

**CITY OF BRANDON PLANNING COMMISSION**

***REGULAR MEETING***

**Wednesday, September 5, 2018 - 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. **Variance Application**  
**330 Rosser Avenue East**  
**Owner: David Taylor**  
**Applicant: David Taylor**

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

1. That the Public Hearing for Variance Application (V-13-18-B) at 330 Rosser Avenue East (Lots 25/26, Block 27, Plan 4 BLTO) be concluded.
2. That Variance Application (V-13-18-B) to vary Table 10 of the Zoning By-law by nullifying Note 21 (which restricts the height of an accessory building to not exceed the height of the principle building) to allow for the construction of a detached garage in the Residential Low Density (RLD) Zone be approved at 330 Rosser Avenue East (Lots 25/26, Block 27, Plan 4 BLTO) 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".

- b. **Variance**  
**2227 Brandon Avenue**  
**Owner: Child and Family Services of Western Manitoba**  
**Applicant: Jack Van Mulligen**

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

1. That the Public Hearing for Variance Application (V-14-18-B) at 2227 Brandon Avenue (Lot 11, Plan 1495 BLTO) be concluded.
2. That Variance Application (V-14-18-B) to vary Section 24, Table 1 of the Zoning By-law by increasing the maximum permitted front yard fence height from 1.2m to 1.8m in the Residential Low Density (RLD) Zone be approved at 2227 Brandon Avenue (Lot 11, Plan 1495 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".

- c. **By-law No. 7209**  
**East Brandon Industrial Area Secondary Plan**

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

1. That the Public Hearing for the East Brandon Industrial Area Secondary Plan By-law No. 7209 be concluded.
2. That the Planning Commission recommend City Council approve the East Brandon Industrial Area Secondary Plan By-law No. 7209, subject to the following amendments:
  - i. Deleting Section 1.6 – Cultural Heritages Sites/Archaeological Artifacts in its entirety and substitute therefor:

Cultural Heritage Sites/Archaeological Artifacts: There are several recorded heritage sites in the plan area. Should cultural heritage sites or archaeological artifacts be identified within the Secondary Plan area, The Heritage Resources Act and Section 17.0 of the Development Plan shall take precedence over this Secondary Plan.
  - ii. Revising Subsection 4.1.1 by replacing "undivided expressway" with "primary arterial limited access highway".
  - iii. Deleting Subsection 4.1.2 – Access Management in its entirety and substitute therefor:

To minimize traffic congestion and potential traffic hazards, direct access to PTH 110 is not recommended. All developments should utilize an internal road network. Development of new accesses on arterial streets (Victoria, Richmond, and Patricia Avenues East) should be appropriately separated from roadway intersections to minimize traffic hazards.

- iv. Deleting Subsection 5.1.2 (i) – Municipal Sewer Service in its entirety and substitute therefor:

New developments will be required to connect to the municipal system at the time of development. In such cases, developments which have minimal requirements for wastewater disposal may be serviced by small-scale on-site wastewater management systems (OWMS), subject to any required provincial approvals.

- v. Deleting Section Subsection 5.2.2 – Stormwater Drainage Study/Plan in its entirety and substitute therefor:

To identify potential impacts on the municipal system and surrounding properties, the City will require a drainage study, prepared by a professional engineer and submitted for review and acceptance, and mandate that drainage plans be submitted for developments within all areas. To reduce loading on the stormwater infrastructure, drainage plans are encouraged to use approved practices and measures that involve the retention/detention and absorption of runoff.

- vi. Deleting Section Subsection 5.3.2(i) – Municipal Water Service in its entirety and substitute therefor:

New developments will be required to connect to the municipal system at the time of development.

- vii. Deleting Section Subsection 5.5.2 – Telecommunications Services in its entirety and substitute therefor:

Telecommunications services will be provided within the EBIA as determined by the utilities in response to the requirements of individual businesses. Phone, internet and cable service to the EBIA is currently provided by Bell-MTS and Westman Communications. In addition, Shaw's transcontinental fibre optic line runs along the north side of the CP main line, and the City of Brandon has an existing fibre line to the north of Victoria Avenue. The EBIA is served by both overhead line and fibre optic as conceptually illustrated in Reference Map #3: Telecommunications.

- viii. Deleting Section Subsection 5.5.3 – Electrical Service in its entirety and substitute therefor:

Electrical services will be provided within the EBIA as determined by the utility in response to the requirements of individual business. Within the FS-A designations, electrical service will be provided as a standard industrial service to new development. Electrical utility distribution and servicing for development within the other designations will be coordinated by the utility provider at the request of the developer. Electrical service is currently provided by Manitoba Hydro. Existing local electrical distribution lines within the EBIA major road rights-of-way are conceptually illustrated in Reference Map #5: Electrical Service.

