

MINUTES OF THE PLANNING COMMISSION MEETING HELD AUGUST 6, 2014 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1 ROLL CALL

Commissioners: Calvin Coey
Colleen Anderson
Leo Boivin
Garnet Boyd
Andrew Sieklicki

Administration: Ryan Nickel
Waleed Albakry
Brenda Rosset

2. ADOPTION OF AGENDA

2014-107

Anderson-Boyd

That the Agenda for the regular meeting of the Planning Commission to be held August 6, 2014 be adopted as presented.

CARRIED 5/0

3. CONFIRMATION OF MINUTES

2014-108

Boyd-Anderson

That the minutes of the regular meeting of the Planning Commission held on July 16, 2014 be adopted as presented.

CARRIED 5/0

4.0 PUBLIC HEARING

a. EXTENSION—CONDITIONAL USE

925 49th Street East

Owner: 44657 Manitoba Ltd.

Applicant: 44657 Manitoba Ltd.

Waleed Albakry indicated that the applicant, 44657 Manitoba Limited is requesting an extension to Conditional Use Order C-06-13-B to allow for an agricultural chemical storage facility for a property located at 925 49th Street East in the MH Industrial Heavy Zone.

2014-109

Anderson-Boyd

That the approval deadline of Conditional Use Order C-06-13-B be extended to July 9th, 2015.

FOR

AGAINST

ABSTAIN

Commissioner Coey
Commissioner Anderson
Commissioner Boivin
Commissioner Boyd
Commissioner Sieklicki

Prior to the above motion being voted on, the following comments were made:
Commissioners stated that the extension request was justified as approval from the railway is required prior to proceeding with development.

b.

VARIANCE

1035 10th Street

Owner & Applicant: Robert & Candace Chandler

Waleed Albakry indicated that Robert & Candace Chandler, owner and applicant, is applying for a density variance to increase the maximum number of dwelling units from two (2) to three (3) for a property located at 1035 10th Street (Lot 21/22, Plan 388 BLTO) in the RLD Residential Low Density Multiple Family Zone. Approval of this application will allow for the development of a one-storey 3-plex.

Commissioner Anderson excused herself from the proceedings due to a potential conflict.

Robert Chandler (owner & applicant), stated the house was initially purchased as a revenue property, however the condition of the home required it to be demolished. The surrounding neighbours were consulted regarding the development, with one resident stating a preference to ownership instead of rentals.

Upon presentation by staff, Commissioners inquired about which side of the street the garbage is picked up on.

2014-110

Boivin-Boyd

That the Public Hearing for Variance Application V-12-14-B at 1035 10th Street be concluded.

CARRIED 4/0

2014-111

Boivin-Boyd

That Variance Application V-12-14-B to increase the maximum number of dwelling units from two (2) to three (3) in the RLD Residential Low Density Multiple Family Zone be approved at 1035 10th Street (Lot 21/22, Plan 388 BLTO) in accordance with the intent of the application "Schedule A- 1", the attached letter of intent "Schedule A- 2" and the

attached site plan “Schedule B- 2” and elevation plan “Schedule B- 4 & B - 5”, subject to owner or successor:

- a. prior to the issuance of a building permit, submitting \$ 247.34 to the City of Brandon Planning & Building Safety Department as a cash-in lieu contribution for public reserve purposes; and
- b. prior to the issuance of a building permit, submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$ 283.50 as a cash-in lieu contribution for school purposes.

FOR

Commissioner Coey
Commissioner Boivin
Commissioner Boyd
Commissioner Sieklicki

AGAINST

ABSTAIN

Prior to the above motion being voted on, Commissioners stated the development meets all standards in the zoning bylaw and would be an improvement to the community.

