



CITY COUNCIL REPORT

TITLE:

BY-LAW NO. 7194 TO REZONE PROPERTY LOCATED AT 701 17th STREET EAST

PRESENTER:

Ryan Nickel

DEPARTMENT:

Planning, Property & Buildings

ATTACHMENTS:

By-law No. 7194

DATE:

12/7/2017

Application and related documents

Letter of Intent

Report to Planning Commission and Minutes

CLEARANCE / APPROVALS:

Rod Sage City Manager

RECOMMENDATION(S):

That By-law No. 7194 to rezone a property located at 701 - 17th Street East from Development Reserve (DR) Zone to Industrial General (IG) Zone be read a second time.

That third reading of this by-law be held in abeyance pending the applicant entering into a Development Agreement subject to the following conditions:

1. The applicant will be responsible to service their property through an extension of the public sanitary sewer. The detailed servicing design will be subject to review and approval by the City Engineer.
2. The applicant will be responsible to construct an approach to their site; either by way of 17th Street East or College Avenue. The access is to be constructed to the latest edition of the City of Brandon Standard Construction Specifications. The design is subject to review and approval of the City Engineer.
3. The applicant will be required to enter into an Easement Agreement with Manitoba Hydro and provide proof of execution prior to issuance of any development/building permits.
4. The applicant will be responsible to submit a Detailed Cost Estimate, prepared by their Consulting Engineer for all work proposed within the right-of-way. The cost estimate is subject to review and approval by the City Engineer.
5. The applicant will be responsible to submit an Irrevocable Letter of Credit totalling 15% of the Detailed Cost Estimate.

and further, that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City's interests in accordance with any procedures, policies, by-laws and Acts.

BACKGROUND:

The applicant, Kelly Simonson, on behalf of the property owner, Koch Fertilizer Canada, ULC, is applying to rezone a property located at 701 17th Street East from Development Reserve (DR) Zone to Industrial General (IG) Zone. Approval of this application will allow for the construction of an administrative office and a storage building.

ANALYSIS:

The report of the Planning, Property and Buildings Department submitted for the December 6th 2017 public hearing contains a full analysis of the development proposal.

LEGISLATIVE REQUIREMENTS:

The City of Brandon Planning Commission (Planning Commission) held a public hearing on December 6, 2017. No letters of support or opposition were received, and one attendee presented at the public hearing requesting additional information.

The minutes of the Planning Commission and the report and recommendation of the Planning, Property & Buildings Department are attached to the report.