

**MINUTES OF THE PLANNING COMMISSION MEETING HELD FEBRUARY 6, 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  
Leo Boivin  
Colleen Anderson  
Don Jessiman  
Garnet Boyd

Administration: Ryan Nickel  
Ryan Eidick  
Brenda Rosset

**2. ADOPTION OF AGENDA**

2013-015

Boivin-Boyd

That the Agenda for the regular meeting of the Planning Commission to be held February 6, 2013 be adopted as presented.

CARRIED 5/0

**3. CONFIRMATION OF MINUTES**

2013-016

Anderson - Jessiman

That the minutes of the regular meeting of the Planning Commission held on January 16, 2013 be adopted as presented.

CARRIED 5/0

**4.0 PUBLIC HEARING**

**a. Variance V-42-12-B**

1217 – 13th Street  
Lots 21/25, Block 19, Plan 193 BLTO  
Owner/Applicant: Gary & Sandra Keeble

Mr. Eidick indicated on behalf of the owners and applicants Gary & Sandra Keeble are applying to increase the maximum number of dwelling units from three (3) to four (4) for a property located at 1217 13th Street in the RLD Residential Low Density Multiple Family Zone. This would accommodate the construction of a two-storey multiple-family dwelling.

Upon presentation by staff, Commissioner Boyd requested clarification on the number of access points on 13<sup>th</sup> Street. Mr. Eidick confirmed there will be one access.

Gary Keeble, owner and applicant, was present to answer any questions. Commissioner Anderson inquired whether the house next door will remain. Mr. Keeble advised it will. Commissioner Boivin inquired whether the shed on the property will be part of development. Mr. Keeble clarified a portion of the shed will be removed to comply with setbacks to accommodate the 62' wide property.

IN FAVOUR

Mr. Les Ciapala advised he is in favour of the development and was only concerned that the front yard setback would be at least 35' – 40'.

2013-017

Anderson-Jessiman

That the Public Hearing for Variance Application V-42-12-B at 1217 – 13th Street be concluded.

CARRIED 5/0

2013-018

Anderson-Jessiman

That Variance Application V-42-12-B to increase the maximum number of dwelling units from three (3) to four (4) in the RLD Residential Low Density Multiple Family Zone be approved at 1217 – 13th Street (Lots 21/25, Block 19, Plan 193 BLTO) in accordance with the intent of the application dated December 4 2012, the attached letter of intent dated November 8 2012 and the attached site plan and elevations, subject to the following condition:

a) The subdivision as shown on the attached site plan is registered with the Brandon Land Titles Office.

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made: Commissioner Anderson believes the development will fit in and rejuvenate the area, no parking issues exist, the corner location lends itself to the project, and the site is close to amenities such as a Neelin High School and the Keystone. Commissioner Jessiman believes the impact of the development will be positive for the area, and that removing the 13<sup>th</sup> street access will benefit traffic movement.

**b. Conditional Use C-20-12-B**

1990 – 18th Street North

Lot 1, Block 1, Plan 60301 BLTO, and Parcels A & B,  
Plan 1032 BLTO

Owner: Husky Oil Ltd

Applicant: Sushma Mahajan (CTM Design Services)

Mr. Eidick indicated CTM Design Services, on behalf of the owner, Husky Oil Ltd, is applying to allow for the installation of underground gasoline storage tanks for a property located at 1990 18th Street North in the CHW Commercial Highway Zone.

Upon presentation by staff, Commissioner Coey requested the reason for not being able to see the development agreement. Mr. Nickel advised that the development agreements are technical documents and the details of these documents are dealt with by administration. Commissioner Coey inquired whether the commission should be concerned about the old tanks and potential remediation or rely on Manitoba Conservation for remediation of the site. Mr. Eidick confirmed Manitoba Conservation is responsible for regulation remediation of the site.

Devin Mahaffey (on behalf of Husky Oil Ltd), wished to add that the Highway Traffic Board is requesting that the proposed tanks be repositioned to meet a nine meter setback. Once the application is approved Husky Oil will resubmit plans. Commissioner Jessiman inquired if all of the tanks are being replaced. Mr. Mahaffey clarified that

there are currently 4 underground steel tanks which will be replaced by 4 larger tanks which allow for monitoring at all times. Commissioner Boyd asked if there are current issues with the steel tanks. Mr. Mahaffey advised that the manufactures' recommended lifespan for the tanks is 25 years and Husky is replacing them at 20 years to mitigate any risk.

Commissioner Coey asked Mr. Eidick if the Planning Department was aware that there would be revised site plans for the setback and tank location. Mr. Eidick confirmed that they are aware and that the plans will still meet requirements.

