

**MARKED**

**MINUTES OF THE PLANNING COMMISSION MEETING HELD OCTOBER 18, 2023 AT 7:00 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**1.0 ROLL CALL**

Commissioners: William Majcher  
Colleen Anderson  
Ryan Johnston  
Garnet Boyd  
Keith Edmunds

Administration: Sonikile Tembo  
Amber Chapil  
James Maxon  
Sam Van Huizen  
Shannon Saltarelli

**2.0 ADOPTION OF AGENDA**

2023-077

**ANDERSON - BOYD**

That the Agenda for the regular meeting of the Planning Commission to be held October 18, 2023 be adopted as presented.

CARRIED 5/0

**3.0 CONFIRMATION OF MINUTES**

2023-078

**JOHNSTON – EDMUNDS**

That the minutes of the regular meeting of the Planning Commission held on October 4, 2023 be adopted as read.

CARRIED 4/0

**4.0**

**a. By-law No. 7369 Rezone**

513, 525, 537 and 559 – 39<sup>th</sup> Street, Part of 39<sup>th</sup> Street right-of-way, and Part of 902 – 38<sup>th</sup> Street

Owner: Fowler Holdings Ltd.

Applicant: Steve McMillan

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

The applicant, Steve McMillan of VBJ Developments, on behalf of the owner, spoke to the acquisition and consolidation of lands to rezone the entire property to Commercial Arterial Zone. He spoke to concerns regarding costs for sidewalks and access from the land purchased from the City.

### **In Opposition**

Richard Ott, area resident spoke in opposition to the application indicating decrease in property values, removal of access to his property from the back lane, and concerns with water drainage and increase in overland flooding.

James Brown, area resident, spoke in opposition to the application, siting concerns with eliminating access to his property through the back lane, and drainage with the land becoming a large concrete slab.

2023-079

#### **ANDERSON - BOYD**

That the Public Hearing for By-law No. 7369 to rezone 513, 525, 537 and 559 – 39<sup>th</sup> Street, part of 39<sup>th</sup> Street right-of-way, and part of 902 – 38<sup>th</sup> Street from Development Reserve (DR) and Residential Single Detached (RSD) to Commercial Arterial (CAR), be concluded.

CARRIED 5/0

2023-080

#### **ANDERSON - BOYD**

That the Planning Commission recommend City Council approve By-law No. 7369 (Z-09-23) to rezone 513, 525, 537 and 559 – 39<sup>th</sup> Street, part of 39<sup>th</sup> Street right-of-way, and part of 902 – 38<sup>th</sup> Street from Development Reserve (DR) and Residential Single Detached (RSD) to Commercial Arterial (CAR), subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in “Attachment D” of this report, 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 5/0

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

- Commission Anderson spoke to the Developer’s concerns and would be voting in favor of this application.
- Commissioner Boyd spoke to concerns regarding drainage and overland flooding, and will be voting in favor of this application.
- Commissioner Majcher spoke to the concerns raised regarding access through a closed back lane, and would be voting in favor of this application.

#### **b. Variance - Extension**

453 & 459 Russell Street

Owner: 5705356 Manitoba Ltd.

Applicant: Steve McMillan

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

The applicant, Steve McMillan on behalf of the owner, spoke to the extension request of the variance, as the zoning for the property is approved; an extension is required for the permit process.

2023-081      EDMUNDS - JOHNSTON  
That the Public Hearing for Variance Extension at 453 & 459 Russell Street be concluded.  
CARRIED 5/0

2023-082      EDMUNDS - JOHNSTON  
That the approval deadline of Variance Order V-19-22 be extended to October 17, 2024.  
CARRIED 5/0

**c.      Variance**  
353 – 16<sup>th</sup> Street North  
Owner: City of Brandon  
Applicant: City of Brandon

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

The applicant, Shannon Saltarelli, Community Housing and Wellness Coordinator for the City of Brandon, spoke to the application as the project lead for the Sobering Centre, Government funds received for the project, and an overview of service this program will provide to the community.

2023-083      BOYD - EDMUNDS  
That the Public Hearing for Variance Application at 353 – 16<sup>th</sup> Street North (Sobering Centre) be concluded.  
CARRIED 5/0

2023-084      BOYD - EDMUNDS  
That the Variance Application V-13-23 under Clause 97(2) of The Planning Act to establish a Sobering Center as substantially similar to a hospital, which is a permitted use in the Educational and Institutional (EI) Zone under Table 17, Section 64 of the Zoning By-law, be approved at 353 16<sup>th</sup> Street North (Lots 10/14, Block 8, Plan 228) in accordance with the attached letter of intent “Attachment A” and the site plan “Attachment B”.  
CARRIED 5/0

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

- Commissioner Boyd spoke to the need for this in the community.
- Commissioner Edmunds commented on the decentralization of this service from

the downtown, and a great addition to the community.

- Commissioner Majcher agreed that this would be a great addition.

**d. Variance**

353 – 16<sup>th</sup> Street North

Owner: City of Brandon

Applicant: City of Brandon

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

2023-085

**JOHNSTON - BOYD**

That the Public Hearing for Variance Application at 353 – 16<sup>th</sup> Street North (Site Area) be concluded.

