

**CITY OF BRANDON PLANNING COMMISSION**

***REGULAR MEETING***

**Wednesday, January 4, 2017 - 7:00 p.m.**

**Council Chambers - City Hall**

# **AGENDA**

**1.0 Roll Call**

**2.0 Adoption of Agenda**

**3.0 Confirmation of Minutes**

**4.0 Public Hearing**

**a. Conditional Use**

1625, 1629, 1633 1<sup>st</sup> Street

Owner: Paul Crane, Gail Crane, Leslie Jenkins, Beverly Jenkins

Applicant: Shaun Earl

Following receipt of all representation, it is the recommendation of the Planning & Building Safety Department:

1. That the Public Hearing for Conditional Use Application C-11-16-B at 1625, 1629 and 1633-1st Street be concluded.
2. That Conditional Use Application C-11-16-B to allow for an automotive service station in the Commercial Arterial (CAR) zone be approved at 1625, 1629 & 1633-1st Street in accordance with the attached letter of intent "Attachment A-3" and the attached site plan "Attachment B-2", subject to the owner or successor entering into a development agreement with the City of Brandon subject to the following supplementary conditions:
  - a. That the agreement be specific to the site plan submitted for the construction of an automotive service station and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement.
  - b. To formally establish and construct an approach off of 1st Street as per the accepted site plan. Such approach must be constructed to City of Brandon Standard Construction Specifications. The Developer acknowledges and accepts that no access will be granted off of Fairview Avenue.
  - c. To submit a drainage plan to the Engineering Department that will conform to the accepted Stormwater Management Plan as

prepared by G.D. Newton and Associates Inc. dated June 23, 2016. This is to include grading in the 1st Street ditch as well as the extension and grading of the drainage swale located within the unimproved right-of-way east of the property.

- d. To extend the sanitary sewer main south from the existing dead end stub as located within the unimproved Dennis Street right-of-way in order to service the property. Final design of the extension is subject to review and acceptance by the City Engineer and must conform to City of Brandon Standard Construction Specifications.
- e. To submit a detailed cost estimate (DCE) which will detail all the proposed work in the public right-of-way. This will include but not be limited to the extension of the domestic sewer main and upgrades and improvements along the 1st Street ditch and drainage swale just east of the property. The DCE shall be subject to review and acceptance by the City Engineer prior to the issuance of building permits.
- f. To provide to the City of Brandon a Letter of Credit (LOC) which will cover fifteen percent (15%) of the estimated costs from the accepted DCE. This LOC will need to be provided prior to the issuance of building permits.
- g. To consolidate Certificate Title No.'s 2472316, 2472317 and 2472318 into one sole title prior to the issuance of any development and/or building permits and to provide the Planning, Property and Building Department evidence of title consolidation. Upon evidence of consolidation, the Property Department will issue addressing for the lands.

**b. By-Law 7149 & Subdivision**

1955 34<sup>th</sup> Street

Owner: 6636251 Manitoba Ltd.

Applicant: VBJ Developments

Following receipt of all representation, it is the recommendation of the Planning & Building Safety Department:

**Zoning By-law Amendment**

That the Planning Commission recommend By-law 7149 (Z-03-16-B) be approved.

**Subdivision**

That the Planning Commission recommend the application to subdivide (4500-16-637) 1955-34th Street (Pt. SW ¼ 10-10-19 WPM), Phase I, Stage II to create one lot and a public right-of-way to establish a 76 unit bareland condominium development be approved subject to the owner or successor:

