

MARKED

**MINUTES OF THE PLANNING COMMISSION MEETING HELD DECEMBER 4, 2012 AT 7:30 P.M.
IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA**

1. ROLL CALL

Commissioners: Calvin Coey
Leo Boivin
Colleen Anderson
Don Jessiman

Administration: Ryan Nickel
Ryan Eidick
Waleed Albakry
Alexis Sukaroff

2. ADOPTION OF AGENDA

2012-165

Jessiman-Anderson

That the Agenda for the meeting of the Planning Commission to be held December 4, 2012 be adopted as presented.

CARRIED 4/0

3. CONFIRMATION OF MINUTES

2012-166

Boivin-Anderson

That the minutes of the regular meeting of the Planning Commission held on November 21, 2012 be adopted as presented.

CARRIED 4/0

4.0 PUBLIC HEARING

a. Conditional Use Application C-17-12-B

639 Victoria Avenue East (Lot 1, Block 2, Plan 4 BLTO)

Owner: Darren Creighton

Applicant: Brandon Support Services

Mr. Albakry indicated Brandon Support Services, on behalf of the owner, Darren Creighton, is applying to allow for Special Needs Housing for six (6) clients in the RLD Residential Low Density Multiple Family Zone.

Upon presentation by staff, Commissioner Coey inquired as to how many care providers would live on site and clarification on the use of the 8 (eight) bedrooms. As no representative was present, Mr. Albakry noted prior discussions and documents referred to no more than six (6) clients, and no additional staff at this time. Mr. Nickel noted the building details remain consistent with the last application that was approved. Commissioner Anderson asked if the City regulates a maximum limit of clients for residential care properties. Mr. Nickel clarified the City regulates the number of clients but not the number of bedrooms. Commissioner Coey asked what processes are in place to ensure the approved number of clients is upheld. Mr. Nickel spoke to building inspections during the permit process, which they have applied for already, followed by continued inspections provided by the Fire Department.

IN OPPOSITION

Marlene Stadnyk (Nearby Property Owner) came forward expressing concerns regarding the total number of potential residents and impact on the maintenance of the property, however noting the improvement of the building through the development.

Commissioner Coey stated he assumes property maintenance is contracted out by Brandon Support Services. Commissioner Anderson asked if Ms. Stadnyk is aware of the number of staff residents. Ms. Stadnyk was aware of none, however stated it appears to be staffed in shifts.

2012-167

Anderson-Boivin

That the Public Hearing regarding Conditional Use Application C-17-12-B at 639 Victoria Avenue East be concluded.

CARRIED 4/0

2012-168

Anderson-Boivin

That Conditional Use Application C-17-12-B to allow for Special Needs Housing for six (6) clients in the RLD Residential Low Density Multiple Family Zone be approved at 639 Victoria Avenue East (Lot 1, Block 2, Plan 4 BLTO) in accordance with the intent of the application dated October 12, 2012 and the attached letter of intent dated October 2, 2012.

CARRIED 4/0

b. Conditional Use Application C-16-12-B

1518 1st Street North (Lot 1, Plan 23902 BLTO)

Owner: William and Adrienne Iwasiuk

Applicant: Dale Finley

Mr. Albakry indicated Dale Finley, on behalf of the owner, William and Adrienne Iwasiuk, is applying to allow for a Storage Facility in the CAR Commercial Arterial Zone.

Upon presentation by staff, Commissioner Boivin asked for clarification on the statements related to the "former Charles Street right-of-way". Mr. Albakry stated the right-of-way is owned by the City of Brandon and currently closed, however remains accessible for Emergency Service vehicles.

Dale Finley (Applicant) re-iterated the discussed access will be gated and used for emergency purposes only, and confirmed that approval from Manitoba Highways and Transportation had been received. Commissioner Boivin asked for clarification on the requirement for an Easement Agreement. Mr. Finley stated his property and the property directly South have a joint access off of First Street. Mr. Nickel noted a clerical error reflecting 1316 – 1st Street N as the southern property where it should read as 1516 – 1st Street N. Commissioner Boivin inquired as to Mr. Finley's role in the construction. Mr. Finley stated he is the property owner and completing the demolition only, with Crane Steel contracted for the rebuild. Commissioner Boivin expressed concerns regarding temporary protective fencing during construction.

MORE INFORMATION

Barry Larocque (Atom Jet Group, Nearby Property Owner) stated for the record, that there exists an Agreement with Glendale Industries for access to the right of way and responsibility for maintenance. He spoke to potential concerns with any increased traffic. Mr. Finley returned to confirm the right of way will not be used for regular access. Commissioner Boivin asked Mr. Finley if any shared compensation for maintenance was offered. Mr. Finley stated not at this time, however he may be open to the concept.

2012-169

Anderson-Jessiman

That the Public Hearing regarding Conditional Use Application C-16-12-B at 1518 1st Street North be concluded.

