if the developer will be going with Schedule B or C. Mr. Eidick advised both options are being proposed to allow

for flexibility when developing the site. Commissioner Anderson inquired if the development is similar to Driedger Bay. Mr. Nickel advised that the scale of the buildings are similar. Commissioner Boyd inquired how many of the buildings would be four storeys to accommodate 144 units. Mr. Eidick advised the three northern buildings would be four storeys.. Commissioner Boivin asked why vehicle access is not available from 23rd and 24th Street. Mr. Eidick advised they are currently undeveloped local roads, and engineering preferred access from the extension of Pacific Avenue. Commissioner Boivin asked what is underneath the easement of the parking lot. Mr. Eidick advised it is a utility right of way. Commissioner Boivin inquired what the amenity space is for. Mr. Eidick advised an amenity space is either a structure or area designed to facilitate community interaction, if the developer and the City come to an agreement this area will become accessible to all members of the public. Commissioner Boivin asked what the timeline is for the completion of Pacific Avenue from 26th Street eastward. Mr. Eidick advised Pacific Ave would be constructed in 2014.

Steve McMillan (applicant), stated there will be a split between 2 and 3 bedroom units with 2.3 parking spots per unit. A five building setup is being proposed to allow for a bigger buffer from the industrial site to the east. The three northern buildings will be rentals and the two southern buildings will be condos. The amenity space will include walking paths and possibly a play structure. An open house was held with twelve people in attendance, all with positive feedback. The opposing neighbour was concerned about the six building option, but has since stated he is in favour of the five building complex. A six foot opaque wood fence will be built on the east and south sides of the property to buffer the site from the industrial area, and adjacent single detached homes. Commissioner Boyd asked if the 4 story units will be equipped with elevators. Mr. McMillan advised there will be elevators in all buildings. Commissioner Boyd requested clarification on the south buffer measurement between the residents and the parking lot. Mr. McMillan advised there will be ten foot landscaped buffer from the parking, and a 100 foot setback from the buildings. Commissioner Boivin inquired if the parking areas will be paved. Mr. McMillan advised they will. Commissioner Coey asked if there are variances required after the approval. Mr. McMillan advised that variances would be required to increase the building height from three stories to four, reduce required parking, and reduce the minimum rear yard setback for the southern buildings.

MORE INFORMATION

Sandy Trudel (Director of Economic Development), stated she just wanted to confirm support for the buffer from the industrial site to the east should the applicant proceed with the six building option.

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| 2013-066 | <u>Anderson-Boyd</u>
That the Public Hearing regarding By-law No. 7048 (Z-10-12-B) to rezone 25 26th Street and 1820 Pacific Avenue from RLD Residential Low Density Multiple Family to RMD Residential Moderate Density Multiple Family be concluded.
<p style="text-align: right;">CARRIED 5/0</p> |
| 2013-067 | <u>Anderson-Boyd</u>
That the Planning Commission recommend By-law 7048 (Z-10-12-B) be given second reading.
<p style="text-align: right;">CARRIED 5/0</p> |

2013-068

Anderson-Boyd

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 May 29, 2013, pursuant to Section 150 of The Planning Act.

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made: Commissioner Anderson stated it is a good utilization of the site, and the proposal conforms with the urban design standards. Commissioner Boyd stated the five building concept is a good development which allows for additional green space.

b. VARIANCE V-06-13-B

246 Dennis Street

Lots 5/6 & S ½ Lot 7, Block 23, Plan 4 BLTO

Owner: 6228764 Manitoba Ltd.

Applicant: Niall Walsh

Mr. Eidick indicated on behalf of Niall Walsh, who on behalf of the owner, 6228764 Manitoba Ltd., is applying to increase the maximum number of dwelling units from three (3) dwelling units to four (4) dwelling units for a site located at 246 Dennis Street in the RLD Residential Low Density Multiple Family Zone. Mr. Eidick advised one letter of opposition was received stating concerns with the increase in traffic in the neighborhood.

