

MINUTES OF THE PLANNING COMMISSION MEETING HELD DECEMBER 18, 2019 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1.0 ROLL CALL

Commissioners: Andrew Sieklicki
Jack Lindsay
Colleen Anderson

Administration: Ryan Nickel
Sonikile Tembo
Amber Chapil

Regrets: Garnet Boyd
Kate Hill

2.0 ADOPTION OF AGENDA

2019-102 LINDSAY - ANDERSON

That the Agenda for the regular meeting of the Planning Commission to be held December 18, 2019 be adopted as presented.

CARRIED 3/0

3.0 CONFIRMATION OF MINUTES

2019-103 ANDERSON – LINDSAY

That the minutes of the regular meeting of the Planning Commission held on November 6, 2019 be adopted as read.

CARRIED 3/0

4.0

a. By-law No. 7243 Secondary Plan and By-law No. 7254 Rezone and Subdivision

1501 Moreland Avenue

Owner: 6281100 Manitoba Ltd.

Applicant: City of Brandon and SBC Inc.

Community Planner, Sonikile Tembo and City Engineer, Marc Chapin, introduced the application as presented in the City of Brandon Planning report.

The applicant, Ross Mitchell, spoke regarding the planning and conception of the North Hill as a collaborative effort between the applicants and the City of Brandon Planning and Engineering Departments. We believe the north hill is a great opportunity for development, and have Council consideration for phased in cost-effective capital infrastructure to leverage this additional investment needed for the North Hill's full development potential. A modular home development, which will be phased in over a number of years, depending on building lot sizes, could include up

to 197 modular homes. This development will be integrated with the wider area, with streets and pathway connections, as well as having a small park. There are also plans for a multi-residential parcel of land for future development.

The applicant, Steve McMillan spoke to the Development Agreement and listed the below items as concerns:

- “i” currently lists it as 100 modular home units, and want to not list the specific number of modular home units, as this may change based on lot sizes.
- “iv” to change this to only develop from the Mockingbird/Clare Avenue intersection to the entrance into the development between phase 1 & 2. The road would only be used as a secondary access for emergency vehicles. This entire road would just be an additional cost.
- “v” do not feel this is an upgrade that would be the responsibility of the developer to pave this road and have this condition removed or deferred to a future phase, when a traffic study is done.
- “vi” connect to the watermain at Clare, not to loop it up to Moreland Avenue until future phases of the development.
- “viii” will construct a 3.0m pathway on Moreland Avenue, they are providing the greenspace area that will become part of Clare Avenue right-of-way, which is covered by a development charge that will cover the cost of improvements within the right-of-way.
- “ix” sodding and tree planting on Moreland Avenue, the park space wouldn’t be developed until phase 3 is completed.
- “x” and “xi” be removed, as the RMD sites wouldn’t be able to be developed until eleven plus years, but if removed these sites can be used to existing capacity.
- “xiii” we are rezoning all four phases all at once, since we don’t need to subdivide, to phase the cost charge based on the development of each phase instead of all costs at once.
- “xv” okay with contribution for trees on Moreland Avenue, tree contribution would be covered with Clare Avenue right-of-way.
- “xvi” unsure why this condition is in here as we are not developing this area of land at this time.

In Opposition

Barry LaRocque from Barridale Industries, industrial business in the area, is not in opposition to the development. He indicated their business uses the same shared access point on Clare Avenue, and with the many trucks and semi-truck coming and going from their business to access the highway concerns from neighboring properties have been raised regarding the noise and traffic volumes.

2019-104

ANDERSON - LINDSAY

That the Public Hearing for By-law No. 7243 to amend the Secondary Plan and By-law No. 7254 Rezoning and Subdivision at 1501 Moreland Avenue (Parcels ½, Plan 1694 BLTO) be concluded.

CARRIED 3/0

2019-105

ANDERSON - LINDSAY

That the Planning Commission recommend City Council delete Schedule A of By-law No. 7243 (SP-02-19-B) to amend the North Brandon Gateway Secondary Plan By-law No. 7079 and substitute therefore Schedule A as attached within Attachment A of this report.

And the Planning Commission recommend City Council approve By-law No. 7243 (SP-02-19-B), as amended, to amend the North Brandon Gateway Secondary Plan By-law No. 7079 to facilitate development of the northern part of the City.

