

**BRANDON & AREA PLANNING DISTRICT
BOARD MEETING**

7:00 P.M. Thursday, October 4, 2018
Rural Municipality of Cornwallis Council Chambers

Present: Rick Chrest
Heather Dalglish
Ross Farley
Barry Cullen
Emil Egert
Bob Brown
Donna Mitchell
Ches Bollman

Absent: Jeff Fawcett

Staff: Marlene Biles – Executive Director – BAPD
Bob Wallis, Rural Development Planning Manager, BAPD
Ryan Nickel, Principal Planner, Planning and Building Safety, City of Brandon

Guests: Devin Dietrich, Community Planner, Manitoba Regional and Community Planning.

Rick Chrest called the meeting to order at 7:00 p.m.

ADOPTION OF THE AGENDA

Resolution No. 096/2018	Moved/Donna Mitchell Seconded/Ross Farley
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BE IT RESOLVED that the agenda be adopted as circulated.

Carried	7/0
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PUBLIC HEARING

By-law No. 109/01/18 to Amend Development Plan By-law No. 95/01/12

Resolution No. 097/2018	Moved/Heather Dalglish Seconded/Emil Egert
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BE IT RESOLVED that the Public Hearing be commenced at 7:01 PM.

Carried	7/0
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Chairperson Chrest opened the hearing with introductions of the Directors and staff. Mr. Chrest announced the By-law and its purpose, explained the public hearing process and the rules of the hearing and opened the floor to presenters.

Ches Bollman arrived at 7:04 PM.

Resolution No. 098/2018	Moved/Emil Egert Seconded/Ross Farley
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Tracy Oswald – Opposed – Ms. Oswald explained that she had just purchased her property and moved in at the end of August and was expecting a private property with country living. She stated that she would be getting horses and chickens and would be doing some dog training on the property. Ms. Oswald told the Board that she would not have purchased the property if she had known about the proposed development.

Manon Pascal – Opposed – Ms. Pascal presented a petition containing 12 resident signatures that were opposed to the proposed change in zoning. She indicated that her and her husband own almost 19 acres and enjoy many varieties of birds and deer on their property and was concerned that the wildlife would be forced to move further into the city. The proposed area is currently hay land and to change the zoning to allow for 2-5 acre lots would affect the agricultural component of the property. The Pascal’s currently have four horses and she was concerned that the increased noise and traffic would distress her animals. Ms. Pascal stated that the municipality has re-designated other land that would be more suitable for small acreages and felt that this proposal was inconsistent with the Development Plan. Further concerns were flooding and drainage issues, increased traffic and road maintenance, as well as increased dust that would affect the rural lifestyle.

Barry Gurr – Opposed – Mr. Gurr’s concerns were related to sewage disposal; well water quality; dust; increased traffic; and that farming practices would not be understood by small landholders. Mr. Gurr also expressed his concern for his neighbors.

Jason Pascal – Opposed – Mr. Pascal recognized that farmland is being taken away every year and it should not continue, this particular property is surrounded by farmland. There has been an increase in traffic because of the strawberry farm and they have to deal with the dust from that. Drainage has always been a concern on their property and especially with their shallow well there is a concern for the drinking water quality. The proposed development would change their enjoyment of their acreage.

Dave Penner – Opposed – Mr. Penner indicated that his property is directly to the north of the proposed development. He purchased 18.67 acres in 2003 and if the subject land was developed, he would be looking over it and it would be like living in the city. There is farmland on all four sides and he felt that this is how it should remain.

Devin Dietrich – Community Planning Services – Opposed – Cited the comments in his September 17, 2018 report. Historical Resources advises that a pre-impact assessment would need to be done at no expense to the developer. However, if there were an issue it would then be at the cost to the developer. Manitoba Infrastructure advised that they would require a study. Manitoba Agriculture objects to the development even though it is viable lower class land and sited the planning regulation, location and Development Plan in their opposition to the development. Mr. Dietrich advised the Board that Community Planning Services would support Manitoba Agriculture.

Kevin Hiebert – In Favour – Mr. Heibert indicated that there are no hard and fast plans for developing the property. He would prefer eight two-acre parcels along the frontage with his own development in the back. Mr. Heibert assured the Board and attendees that there would be no clearing of trees. He felt that an engineered drainage plan would address everyone’s water concerns with possible retention ponds and that two-acre lots would leave more green space. Every development is very restricted so there would be a traffic study, a drainage study and Manitoba Environment requires engineered tanks and field systems. Wells would be required on each property. Mr. Hiebert stated that farming 60 acres is not feasible on mediocre land. His proposal is for a net-zero subdivision that would incorporate high efficiency components including solar panels. Mr. Hiebert told the Board that he has lived on the property for a long time and shares a driveway with the Pascals. Mr. Hiebert advised the Board that he had met and discussed his proposal with some of his neighbors.

