

**MINUTES OF THE PLANNING COMMISSION MEETING HELD JULY 4, 2018 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**1.0 ROLL CALL**

Commissioners: Garnet Boyd  
Andrew Sieklicki  
Jack Lindsay  
Corinne Robinson

Administration: Ryan Nickel  
Shengxu Li  
Amber Chapil

**2.0 ADOPTION OF AGENDA**

2018-064

SIEKLIICKI – LINDSAY

That the Agenda for the regular meeting of the Planning Commission to be held July 4, 2018 be adopted as presented.

CARRIED 4/0

**3.0 CONFIRMATION OF MINUTES**

2018-065

ROBINSON - LINDSAY

That the minutes of the regular meeting of the Planning Commission held on June 20, 2018 be adopted as read.

CARRIED 3/0

**4.0**

**a. Subdivision**

1660 – 34<sup>th</sup> Street  
Owner: Waverly Developments Ltd.  
Applicant: Waverly Developments Ltd.

Community Planner, Shengxu Li, introduced the application as presented in the City of Brandon Report.

The applicant, John Burgess, spoke to the application presented. Mr. Burgess spoke to the history of the Brookwood Development, the North East quarter section with single detached dwellings and this application completes this original plan. There will be a park area, and public reserve to complete the public pathway system. Mr. Burgess spoke with objector regarding a place of worship. Further development looking at an educational development in the South East quarter area.

**INFORMATION ONLY**

Patte Kawalick, area resident, inquired about green space.

Menno Isaac, area resident, inquired about the end of the street and if the street will be twinned with a median. As well, inquired about the sidewalk and if it will be connected to other sidewalks.

Mr. Nickel, Chief Planner, addressed the concerns raised, that all new development have a 10% allocation to green space. As 34<sup>th</sup> Street becomes busier with traffic, in the future the street may become twinned, at that time all property owners affected would be contacted. Pathways would be connected.

2018-066

SIEKLICKI - ROBINSON

That the Public Hearing for Subdivision Application 4500-18-668 at 1660 34<sup>th</sup> Street be concluded.

CARRIED 4/0

2018-067

SIEKLICKI - LINDSAY

That the Planning Commission recommends Brandon City Council approve the application to subdivide (4500-18-668) a property at 1660 34<sup>th</sup> Street (Lot 45, Plan 60653 BLTO) to create 71 lots and three public roads (Fieldstone Crescent, Meadow Drive extension and Plateau Drive extension) in the Residential Single Detached (RSD) Zone, subject to the owner or successor:

- A. Entering into a development agreement with the City of Brandon with the following conditions:
  - i. The Developer agrees to construct 71 residential units as per the proposed site plan.
  - ii. 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.
  - iii. The Developer agrees to pay a contribution towards one hundred and one (101) boulevard trees. The amount of payment for such trees will be calculated at the time of execution of the development agreement and based upon the City's tree contract pricing for the current year. Payment in full will be required at the time of execution of the development agreement.
  - iv. The Developer agrees to provide a landscaping plan showing the location of the one hundred and one (101) boulevard trees. Tree species will be determined by the City of Brandon at the time of planting.
  - v. The Developer agrees to contribute towards off-site infrastructure, based on the upgrades identified in the Brookwood Park General Planning Study in the amount of \$1,190.62/unit for 71 units totaling \$84,553.69. This contribution will be held in a Reserve Account and applied towards future infrastructure upgrades. Payment in full will be required at the time of execution of the development agreement.
  - vi. The Developer agrees to contribute towards the twinning of 34th Street between Richmond Avenue and the southern boundary of Brookwood Park

in the amount of \$819.29/unit for 71 units totaling \$58,169.29. This contribution will be held in a Reserve Account and applied towards the upgrade of 34th Street. Payment in full will be required at the time of execution of the development agreement.