Upon presentation by staff, Commissioner Boivin inquired why there will be upgrades to the rear lane with the increase in traffic. Mr. Eidick advised the laneway meets engineering standards, and that the parking stalls on the site will be paved. Commissioner Boivin inquired if the hydro pole in the parking area interferes with the parking layout. Mr. Eidick advised the pole does not interfere with parking.

Niall Walsh (applicant), stated the development fulfills a need for affordable housing. Units will be sold as bi-level condos. Commissioner Boyd inquired if the pole takes away from one of the parking stalls and if there will be an increase in parking congestion. Mr. Walsh stated Manitoba Hydro has advised they can move the pole if needed. Parking congestion should not be a problem because the units will be sold, not rented.

OPPOSED

Craig Emery – (neighbor) stated he is concerned with increased traffic and garbage in an already congested narrow laneway. Commissioner Boivin asked which side of the street does the garbage get picked up on. Mr. Emery advised it is on the east side. Commissioner Boyd advised parking is also available on Dennis St. Mr. Emery advised people don't like to park on Dennis because of vandalism. Aubry Gibson – (neighbor), stated he is also concerned with the increase in garbage and traffic. Commissioner Boyd stated that the bylaw allows for 3 units and wondered what the major objection was to adding one more unit. Mr. Emery stated it would be one to two more vehicles, and additional garbage. Commissioner Coey asked what time of day Dennis St is most congested. Mr. Gibson advised it is currently a decent level but the development would

add more. Commissioner Anderson inquired if the current house is a rental or private residence. Mr. Gibson clarified it is a private residence.

2013-069

Boyd-Anderson

That the Public Hearing for Variance Application V-06-13-B at 246 Dennis Street be concluded.

CARRIED 5/0

2013-070

Boyd-Anderson

That Variance Application V-06-13-B to increase the maximum number of dwelling units from three (3) dwelling units to four (4) dwelling units in the RLD Residential Low Density Multiple Family Zone be approved at 246 Dennis Street (Lots 5/6 & ½ Lot 7, Block 23, Plan 4 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent dated (A-2) and the attached site plan and elevations (B-2 & B-3), subject to the owner or successor:

- a) prior to issuance of a building permit, providing written confirmation from the Brandon School Division that the applicant has paid \$283.50 as a cash-in-lieu contribution for school reserve purposes; and
- b) prior to the issuance of a building permit, submitting \$309.82 to the City of Brandon Planning & Building Safety Department as a cash-in lieu contribution for public reserve purposes.

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made:

Commissioner Boyd stated the bylaw allows for three dwelling units and does not believe the added unit will add much more to the congestion concerns. Commissioner Anderson stated that the development meets the setbacks and parking requirements. Commissioner Coey stated his initial concern about parking has been answered.

c. VARIANCE V-07-13-B

831 Braecrest Drive

Owner: Braecrest Village Inc.

Applicant: Paul Johnstone

Mr. Albakry indicated on behalf of Paul Johnstone,(applicant) who on behalf of the owner, Braecrest Village Inc., is applying for a variance to reduce the minimum required front yard setback for an accessory building from 7.6m to 4.6m, and reduce the minimum required east and west front yard setbacks for a multi-family dwelling from 6m to 4.9m. These three variances, along with the previously approved height variance would allow for the construction of a 56 multi-family dwelling at 831 Braecrest Drive in the RMD Residential Moderate Density Multiple Family Zone.

Upon presentation by staff, Commissioner Anderson inquired if the city usually requires the numbering of apartment blocks. Mr. Albakry stated the property department has a new internal policy requiring the numbering system. Commissioner Boivin requested clarification on the functional rear yard. Mr. Albakry advised that the site functions so that the land to the north of the building would be the rear yard. Commissioner Boivin inquired where the accessory building is located. Mr. Albakry advised the accessory building contains parking and is located behind the primary building. Commissioner Boyd

inquired if hydro has any concerns regarding utilities in the area. Mr. Albakry advised Manitoba Hydro has no concerns.

