

MINUTES OF THE PLANNING COMMISSION MEETING HELD DEC 18, 2013 AT 7:30 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

1 ROLL CALL

Commissioners: Calvin Coey
Don Jessiman
Leo Boivin
Colleen Anderson

Administration: Ryan Eidick
Tyson Fisher
Angie Veilleux

2. ADOPTION OF AGENDA

2013-172

Anderson-Jessiman

That the Agenda for the regular meeting of the Planning Commission to be held December 18, 2013, be adopted as presented.

CARRIED 4/0

3. CONFIRMATION OF MINUTES

2013-173

Boivin-Jessiman

That the minutes of the regular meeting of the Planning Commission held on December 4, 2013 be adopted as presented.

CARRIED 4/0

4.0 PUBLIC HEARING

a. VARIANCE

**Property Located At 1017 Stickney
Owner/Applicant: Kevin Hiebert**

Mr. Eidick indicated that Kevin Hiebert, owner & applicant, is applying to increase the maximum number of dwelling units from three dwelling units to four dwelling units for a property located at 1017 Stickney Avenue (Lots ¾, Block 109, Plan 2 BLTO) in the RLD Residential Low Density Multiple Family Zone.

Upon presentation by staff, Commissioner Anderson asked if it was possible to sell city owned property to the applicant. Mr. Eidick said city will not sell property in zone 1 of the methane gas zone. Commissioner Anderson asked about lane cleaning for access to property and parking. Mr. Eidick said the lane is not plowed regularly, but other city departments have looked into plowing more.

Kevin Hiebert, owner and applicant said he approached the property department about purchasing the city property. The city had no issue with accessing across the property, but has deemed the property undevelopable and not saleable. Commissioner Boivin asked about the size and location of a shed being built on the adjacent property. Mr. Hiebert said the shed is being built at the back of the property near access to parking. Mr. Hiebert

said the shed looks to be close to the boundary lines, but he has not had the survey stakes renewed. Mr. Hiebert said he does not see the location as being an issue and it will be a matter of snow clearing. Commissioner Coey asked if Mr. Heibert conducted any public outreach. Mr. Hiebert said he talked to the neighbours on either side of the property. Mr. Hiebert asked the neighbor to the east if they would agree to a right of way access if he couldn't get a crossing agreement with city. The neighbours lot was not developed all the way to the back and agreed to allow a right of way access. Commissioner Anderson asked if anyone currently lives in the house. Mr. Hiebert said no one is living in the house and demolition permit is in process.

2013-174

Anderson-Boivin

That the Public Hearing for Variance Application V-24-13-B at 1017 Stickney Avenue be concluded.

CARRIED 4/0

2013-175

Anderson-Boivin

That Variance Application V-24-13-B to increase the maximum number of dwelling units from three dwelling units to four dwelling units be approved at 1017 Stickney Avenue (Lots 3/4, Block 109, Plan 2 BLTO) in accordance with the intent of the application (A-1), the attached letter of intent (A-3) and the attached site plan (B-2) and elevation plan (B-3), subject to:

1. The owner or successor, prior to the issuance of building permits, submitting:
 - a. \$380.99 to the City of Brandon Planning & Building Safety Department as a cash-in lieu contribution for public reserve purposes;
 - b. written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received \$202.50 as a cash-in lieu contribution for school purposes; and
 - c. written confirmation to the City of Brandon Planning & Building Safety Department that a Save Harmless Agreement has been entered into with the City of Brandon.

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioner Anderson indicated the application is the minimum modification to zoning by-law, meets setbacks, is redevelopment for area, will improve avenue and meets urban design standards. Commissioner Boivin said it makes good sense to clean up the property. Commissioner Coey said he will support the application.

b.

STREET NAMES

Roads North of Middleton Avenue (East/West) as "Matheson Avenue" and between 915 & 1025 Middleton Avenue (North/South) as "Marshall Lane"

Angie Vielleux, on behalf of, The Property Section is proposing street names for the new east/west road located north of Middleton Avenue from Highway #10 to Deer Ridge Road and the north/south road between 925 & 1025 Middleton Avenue in the SW ¼ 1-11-19 WPM.