CARRIED 5/0

2023-086

**JOHNSTON - EDMUNDS**

That Variance Application V-12-23 to vary Table 18 under Section 65 of the Zoning By-law by reducing the required site area and site width from 670m<sup>2</sup> and 18.2m to 288m<sup>2</sup> and 4.5m in the Educational and Institutional (EI) Zone be approved at 353 – 16<sup>th</sup> Street North (Lot 19, Block 8, Plan 228 BLTO) in accordance with the attached letter of intent “Attachment A” and attached drawings “Attachment B”.

CARRIED /0

**e. By-law No. 7368 Rezone**

639 Van Horne Avenue

Owner: ABH Renovations Ltd.

Applicant: Leni Shiju

Principal Planner, Sonikile Tembo, indicated due to unavoidable circumstances a request was made to adjourn this public hearing to the November 15<sup>th</sup>, 2023 Planning Commission meeting.

2023-087

**EDMUNDS - JOHNSTON**

That the Public Hearing for By-law No. 7368 to Rezone 639 Van Horne Avenue from Industrial Restricted (IR) to Residential Moderate Density (RMD), be adjourned to the November 15, 2023 Planning Commission meeting.

CARRIED 5/0

f. **By-law No. 7366 Rezone & Subdivision**

1307 – 18<sup>th</sup> Street North

Owner: 6864598 Manitoba Ltd.

Applicant: Kate McKenzie (Myria Design Ltd.)

Principal Planner, Sonikile Tembo, introduced the application as presented in the City of Brandon Planning report, and noted several emails received from area residents regarding concerns, questions and/or opposition.

The applicant, Kate McKenzie of Myria Design, spoke to the rezoning and subdivision to allow for the development of 132 multiple-dwelling units. She spoke to community outreach performed, and how they have addressed concerns raised from area residents regarding land drainage, landscaping, tree coverage, buffer zone, recreational area, as well as traffic concerns.

The applicant, Evan Keller of Keller Developments spoke to the development of eight multi-unit residential energy saving buildings, a portion of the units being affordable housing, with full-time staff on-site to address any issues. He spoke to the development of the road, and the limit on traffic speed to 40 kms/hr.

**In Opposition**

Gisele Harding, area resident, spoke on behalf of the residents in attendance from Monterey Estates, indicating their major concerns are traffic and safety. She noted traffic concerns with speed limit, increased volume of traffic, and congestion of traffic accessing 18<sup>th</sup> Street North. She also indicated a concern regarding land drainage, culvert size, slope, grade, soil consistency, and overland flooding. Her third concern was regarding a thin line of trees not being a sufficient buffer for noise between Monterey Estates and the new development.

**For Information**

Brian Midwinter, area resident from Whistler Landing, spoke to the proposed roundabout at the intersection of 18<sup>th</sup> Street North and Braecrest Drive. He noted concerns with garbage and recycling bin pickup placed in areas these trucks can access. The community mailbox facing the street instead of the boulevard.

Administration and the applicants addressed all questions raised.

2023-088

**JOHNSTON - ANDERSON**

That the Public Hearing for By-law No. 7366 to rezone as amended, and subdivision at 1307 – 18<sup>th</sup> Street North be concluded.

CARRIED 5/0

2023-089

JOHNSTON - BOYD

That the Planning Commission recommend City Council amend By-law No. 7366 (Z-07-23) to rezone Part of 1307 – 18<sup>th</sup> Street North from Commercial Arterial (CAR) to Residential Moderate Density (RMD) Zone by deleting Sections 3 and 4 in their entirety and substituting therefor:

3. This By-law will come into force when the City of Brandon Planning & Buildings Department receives written confirmation that the plan for Subdivision Application 4500-23-734 is registered in the Brandon Land Titles Office.
4. This By-law will be repealed without coming into force three years after the date of this By-law’s adoption unless the City of Brandon Planning & Buildings Department receives written confirmation that the plan for Subdivision Application 4500-23-734 is registered in the Brandon Land Titles Office, or the applicant applies for an extension of time before the expiration of the three-year period to register Subdivision Application 4500-23-734 and Council approves the extension.

And that Planning Commission recommend City Council approve By-law No. 7366 (Z-07-23) as amended.

CARRIED 5/0

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

- Commissioner Johnston, interesting development within this area, and agree with the rezoning.
- Commissioner Boyd, consistent with other developments within the area.

**Subdivision**

2023-090

JOHNSTON - EDMUNDS

That the Planning Commission recommend City Council approve the application to subdivide (4500-23-734) Part of 1307 – 18<sup>th</sup> Street N (Part of Lot 1, Plan 23049 Exc Road Plan 39509 BLTO) to create one (1) lot and an extension of Quail Ridge Drive, subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in “Attachment D” of this report, 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 5/0

**5.0 GENERAL BUSINESS**

**a. Tracking Table**

**b. Administrative Business**

**c. Absences From Upcoming Meetings**

**6.0 ADJOURNMENT**

2023-091 EDMUNDS - ANDERSON  
That the meeting do now adjourn (9:13 p.m.)

CARRIED 5/0

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**Amber Chapil**  
**Planning Commission Clerk**

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**William Majcher**  
**Chairperson**