

MINUTES OF THE PLANNING COMMISSION MEETING HELD MAY 15, 2019 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1.0 ROLL CALL

Commissioners: Andrew Sieklicki
Jack Lindsay
Garnet Boyd
Colleen Anderson
Kate Hill

Administration: Ryan Nickel
Sonikile Tembo
Amber Chapil

2.0 ADOPTION OF AGENDA

2019-019

ANDERSON - BOYD

That the Agenda for the regular meeting of the Planning Commission to be held May 15, 2019 be adopted as presented.

CARRIED 5/0

3.0 CONFIRMATION OF MINUTES

2019-020

ANDERSON – BOYD

That the minutes of the regular meeting of the Planning Commission held on April 3, 2019 be adopted as read.

CARRIED 5/0

4.0

a. By-law No. 7234 Zoning; Variance

Address: 2605 & 2611 Rosser Avenue

Owner: J & G Homes Ltd.

Applicant: J & G Homes Ltd.

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

The applicant, Steve McMillan spoke on behalf of J & G Homes Ltd., to the variance application and to rezone the property from residential low density to residential moderate density to allow for an 8-plex, with 10 parking spots and reduced corner side yard. Provided notification to area residents, and have addressed the concerns raised with parking and privacy by providing 10 parking spots, and the balcony layout on the West facing side and putting in a privacy tree buffer. Understand there is the

parking ban on Rosser Avenue during the winter, and there is street parking further down on 26th Street. The applicant also spoke to the affordable housing units.

OPPOSED

Kim Stuckless, area resident, voiced her concerns with the property on the concern, the lack of street parking on Rosser as well as areas of no parking on Rosser, and the parking ban during the winter on Rosser, both apartment blocks: Rosser Gardens and Pacific Estates use street parking for their additional vehicles. Support the affordable housing component, but only concern with parking.

INFORMATION ONLY

Jackie Buga, area resident, voiced concerns with the setback and the average front yards of the area. Concerns with the already congested street parking and lack of parking on Rosser. Concerns with the fit to the surrounding area, as there are no two storey houses in the surrounding area on Rosser Avenue. The proposed 8-unit structure does not have the required number of parking. The proposed structure would be 4 times the size of the houses within the area. Believes the variance will be detrimental to the area, as it is a busy area with traffic congestion at the four-way stop. This building will reduce the visibility at this busy corner and is a safety concern.

Amy Lease, neighbouring resident to the west, liked the addition of the tree buffer to reduce the visibility from the second floor patios to their back yard.

Ryan Nickel, Chief Planner indicated that the rules are different for RMD zones, the minimal required setback is 4.6m. The applicant indicated with the parking spots, room for garbage bins, landscaping, sidewalk to the building, this 8-unit complex was the best compromise of the size of the unit.

2019-021

LINDSAY - BOYD

That the Public Hearing for By-law 7234 (Z-01-19-B) and Variance Application (V-01-19-B) at 2605 & 2611 Rosser Avenue (Lots 1 and 2, Block 82, Plan 15 BLTO, and Parcels B and C, Plan 54708) be concluded.

CARRIED 5/0

2019-022

LINDSAY - BOYD

That Variance Application (V-01-19-B) to vary Table 10 (9) of the Zoning By-law by reducing the required corner side yard of a reverse corner site from 4.6m to 3.3m; and to vary Table 4 of the Zoning By-law by reducing the minimum number of required parking spaces from 12 to 10 in the Residential Moderate Density (RMD) zone, be approved 2605 & 2611 Rosser Avenue in accordance with the letter of intent "Attachment A-3 & A-4", the site plan "Attachment B-2", and elevation plan "Attachment B-4" subject to the owner or successor signing an agreement and accepting funding from the City of Brandon for the construction of four affordable housing dwelling units and being successful at changing the zoning from RLD to RMD zones.

CARRIED 4/1

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

- The reduction in parking from 12 to 10 is reasonable for the size of the building.
- This is the best and reasonable compromise for the owner, there are other apartment complexes in the area.
- This complex does work within the general area.
- Commissioner Sieklicki does not believe this large building at the corner would be a good fit with the area, and will be voting against the variance application.

