

### Conditional Use

Name of Property Owner: B. J. Nelson Development Ltd.  
Name of Applicant: Eric Seniuk Pattison Outdoor Advertising  
Civic Address of Property: 601 18<sup>th</sup> Street  
Legal Description of Property: Lots 1-5, Block 2, Plan 16 BLTO in NW 1/4 14-10-19 WPM

### References:

BAPD Development Plan By-law No. 95/01/12  
Applicable Secondary Plan By-law  
City of Brandon Zoning By-Law No. 7124

*\*\*Prior to submitting a formal application, the Planning, Property & Buildings Department strongly recommends that all applicants meet with a Community Planner to complete a pre-application review\*\**

### Conditional Use Request:

To install an Electronic Advertising Sign (with a Static backside)  
on a CAR - Zoned site.

*As the applicant, I confirm and verify to the City that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the Development Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.*

Signature of Applicant: Eric Seniuk Date: \_\_\_\_\_  
Address: Unit 100, 1 Portage Ave East, Winnipeg MB Postal Code: R3B 3N3  
Phone No.: (Primary) 204 285 3525 (Secondary) 204 479 3500  
Email Address: esenik@pattisonoutdoor.com

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
Address: P.O. Box 22055 Brandon MB Postal Code: R7A 6Y9  
Phone No.: (Primary) 204 725 3147 (Secondary) 204 730 0115  
Email Address: bcnelson@westman.wave.ca

The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Planning, Property & Buildings Department, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

### FOR PLANNING DEPARTMENT USE ONLY:

Community Planner: \_\_\_\_\_ Planning File No.: \_\_\_\_\_ CityView No.: \_\_\_\_\_  
Date Application Received: \_\_\_\_\_ Payment Date: \_\_\_\_\_ Receipt No.: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Conditional Use - Application

REV 05/2017

### Variance to Zoning By-law No. 7124

Name of Property Owner: B. J. Nelson Development Ltd.  
Name of Applicant: Eric Seniuk Pattison Outdoor Advertising  
Civic Address of Property: 601 18th Street  
Legal Description of Property: Lots 1-5, Block 2, Plan 16 BLTD in NW 1/4 14-10-19 WPM

#### References:

BAPD Development Plan By-law No. 95/01/12  
Applicable Secondary Plan By-law  
City of Brandon Zoning By-Law No. 7124

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#### Variance Request(s):

To install the Advertising Sign inside a Required Front Yard  
for a CAR site (1.83m setback instead of 12.1m)

*As the applicant, I confirm and verify to the City that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the Development Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.*

Signature of Applicant: Eric Seniuk Date: \_\_\_\_\_  
Address: Unit 100, 1 Portage Ave East, Winnipeg MB Postal Code: R3B 3N3  
Phone No.: (Primary) 204 285 3525 (Secondary) 204 479 3500  
Email Address: eseniuk@pattisonoutdoor.com

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
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The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Planning, Property & Buildings Department, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

#### FOR PLANNING DEPARTMENT USE ONLY:

Community Planner: \_\_\_\_\_ Planning File No.: \_\_\_\_\_ CityView No.: \_\_\_\_\_  
Date Application Received: \_\_\_\_\_ Payment Date: \_\_\_\_\_ Receipt No.: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
Variance - Application

REV 05/2017





December 18, 2017

Brandon and Area Planning District  
638 Princess Avenue  
Brandon, MB R7A 0P3

**RE: Letter of Intent for 601 18<sup>th</sup> Street in Brandon, MB**

Dear Members of the Planning Section:

As discussed with Andrew Mok and Sam Van Huizen, Pattison Outdoor Advertising propose to install a Freestanding Electronic Advertising Sign at 601 18<sup>th</sup> Street. A site survey, engineering drawings and a three-page rendering are enclosed for your reference.

In addition to applying for a Conditional Use, Pattison is also requesting a Variance to Zoning By-Law 7124, to permit a front yard of 1.83m (6 feet) for the proposed sign.

Pattison consulted with the Community regarding this application, and we have enclosed five letters of support, as well as a Community Outreach Report, for your reference. We also estimated front yard setbacks, and sign surface area, for comparable Advertising and Identification Signs along 18<sup>th</sup> Street. A spreadsheet detailing those estimates (obtained with the Google Map measurement tool), along with photo examples, are also provided.

It is our respectful opinion that the proposed sign and its location are compatible with Brandon's highly commercialized 18<sup>th</sup> Street. In evaluating our proposal, we kindly ask that the Planning Section consider our proposed setback in the context of the other signage along 18<sup>th</sup> Street we have listed (to remain consistent with the surrounding area).

Please do not hesitate to contact me with questions regarding this application. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Eric Seniuk". The signature is fluid and cursive, with a small mark above the 'i' in Seniuk.

Eric Seniuk  
Account Executive – Leasing  
204-285-3525  
eseniuk@pattisonoutdoor.com



December 19, 2017

Brandon and Area Planning District  
638 Princess Avenue  
Brandon, MB R7A 0P3

**RE: Additional Information – Letter of Intent for 601 18<sup>th</sup> Street in Brandon, MB**

Dear Members of the Planning Section:

Please note our following comments on the Conditional Use and Variance Requirements regarding our application for an Electronic Advertising Sign.