Paul Johnstone (applicant), stated there is a difference between the functional and technical orientation of the property. Technically the two east and west side yards are both fronts but do not function that way, Braecrest Drive functions as the front street. An open house was held with 8 residents in attendance and all with positive feedback. Commissioner Boivin requested clarification on the difference between the accessory building and the regular parking lot. Mr. Johnstone stated the main building has underground parking, the accessory building encloses 30 at-grade stalls.

2013-071

Boivin-Jessiman

That the Public Hearing for Variance Application V-07-13-B at 831 Braecrest Drive be concluded.

CARRIED 5/0

2013-072

Boivin-Jessiman

That Variance Application V-07-13-B to reduce the minimum required front yard setback for an accessory building from 7.6m to 4.6m, and reduce the minimum required east and west front yard setbacks for a multi-family dwelling from 6m to 4.9m be approved at 831 Braecrest Drive (Lot 2, Plan 46323 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3 & A-4) and the attached site plan and elevations (B-2, B-3 & B-4).

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made:
Commissioner Boivin stated the development is well designed and located.
Commissioner Anderson stated it is a good development and meets the urban design standards and guidelines.

d. VARIANCE V-08-13-B

1212 18th Street & 1204 18th Street

Owner: Vanguard Credit Union Ltd. & 3694519 Manitoba Ltd.

Applicant: Vanguard Credit Union Ltd.

Mr. Albakry indicated on behalf of the owner, Vanguard Credit Union Ltd. and 3694519 Manitoba Ltd., is applying for a variance to reduce the minimum required number of parking spaces from 173 parking spaces to 166 parking spaces for the properties located at 1212 18th Street & 1204 18th Street (Lot 32, block 9, Plan 148 BLTO) in the CAR Commercial Arterial zone.

Upon presentation by staff, Commissioner Boyd requested clarification on which business the second parking survey is based on. Mr. Albakry deferred the question to the applicant. Commissioner Boyd asked how many parking spaces are being lost by putting the trees in the area. Mr. Albakry advised it is a required buffer and no parking spaces will be lost.

Darwin Johns (applicant), confirmed that both surveys included all businesses on the property, and the second part of the survey is the weekend hours of operation.

Commissioner Coey inquired as to when the data was collected. Mr. Johns advised it was collected over peak periods during six weeks, from December to January.

2013-073 Boyd-Anderson
That the Public Hearing for Variance Application V-08-13-B at 1212 18th Street & 1204 18th Street be concluded.

CARRIED 5/0

2013-074 Boyd-Anderson
That Variance Application V-08-13-B to reduce the minimum required number of parking spaces from 173 parking spaces to 166 parking spaces for the properties located at 1212 18th Street & 1204 18th Street be approved at 1212 18th Street & 1204 18th Street (Lot 32, block 9, Plan 148 BLTO) in accordance with the intent of the application (A1), the attached letter of intent (A3 &A4) and the attached site plan (B2).

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made: Commissioner Boyd stated his concerns about the survey numbers had been addressed. Commissioner Anderson stated there are sufficient parking spaces to accommodate the parking variance as the existing businesses have different peak hours. Commissioner Boivin stated there are sufficient parking spaces in accordance with the survey presented. Commissioner Coey stated the data supports the application.

e. **CONDITIONAL USE C-05-13-B**

101- 2 Driedger Bay
Lot 1, Plan 47178 BLTO
Owner: 5853461 Manitoba Ltd.
Applicant: Brandon Support Services

Mr. Albakry indicated on behalf of Brandon Support Services, who on behalf of the owner, 5853461 Manitoba Ltd., is applying for a conditional use to allow for Special Needs Housing for four (4) individuals for the property located at 2 Driedger Bay in the RMD Residential Moderate Density Multiple Family Zone.

Upon presentation by staff, Commissioner Boivin requested clarification on why 104 is not mentioned in the recommendations. Mr. Nickel advised the recommendation states 2 Driedger Bay which means the approval is for the entire building.