Additional information provided:

Jason Pascal – Mr. Pascal recognizes that the proposed development would affect them and others, but felt their property was impacted the most. He presented a map showing where his property was. Mr. Pascal stated that any development would affect his family’s view significantly and that there was a lot at stake for his family and their quality of life if this development was approved.

Kevin Hiebert – Mr. Hiebert communicated that the public hearing was the first part of a three or four-part process and that this is not the final step.

Manon Pascal – Ms. Pascal indicated that she understood the process, but once it is changed, there is no going back.

Chad Martin – Not Opposed or In Favour – Mr. Martin told the Board that he owns 56 acres along the Eastern Access and Veteran’s Way. He inquired as to what would happen when the current acreage owners decide to subdivide their properties.

Barry Gurr – Mr. Gurr questioned the RM of Cornwallis’ concerns with this development and the water issues, as they were similar to the Chater development.

**Resolution
No. 099/2018**

**Moved/Bob Brown
Seconded/Donna Mitchell**

BE IT RESOLVED that the Public Hearing be concluded.

Carried

8/0

By-law No. 109/01/18 to Amend Development Plan By-law No. 95/01/12

**Resolution
No. 100/2018**

**Moved/Heather Dalgleish
Seconded/Bob Brown**

BE IT RESOLVED that no further readings be given to By-law No. 109/01/18 to amend Development Plan 95/01/12.

Carried

8/0

APPROVAL OF MINUTES

**Resolution
No. 101/2018**

**Moved/Heather Dagleish
Seconded/Ross Farley**

BE IT RESOLVED that the minutes of the September 6, 2018 Board Meeting be adopted as presented.

Carried

8/0

SUBDIVISION APPLICATIONS

**Proposal to Subdivide
City of Brandon**

**4500-18-671
700 Maryland Avenue (proposed)**

**Resolution
No. 102/2018**

**Moved/Barry Cullen
Seconded/Ross Farley**

BE IT RESOLVED that subdivision application 4500-18-671 to subdivide 1900 – 6th Street, 1951 – 7th Street, and 1900 – 8th Street (Blocks 3/5, Plan 300 BLTO, and Parcels B/H, Plan 37279 BLTO) in the City of Brandon be granted Conditional Approval subject to the conditions contained in the City of Brandon resolution dated September 18, 2018; And further, that subject to meeting all other necessary conditions and requirements of subdivision, that the designated signing officers are authorized to sign and seal the Final Certificate of Approval.

Carried

8/0

**Proposal to Subdivide
RM of Elton**

**4124-18-676
Pt. NE ¼ 19-12-18WPM**

**Resolution
No. 103/2018**

**Moved/Ross Farley
Seconded/Ches Bollman**

BE IT RESOLVED that the Board of the Brandon and Area Planning District provides **Conditional Approval** to subdivision application FILE NO 4124-18-676 to subdivide Pt. NE ¼ 19-12-18 WPM in the RM of Elton subject to the following:

1. The conditions contained in the Rural Municipality of Elton resolution dated September 11th, 2018; and

Further, that subject to meeting all other necessary conditions and requirements of subdivision, that the designated signing officers are authorized to **sign and seal the Final Certificate of Approval**.

Carried

8/0

GENERAL BUSINESS

Natural Asset Sub-Catchment Approach to Surface Water Management

**Resolution
No. 104/2018**

**Moved/Heather Dagleish
Seconded/Barry Cullen**

BE IT RESOLVED that the Board authorize the entering into a contract for consulting services with Tetra Tech and further that an additional \$3,500.00 be appropriated toward the project.

Carried

8/0

Board Information Guide

**Resolution
No. 105/2018**

**Moved/Emil Egert
Seconded/Barry Cullen**

BE IT RESOLVED THAT the information guide for the new Board (November 2018) be hereby approved.

Carried

8/0

Adjournment

**Resolution
No. 111/2018**

**Moved/Donna Mitchell
Seconded/Bob Brown**

That the meeting is adjourned at 9:13 p.m.

Carried

8/0

ORIGINAL SIGNED BY JEFF FAWCETT
CHAIR

ORIGINAL SIGNED BY MARLENE BILES
EXECUTIVE DIRECTOR

Next meeting: November 15, 2018 at 1:30 pm
Location: A.R. McDiarmid Civic Complex – T.E. Snure Room