1. submitting written confirmation to the City of Brandon Planning & Building Safety Department that the Brandon School Division has received a cash-in lieu contribution for school purposes.
2. submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and Centra Gas Inc. and registering the easement agreement along with the easement plan, if required, in series with the plan subdivision.
3. entering into a development agreement with the City of Brandon subject to the following supplementary conditions:
  - a. That the agreement be specific to the site plan submitted for the construction of 76 bare land condominium units and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement.
  - b. To provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post; to the approval of Canada Post. The location of the community mail box must be indicated on the design construction drawings submitted to the City Engineer for review. Such location is to be approved by the City Engineer prior to the issuance of any development and/or building permits. The Developer also agrees to design for an appropriately sized sidewalk section and/or concrete pad as per municipal and Canada Post Corporation Standards, to place the Community Mailbox on. The developer must contact Canada Post for concrete pad specifications. Any required curb depression for wheelchair access must have a 1.6m wide opening and no more than a 20-degree grade per site.
  - c. To remit a one-time monetary contribution, to the supply, installation, general maintenance and warranty of twenty-four (24) trees to be located on the City's right-of-way. The amount of payment for such trees will be calculated at the time of execution of this development agreement and based upon the City's tree contract pricing for the current year. Payment in full will be required prior to the issuance of any development and/or building permit.
  - d. To contribute \$1,807.00 per unit for 76 units as proposed to be developed as per Phase 1, Stage 2 totaling \$137,332.00. This contribution will be held in a Reserve Account and applied to sanitary sewer upgrades required for the downstream domestic sewer.

- e. To contribute \$796.00 per unit for 126 units as per Phase 1, Stage 1.a, Stage 1.b and Phase 1, Stage 2 totaling \$100,296.00. This contribution will be held in a Reserve Account and applied towards the extension of Maryland Avenue from 26th Street to 34th Street. This contribution is taken as per requirements of Phase 1, Stage 2 as well as retroactively from Phase 1, Stage 1a. & b. as per the agreement between the City of Brandon and the Developer.
- f. To legally open, extend and construct the public right-of-way commonly known as Chipperfield Drive and as such extend all below and above ground municipal services. The Developer will be required to submit design drawings as prepared by a professional engineer; such design is subject to review and acceptance by the City Engineer.
- g. To construct a temporary turnaround at the dead end extension of Chipperfield Drive. Such turnaround must be designed according to TAC Standards and Brandon Fire and Emergency Services requirements. Such turnaround will be required to exist until such time as the public right-of-way is extended.
- h. The Developer will be required to submit a Site Servicing Plan to the City Engineer indicating how the Developer wishes to service the condominium development. The Site Servicing Plan will be subject to review and acceptance by the City Engineer. Should the Developer wish to service the site by way of private services, the Developer will be required to enter into a Private Sewer and Water Agreement with the City of Brandon.
- i. That should any servicing within the condominium development be held privately by the condominium corporation, the Developer acknowledges and agrees that those above and below ground improvements are the sole responsibility of the condominium corporation. The Developer also agrees to have City owned water metres installed in a location approved by the City Engineer.
- j. That should any private hydrants be installed on private property, that all costs associated with the general maintenance and up keep are the sole responsibility of the condominium corporation. The Developer further agrees that only City employees and those people with written authorization from the City Engineer, will operate said hydrant(s).
- k. That should the Developer propose to jointly drain any residential lots, the Developer will be required to provide evidence of all joint drainage easements registered on the property.
- l. That should the Developer wish to drain the west side of the development by way of split drainage to the rear of the lots, the

Developer will be required to amend the existing drainage easement registered on affected titles of Phase 1, Stage 1.

- m. To provide evidence of receipt of a License to Construct Water Control Works with Manitoba Conservation and Water Stewardship for Phase 1, Stage 2. The Developer is to provide cumulative runoff calculations for the entire development as per the required drainage plan.
- n. To provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is submit to review and acceptance by the City Engineer.
- o. To provide to the City a Letter of Credit in the amount of 15% of the total cost of the detailed cost estimate; the total of which must be approved by the City Engineer.

c. **Street Names**

Part of 1620 Braecrest Drive

Proposed Development of 54 Units Located South Of Braecrest Drive & East Of 18<sup>th</sup> Street (Located In The NW ¼ 26-10-19 WPM)

VBJ Developments Ltd.

Following receipt of all representation, it is the recommendation of the Planning & Building Safety Department:

- 1. That the proposed street name of "Summit Way" submitted by VBJ Developments Ltd. for their development of The Summit at 1620 Braecrest Drive located south of Braecrest Drive and east of 18th Street in the NW 1/4 26-10-19 WPM, be approved.

## 5.0 General Business

- a. Tracking Table
- b. Administrative Business
- c. Absences From Upcoming Meetings

## 6.0 Adjournment