

**MINUTES OF THE PLANNING COMMISSION MEETING HELD DEC 4, 2013 AT 7:30 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

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**1 ROLL CALL**

Commissioners: Calvin Coey  
Don Jessiman  
Garnet Boyd  
Leo Boivin

Administration: Andrew Mok  
Brenda Rosset  
Angie Veilleux

**2. ADOPTION OF AGENDA**

2013-166

Boyd-Jessiman

That the Agenda for the regular meeting of the Planning Commission to be held December 4, 2013, be adopted as presented.

CARRIED 4/0

2013-167

Friendly amendment to have item 4.0 (b) be presented before item 4.0(a).

CARRIED 4/0

**3. CONFIRMATION OF MINUTES**

2013-168

Boivin-Jessiman

That the minutes of the regular meeting of the Planning Commission held on November 6, 2013 be adopted as presented.

CARRIED 4/0

**4.0 PUBLIC HEARING**

**a. BY-LAW NO. 7077 TO REZONE**

**Property Located At 1920 Park Avenue**

**Owner: Gollstar Enterprises Ltd.**

**Applicant: VBJ Developments Ltd.**

Mr. Mok indicated that VBJ Developments Ltd., applicant on behalf of Gollstar Enterprises Ltd., is applying to re-zone from MR Industrial Restricted Zone to CG Commercial General Zone. This would allow for the redevelopment of the site into a multi-tenant commercial or mixed use commercial-residential development.

Upon presentation by staff, Commissioner Boivin requested clarification on the site plan which indicates a building to be built within the railway setback. Mr. Mok advised the 30 metre railway setback requirement is for residential units and the building within the setback is commercial. Commissioner Boyd inquired if there is a height restriction for the buildings. Mr. Mok advised the maximum height is three storeys or 14 metres in a CG zone. Commissioner Coey inquired why there are two site plans. Mr. Mok advised the applicant preferred to keep their options open pending the finalization of their development proposal.

Steve McMillan (on behalf of the applicant), advised the initial intent was to sell the lot and therefore rezoning it will make it easier to market as a commercial zone. Commissioner Jessiman inquired if the property was rezoned would it be developed within two years. Mr. McMillan advised if nobody buys the property the applicant intends to develop it within two years.

#### MORE INFORMATION

Louise Harapiak (resident), inquired if rezoning would allow the developers to develop whatever they wanted while meeting zoning and building requirements. She voiced concerns over increased noise and traffic with the development of a hotel and restaurant. Commissioner Jessiman requested Ms. Harapiak clarify if she needed more information or if she was opposed. Ms. Harapiak advised she is here for more information because she had concerns. Commissioner Boyd inquired if she felt the proposed development may be preferred over the current concrete plant that is there. Ms. Harapiak stated currently there is noise but it is during the day. This proposal will increase traffic, people and hours of operation and will present new concerns.

Steve McMillan confirmed a hotel or motel is not an approved use in a CG zone. The proposals are in the concept stage showing allowed uses permitted in the CG zone. Commissioner Boyd inquired if there will be any environmental testing done on the site. Mr. McMillan advised testing has been done and the site has been remediated. Commissioner Jessiman inquired if the applicant met with the residents. Mr. McMillan advised they did not. Commissioner Boivin stated in both site plans the proposed buildings are setback 40 ft with the patio encroaching the area by 20 ft. Mr. Mok advised the minimum front yard in a CG zone is 0 metres.

2013-169

#### Jessiman-Boivin

That the Public Hearing regarding By-law No. 7077 (Z-12-13-B) to rezone 1920 Park Avenue (Lots 1/14 & Pt. Lane, Block 34 & Lots 15/28, Block 35 & Pt. Southern Ave., Plan 720 BLTO) from MR Industrial Restricted Zone to CG Commercial General Zone be concluded.

CARRIED 4/0

2013-170

#### Jessiman-Boivin

That the Planning Commission recommend By-law 7077 (Z-12-13-B) be approved pending the execution of a development agreement between the City of Brandon and the owner/successor attached to the report of the Community Planner dated December 4, 2013, pursuant to Section 150 of The Planning Act.

CARRIED 4/0

Prior to the above motion being voted on, the following comments were made: Commissioner Jessiman stated the proposed development will clean up the area. Commissioner Boivin stated the absence of the diesel fumes and concrete ash will be an improvement in the area. Commissioner Boyd stated the CG zone will be a good fit for the area. Commissioner Coey stated it will improve the area.

- b. VARIANCE**  
**1031 1st Street**

**Owner: Mitchell Hassler & Natasha Eckert**  
**Applicant: Anne Boychuck**

Mr. Mok indicated Anne Boychuk, on behalf of the owners, Mitchell Hassler and Natasha Eckert, is applying to reduce the minimum required rear yard setback for an accessory building from 0.60m to 0.20m for a property located at 1031 1st Street in the RLD Residential Low Density Multiple Family Zone.

Due to the absence of the applicant and the amount of questions regarding the eave encroachment and the distance from the shed wall and property line Ms. Veilleux suggested deferring this item to a subsequent Planning Commission meeting.

2013-171      Jessiman - Boyd  
That the variance application for 1031 1st Street be deferred to the December 18th Planning Commission meeting.  
CARRIED 4/0

**5.0      GENERAL BUSINESS**

- a.      Tracking Table**  
Ms. Veilleux advised that on December 2, 2013 City Council held an appeal hearing for 507 42<sup>nd</sup> Street. Third reading will be held in abeyance until the development agreement is signed. 1640 Sycamore and 21 Willowcrest also received second reading. Secondary suites, boarding houses and legally non-conforming received second reading. Any appeal hearings and/or 3<sup>rd</sup> readings would be targeted for January 6, 2014.
  
- b.      Absences from the December 18, 2013 meeting**  
Commissioner Boyd will be absent.

**6.0      ADJOURNMENT**  
2013-172      Boivin-Jessiman  
That the meeting does now adjourn. (8:30 p.m.)  
CARRIED 4/0

Original signed by A. Veilleux  
**Angie Veilleux**  
**Principal Planner**

Original signed by C. Coey  
**Calvin Coey**  
**Chairperson**