- ix. Deleting Figure 5: Conceptual Roads & Servicing in its entirety and substitute with a new figure changing the direction of wastewater flows in the FS-A west servicing area and Identifying a lift station at 1<sup>st</sup> Street and Patricia Avenue with a forcemain connection.

d. **By-law No. 7212 Zoning By-law Updates**  
**By-law No. 7216; Rezoning 609 – 39<sup>th</sup> Street**

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

1. That the Public Hearing for By-law No. 7212 and By-law No. 7216 be concluded.
2. That the Planning Commission recommend City Council approve By-law No. 7212 (Z-03-18-B) to incorporate general updates to Zoning By-law No. 7124, subject to the following amendments:

- i. Deleting Subsection Deleting Subsection 2(l) of By-law No. 7212 in its entirety and substituting therefor:

2. (l) **Delete section 32 in its entirety and substitute therefor:**

**“32. ELECTRONIC SIGNS**

- (a) **Clause 31(h)(1) and subsections 33(b) and 33(d) shall not apply to electronic identification sign components displaying only fuel prices on the site of an automotive service station or only time and temperature.**
- (b) **Where an electronic sign except for an electronic identification sign component described in subsection 32(a) is installed on a site, no bulletin board sign, mobile sign or sandwich board sign shall be permitted on the site.**
- (c) **An electronic sign shall be equipped with automatic dimming technology that automatically adjusts the sign’s brightness in**

direct correlation with ambient light conditions so that the electronic sign is not a nuisance or safety issue as determined by the Director.

- (d) An electronic sign may be single-sided or double-sided.
- (e) All electronic signs shall comply with the latest edition of Transportation Association of Canada’s “Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines”, subject to the approval of the City Engineer.”

ii. Deleting Subsection 3(b) of By-law No. 7212 in its entirety and substituting therefor:

**3. (b) Delete Table 10 under Section 51 in its entirety and substitute therefor:**

TABLE 10: RESIDENTIAL BULK AND SITING REQUIREMENTS <sup>(1)</sup>												
Permitted and conditional uses	Minimum									Maximum		
	Site area (m <sup>2</sup> )	Site width (m)	Front yard (m) <sup>(2)(3)</sup>	Side yard (m) <sup>(3)</sup>		Rear yard (m) <sup>(3)</sup>		Dwelling unit area (m <sup>2</sup> ) <sup>(4)</sup>	Distance from principal building (m)	Height <sup>(5)</sup>		Density (units/ha)
				Interior	Corner	Lane	No lane			Height (m)	Storeys	
Detached dwellings in RLL Zone	4,048.0 <sup>(6)</sup>	22.8	7.6	4.6	4.6	9.1	9.1	75.0 <sup>(7)</sup>	N/A	11	2.5	N/A
Detached dwellings in RSD Zone	273.0	9.1	6.0 <sup>(8)</sup>	1.2 <sup>(9)</sup>	3.0 <sup>(10)</sup>	7.6	7.6 <sup>(11)</sup>	75.0 <sup>(7)</sup>	N/A	11	2.5	N/A
Detached dwellings in all other zones	232.0	7.6	6.0 <sup>(8)</sup>	1.2 <sup>(9)</sup>	3.0 <sup>(10)</sup>	7.6	7.6 <sup>(11)</sup>	75.0 <sup>(7)</sup>	N/A	11	2.5	N/A
Dwellings on separate titles with common party walls	232.0	7.6	6.0 <sup>(8)</sup>	1.2 <sup>(9)(12)</sup>	3.0 <sup>(10)</sup>	7.6	7.6 <sup>(11)(12)</sup>	75.0	N/A	11	2.5	N/A
All other RLL Zone uses	4,048.0 <sup>(6)</sup>	22.8	7.6	4.6	4.6	9.1	9.1	75.0	N/A	11	2.5	N/A
All other RSD Zone uses	273.0	9.1	6.0	1.2 <sup>(9)</sup>	3.0 <sup>(10)</sup>	7.6	7.6	75.0	N/A	11	2.5	N/A
All other RLD Zone uses	232.0	7.6	6.0	1.2 <sup>(9)</sup>	3.0 <sup>(10)</sup>	7.6	7.6	18.0	N/A	11	2.5	N/A
All other RMD Zone uses	670.0	18.2	6.0	3.0 <sup>(13)</sup>	3.0 <sup>(10)</sup>	7.6	7.6	18.0	N/A	14.0 <sup>(14)</sup>	3.0 <sup>(14)</sup>	86.0
All other RHD Zone uses	930.0	30.4	6.0	4.6	4.6	4.6	6.0 <sup>(15)</sup>	18.0	N/A	43.0	12.0	148.0
Mobile/modular homes in RMH Zones with separate titles	372.0	12.1	4.5	1.2	3.0 <sup>(10)</sup>	4.5	4.5 <sup>(16)</sup>	N/A	N/A	5.5	1.5	N/A
Accessory Uses	N/A	N/A	7.6	1.2 <sup>(12)(17)(18)</sup>	3.0 <sup>(19)(20)</sup>	1.5 <sup>(21)</sup>	0.6 <sup>(20)</sup>	N/A	1.2	4.0 <sup>(22)</sup>	N/A	N/A

