

## MARKED

### MINUTES OF THE PLANNING COMMISSION MEETING HELD DECEMBER 19, 2012 AT 7:30 P.M. IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, BRANDON, MANITOBA

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#### 1. ROLL CALL

Commissioners: Calvin Coey  
Leo Boivin  
Colleen Anderson  
Don Jessiman  
Garnet Boyd

Administration: Ryan Nickel  
Ryan Eidick  
Waleed Albakry  
Brenda Rosset, Alexis Sukaroff

#### 2. ADOPTION OF AGENDA

2012-174

Coey-Anderson

That the Agenda for the meeting to be held December 19, 2012 be amended to add the cancellation of the January 2, 2013 meeting as item 5.e) under General Business, item of absences from the January 16, 2013 meeting now 5.f) and that the Agenda be adopted as amended.

CARRIED 5/0

#### 3. CONFIRMATION OF MINUTES

2012-175

Boivin-Anderson

That the minutes of the regular meeting of the Planning Commission held on December 4, 2012 be adopted as presented.

CARRIED 4/0

#### 4.0 PUBLIC HEARING

##### a. Variance Order Application V-39-12-B

946 – 10<sup>th</sup> Street (Lot 16, Block 36, Plan 16 BLTO)

Owner: Timothy Le

Applicant: Van Bi Le

Mr. Eidick indicated Van Bi Le, on behalf of the owner, Timothy Le, is applying to increase the maximum number of dwelling units from one (1) dwelling unit to two (2) dwelling units in the RLD Residential Low Density Multiple Family Zone. This would allow for the construction of a two-family bi-level dwelling at 946 10<sup>th</sup> Street. Mr. Eidick circulated a letter of opposition recently received by the Planning Department from the owner of the adjacent property, speaking to concerns of privacy; parking and tree removal.

Raymond Burgess (On behalf of the applicant) was present for any questions. Commissioner Boivin requested further details on which trees would be removed. Mr. Burgess stated it will be dependent on construction processes, but kept to a minimum wherever possible.

2012-176 Boivin-Jessiman  
That the Public Hearing regarding Variance Application V-39-12-B at 946 - 10<sup>th</sup> Street be concluded.

CARRIED 5/0

2012-177 Anderson-Boyd  
That Variance Application V-39-12-B to increase the maximum number of dwelling units from one (1) dwelling unit to two (2) dwelling units be approved at 946 – 10th Street (Lot 16, Block 36, Plan 16 BLTO) in accordance with the intent of the application dated November 5, 2012, the attached letter of intent dated October 31, 2012 and the attached site plan and elevations, subject to the following conditions:

- a) The owner or successor provides a payment of \$123.67 to the City of Brandon Planning and Building Safety Department as a cash-in-lieu contribution for public reserve purposes; and
- b) The owner or successor provides written confirmation from the Brandon School Division that the applicant has paid \$283.50 as a cash-in-lieu contribution for school reserve purposes.

CARRIED 5/0

**b. Conditional Use Application C-18-12-B**

17-1500 Stickney Avenue (Block 17, Plan 397 BLTO Exc Plan 47746 BLTO)

Owner: Manitoba Housing Renewal Corporation

Applicant: Brandon Community Options

Mr. Albakry indicated Brandon Community Options Inc., on behalf of the owner, the Manitoba Housing Renewal Corporation, is applying to allow for Special Needs Housing for five (5) individuals at 17 & 18 - 1500 Stickney Avenue in the RMD Residential Moderate Density Multiple Family Zone.

Upon presentation by staff, Commissioner Boivin asked if the ambulatory regulation applies to the existing clients in Unit 18. Mr. Albakry stated that the ambulatory stipulation is a requirement of the Manitoba Building Code and would apply to all new occupancies. Commissioner Anderson questioned the need for a Conditional Use application for only two (2) clients if they are separate residences. Mr. Albakry stated the conditional use applies to the building, not the unit; and since the building is on one title, conditional use is required. Commissioner Coey asked if the original occupants required Conditional Use. Mr. Albakry clarified it was not required as three or less clients is a permitted use in the Zoning By-law.