Upon presentation by staff, Commissioner Boivin asked for clarification of the title of the report including the words “and funding”. Ms. Veilleux said the “and funding” is likely a typo. Ms. Veilleux suggested that a representative from the property department can come to meetings in the future. Commissioner Coey asked to remove the word “funding” from the report. Commissioner Jessiman asked where the naming comes from and brought up concerns about street naming from the past. Ms. Veilleux said the planning department does not have authority to name streets and the property section in the engineering department has the authority to name streets. Ms. Veilleux referenced a 2009 street naming policy. Ms. Veilleux indicated the street names are on an already established list. Commissioner Coey asked for clarification from Commissioner Jessiman if his information was from prior to the 2009 policy. Commissioner Jessiman said his information was from before 2009. Commissioner Anderson said she liked the names and the brief history in the report. Commissioner Boivin asked if the community at large is made aware of the new street names. Ms. Veilleux said she will provide the street naming policy to planning commissioners and suggested the property section could answer any other questions.

2013-176

Boivin-Jessiman

That the Public Hearing for Street Names Application located north of Middleton Avenue (East/West) as “Matheson Avenue” and between 915 & 1025 Middleton Avenue (North/South) as “Marshall Lane” be concluded.

CARRIED 4/0

2013-177

Boivin-Anderson

That the Planning Commission recommend to City Council the proposed street names of the new east/west road located north of Middleton Avenue from Highway #10 to Deer Ridge Road be named “Matheson Avenue” and the north/south road between 925 & 1025 Middleton Avenue be named “Marshall Lane” in the SW ¼ 1-11-19 WPM.

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioner Anderson said she likes names and history behind them. Commissioner Jessiman said he does not like it but will vote in favour anyway.

5.0 GENERAL BUSINESS

- a. **Extension-Conditional Use**
1302 Rosser Ave
Owner: 6017691 Manitoba Ltd.
Applicant: Tajinderpal Kaur Brar

Mr. Eidick indicated that, Tajinderpal Kaur Brar, applicant, is requesting a deadline extension to Conditional Use Order C-15-12-B to allow for a Taxi business in the CG Commercial General Zone.

Upon presentation by staff, Commissioner Boivin asked if it is normal to grant an extension for the full 12 months or if they can extend for example 6 months. Mr. Eidick said the standard is a one year extension per planning act. Commissioner Coey asked how many extensions are allowed. Mr. Eidick indicated there is one extension allowed only. Commissioner Anderson asked about the impact to the business should the extension not be granted. Mr. Eidick indicated they have no final occupancy yet and if they did not do a conditional use, they will continue to be in an illegally occupying state.

2013-178

Anderson-Jessiman

That the approval deadline of Conditional Use Order C-15-12-B be extended to December 18th, 2014.

CARRIED 4/0

b. Variance

1031 1st Street

Ms. Veilleux recapped what had been discussed at the last meeting including whether or not the application was done correctly and if planning had dealt with the eave projection correctly as well as meeting dates. Ms. Veilleux said that an error was found and the timing would not work out for the Dec 18 meeting as discussed. The applicant had been contacted and advised the property will need to be reposted and the application will be looked at the Jan 15 2014 meeting.

c. Tracking Table

Ms. Veilleux confirmed Jan 15 2014 as the meeting date for the variance at 1031 1st and advised the applicant to attend the meeting in case there are any questions. Ms. Veilleux said the Kingsway Kort zoning amendment has received a 2nd objection and the appeal hearing will be on Jan 6 2014. Commissioner Coey asked for clarification of the appeal process. Ms. Veilleux provided clarification of the appeal process. Commissioner Coey asked about zoning 1313 B public outreach. Ms. Veilleux provided clarification.

d. Administrative Business

Ms. Veilleux spoke about an application for conditional use at 428 8th Street. The property did not get posted properly and did not meet requirements to attend Dec 18 meeting and will be moved to Jan 15, 2014 meeting. Commissioner Coey asked how the applicant did not meet the requirements. Ms. Veilleux said the applicant picked up the signs late and did not post them on the right property or for the correct amount of time.

e. Absences from the January 15, 2014 meeting

f. Adopt 2014 Planning Commission meeting schedule

2013-179

Jessiman-Boivin

That the 2014 Planning Commission Meeting Schedule be adopted and that starting February 2014 meetings shall be held at 7:00 p.m.

CARRIED 4/0

6.0 **ADJOURNMENT**
2013-180 Anderson-Jessiman

That the meeting does now adjourn. (8:06 p.m.)

CARRIED 4/0

Original signed by A. Veilleux
Angie Veilleux
Principal Planner

Original signed by C. Coey
Calvin Coey
Chairperson