

**MINUTES OF THE PLANNING COMMISSION MEETING HELD SEPTEMBER 7, 2016 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**1 ROLL CALL**

Commissioners: Corinne Robinson  
Jack Lindsay  
Andrew Sieklicki  
Mary Jo Abbott  
Garnet Boyd

Administration: Ryan Nickel  
Sam van Huizen  
Brenda Rosset

**2. ADOPTION OF AGENDA**

2016-067

Lindsay-Abbott

That the Agenda for the regular meeting of the Planning Commission to be held September 7, 2016 be adopted as presented.

CARRIED 5/0

**3. CONFIRMATION OF MINUTES**

2016-068

Sieklicki-Robinson

That the minutes of the regular meeting of the Planning Commission held on August 17, 2016 be adopted as presented.

CARRIED 5/0

**4.0 PUBLIC HEARING**

**a. Conditional Use/Variance**

308 Kirkcaldy Drive

Owner/Applicant: Jim Kauk

Mr. van Huizen indicated that the property owner, Jim Kauk, is applying to allow for the establishment of a duplex dwelling on a property located at 308 Kirkcaldy Drive (Lot 3, Block 12, Plan 1701 BLTO) in the RSD Residential Single Detached Zone. In conjunction with the conditional use application, the owner is requesting two (2) variances:

1. To vary Part III, Division VII, Clause 69.(d)(3) to allow a first floor elevation below the design flood level. The required first floor elevation be 361.4 meters (.6m above the design flood level) and the applicant is proposing a first floor level of 360.4 meters; and
2. To vary Part III, Division VII, Clause 69.(d)(4) to allow a finished grade elevation below the design flood level. The required finished grade

elevation is 361.1 meters (.3m above the design flood level) and the applicant is proposing a finished grade elevation of 360.1 meters.

Approval of this application will allow for the construction of a duplex dwelling. A subdivision application is running concurrently with the variance requests to provide individual titles to each unit.

Upon presentation by staff, Commissioners asked if safety considerations were being put secondary to design consideration, requirements for a save harmless agreement, and insurance in a floodplain area.

Jim Kauk (owner/applicant), was in attendance to answer any questions. Commissioners asked if a preliminary grading plan was done, could the applicant build at a higher elevation, did the applicant canvass the area himself, and what is the square footage and design of the residence.

**IN OPPOSITION**

Paul Moore (area resident), stated his concerns with the development, including on street parking, and pedestrian and vehicle movement

2016-069

Sieklicki-Robinson

That the Public Hearing for the following applications V-16-16-B and C-08-16-B at 308 Kirkcaldy Drive be concluded.

CARRIED 5/0

2016-070

Robinson-Sieklicki

That Conditional Use Application C-08-16-B to allow a duplex dwelling in the RSD zone be approved at 308 Kirkcaldy Drive in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and the attached site plan "Attachment B-2", subject to the owner or successor prior to the issuance of a building permit:

Submitting written confirmation to the City of Brandon that the Brandon School Division has received a cash-in-lieu contribution for school purposes; and

Submitting \$401.50 to the City of Brandon Planning & Building Safety Department as a cash-in-lieu contribution for public reserve purposes.

CARRIED 5/0

**FOR**

Commissioner Lindsay  
Commissioner Robinson  
Commissioner Sieklicki  
Commissioner Abbott  
Commissioner Boyd

**AGAINST**

**ABSTAIN**

Prior to the above motion being voted on, the following comments were made: Commissioners do not believe a duplex will be detrimental to the area and the request is

consistent with the desire to increase density. Concerns were raised with how the project was presented to neighbours as owner-occupied as this provision is not within the purview of the planning commission.

2016-071

Sieklicki-Abbott

That Variance Application V-16-16-B to vary Part III, Division VII, Clause 69.(d)(3) to allow a first floor elevation below the design flood level; and to vary Part III, Division VII, Clause 69.(d)(4) to allow a finished grade elevation below the design flood level be approved at 308 Kirkcaldy Drive in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and the attached site plan "Attachment B-2", subject to the owner or successor prior to the issuance of a building permit:

- a. Signing a Save Harmless Agreement with the City of Brandon.

Defeated 1/4  
Application Rejected

FOR

Commissioner Sieklicki

AGAINST

Commissioner Lindsay  
Commissioner Boyd  
Commissioner Abbot  
Commissioner Robinson

ABSTAIN

Prior to the above motion being voted on, the following comments were made: Commissioners believe the flood plain overlay should be enforced as it establishes a long term vision on how the area should transition, and the proposed development could be designed to meet the flood elevation standards established in the zoning by-law.

**5.0 GENERAL BUSINESS**

- a. **Tracking Table**  
Mr. Nickel spoke about upcoming applications.
- b. **Administrative Business**
- c. **Absences From Upcoming Meetings**

**6.0 ADJOURNMENT**

2016-072

Lindsay - Sieklicki

That the meeting does now adjourn. (7:40 p.m.)

CARRIED 5/0

Original signed by R. Nickel  
**Ryan Nickel**  
Principal Planner

Original signed by G. Boyd  
**Garnet Boyd**  
Chairperson