Commissioner Anderson returned to the meeting.

c. SUBDIVISIONS 4500-14-578 & 4500-14-579; BY-LAW NO. 7097 TO REZONE

Property Located at 1660 34th Street

Owner/Applicant: John Burgess

Waleed Albakry indicated that Waverly Developments Ltd. is applying for the following applications on a property located at 1660 – 34th Street (Pt. NE ¼ 9-10-19 W.P.M.):

- To rezone the subject site from DR Development Reserve to RSF Residential Single Family and OS Open Space zoning districts;
- To subdivide portion of the subject site to create twenty-five (25) lots and a public road (Meadow Drive); and
- To subdivide another portion of the subject site to create forty-six (46) lots, a public road (Fieldstone Crescent) and lands for public reserve.

Approval of the rezoning and subdivision applications will allow for the continued development of the Brookwood Park neighbourhood.

Upon presentation by staff, Commissioners inquired regarding the use and design of the buffer.

John Burgess (applicant), stated the property is west of 34th Street. The proposal is for single family dwellings similar to the Brookwood development. The pathway will either be on the east or west side of 34th Street. The school site has been moved to the quarter section south of the proposed development at the request of the Brandon School Division. The street names will have environmental themes as approved by the city.

Commissioner’s inquired about the direction of the drainage.

OPPOSITION

Susan Chapman (area resident), stated she bought her property with the information that there would be a school and green space behind her residence and is disappointed that the school site has been moved. She stated there was very little detail in the notice that was mailed out.

INFORMATION

Dr. Talaat Wahbu Hanna, (area resident), stated he has concerns regarding the school location and that there is no church for the Egyptian community. He inquired if there will be a park in the area.

2014-112

Anderson - Seiklicki

That the Combined Public Hearing regarding By-law No. 7097 (Z-05-14-B) to rezone 1660 – 34th Street (Pt. NE¼ 9-10-19 WPM) from DR Development Reserve Zone to RSF Residential Single Family Zone and OS Open Space Zone, and subdivision applications 4500-14-578 & 4500-14-579, be concluded.

CARRIED 5/0

2014-113

Anderson - Seiklicki

That the Planning Commission recommend By-law 7097 (Z-05-14-B) be approved.

FOR

AGAINST

ABSTAIN

Commissioner Coey
Commissioner Anderson
Commissioner Boivin
Commissioner Boyd
Commissioner Sieklicki

2014-114

Boyd -Seiklicki

That the Planning Commission recommend the application to subdivide (4500-14-578) 1660 – 34th Street (Pt. NE¼ 9-10-19 WPM), Phase 3, Stage 5, to create 25 lots and a public road in the DR Development Reserve Zone be approved, subject to:

1. the subject site being successfully rezoned from DR Development Reserve to RSF Residential Single Family Zone ; and
2. the owner or successor
 - a. entering into a development agreement with the City of Brandon;
 - b. submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$\$7,087.50 as a cash-in lieu contribution for school purposes; and
 - c. submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Inc. and Westman Communications Group.

FOR

Commissioner Coey
Commissioner Anderson
Commissioner Boivin
Commissioner Boyd
Commissioner Sieklicki

AGAINST

ABSTAIN

Prior to the above motion being voted on, Commissioners stated the proposal complies with the development plan and plan for the area.

2014-115

Seiklicki - Anderson

That the Planning Commission recommend the application to subdivide (4500-14-579) 1660 – 34th Street (Pt. NE¼ 9-10-19 WPM), Phase 3, Stage 6, to create 46 lots, a public road, and lands for public reserve in the DR Development Reserve Zone be approved, subject to:

1. the subject site being successfully rezoned from DR Development Reserve to RSF Residential Single Family Zone and OS Open Space Zone; and
2. the owner or successor
 - a. entering into a development agreement with the City of Brandon;
 - b. submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$13,041.00 as a cash-in lieu contribution for school purposes; and
 - c. submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, MTS Inc. and Westman Communications Group.

FOR

Commissioner Coey
Commissioner Anderson
Commissioner Boivin
Commissioner Boyd
Commissioner Sieklicki

AGAINST

ABSTAIN

d.

VARIANCE

Parcel Q, Plan 55363 BLTO

Owner: Vanguard Credit Union Ltd.