CARRIED 3/0

Prior to the above motion being voted on commissioners provided the following supportive comments:

- It meets the criteria

2019-106

LINDSAY - ANDERSON

That the Planning Commission recommend City Council amend By-law No. 7254 (Z-08-19-B) to rezone part of 1501 Moreland Avenue (Parcels ½, Plan 1694 BLTO) as follows:

- By adding immediately after the words "RMH Mobile/Modular Home" under Section 1 the words "and PR Parks and Recreation"; and
- By replacing Schedule B with Schedule B of By-law No. 7254 as attached to the report by Andrew Mok dated December 18, 2019.

And that the Planning Commission recommend City Council approve By-law No. 7254 (Z-08-19-B), as amended, to rezone part of 1501 Moreland Avenue (Parcels 1/2, Plan 1694 BLTO) from Development Reserve (DR) to Residential Mobile/Modular Home (RMH) and Parks and Recreation (PR), subject to the owner or successor entering into a development agreement with the City of Brandon with the following conditions:

- The Developer agrees to construct 100 modular home units in Phases 1-4 as identified on the site plan.
- The Developer agrees to submit a land use application for the future subdivision of the lands to the City of Brandon for approval. Upon approval, the Developer agrees to register the subdivision of the lands, including the

dedication of public right-of-ways and public reserve lands prior to the issuance of any development and/ or building permits for this development.

- iii. The Developer agrees to construct a temporary secondary access to the satisfaction of Brandon Fire and Emergency Services.
- iv. The Developer agrees to design and construct the extension of Moreland Avenue, to a full urban cross-section, from the intersection of Mockingbird Drive and Clare Avenue to the existing termination point of Moreland Avenue.
- v. The Developer agrees to improve the existing Moreland Avenue to a paved rural cross-section from the intersection of Moreland Avenue and the 18th Street North service road to the new extension of Moreland Avenue.
- vi. The Developer agrees all servicing required within the proposed Moreland Avenue extension shall include an extension of the existing 150mm watermain located within Moreland Avenue to complete the watermain loop through Moreland Avenue to Clare Avenue.
- vii. The Developer agrees to install a meter pit at all connections and future connections to the public water system for servicing the mobile home park.
- viii. The Developer agrees to design and construct a 3.0m wide asphalt pathway within the Moreland Avenue right-of-way and along the north side of Clare Avenue in accordance with the Northridge Neighbourhood Plan.
- ix. The Developer agrees to design and construct improvements on the Public Reserve lands including but not limited to sodding and tree planting.
- x. The Developer acknowledges servicing for any residual parcels located within the proposed subdivision, but falling outside of the proposed mobile home park, will not be granted until such time that the wastewater trunk sewer main has been constructed within Clare Avenue and south to Kirkcaldy Drive. Upon construction of the wastewater trunk sewer main, wastewater flows generated by the mobile home park will be redirected to the trunk sewer main and no longer permitted to flow through the Mockingbird Drive sewer system.
- xi. The Developer agrees that future development of Phases 5 and 6 and all future RMD lands cannot commence until such a time as the wastewater trunk sewer main within Clare Avenue and south to Kirkcaldy Drive is complete.
- xii. 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.
- xiii. The Developer agrees that development charges of \$415,752.76 are due at the time of execution of this development agreement. Additional development cost charges will be charged against any future buildings and will be applied at the time of issuance of a building permit.
- xiv. The Developer agrees to complete a Heritage Resources Impact Assessment through a qualified archaeological consultant to the satisfaction of Manitoba Historic Resources Branch.

- xv. The Developer agrees to pay a contribution towards boulevard trees for Moreland Avenue and Clare Avenue. The amount of trees and payment for such trees will be determined upon the Developer's submission of engineered drawings prior to the registration of subdivision of the lands and based upon the City's tree contract pricing for the current year.
- xvi. The Developer acknowledges that upon rezoning or subdivision of the northern portion of the Lands, the Developer will be required to financially contribute towards the future construction of Hamilton Avenue, from 18th Street North to 1st Street North. The exact contribution value will be determined at the time of rezoning.
- xvii. 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.
- xviii. The Developer will be responsible to submit an Irrevocable Letter of Credit totalling 15% of the Detailed Cost Estimate. Submission of the Letter of Credit is required prior to the issuance of a development permit.