CARRIED 4/0

2012-170

Anderson-Jessiman

That Conditional Use Application C-16-12-B to allow for a Storage Facility in the CAR Commercial Arterial Zone be approved at 1518 1st Street North (Lot 1, Plan 23902 BLTO) in accordance with the intent of the application dated October 16, 2012, the attached letter of intent dated October 8, 2012 and the attached site and elevation plans, subject to the following condition:

- a) Prior to the issuance of a building permit, the owner or successor provides written confirmation to the satisfaction of the City of Brandon Planning & Building Safety Department that a cross-access agreement has been registered on the title of the subject site and 1516 1st Street North (Lot 2, Plan 23902)

CARRIED 4/0

c. Conditional Use Application C-15-12-B

1302 Rosser Avenue (Lots 17/20, Block 56, Plan 2 BLTO)

Owner: 6017691 Manitoba Ltd.

Applicant: Tajinderpal Kaur Brar

Mr. Eidick indicated Tajinderpal Kaur Brar, on behalf of the owner, 6017691 Manitoba Ltd., is applying to allow for a Taxi business in the CG Commercial General Zone.

Upon presentation by staff, Commissioner Anderson asked if environmental concerns on the site would be a factor for an "ideal use" to be developed. Mr. Eidick stated environmental implications limit the site's potential, and that the proposed development would be an incremental improvement to the site. Commissioner Boivin asked for the definition of the HMU zoning. Mr. Eidick clarified the "H" stands for HUB and that under the new proposed rezoning; a taxi service would not have been permitted. Commissioner Jessiman asked if the previous auto related business was dispensing gasoline. Mr. Eidick stated to his understanding it was an auto maintenance station only.

Commissioner Boivin asked if there will be any communication antennas or towers on site and what the timeline is for completion. Tajinderpal Kaur Brar (Applicant/Property Owner) deferred to her Manager regarding the towers, but stated they are attempting to move forward as soon as possible, weather permitting. Commissioner Coey questioned the total number of taxis for the business. Ms. Brar stated three (3) vehicles are owned by the company and kept onsite; however the rest are owned and operated independently.

Heiko Zinn (Manager) stated a computerized dispatch system is used which will operate through the wireless network. He also noted there are twenty-six (26) vehicles in total, twenty-three (23) of which are owned by sub-contractors and kept at their residences. Commissioner Anderson asked if the office is open to the public. Mr. Zinn stated during daytime business hours, some customers come to pay invoices and otherwise the doors are locked for dispatching service only. Commissioner Coey expressed concerns regarding the potential loitering of multiple taxi vehicles on site. Mr. Zinn stated they are not to be loitering and would be happy to receive notification should this be observed. Commissioner Boivin asked if any servicing of the vehicles will be done on site. Mr. Zinn stated they would not, and spoke of converting space to expand the office itself. The only intended parking on site will be for the company vehicles such as the Handi-transit vehicle which they prefer not to park on the street.

2012-171 Boivin-Jessiman
That the Public Hearing regarding Conditional Use Application C-15-12-B at 1302 Rosser Avenue be concluded.

CARRIED 4/0

2012-172 Boivin-Jessiman
That Conditional Use Application C-15-12-B to allow for a Taxi business in the CG Commercial General Zone be approved at 1302 Rosser Avenue (Lots 17/20, Block 56, Plan 2 BLTO) in accordance with the intent of the application dated October 4, 2012, the attached letter of intent dated July 18, 2012 and the attached site plan and elevations, subject to the following conditions:

a) Prior to issuance of a building permit the owner or successor submits a revised site plan identifying the replacement of the second approach from Rosser Avenue closest to 13th Street with the construction of a curb, sidewalk, boulevard and site landscaping to the satisfaction of The Engineering and Planning & Building Safety Departments; and

b) Prior to the issuance of a building permit, the owner or successor provides written confirmation to the City of Brandon Planning & Building Safety Department that the placement of the two existing pylon signs on the subject site is to the satisfaction of the City of Brandon Property Department.

CARRIED 4/0

5.0 GENERAL BUSINESS

a. Tracking Table

Mr. Nickel stated any items scheduled for January 2, 2013 will now be received on January 16, 2013 due to the intended cancellation of January 2, 2013. He made special notice of the HUB Rezoning being one of the upcoming applications.

b. Administrative Business

Mr. Nickel stated the new Commissioner will be brought before Council on December 17, 2012 with intentions, if appointed, to attend the December 19, 2012 Public Hearing.

Commissioner Coey asked for clarification on the Planning Department's process regarding attendance from applicants. Mr. Nickel stated the applicants are phoned prior to the meeting and advised to verify someone will be attending to represent their application. Commissioner Coey asked that the applicant absent from today's hearing is contacted to hear the Commission's grievances. Mr. Albakry noted he had previously attempted contact, and will follow up.

c. Absences from the December 19, 2012 meeting

None to report

6. ADJOURNMENT

2012-173 Anderson-Jessiman
That the meeting does now adjourn. (8:31p.m.)

CARRIED 4/0

Ryan Nickel
Acting Sr. Planner

Calvin Coey
Chairperson