Applicant: Tracey Street Developments Ltd.

Waleed Albakry indicated that Tracey Street Developments Ltd., on behalf of the owner, Vanguard Credit Union Ltd., is applying for a variance to reduce the size of the property from the minimum site area of 232m² to 209m² and to reduce the minimum site width from 7.6m to 6.2m. The property is identified as Parcel Q, (Plan 55363 BLTO), which is the second phase of the South Grove Estates subdivision, zoned RMD Residential Moderate Density Multiple Family. Approval of this variance along with the concurrent

subdivision application will allow for the development of 14 bare-land condominium townhouses.

Upon presentation by staff, Commissioners inquired about the distance between dwellings, the location of the fence to the east of the development, the public outreach completed by the applicant, the history of the property and the shortage of greenspace within the development and in the neighbourhood.

Steve McMillan (on behalf of Tracey Street Developments) stated the application is for a variance on the inner units to narrow the minimum required lot width. Public consultation prior to the hearing included discussions with the condo board as well as the management company. He addressed the concerns that were stated in the letters of objection.

Commissioners inquired regarding the location of public reserve, drainage in the area and lighting on the common road.

OPPOSITION

Kathie King (area resident) voiced concerns regarding the variance having a negative impact on the existing property and homes, parking, drainage and noise. A picture was submitted to demonstrate the homeowners lack of privacy.

Commissioners asked about the proximity of the existing residents to the development, and if the presenter was aware of the adjacent property's zoning when she purchased her dwelling.

Maurice Koschinsky (area resident), voiced concerns regarding the shortage of information, the lack of privacy and drainage. He stated that a City of Brandon engineer had also voiced concerns regarding the drainage and elevations when visiting his property. He inquired how the volume of water is calculated and if the engineered plans are stamped.

Commissioners inquired if it would be helpful if there was no guest parking along the north/south street.

Commissioner Sieklicki asked administration if anyone from the engineering department could address the presenter's concerns.

Gail Carrol (area resident), voiced concerns over the lack of information, and if possible, the drainage plan for the area should be made available to all concerned parties.

INFORMATION

Gary Smart (area resident), inquired if a speed limit will be posted or if there will be speed bumps, and if there will be a fence constructed on top of the berm.

2014-116

Boyd - Boivin

That the Public Hearing for Variance Application V-11-14-B (Parcel Q, Plan 55363) be concluded.

CARRIED 5/0

2014-117

Boyd-Boivin

That Variance Application V-11-14-B to reduce the minimum site area from 232m² to 209m² and to reduce the minimum site width from 7.6m to 6.2m be approved at (Parcel Q, Plan 55363) in accordance with the intent of the application "Schedule A-1", the attached letter of intent "Schedule A-3 & A-4" and the attached site plan "Schedule B - 3" and elevation plan "Schedule B -5 & B -6", subject to:

- a. The subdivision as shown on the attached site plan being registered with the Brandon Land Titles Office.

FOR

Commissioner Coey
Commissioner Anderson
Commissioner Boivin
Commissioner Boyd

AGAINST

Commissioner Sieklicki

ABSTAIN

Prior to the above motion being voted on, Commissioners stated the area is similar to the existing development to the west and that the developer has demonstrated they are willing to work with the existing residents.. Commissioner Sieklicki voiced concerns with the increased density and insufficient information on drainage in the area.

5.0 GENERAL BUSINESS

a. Tracking Table

Mr. Nickel advised of one item on August 20 which is the next phase of Oakridge Estates Neighbourhood.

b. Administrative Business

Mr. Nickel requested that Commissioners review changes to the Planning Commission By-law.

c. Absences from upcoming meetings

6.0 **ADJOURNMENT**
2014-118 Anderson-Sieklicki

That the meeting does now adjourn. (9:25 p.m.)

CARRIED 5/0

Original signed by Ryan Nickel
Ryan Nickel
Acting Principal Planner

Original signed by Calvin Coey
Calvin Coey
Chairperson