2013-019

Boivin-Boyd

That the Public Hearing for Conditional Use Application C-20-12-B at 1990 – 18th Street North be concluded.

CARRIED 5/0

2013-020

Boivin-Boyd

That Conditional Use Application C-20-12-B to allow for the installation of underground gasoline storage tanks in the CHW Commercial Highway Zone be approved at 1990 – 18th Street North (Lot 1, Block 1, Plan 60301 BLTO, and Parcels A & B, Plan 1032 BLTO) in accordance with the intent of the application dated December 14, 2012 the attached letter of intent dated December 6, 2012 and the attached (revised) site plan and elevations, subject to the following condition:

a. That the owner or successor enters into a development agreement with the City of Brandon

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made:

Commissioner Boivin stated he was happy that Husky will be replacing the tanks before they are due. Commissioner Boyd stated the monitoring and building upgrades will improve the site.

**c. Variance V-43-12-B**

555 38th Street

Lots 27/30, Block 4, Plan 260 BLTO EXCL NLY 12' of Lot 30

Owner:Curtis & Maureen Goertz

Applicant:Dennis Foerster

Mr. Eidick indicated Dennis Foerster, on behalf of the owners, Curtis & Maureen Goertz, is applying for a variance to reduce the minimum required rear yard setback for an accessory building from 0.6m (1.97') to 0.5m (1.64') and the projection for overhanging eaves and gutters from 0.3m (1') to 0.1m (.33') to a rear site line for a property located at 555 38th Street in the RSF Residential Single Family Zone. This would allow the owner to retain the existing non-compliant shed located in the backyard of the site.

Upon presentation by staff, Commissioner Anderson inquired about the history of the application. Mr. Eidick deferred the question to Mr. Foerster.

Dennis Foerster (on behalf of Curtis and Maureen Goertz), advised that the shed was already in existence when the applicants purchased the property. Their lawyer at the time did not have a certificate of compliance. A survey and zoning memorandum was

done and the shed was found in non-compliance. Commissioner Boyd inquired if the current owners are going through this process to sell the property. Mr. Mahaffey advised the sellers of the property are obligated, though the purchase contract to go through this process to satisfy a condition of sale.

2013-021 Boyd-Anderson  
That the Public Hearing for Variance Application V-43-12-B at 555 38th Street be concluded.

CARRIED 5/0

2013-022 Boyd-Anderson  
That Variance Application V-43-12-B to reduce the minimum required rear yard setback for an accessory building from 0.6m (1.97') to 0.5m (1.64') and the projection for overhanging eaves and gutters from 0.3m (1') to 0.1m (.33') to a rear site line in the RSF Residential Single Family Zone be approved at 555 38th Street (Lots 27/30, Block 4, Plan 260 BLTO excel Nly 12' of Lot 30) in accordance with the intent of the application dated December 10, 2012, the attached letter of intent dated November 15, 2012 and the attached site plan.

CARRIED 5/0

Prior to the above motion being voted on, the following comments were made: Commissioner Boyd commented that it is unfortunate for the applicants but it is now being corrected and he has no concerns. Commissioner Anderson believes the variance is reasonable as it is a small shed and the variance is minimal.

## **5.0 GENERAL BUSINESS**

### **a. Current Planning Initiatives**

Mr Nickel advised of several ongoing planning initiatives, including the growth strategy, secondary plans for north and south Brandon, urban design, public outreach, and secondary suites.

### **b. Planning Commission Terms of Office**

Mr. Nickel advised that City Clerk's has submitted a report to city council to amend the Planning Commission bylaw to allow commissioners to serve 2 full terms.

### **c. Appointment of Chairperson and Vice Chairperson**

2013- 023 Boivin - Anderson  
That Commissioner Coey be the Chairperson.

CARRIED 4/0

2013-024 Boyd – Boivin  
That Commissioner Anderson be the Vice Chairperson.

CARRIED 4/0

**d. Tracking Table**

Mr. Nickel advised of upcoming rezoning public hearing for a commercial development at 1508 13<sup>th</sup> Street.

**e. Administrative Business**

**f. February 20, 2013 meeting cancelation**

2013-025 Jessiman – Anderson  
That the February 20, 2013 meeting be canceled. CARRIED 5/0

**g. Absences from the March 6, 2013 meeting**  
None to report

**6.0 ADJOURNMENT**  
2013-026 Jessiman-Anderson  
That the meeting does now adjourn. (8:36 p.m.) CARRIED 5/0

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**Ryan Nickel**  
Acting Sr. Planner

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**Calvin Coey**  
Chairperson