- vii. The Developer agrees to dedicate a 12.0m wide strip of land, east of the proposed residential lots on Fieldstone Crescent to the City for the purpose of public reserve land.
  - viii. The Developer agrees to develop the public reserve by constructing a 3.0m wide asphalt multi-use walking path, including but not limited to sod, trees and ditching. The design and landscaping of the public reserve is to be reviewed and accepted by the City Engineer.
  - ix. The Developer agrees to legally open, extend and construct all public rights-of-way proposed as per the site plan and to extend all below and above ground municipal services. The Developer will be required to submit design drawings as prepared by a professional engineer; such design is subject to review and acceptance by the City Engineer.
  - x. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is subject to review and acceptance by the City Engineer.
  - xi. The Developer agrees to provide to the City a Letter of Credit in the amount of 15% of the total cost of the Detailed Cost Estimate; the total of which must be accepted by the City Engineer.
- B. Submitting written confirmation to the City of Brandon Planning & Buildings Department that taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements must be made satisfactory to Brandon City Council.
- C. Submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro; Central Gas Manitoba Inc.; BellMTS Inc.; and Westman Communications Group, and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision.
- D. Submitting written confirmation to the City of Brandon Planning & Buildings Department that the Brandon School Division has received a cash-in lieu contribution for school purposes.

**b. By-law No. 7208 Rezone; Subdivision**

1700 – 30<sup>th</sup> Street

Owner: Waverly Developments Ltd.

Applicant: Waverly Developments Ltd.

Community Planner, Shengxu Li, introduced the application as presented in the City of Brandon Planning report. Addressed three concerns indicated in an email the Planning Department received today regarding storm water, secondary service for emergency vehicles, and calculation of \$25,000 for future upgrades as it is based on the size of the pipe and size of the pond.

The applicant, John Burgess, spoke regarding this application. The applicant was upset and believed this to be improper to have email concerns brought forward after 5 p.m. on the same day of the meeting and to not be aware of these objections and have the ability to address these concerns. Mr. Burgess also wanted it noted, all taxes for the property have been paid in full. This property was purchased 20 years ago. The City's own requirement was that it had to be unanimous for all the property owners to agree to purchase their back lanes from the City, this didn't happen and Waverly Development purchased these back lanes from the City. They have followed all of the recommendations provided by the Planning Department, and addressed concerns raised regarding storm sewers and green space.

**OPPOSED**

Chris Gibson, area resident, raised concerns over green space, level of construction, demand for housing, affordable housing, housing styles, and purchasing back lanes.

John Demers, area resident, raised concerns about number of housing developments done by Waverly Developments as well as start and finish dates.

Patte Kowalick, area resident, raised concerns over open green space, and surveyors out already.

Rory Gibson, area resident, raised concerns regarding area residents and purchasing their back lanes.

Mr. Nickel, Chief Planner, addressed concerns for green space as 10% is allocated to green space this includes the park, pond and public reserve for pathways. The concerns raised over demand and affordable housing is up to the developer, the subdivision allows for smaller, larger, and detached homes. The architectural guidelines the City does not regulate to the finer details regarding style of homes. There are specific time lines to register a development and to complete the work for the public right of way. There are no time lines to build on each lot. The City policy that is adopted regarding a closed lane, that all property owners need to be agreement to purchase, and there was one that did not want to purchase the closed lane then it was sold to the developer. The Planning Commission does not control when they receive feedback prior to the meeting.

Mr. Burgess, the applicant, spoke regarding architectural designs of the housing units and to affordable housing as the south side is duplex lots for that purpose. Waverly does not build the houses we sell the lots to developers.

2018-068

ROBINSON - LINDSAY

That the Public Hearing for By-Law No. 7208 (Z-01-18-B) to rezone property at 1700 30<sup>th</sup> Street (Lots 1 to 48 Block 16 Plan 291 BLTO) from Development Reserve (DR) to Residential Single Detached (RSD), Residential Low Density (RLD) and Open Space (OS) Zones, and Subdivision Application (4500-18-666) to create 24 lots and a public road be concluded.

CARRIED 4/0

2018-069

LINDSAY - ROBINSON

That the Planning Commission recommends City Council approve By-law No. 7208 (Z-01-18-B) to rezone property located at 1700 30<sup>th</sup> Street (Lots 1 to 48 Block 16 Plan 291 BLTO) from Development Reserve (DR) to Residential Single Detached (RSD), Residential Low Density (RLD) and Open Space (OS) Zones.

