

**MINUTES OF THE PLANNING COMMISSION MEETING HELD OCTOBER 20, 2021 AT 7:00 P.M. IN
THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

1.0 ROLL CALL

Commissioners: Jack Lindsay
Colleen Anderson
Kate Hill
William Majcher

Administration: Andrew Mok
Amber Chapil

Regrets: Lashawnda Hobson

2.0 ADOPTION OF AGENDA

2021-104 MAJCHER - ANDERSON

That the Agenda for the regular meeting of the Planning Commission to be held October 20, 2021 be adopted as presented.

CARRIED 4/0

3.0 CONFIRMATION OF MINUTES

2021-105 MAJCHER – ANDERSON

That the minutes of the regular meeting of the Planning Commission held on October 6, 2021 be adopted as read.

CARRIED 3/0

4.0

a. By-law No. 7316 Rezone and Subdivision

1910 Bell Avenue

Owner: Waverly Developments Ltd.

Applicant: Burgess Law Office (John Burgess)

Senior Planner, Andrew Mok, introduced the application as presented in the City of Brandon Planning report. One email of opposition was received.

The applicant, John Burgess spoke to the rezoning and application to subdivide, with this design to address land drainage, future development of a greenspace, it is a very small increase in density, and addresses the demand for semi-attached more affordable housing units.

In Opposition

Tyler Grime, area resident at 57 Outback Drive, spoke to concerns raised in his written objection, including increased traffic, expansion of the area, increased property density, potential decrease in property values, and high percentage of RLD lots in the neighbourhood.

2021-106

ANDERSON - HILL

That the combined Public Hearing for By-law No. 7316 (Z-08-21) to rezone part of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) and Subdivision Application 4500-21-716 be concluded.

CARRIED 4/0

2021-107

ANDERSON - HILL

That the Planning Commission recommend City Council approve By-law No. 7316 (Z-08-21) to rezone part of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) from Residential Single Detached (RSD) and Parks and Recreation (PR) to Residential Low Density (RLD), subject to the owner or successor entering into a development agreement with the City of Brandon, to be registered in series with the subdivision, with the following conditions:

- a. The Developer agrees to construct 31 residential units and public right-of-ways as per the proposed site plan and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement;
- b. The Developer agrees to legally open, extend and construct the new public right-of-way of Outback Drive and Onyx Cove as proposed on the plan of subdivision and to extend all below and above ground municipal services for the right of way. 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;
- c. The Developer agrees all proposed 15.0m wide street right-of-ways proposed under this subdivision will be signed as no parking on both sides of the street;
- d. The Developer agrees to construct a secondary emergency access to the Lands by way of Bell Avenue in accordance with Brandon Fire and Emergency Services Street Development / Access Road Policy. The Developer will be required to submit design drawings as prepared by a professional engineer with such design is subject to review and acceptance by the City Engineer;
- e. The Developer agrees to provide confirmation that there is sufficient capacity in the downstream land drainage system network to accept additional proposed drainage prior to the acceptance of the engineered drawings;
- f. The Developer agrees to pay a contribution towards boulevard trees. The amount of trees will be determined at the time of detailed design taking into consideration the City's Urban and Landscape Design Standards. Payment of such trees will be based upon the City's tree contract pricing for the current year;

- g. The Developer agrees that should any private lots be designed to convey shared drainage with the use of swales, easements are to be registered on all affected private lots. Such easements will be required to be registered in series with the Plan of Subdivision;
- h. Within one year of executing the development agreement or prior to application for the next subdivision/rezoning in the Oakridge Estates Neighbourhood Plan, whichever comes first, the developer agrees to submit an updated Neighbourhood Plan, including public reserve dedications for all of phase 2 (including the current stage) and all supporting servicing and traffic engineering studies for review by City administration and approval by City Council;
- i. 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;
- j. The Developer acknowledges the site will be subject to development charges. Network Infrastructure charges of \$101,359.26 (2021 rate) are due upon the execution of the development agreement in accordance with Schedule B-3 of the Development Charges By-law. Additional development charges will be charged against any future buildings and will be applied at the time of issuance of a building permit;
- k. The Developer agrees, prior to the issuance of the subdivision certificate of approval, to contribute to the Brandon School Division in lieu of land dedication. Payment of receipt will be required prior to issuance of the subdivision certificate of approval;
- l. 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; and
- m. The Developer will be responsible to submit an Irrevocable Letter of Credit totaling 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.

CARRIED 4/0

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

- Commissioner Anderson, this area is needing to be developed, the development will be a good fit
- Commissioner Hill, this is a growing area, and development will be a good fit
- Commissioner Lindsay, appreciated the objector's point of increased density

SUBDIVISION

2021-108 MAJCHER - ANDERSON

That the Planning Commission recommend City Council approve the application to subdivide (4500-21-716) a portion of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) to create thirty-one lots and a public road in the Residential Low Density (RLD) Zone, subject to the owner or successor:

- a. 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 or arrangements must be made satisfactory to Brandon City Council; and
- b. 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, BellMTS, and Westman Communication Group, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision.

CARRIED 4/0

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

- Commissioner Majcher, the conditions for the development are very standard

5.0 GENERAL BUSINESS

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

6.0 ADJOURNMENT

2021-109 MAJCHER - HILL

That the meeting do now adjourn (7:50 p.m.)

CARRIED 4/0

Original Signed by Amber Chapil
Amber Chapil
Planning Commission Clerk

Original Signed by Jack Lindsay
Jack Lindsay
Chairperson