Brenda Elmes (Executive Director, Brandon Community Options) provided a history of the application with this property originally chosen for its wheelchair accessibility. The application brought forward the new Building Code regulation stating clients must be ambulatory, which would not apply to existing clients. They are now applying for two (2) ambulatory senior clients and noted the three (3) existing clients are not affiliated with Brandon Community Options. Commissioner Boivin asked for a definition of the term “ambulatory”. Ms. Elmes defined it as being able bodied to walk as opposed to permanent use of a wheelchair. Commissioner Boyd asked if the cost to accommodate a non-ambulatory client was investigated. Ms. Elmes stated they will be evaluating the cost to meet the code at another property. Commissioner Coey asked for clarification on

the number of clients and staff in both units. Ms. Elmes could only speak to their clients in unit 17, there being two (2) clients and one (1) staff.

#### OPPOSED

Stephen Johnson (Resident of Brandon) expressed concerns with the fit of this type of application, and that the Manitoba Housing development is intended for families - not special needs housing.

#### MORE INFORMATION

Debbie Winter (Resident of Brandon) asked where funding for structural changes to meet code would come from, and expressed concerns regarding the need for a three (3) bedroom unit for two (2) special needs clients. Ms. Winter also stated concerns with the potential of profit gaining businesses receiving housing priority over citizen applications. Commissioner Boyd asked if Ms. Winters is aware of anyone declined through this development due to this application. She stated she is aware of several families on a waiting list for Manitoba Housing. Commissioner Boivin asked for clarification on Ms. Winter's definition of "family" while Commissioner Jessiman asked that she clarify her exact concerns. Ms. Winter stated she is concerned housing is being used for a business use as opposed to living space for families in need, and if the costs for accommodating changes will come from tax dollars.

Ms. Elmes confirmed they are a non-profit organization and the apartment is three bedrooms, and the third bedroom is not used as an office; rather for staff accommodations. She re-iterated no changes will be made to the construction of the unit. Commissioner Jessiman asked for clarification on the business relationship between Brandon Community Options and Manitoba Housing. Ms. Elmes clarified the clients are on assisted living payments which are managed by Brandon Community Options and used to pay the rent to Manitoba Housing.

2012-178

#### Jessiman-Boyd

That the Public Hearing regarding Conditional Use Application C-18-12-B at 17-1500 Stickney Avenue be concluded.

CARRIED 5/0

2012-179

#### Jessiman-Boivin

That Conditional Use Application C-18-12-B to allow for Special Needs Housing for five (5) individuals in the RMD Residential Moderate Density Multiple Family Zone be approved at 17 & 18 - 1500 Stickney Avenue (Block 17, Plan 397 BLTO EXC PLAN 47746 BLTO) in accordance with the intent of the application dated October 26, 2012, and the attached letter of intent dated October 4, 2012.

CARRIED 5/0

## 5.0 GENERAL BUSINESS

### a. Urban Design Update

Mr. Eidick made a presentation regarding a project to renew and condense the Urban Design Standards and Guidelines, offering to receive any comments from the Commission as part of the public and shareholder consultations proposed for early 2013.

**b. Public Outreach Policy Update**

Mr. Albakry made a presentation regarding the proposed future Public Outreach Policy speaking to the existing development plan requirements and potential benefits of the policy.

**c. Tracking Table**

Mr. Nickel provided a brief history of an upcoming application for 2405 Victoria Ave, also known as "The Fleming Site".

**d. Administrative Business**

Mr. Nickel stated he will be sending invitations to the Commission regarding two upcoming workshops on the Brandon & Fringe Area Growth Strategy and the North Gateway Secondary Plan.

**e. Cancellation of the January 2, 2013 meeting**

2012-180 Coey-Boyd

That the meeting to be held January 2, 2013 now be cancelled.

CARRIED 5/0

**f. Absences from the January 16, 2013 meeting**

None to report

**6. ADJOURNMENT**

2012-181 Jessiman-Anderson

That the meeting does now adjourn. (8:41p.m.)

CARRIED 5/0

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**Ryan Nickel**  
Acting Sr. Planner

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**Calvin Coey**  
Chairperson