

CITY OF BRANDON PLANNING COMMISSION

REGULAR MEETING

Wednesday, September 16, 2020 - 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

47 Southview Drive

Owner: Robert Franklin Toms & Patricia Alva Margaret Toms

Applicant: Sunspace by Elite Sunrooms

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

1. That the Public Hearing for Variance Application V-12-20 at 47 Southview Drive (Lot 31, Plan 52153 BLTO) be concluded.
2. That Variance Application V-12-20 to vary Note 10 of Table 10 under Section 51 of the Zoning By-law to decrease the required rear yard from 6.0m to 3.9m in the Residential Single Detached (RSD) Zone be approved at 47 Southview Drive (Lot 31, Plan 52153 BLTO) in accordance with the letter of intent "Attachment A" and the site plan "Attachment B-2".

b. Variance Application
338 Louise Avenue
Owner: Van Bi Le
Applicant: Van Bi Le

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

1. That the Public Hearing for Variance Application V-16-20 at 338 Louise Avenue (Wly 60 Feet of Lots 11 and 12 and Nly 10 Feet of Lot 13, Block 3, Plan 2 BLTO) be concluded.
2. That Variance Application V-16-20 to vary the following under the Zoning By-law:
 - Table 4 under Subsection 26(a) by reducing the minimum number of required parking spaces from eight (8) to six (6), and
 - Note 9 of Table 10 under Section 51 of the Zoning By-law by decreasing the required corner side yard of a reverse corner site from 4.6m to 3.0m in the Residential Moderate Density (RMD) Zone,be approved at 338 Louise Avenue (Wly 60 Feet of Lots 11 and 12 and Nly 10 Feet of Lot 13, Block 3, Plan 2 BLTO) in accordance with the letter of intent "Attachment A", the site plan "Attachment B-2", and the floor plan "Attachment B-3", subject to the owner or successor removing the existing access to 4th Street and constructing a new access that conforms to the City of Brandon Standard Construction Specifications.

c. Conditional Use
3409 Victoria Avenue
Owner: 6825738 Manitoba Ltd.
Applicant: Kullberg's Branonsource Home Furnishings

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

1. That the Public Hearing for Conditional Use Application C-08-20 at 3409 Victoria Avenue (The Ely 746.75 Feet of Block 7, Plan 1517 BLTO) be concluded.
2. That Conditional Use Application C-08-20 to allow for a warehouse and indoor storage use in the Commercial Arterial (CAR) Zone be approved for two years at 3409 Victoria Avenue (The Ely 746.75 Feet of Block 7, Plan 1517 BLTO) in accordance with the letter of intent "Attachment A", and floor plan "Attachment B-2", subject to the approval period beginning on October 25, 2020 or the issuance of an occupancy permit, whichever comes later.

**d. Conditional Use
528 – 23rd Street**

Owner: Nathan Edward Henry Fortin

Applicant: Westman Premier Homes (Troy Boucher)

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

1. That the Public Hearing for Conditional Use Application C-07-20 at 528 – 23rd Street (Lots 13 and 14 and the N ½ of Lot 15, Block 6, Plan 720 BLTO) be concluded.
2. That Conditional Use Application C-07-20 to allow for a duplex on an interior lot in the Residential Single Detached (RSD) Zone be approved at 528 – 23rd Street (Lots 13 and 14 and the N ½ of Lot 15, Block 6, Plan 720 BLTO) in accordance with the letter of intent “Attachment A” and the site plan “Attachment B-2”.

**e. Conditional Use
2505 McDonald Avenue**

Owner: Nathan Edward Henry Fortin

Applicant: Westman Premier Homes Ltd./ Matthias Winkler

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

1. That the Public Hearing for Conditional Use Application C-06-20 at 2505 McDonal Avenue (Lot 1 and the Ely 25 Feet of Lot 2, Block 106, Plan 15 BLTO) be concluded.
2. That Conditional Use Application C-06-20-B to allow for a duplex dwelling on an interior site with site width less than 15.2m in the Residential Low Density (RLD) Zone be approved at 2505 McDonald Avenue (Lot 1 and the Ely 25 Feet of Lot 2, Block 106, Plan 15 BLTO) in accordance with the letter of intent “Attachment A-1”, site plan “Attachment B-2”, and elevation plan “Attachment B-3.