Notes to Table 10:

- (1) The maximum site coverage of all buildings, including garages and other accessory buildings, is 60%.
- (2) For any portion of the principal building that is not a garage or carport, the required front yard may be reduced by up to 25% of the average front yards of buildings on the adjacent sites, but shall be no less than 4.6m.
- (3) For group buildings located on one site, see subsection 22(b).
- (4) Where permitted, the cumulative area of the sleeping rooms for a boarding house shall be limited to a maximum of 50% of the gross floor area of the dwelling.
- (5) The maximum building height shall be the lesser of either metres or storeys.
- (6) Or as required by provincial regulations for private sewage disposal systems, whichever is greater.
- (7) Floor area exclusive of basements, cellars, and accessory buildings and structures.
- (8) Where motor vehicle access is obtained from the front street, one of the required side yards shall be increased to a minimum of 3.0m, clear of all projections, except eaves and gutters, in order to be used as a required parking space. Where the access is to an attached garage or carport, however, the required side yards shall be the same as that required for the principal building.

- (9) *The required corner side yard of a reverse corner site shall be a minimum of 4.6m. Where identified in an approved neighbourhood plan and in consultation with utility companies, the required corner side yard may be reduced to 2.0m.*
- (10) *The required yard may be reduced to 6.0m, clear of all projections except for overhanging eaves and gutters, provided that all the required parking and loading spaces are provided elsewhere on the site and site access is exclusively from the front site line.*
- (11) *A required side yard or rear yard, on the side having a common party wall, may be reduced to 0.0m, provided the side or rear site line is completely contained within the common party wall.*
- (12) *The required interior side yard may be reduced to 1.2m if the building contains four (4) or less dwelling units, and is no greater than 11.0m or 2.5 storeys, whichever is less, in height.*
- (13) *The maximum building height may be increased to 19.0m or 4.0 storeys, whichever is less, for sites with an area greater than 3,500.0m<sup>2</sup>.*
- (14) *Where the site abuts a RLL or RSD zone, the required rear yard shall be a minimum of 7.6m.*
- (15) *Where the rear yard is adjacent to a residential zone with a greater required rear yard, the greater required rear yard of the neighboring zone shall apply.*
- (16) *Except when located to the rear of the principal building on the site and to the rear of the principal building on the nearest adjacent site, in which case the required side yard may be reduced to 0.3m, clear of all projections.*
- (17) *The minimum required interior side yard for accessory buildings which have direct access onto a lane shall be 1.5m.*
- (18) *Minimum 4.6m in the RHD Zone.*
- (19) *When an accessory building or structure is located in the required rear yard of a reverse corner site, the building or structure shall not be located nearer to the street side site line than 80% of the required front yard of the interior site abutting the rear site line of the subject site, nor closer than 1.5m to the rear site line, if there is no lane between the sites.*
- (20) *The minimum required rear yard for accessory buildings which do not have direct access onto a lane shall be 0.6m.*
- (21) *An accessory building or structure shall not exceed the height of the principal building or structure.*

3. That the Planning Commission recommend City Council approve By-law No. 7216 (Z-04-18-B) to rezone 609 – 39<sup>th</sup> Street (Lots 37/38, Block 8, Plan 269 BLTO) from Development Reserve (DR) to Residential Single Detached (RSD).

- e. **Conditional Use**  
**1604 Victoria Avenue**  
**Owner: ZhiXiang Yu and Wei Wang**  
**Applicant: ZhiXiang Yu and Wei Wang**

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

1. That the Public Hearing for Conditional Use Application (C-12-18-B) at 1604 Victoria Avenue (Lot 38/40, Block 10, Plan 16 BLTO) be concluded.
2. That Conditional Use Application (C-12-18-B) to allow for a boarding house with a maximum of seven (7) sleeping rooms each occupied by one tenant in the Residential Low Density (RLD) Zone be approved at 1604 Victoria Avenue (Lot 38/40, Block 10, Plan 16 BLTO) in accordance with the intent of the application “Attachment A-1”, the letter of intent “Attachment A-2”, and the attached site plan “Attachment B-2” and floor plans “Attachment B-3 & B-4”.

## 5.0 General Business

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

## 6.0 Adjournment