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. To include language to address the concerns raised at the meeting.

DEFEATED 1/2

2019-107

LINDSAY - ANDERSON

To table the above item regarding rezoning and development agreement of 1501 Moreland Avenue to the January 15, 2020 Planning Commission meeting.

CARRIED 3/0

Prior to the above motion being voted on commissioners provided the following comments:

- To provide Administration and the Developer the time to meet and change if necessary the Development Agreement and provide both the opportunity to hold a public hearing to review any changes

2019-108

LINDSAY - ANDERSON

To table the motion for subdivision of 1501 Moreland Avenue to a future Planning Commission meeting date in 2020.

CARRIED 3/0

b. Variance Application

1031 College Avenue

Owner: Seleshe Kebede Mulaw and Etagegnehu Danial Mulaw

Applicant: Samson Engineering Inc.

Community Planner, Sonikile Tembo, introduced the application as presented in the City of Brandon Planning report.

The applicant, Phil Dorn spoke to the variance application to use the gravel parking lot on a temporary basis until the property sells to generate some income by renting the gravel parking lot out.

2019-109

ANDERSON - LINDSAY

That the Public Hearing for Variance Application V-15-19-B at 1031 College Avenue (Lots 21/22, Block 38, Plan 16 BLTO) be concluded.

CARRIED 3/0

2019-110

ANDERSON - LINDSAY

That Variance Application V-15-19-B to vary section 29 (b) of the Zoning Bylaw to allow the site to be used as a gravel parking lot as a temporary use for a maximum of two years in the Commercial General Zone be approved at 1031 College Avenue (Lots 21 and 22 Block 38 Plan 16 BLTO In NW 1/4 14-10-19 WPM) in accordance with the letter of intent "Attachment A-2" and the site plan "Attachment B-4".

CARRIED 3/0

Prior to the above motion being voted on commissioners provided the following comments:

- There is no issue with this request

c. **2020 Organizational Meeting**

Under Section 19 in the Planning Commission By-law No. 6843, the Planning Commission must each year appoint a Chairperson and Vice Chairperson as well as adopt the scheduling of meeting dates for the following 12 months. Under Section 20 of the Planning Commission By-law regular meetings of the Commission shall be held at 7:00 pm on the 1st and 3rd Wednesday of each month.

2019-111 **SIEKLICKI - ANDERSON**

That pursuant to Section 20 of the Planning Commission By-law No. 6843, Commissioner Lindsay be appointed Chairperson as head of the Planning Commission with a term of office to expire December 31st, 2020.

CARRIED 3/0

2019-112 **SIEKLICKI - LINDSAY**

That pursuant to Section 20 of the Planning Commission By-law No. 6843, Commissioner Anderson be appointed Vice Chairperson to perform all duties of the Chairperson, if the Chairperson is absent, with a term of office to expire December 31st, 2020.

CARRIED 3/0

2019-113 **LINDSAY - ANDERSON**

That pursuant to Section 20 of the Planning Commission By-law No. 6843, regular meetings of the Planning Commission be held on the following dates in 2020:

January 1, 2020 - CANCELLED (Holiday)	July 1, 2020 – CANCELLED (Holiday)
January 15, 2020	July 15, 2020
February 5, 2020	August 5, 2020
February 19, 2020	August 19, 2020
March 4, 2020	September 2, 2020
March 18, 2020	September 16, 2020
April 1, 2020	October 7, 2020
April 15, 2020	October 21, 2020
May 6, 2020	November 4, 2020
May 20, 2020	November 18, 2020
June 3, 2020	December 2, 2020
June 17, 2020	December 16, 2020

CARRIED 3/0

- 5.0 GENERAL BUSINESS**
 - a. Tracking Table**
 - b. Administrative Business**
 - c. Absences From Upcoming Meetings**

6.0 ADJOURNMENT

2019-114 LINDSAY - ANDERSON
That the meeting do now adjourn (8:32 p.m.)

CARRIED 3/0

Original Signed by A. Chapil
Amber Chapil
Planning Commission Clerk

Original Signed by A. Sieklicki
Andrew Sieklicki
Chairperson