

MINUTES OF THE PLANNING COMMISSION MEETING HELD SEPTEMBER 7, 2022 AT 7:00 P.M. IN  
THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

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1.0 ROLL CALL

Commissioners: Andrew Sieklicki  
Lashawnda Hobson  
Colleen Anderson  
Ryan Johnston

Administration: Andrew Mok  
Amber Chapil

Regrets: William Majcher

2.0 ADOPTION OF AGENDA

2022-055 ANDERSON - HOBSON

That the Agenda for the regular meeting of the Planning Commission to be held September 7, 2022 be adopted as presented.

CARRIED 4/0

3.0 CONFIRMATION OF MINUTES

2022-056 ANDERSON – JOHNSTON

That the minutes of the regular meeting of the Planning Commission held on August 17, 2022 be adopted as read.

CARRIED 3/0

4.0

a. By-law No. 7340 Rezone & Variance Application

453 & 459 Russell Street

Owner: 5705356 Manitoba Ltd.

Applicant: Steve McMillan

Senior Planner, Andrew Mok, introduced the application as presented in the City of Brandon Planning report.

The applicant, Steve McMillan spoke to the rezoning of the property from Residential Low Density to Commercial General to build a mixed-use building with Doctor's offices and possibly a pharmacy on the main level, with dwelling units based on size of the unit. The variance application is to decrease the reverse corner side yard to 1.5m. Mr. McMillan requested the opportunity to increase the residential units at time of issuing the development permit.

In Favour

Logan Praznik, area resident spoke in favour of this application and spoke to accessible pedestrian and transit bus routes.

2022-057

JOHNSTON - HOBSON

That the combined Public Hearing for By-law No. 7340 and Variance Application V-19-22 at 453 & 459 Russell Street (Lot 18, Block 6, Plan 4 BLTO; Lot 1, Plan 54304 BLTO) be concluded.

CARRIED 4/0

2022-058

JOHNSTON - ANDERSON

That the Planning Commission recommend City Council approve By-law No. 7340 (Z-04-22) to rezone 453 & 459 Russell Street from Residential Low Density (RLD) to Commercial General (CG), subject to the owner or successor entering into a development agreement with the City of Brandon, with the following conditions:

1. The Developer agrees to develop a mixed-use building on the site in general consistency with the attached site plan with the residential component not exceeding eight (8) dwelling units.
2. The Developer agrees to contribute \$994.57 for cash in lieu of land dedication of public reserve. This contribution is due in full upon execution of the development agreement.
3. The Developer agrees to pay a contribution towards four (4) boulevard trees. Payment of such trees will be calculated based upon the City's tree contract pricing for the current year in which the trees are billed with payment due in full upon execution of the development agreement.
4. The Developer agrees, prior to the issuance of approval development permit, to contribute to the Brandon School Division in lieu of land dedication. Payment of receipt will be required prior to issuance of the development permit.
5. The Developer agrees the existing utility service with Manitoba Hydro and Westman Communications that currently services the site encroaches onto the property of 219 Victoria Avenue East. The Developer further agrees in order to proceed with servicing the new building they will either be required to secure an aerial easement with 219 Victoria Avenue East or have underground lines installed. Design of the utility service will be required to be shown on drawings at the time of development permit. Should an easement be required, proof of the easement will be required prior to issuance of the development permit.

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

CARRIED 4/0

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

- Commissioner Johnston in agreement as this is consistent with the area, and leaving it to 8 dwelling units within the footprint of the site
- Commissioner Anderson agrees with Commissioner Johnston
- Commissioner Sieklicki noted parking may be restrictive

2022-059

JOHNSTON - HOBSON

That Variance Application V-19-22 to vary Table 12 under Section 55 of the Zoning By-law to decrease the required reverse corner side yard from 4.6m to 1.5m in the Commercial General (CG) Zone be approved at 453 & 459 Russell Street (Lot 18, Block 6, Plan 4 BLTO; Lot 1, Plan 54304 BLTO) in accordance with the attached letter of intent "Attachment B-1" and the attached site plan "Attachment C-1".

CARRIED 4/0

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

- Commissioner Johnston this is similar to the footprint currently on the site

b. Variance Application

821 – 9th Street

Owner: Stephanie & Charles Jordan

Applicant: Kate McKenzie

Senior Planner, Andrew Mok, introduced the application as presented in the City of Brandon Planning report.

The applicant, Kate McKenzie spoke to mitigating measures being put in place to reduce the impact of noise and vibration from being close to the railway.

2022-060

ANDERSON - HOBSON

That the Public Hearing for Variance Application V-13-22 at 821 – 9th Street (Lots 19/20, Block 56, Plan 8 BLTO) be concluded.

CARRIED 4/0

2022-061

ANDERSON - JOHNSTON

That Variance Application V-13-22 to decrease the required railway protection overlay zone from 30.0m to 22.1m be approved at 821 – 9th Street (Lots 19/20, Block 56, Plan 8 BLTO) in accordance with the attached letter of intent "Attachment A-1", site plan "Attachment B-3", and concept renders "Attachments B-4 through B-6", subject to:

1. The owner or successor, at the time of building permit, submit a letter outlining design and construction details that outline mitigating measures to

reduce the impact of noise and vibration. The following mitigating measures are recommended for consideration:

- a. Forced air ventilation systems with central air conditioning;
- b. The exterior wall siding of the building closest to the railway line to be brick or a masonry equivalent for the exposed façades;
- c. Acoustically upgraded windows meeting the minimum requirements of the Building Code and providing a maximum 35 dBA indoor limit for bedrooms and 40 dBA for living rooms;
- d. Locating noise sensitive rooms away from the railway side;
- e. Noise barrier fence providing a maximum 55 dBA limit for outdoor living areas;
- f. Lining the outside of the foundation walls with a resilient layer; and
- g. Isolating the upper floors from the foundation wall and any internal column supports using rubber pads designed to deflect 5 to 20mm under load.

The applicant shall outline in the letter which mitigating measures from the above have been included in the detailed design, which mitigating measures from the above have been addressed through alternative means, and, where mitigating measures from the above cannot be included, reasons for not accommodating such measures.

CARRIED 4/0

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

- Commissioner Anderson the building design looks good
- Commissioner Johnston it seems the measure will be put in place to mitigate noise and vibration
- Commissioner Sieklicki it fits the area

## 5.0 GENERAL REPORTS

- a. Conditional Use Extension  
417 – 9th Street

### 2022-062 ANDERSON - HOBSON

That the approval deadline of Conditional Use Decision C-05-17 be extended to August 18, 2023.

CARRIED 4/0

## 5.0 GENERAL BUSINESS

- a. Tracking Table
- b. Administrative Business – Planning Commission Training/Orientation Request from the Chair of the Planning Commission. In review of the request, it was determined that a training and orientation be scheduled for October 5<sup>th</sup>, 2022 at 5:30 p.m. in the Councillors' Meeting Room at City Hall for all Planning Commission members.

c. Absences From Upcoming Meetings  
Commissioner Anderson – September 21, 2022

6.0 ADJOURNMENT

2022-063 ANDERSON - JOHNSTON  
That the meeting do now adjourn (8:04 p.m.)

CARRIED 4/0

Original Signed by Amber Chapil  
Amber Chapil  
Planning Commission Clerk

Original Signed by Andrew Sieklicki  
Andrew Sieklicki  
Chairperson