CARRIED 4/0

2018-070

LINDSAY - ROBINSON

That the Planning Commission recommends City Council approve the application to subdivide (4500-18-666) property at 1700 30<sup>th</sup> Street (Lots 1 to 48 Block 16 Plan 291 BLTO) to create 24 lots and a public road in the RSD Residential Single Detached Zone, RLD Residential Low Density Zone, subject to:

- A. The owner or successor entering into a development agreement with the City of Brandon with the following conditions:
  - i. The Developer agrees to construct 24 residential units as per the proposed site.
  - ii. 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.
  - iii. The Developer agrees to pay a contribution towards thirty (30) boulevard trees. The amount of payment for such trees will be calculated at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year. Payment in full will be required at the time of execution of the development agreement.
  - iv. The Developer agrees to provide a landscaping plan showing the location of the thirty (30) boulevard trees. Tree species will be determined by the City of Brandon at the time of planting.
  - v. The Developer agrees to contribute towards the oversizing of future downstream land drainage piping and pond infrastructure in the amount of \$1,020.00/unit for 24 units totaling \$24,480.00. Payment in full will be required at the time of execution of the development agreement.
  - vi. The Developer agrees to contribute towards their proportionate share of off-site improvements within the Southwest Brandon Secondary Plan Area in the amount of \$8,154.54/unit for 24 units totaling \$195,708.78. This

contribution will be held in a Reserve Account and applied towards upgrades. Payment in full will be required at the time of execution of the development agreement.

- vii. The Developer agrees to dedicate a 9.144m wide strip of land, south of the proposed RLD lots to the City for the purpose of public reserve land.
- viii. The Developer agrees to develop the public reserve by constructing a 3.0m wide asphalt multi-use walking path, including but not limited to sod, trees and ditching. The design and landscaping of the public reserve is to be reviewed and accepted by the City Engineer prior to the issuance of any development/building permits.
- ix. The Developer agrees to dedicate a 7.925m wide strip of land, south of the proposed public reserve to the City for the purposes of the future Maryland Avenue right-of-way.
- x. The Developer agrees legally open, extend and construct all public rights-of-way proposed as per the site plan and to extend all below and above ground municipal services. The Developer will be required to submit design drawings as prepared by a professional engineer; such design is subject to review and acceptance by the City Engineer.
- xi. The Developer agrees to construct a temporary, secondary emergency access at the westerly dead-end of Marquis Crescent to the westerly dead-end of Maryland Avenue. Such access must be designed by a professional engineer according to TAC Standards and Brandon Fire and Emergency Services requirements. The access will be required to exist until such time as the public right-of-way is extended or permanent secondary access is established.
- xii. The Developer agrees to enter into a drainage easement agreement with the City of Brandon for the proposed public LDS outlet located on private property. The easement agreement is to be executed and registered on title in series with the Plan of Subdivision.
- xiii. The Developer agrees to contribute \$4,404.41 in lieu of land dedication. The contribution takes into consideration the dedication of the public reserve land as per Clause vii.
- xiv. The Developer agrees to provide a construction access plan. The construction access plan is to be reviewed and accepted by the City Engineer.
- xv. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is submit to review and acceptance by the City Engineer.
- xvi. The Developer agrees to provide to the City a Letter of Credit in the amount of 15% of the total cost of the detailed cost estimate; the total of which must be approved by the City Engineer.

- B. The owner or successor providing written confirmation to the City of Brandon Planning & Buildings Department that taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full arrangements must be made satisfactory to Brandon City Council.

- C. The owner or successor providing a new name for the public road in the subdivision to the satisfaction of Brandon City Council.
- D. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro; Central Gas Manitoba Inc.; BellMTS Inc.; and Westman Communications Group, and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision.
- E. The owner or successor, submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a blanket easement agreement to the satisfaction of BellMTS, and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision.
- F. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that the Brandon School Division has received a cash-in lieu contribution for school purposes.
- G. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that the engineered drainage plan has been approved by the Manitoba Sustainable Development Department.

CARRIED 4/0

## 5.0 GENERAL BUSINESS

- a. **Tracking Table**
- b. **Administrative Business**
- c. **Absences From Upcoming Meetings**  
Commissioner Garnet – July 18, 2018  
Commissioner Lindsay – August 15, 2018 arrive late

## 6.0 ADJOURNMENT

2018-071 LINDSAY - SIEKLICKI  
That the meeting do now adjourn (8:29 p.m.)

CARRIED 4/0

Original signed by A. Chapil  
**Amber Chapil**  
City Clerk

Original signed by A. Sieklicki  
**for Garnet Boyd**  
Chairperson