Cathy Critchlow (applicant and employee for Brandon Support Services), stated it is very hard to get housing for special needs approved. This is one of the best buildings in Brandon.

2013-075 Jessiman-Boyd
That the Public Hearing for Conditional Use Application C-05-13-B at 101- 2 Driedger Bay be concluded.

CARRIED 5/0

2013-076 Jessiman-Boyd
That Conditional Use Application C-05-13-B to allow for Special Needs Housing for four (4) individuals in the RMD Residential Moderate Density Multiple Family Zone be

approved at 2 Driedger Bay (Lot 1, Plan 47178 BLTO) in accordance with the intent of the application (A-1) and the attached letter of intent (A-3).

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made: Commissioner Jessiman stated the special needs housing is fulfilling a need. Commissioner Boyd stated he is happy to see housing to accommodate all demographics within the City.

f. SUBDIVISION 4500-13-545

By-Law No. 7058 (Application Z-03-13-B) To Rezone

Property Located at 1660 34th Street

PT. NE¼ 9-10-19 WPM

Owner/Applicant: Waverly Developments Ltd.

Mr. Albakry indicated on behalf of Waverly Developments Ltd., owner and applicant, is applying for the following:

- 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 nineteen (19) lots and a public road in the RSF Residential Single Family Zone.

These applications will allow for the continued development of the Brookwood Park neighbourhood.

Upon presentation by staff, Commissioner Boyd requested clarification if the re-zoning should read 7056 or 7058. Mr. Nickel clarified it is an error and should read 7058.

John Burgess (applicant), stated the subdivision has nineteen lots for single family dwellings and will likely be done around the same time as Goldenrod. There are seven builders building in the area and all but two lots are sold. Commissioner Boyd requested clarification in the difference of lot numbers from the January application which stated 14 lots and the proposal which now reads 19. Mr. Burgess could not clarify but stated it should be 19.

MORE INFORMATION

Sara Glennie (area resident), stated that when she has concerns with impeded views, and noise/dust generated from the development. She requested clarification regarding the timeline and phasing of development. Mr. Nickel advised that the development is nearing completion and negotiations are underway to include the school site within the secondary plan to the south. Commissioner Boivin inquired if she knew if the area was in a concept stage when she purchased the property. Ms. Glennie stated she did not.

2013-077

Boivin-Anderson

That the combined Public Hearing to rezone and subdivide 1660 – 34th Street be concluded.

CARRIED 5/0

2013-078

Boivin-Anderson

That the Planning Commission recommend By-law 7058 be given second and third reading.

CARRIED 5/0

2013-079

Boivin-Anderson

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 19 lots and a public road in the RSF Residential Single Family Zone, subject to the following conditions:

1. The subject site is rezoned from DR Development Reserve to RSF Residential Single Family; and
2. the owner or successor:
 - a. entering into a development agreement with the City of Brandon as attached to the report by the Community Planner dated June 5, 2013; and
 - b. providing 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 5/0

Prior to the above motion being voted on, the following comments were made: Commissioner Boivin stated that continued development of the site is important to the City of Brandon. Commissioner Anderson stated that the rezoning will allow for residential development which is consistent with existing and future development in the area. Commissioner Boyd stated Bullrush Bay is a good fit within the area. Commissioner Coey stated the commission needs to support growth within the City.

5.0 GENERAL BUSINESS

a. Tracking Table

Mr. Nickel advised of 2 upcoming applications; a Conditional Use at 335 18th St, and a Subdivision/Rezoning in Island Park.

b. Administrative Business

Ms. Louisa Garbo advised that the second Conflict of Interest session will be facilitated by administration on July 3rd. If the Commissioners have any questions or concerns they can be emailed to either herself or Ryan.

c. Absences from the June 19, 2013 meeting

None to report

6.0

ADJOURNMENT

2013-080

Boyd-Boivin

That the meeting does now adjourn. (10:03 p.m.)

CARRIED 5/0

Original signed by R. Nickel

Ryan Nickel
Acting Sr. Planner

Original signed by C. Coey

Calvin Coey
Chairperson