- f. **By-law No. 7270**
1230 – 18th Street North
Owner: Caddy Lake Investments Ltd.
Applicant: Daniel Burns

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

1. That the Public Hearing for By-law 7270 (Z-04-20) to update the Zoning By-law 7124 and application for Subdivision at 1230 – 18th Street North (Lot 29, Plan 20556 BLTO) be concluded.
2. That the Planning Commission recommend City Council approve By-law No. 7270 (Z-04-20) to rezone 1230 – 18th Street North (Lot 29, Plan 20556 BLTO) from Residential Large Lot (RLL) to Residential Single Detached (RSD), Residential Low Density (RLD), and Open Space (OS), Zones subject to the owner or successor:
 - i. Entering into a development agreement with the City of Brandon with the following conditions:
 - a. The Developer agrees to construct a 5 bare land condominium units, a common element and public right-of-way in general consistency with the attached site and elevation plans.
 - b. The Developer agrees legally open and construct the shared access adjacent to 18th Street North for the entire length of the proposed development and as such extend a public water main to service the proposed development. The access and right-of-way shall be 7.3 meters in width and designed to conform to the Brandon Fire and Emergency regulations, City of Brandon Sanitation requirements, the latest edition of the City of Brandon Standard Construction Specifications and Manitoba Infrastructure permit conditions. All costs associated with the construction of the access and water main shall be at the sole cost of the Developer.
 - c. The Developer agrees to maintain, at all times, unimpeded and open access to the properties to the south for the property owners of those properties, City of Brandon sanitation vehicles and City of Brandon Fire and Emergency vehicles during construction of the public right-of-way.
 - d. The Developer agrees to contribute to the Brandon School Division cash in lieu of land dedication in the amount specified by the Brandon School Division. The Developer agrees to submit proof of payment to the City of Brandon

prior to the issuance of any development and/or building permits.

- e. The Developer agrees to provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post, to the approval of Canada Post.
- f. The Developers agrees to contribute \$27,863.29 in development charges for network infrastructure. Payment of such contribution is due upon the execution of development agreement in accordance with Schedule B-3 of the Development Charges By-law. Additional development charges will be charged against any future buildings and will be applied at the time of issuance of a building permit.
- g. The Developer agrees to contribute \$1,871.20 for a cash-in-lieu of land dedication for public reserve purposes. Payment of such contribution is due upon the execution of development agreement.
- h. The Developer agrees to apply and receive approval by way of a permit from Manitoba Infrastructure for all work in the 18th Street North provincial right-of-way.
- i. The Developer agrees to enter into a blanket Easement agreement, over the entire common element, for drainage with the City of Brandon. The drainage Easement Agreement will be registered in series with the Plan of Condominium and Plan of Public Road Opening.
- j. The Developer agrees to enter into a Private Sewer Agreement with the City of Brandon for the Low Pressure Sewer System, up to and including the connection to a public manhole. The Private Sewer Agreement will be registered in series with the Plan of Condominium and Plan of Public Road Opening.
- k. The Developer agrees to provide evidence of Easement Agreements with Manitoba Hydro, MTS Inc., and Westman Communications Group, being entered into and registered against title of the Lands, prior to the issuance of any development and/or building permits.
- l. The Developer agrees to submit a Detailed Cost Estimate for all work to be completed within the City's right-of-way. The detailed cost estimate is to be reviewed and acceptance by the City Engineer, prior to the City executing the development agreement.

- m. The Developer agrees to submit an Irrevocable Letter of Credit totaling 15% of the accepted detailed cost estimate, prior to the City executing the development agreement.

And that administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts.

**g. Subdivision
1320 – 18th Street North**

- 1. That the Planning Commission recommend Brandon City Council approve the application (4500-20-702) to subdivide 1230 – 18th Street North (Lot 29, Plan 20556 BLTO) to create five (5) bare land condominium units and widen a street right-of-way in the Residential Single Detached (RSD), Residential Low Density (RLD), and Open Space (OS) Zones, subject to the owner or successor successfully rezoning the subject property from Residential Large Lot (RLL) to Residential Single Detached (RSD), Residential Low Density (RLD), and Open Space (OS) Zones.

5.0 General Business

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

6.0 Adjournment