

Development Agreement Amendment

Name of Property Owner: _____

Name of Applicant: _____

Civic Address of Property: _____

Legal Description of Property: _____

*****Prior to submitting a formal application, Development Services strongly recommends that all applicants meet with a Community Planner to complete a pre-application review*****

Proposal: _____

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: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

Signature of Owner: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

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 & 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: \$ _____

Major Development Agreement Amendment

Development agreements are legal documents between a landowner and the City relative to the provision of municipal services to be specified. These agreements are typically required as conditions of applications to enable development, such as rezoning or subdivision. However, property owners or developers may require amendments to their development agreements. The most common reason for needing amendments is that a property owner or developer proposes new development conditions that deviate significantly from an existing development agreement. Such deviations may result in changes in demands on City infrastructure and obligations between the City and developers of those sites.

Documentation and Fee Requirements

- Application Fee: See fee schedule
- Status of Title: Issued by Brandon Land Titles Office no later than 30 days before the date of the application
- Letter of Authorization: From registered owner(s) of the land whose name(s) appear on the title
- Letter of Intent: As per attached checklist
- Site Plan: As per attached checklist
- Other plans and documentation may be required to demonstrate compliance with applicable laws, by-laws, regulations, or policies, depending on the nature of the request

*****Application may not be processed until all of the above information has been submitted*****

Timelines

The process generally can take two (2) months at best. Complicated applications may take a longer period of time.

Decision Making Authority

City Council decides on development agreement amendments. Where required under an existing development agreement, the Planning Commission, an independent body of five (5) members appointed by City Council, will hold a public hearing and make a recommendation to City Council on the application.

Pre-Application Review (Optional)

Before formal submission of an application, the Development Services Division may lead a preliminary review of the application package and, if necessary, advise the applicant which elements of the package to revisit. The Development Services Division cannot guarantee support or approval of an application, as it must objectively analyze all applications. The pre-application review may take two to three (2-3) weeks.

If Public Hearing Required

Where an existing development agreement subject to amendment requires a public hearing, the applicant must attend a public hearing scheduled by the Development Services Division, and is responsible for presenting details of their application and answer any questions the Planning Commission may have. The public hearing allows the general public to comment on the application prior to the Planning Commission's recommendation to City Council.

Appeals

Should City Council reject a development agreement amendment application or not make a decision within the prescribed time limit under The Planning Act, or the applicant is not satisfied with the conditions proposed in the development agreement amendment, the applicant may within fourteen (14) days file an appeal directly to the Manitoba Municipal Board, which will hold an appeal hearing and, if necessary, direct City Council on a final decision. The Municipal Board is a provincial quasi-judicial tribunal and is the final approval authority where appeals are involved.

Letter of Authorization

Date: _____

To: City of Brandon
Development Services
638 Princess Avenue
Brandon, MB R7A 0P3

RE: _____ (address or legal description of application)

I (We) hereby give authorization to:

_____(Applicant's name)

To apply for a development application for the above address.

Registered Owner(s) on the Current Status of Title:

_____ Name (Print)	_____ Name (Signed)	_____ Date
_____ Name (Print)	_____ Name (Signed)	_____ Date
_____ Name (Print)	_____ Name (Signed)	_____ Date
_____ Name (Print)	_____ Name (Signed)	_____ Date

Letter of Intent (Development Agreement Amendment) Requirements

All letters of intent must have the following information:

1. Business/Formal letter format (addressed to “City of Brandon Development Services”, signed and dated)
2. Name(s) of applicant(s)
3. Location of proposed development (civic address and legal description)
4. Description of proposed development, including but not limited to use(s) proposed on site, number and types of residential/non-residential units, design themes, any other related development applications, how the proposal fits with the surrounding area
5. If known in advance, details on specific provisions in the development agreement the applicant wants to amend

Site Plan (Development Agreement Amendment) Requirements

The site plan must be drawn to scale with all dimensions clearly labeled and submitted in PDF or paper format (Maximum Size: 11” x 17”) showing:

1. Title and date (latest revision)
2. North arrow (oriented to top of page)
3. Drawing scale (metric)
4. Location (civic address and legal description)
5. Site lines and all adjacent public rights-of-way
6. All easements (e.g. utility, overland drainage)
7. Total floor area of building(s) (m²)
8. Existing/proposed buildings (include setbacks from site lines)
9. Roadways, driveways, laneways, aisles
10. Pedestrian connections
11. Parking
12. Existing/proposed utilities on or near the site
13. Any other information as required