1. Will it be compatible with the general nature of the surrounding area?

Yes. 18<sup>th</sup> Street is Brandon's most highly commercialized, high-traffic thoroughfare. There are a number of static and electronic signs nearby with a large surface area, detailed in the spreadsheet we have provided. An Electronic Advertising Sign of the exact same dimensions and Front Yard setback, also operated by Pattison, is located nearby on CAR-zoned land immediately South of 905 18<sup>th</sup> Street. The subject property is zoned CAR, as well as the adjacent properties to the North, South, and West.

2. Will it be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area?

No. The Electronic Advertising Sign would not be visible from any nearby residential properties. Its view would be entirely blocked by buildings on 18<sup>th</sup> Street. The digital sign face would be angled toward Northbound vehicular traffic only, and operated within the Lighting Standards of the IESNA (Illuminating Engineering Society of North America). The digital face would utilize automatic dimming technology, and comply with illumination, hold times and transition rules stipulated in Zoning By-Law 7124, as well as Regulatory and Road Safety Guidelines recommended for DPADs by the Transportation Association of Canada.

Potential development of surrounding properties would not be adversely affected. As Identification Signs and Advertising Signs are regulated separately under Zoning By-Law 7124, the ability to establish Identification Signage for nearby businesses on 18<sup>th</sup> Street would be unaffected.



3. Is it generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law?

Yes. If the intention of the Zoning By-Law is to have Electronic Advertising Signs only on the most highly-commercialized, auto-intensive properties in the City, then the subject property fits that intention for the City.

4. Is the Variance the minimum modification of the zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property?

Yes. We are requesting the variance so that the proposed sign would be consistent with other signage on 18<sup>th</sup> Street (to give the streetscape a uniform look). Examples of other Advertising and Identification Signs located close to the front property line are given in the spreadsheet we provided. The only other Electronic Advertising Sign on 18<sup>th</sup> Street, also operated by Pattison, has a 1.83m (6-foot) setback, the exact same setback we are requesting with this application.

Thank you for your time and consideration. Please do not hesitate to contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Eric Seniuk". The signature is written in a cursive, flowing style.

Eric Seniuk  
Account Executive – Leasing  
204-285-3525  
eseniuk@pattisonoutdoor.com





April 13, 2018

**RE: Amended Application – Electronic Advertising Sign – 601 18<sup>th</sup> Street**

Dear Members of the Planning Section:

We appreciate your feedback regarding our application to install an Electronic Advertising Sign at 601 18<sup>th</sup> Street. Given the two concerns recently raised by the Planning Section, we have worked with the Landlord, Brian Nelson of B.J. Nelson Development Ltd, to offer the following changes to our proposal:

1. The Planning Section was opposed to the installation of our proposed Advertising Sign as long as there existed, or could exist, any other freestanding signage at the subject property. There is currently an existing freestanding "Pita Central" Identification Sign on the property

The Landlord is willing to execute a Development Agreement with the City of Brandon prohibiting any freestanding signs on the property, other than the proposed Electronic Advertising Sign. For clarity, the Landlord and Pattison agree to remove the existing Pita Central sign and prohibit any future freestanding signs, other than the proposed Electronic Advertising Sign

2. The Planning Section was concerned that the original location proposed for our Electronic Advertising Sign did not comply with the 1.5m Side Yard requirement in the Zoning By-Law

We will change the location of the sign such that the pole would be centered on the next parking lot line to the North, eliminating the issue of Side Yard compliance. We have enclosed a new professional site survey showing our newly proposed location

Please do not hesitate to contact me with any questions. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Eric Seniuk".

Eric Seniuk  
Account Executive – Leasing  
204-285-3525  
eseniuk@pattisonoutdoor.com



Zoning Development Officer  
Planning Department  
City of Brandon

SUBJECT: 601 - 18 Street, Lots 1, 2, 3, 4, and 5, Block 2, Plan 16 BLTD in NW 1/4 14-10-19 WPM

B.J. NELSON DEVELOPMENT LTD.

Please be advised that, as owner(s) of the above mentioned property, I/we authorize **PATTISON Outdoor Advertising** to apply for any and all Third Party Sign Permits for the above mentioned property.

I/we further agree to immediately notify the City of Brandon, in writing, of any changes regarding the above information.

☒ I am registered owner of the land.

OR

☐ I am authorized agent of the registered owner(s).

Date Signed: \_\_\_\_\_

*July 5 / 2017*

Authorized Representative: \_\_\_\_\_

*B. J. Nelson Development Ltd.*  
(signature)

*BRIAN NELSON*  
(print name)

**PATTISON OUTDOOR ADVERTISING**

Suite 100, 1 Portage Avenue East, Winnipeg, Manitoba R3B 3N3

Telephone : 204-235-3500 Fax : 204-285-3509