

CITY OF BRANDON PLANNING COMMISSION

REGULAR MEETING

Wednesday, October 18, 2023 - 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. By-law No. 7369 Rezone

513, 525, 537 and 559 – 39th Street, Part of 39th Street right-of-way, and Part of 902 – 38th Street

Owner: Fowler Holdings Ltd.

Applicant: Steve McMillan

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

1. That the Public Hearing for By-law No. 7369 to rezone 513, 525, 537 and 559 – 39th Street, part of 39th Street right-of-way, and part of 902 – 38th Street from Development Reserve (DR) and Residential Single Detached (RSD) to Commercial Arterial (CAR), be concluded.
2. That the Planning Commission recommend City Council approve By-law No. 7369 (Z-09-23) to rezone 513, 525, 537 and 559 – 39th Street, part of 39th Street right-of-way, and part of 902 – 38th Street from Development Reserve (DR) and Residential Single Detached (RSD) to Commercial Arterial (CAR), subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in “Attachment D” of this report, 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.

- b. Variance - Extension**
453 & 459 Russell Street
Owner: 5705356 Manitoba Ltd.
Applicant: Steve McMillan

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

1. That the Public Hearing for Variance Extension at 453 & 459 Russell Street be concluded.
2. That the approval deadline of Variance Order V-19-22 be extended to October 17, 2024.

- c. Variance**
353 – 16th Street North
Owner: City of Brandon
Applicant: City of Brandon

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

1. That the Public Hearing for Variance Application at 353 – 16th Street North (Sobering Centre) be concluded.
2. That Variance Application V-13-23 under Clause 97(2) of The Planning Act to establish a Sobering Center as substantially similar to a hospital, which is a permitted use in the Educational and Institutional (EI) Zone under Table 17, Section 64 of the Zoning By-law, be approved at 353 16th Street North (Lot 1/14, Block 8, Plan 228) in accordance with the attached letter of intent “Attachment A” and the site plan “Attachment B”.

- d. Variance**
353 – 16th Street North
Owner: City of Brandon
Applicant: City of Brandon

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

1. That the Public Hearing for Variance Application at 353 – 16th Street North (Site Area) be concluded.
2. That Variance Application V-12-23 to vary Table 18 under Section 65 of the Zoning By-law by reducing the required site area and site width from 670m² and 18.2m to 288m² and 4.5m in the Educational and Institutional (EI) Zone be

approved at 353 – 16th Street North (Lots 1/14, Block 8, Plan 228 BLTO) in accordance with the attached letter of intent “Attachment A” and attached drawings “Attachment B”.

- e. **By-law No. 7368 Rezone**
639 Van Horne Avenue
Owner: ABH Renovations Ltd.
Applicant: Leni Shiju

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

1. That the Public Hearing for By-law No. 7368 to Rezone 639 Van Horne Avenue from Industrial Restricted (IR) to Residential Moderate Density (RMD), be concluded.
2. That the Planning Commission recommend City Council approve By-law No. 7368 (Z-08-23) to rezone 639 Van Horne Avenue (Wly 40 ft of Lots 28/30, Block 70, Plan 8 BLTO) from Industrial Restricted (IR) to Residential Moderate Density (RMD), subject to the owner or successor entering into a development agreement with the conditions outlined in “Attachment D” of this report, 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.

- f. **By-law No. 7366 Amend Rezone & Subdivision**
1307 – 18th Street North
Owner: 6864598 Manitoba Ltd.
Applicant: Kate McKenzie (Myria Design Ltd.)

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

1. That the Public Hearing for By-law No. 7366 to rezone as amended, and subdivision at 1307 – 18th Street North be concluded.
2. That Planning Commission recommend City Council amend By-law No. 7366 (Z-07-23) to rezone Part of 1307 – 18th Street North from Commercial Arterial (CAR) to Residential Moderate Density (RMD) Zone by deleting Sections 3 and 4 in their entirety and substituting therefor:
 3. This By-law will come into force when the City of Brandon Planning & Buildings Department receives written confirmation that the plan for Subdivision Application 4500-23-734 is registered in the Brandon Land Titles Office.

4. This By-law will be repealed without coming into force three years after the date of this By-law's adoption unless the City of Brandon Planning & Buildings Department receives written confirmation that the plan for Subdivision Application 4500-23-734 is registered in the Brandon Land Titles Office, or the applicant applies for an extension of time before the expiration of the three-year period to register Subdivision Application 4500-23-734 and Council approves the extension

And that Planning Commission recommend City Council approve By-law No. 7366 (Z-07-23) as amended.

Subdivision

3. That the Planning Commission recommend City Council approve the application to subdivide (4500-23-734) Part of 1307 – 18th Street N (Part of Lot 1, Plan 23049 Exc Road Plan 39509 BLTO) to create one (1) lot and an extension of Quail Ridge Drive, subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in "Attachment D" of this report, 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.

5.0 General Business

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

6.0 Adjournment