2019-023

HILL - LINDSAY

That the Planning Commission recommend City Council approve By-law No. 7234 (Z-01-19-B) to rezone the property at 2605 & 2611 Rosser Avenue (Lots 1 and 2, Block 82, Plan 15 BLTO, and Parcels B and C, Plan 54708) from Residential Low Density (RLD) zone to Residential Moderate Density (RMD) zone, subject to the owner or successor entering into a development agreement with the City of Brandon including the following conditions:

- i. The Developer agrees to construct a maximum of 8 residential units.
- ii. The Developer agrees to maintain a 5.0m setback from the neighbouring property to the west.
- iii. The Developer agrees to a maximum height of 2 storeys to remain consistent with the existing character of the neighbourhood.
- iv. The Developer agrees to provide a tree buffer along the west property line between the site and the neighbouring property to the west. Buffer is to be included on the Developer's submitted landscaping plan.
- v. The Developer agrees to contribute \$524.18 in lieu of land dedication for public reserve. Payment is due upon execution of the development agreement.
- vi. The Developer agrees to contribute \$202.50/unit for 7 units totaling \$1,417.50 to the Brandon School Division in lieu of land dedication.

- vii. The Developer agrees to consolidate Titles No. 2955450/2 and 2955447/2, prior to the release of the Building permit.
- viii. The Developer agrees to include privacy screening for both western facing balconies on the building permit construction drawings.

CARRIED 4/1

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

- The addition of privacy screening and the tree buffer addresses the concerns of the citizens most directly affected.
- Recognizes that communities change and this is a natural progression in this area.
- This 8-plex fits within the area, which will not create the congestion in the area.
- Commissioner Sieklicki is concerned with density and how it relates to parking and may impact visibility at the intersection, and will be voting in opposition to this application to rezone.

b. Variance

Address: 120 5th Street

Owner: 4854971 Manitoba Ltd.

Applicant: Allan Shalwani

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

Michael Cox, an architect of the building spoke on behalf of the applicant, to the redevelop of this site due to the fire that happened in May of 2018. There were many functional problems inherent with a beer vendor in this area, this is the best design to address this and only have one variance requesting a one-storey height of the building. This was a beer vendor before the fire, and the applicant is wanting to rebuild the beer vendor that was destroyed.

2019-024

ANDERSON - LINDSAY

That the Public Hearing for Variance Application (V-03-19-B) at 120 5th Street (Lots 13/20, Block 64, Plan 2 BLTO) be concluded.

CARRIED 5/0

2019-025

ANDERSON - HILL

That Variance Application (V-03-19-B) to vary Section 59, Table 14 of the Zoning By-law to decrease the building height from two (2) storeys to one (1) storey in the HUB Mixed Use (HMU) Zone be approved at 120 5th Street (Lots 13/20, Block 64, Plan 2

BLTO) in accordance with the letter of intent “Attachment A-1 and A-2” and the site plan “Attachment B-2” and elevation plan “Attachment B-3”.

CARRIED 5/0

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

- It is part of rebuilding of what was there before.
- This location was destroyed by the fire last year and supports the variance application to rebuild.

c. Conditional Use

Address: 1400 17th Street East

Owner: Koch Fertilizer Canada ULC

Applicant: Steven Farmaner

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

Rodi Sveistamp, Compliance Team Leader from Koh Fertilizer Canada ULC, spoke on behalf of the owner to the conditional use application. This is the second time that the property owners are requesting a 5-year conditional Use to allow for a temporary 2-storey office building for their staff with the vision that a new permanent office building would be built. The owners have now just received a building permit to build the new permanent office structure. As there is not a set timeline for the building process, this application is for another 5 years to allow sufficient time to build so the company is not requesting another conditional use for the temporary structure.

2019-026

BOYD - ANDERSON

That the Public Hearing for Conditional Use Application (C-02-19-B) at 1400 17th Street East (W ½ 18-10-18 WPM, Parcel B, Plan 38228) be concluded.

CARRIED 5/0

2019-027

BOYD - LINDSAY

That Conditional Use Application (C-02-19-B) to allow for a temporary two-storey office building be approved at 1400 17th Street East (W ½ 18-10-18 WPM, Parcel B, Plan 38228) in accordance with the letter of intent “Attachment A-1” and the site plan “Attachment B-2”, subject to the approval for the two-storey office building being valid for up to five (5) years from the date of approval.

CARRIED 5/0

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

- Support the 5-year time frame to build the permanent structure.
- Support this as the temporary structure is not viewable from any of the neighbouring properties.

5.0 GENERAL BUSINESS

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

6.0 ADJOURNMENT

2019-028 ANDERSON - HILL

That the meeting do now adjourn (8:52 p.m.)

CARRIED 5/0

Original signed by A. Chapil

Amber Chapil
Planning Commission Clerk

Original signed by A. Sieklicki

Andrew Sieklicki
Chairperson