

## By-law No. 7274—Proposed Changes to the East Brandon Industrial Area Secondary Plan re: Implementation

May 19, 2020

### Text Amendments

Section	Existing	Proposed	Rationale
<b>1.5</b> <b>(Table 1)</b>	4 – 37 ha. (90 ac.)	<b>3</b> – 37 ha. (90 ac.)	Correct numbering of sub-development area under Full Service Area “A” (FS-A), Victoria Avenue Node
<b>1.6</b>	Topography: The EBIA lands generally slope in a northeasterly direction towards the Assiniboine River, declining from a high elevation of 392 meters ASL (1,286 feet ASL) in the SW corner of the area to a low elevation of 351 meters ASL (1,152 feet ASL) along the river at the SE corner; a total drop of 41 meters (134 feet). This represents an average slope of 0.5%. Generally, the BIA terrain does not pose a development constraint, however, a prominent ridge does traverse the area in a line from Victoria and 17 <sup>th</sup> to Patricia and 49 <sup>th</sup> , producing slopes in the order of 15 - 20%, which could impede site development on impacted parcels for land uses or operations requiring larger expanses of level land.	Topography: The EBIA lands generally slope in a northeasterly direction towards the Assiniboine River, declining from a high elevation of 392 meters ASL (1,286 feet ASL) in the SW corner of the area to a low elevation of 351 meters ASL (1,152 feet ASL) along the river at the SE corner; a total drop of 41 meters (134 feet). This represents an average slope of 0.5%. Generally, the <b>EBIA</b> terrain does not pose a development constraint, however, a prominent ridge does traverse the area in a line from Victoria and 17 <sup>th</sup> to Patricia and 49 <sup>th</sup> , producing slopes in the order of 15 - 20%, which could impede site development on impacted parcels for land uses or operations requiring larger expanses of level land.	Correct misspelling of acronym
<b>1.11</b>	The Plan is adopted as a by-law of the City of Brandon. Amendments are required to follow the procedure established in Part 5: Zoning By-laws under The Planning Act through application to the Planning, Property and Buildings Department. Supporting information required to evaluate and justify the amendment will be required. Revisions may be made to the Secondary Plan without the need for a secondary plan amendment in the following cases: <ul style="list-style-type: none"> <li>i. Correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;</li> <li>ii. Adding or revising technical information on the plan Figures that does not affect the designation of lands including, but not limited to, matters such as updating and correcting infrastructure information, legends or title blocks; and,</li> <li>iii. Changes to headings, tables of contents, figures, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience and reference only.</li> </ul>	The Plan is adopted as a by-law of the City of Brandon. Amendments are required to follow the procedure established in Part 5: Zoning By-laws under The Planning Act through application to the <b>Planning &amp; Buildings Department</b> . Supporting information required to evaluate and justify the amendment will be required. Revisions may be made to the Secondary Plan without the need for a secondary plan amendment in the following cases: <ul style="list-style-type: none"> <li>i. Correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;</li> <li>ii. Adding or revising technical information on the plan Figures that does not affect the designation of lands including, but not limited to, matters such as updating and correcting infrastructure information, legends or title blocks; and,</li> <li>iii. Changes to headings, tables of contents, figures, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience and reference only.</li> </ul>	Update department name
<b>8.0</b>	The EBIA is the predominant area in the city for businesses that generate net growth in the economy and spinoff growth for both the city and region. To grow the EBIA and drive new development, the City shall proactively undertake actions and foster partnerships to remove hurdles to develop the EBIA lands. The implementation policies provide direction on	The EBIA is the predominant area in the city for businesses that generate net growth in the economy and spinoff growth for both the city and region. To grow the EBIA and drive new development, the City shall proactively undertake actions and foster partnerships to remove hurdles to develop the EBIA lands.	Delete last line, which is a sentence fragment

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8.1.2	<p>The City shall include the phasing of transportation and servicing improvements for the EBIA in Appendix F in the City’s 30 year capital budget for growth and endeavor to service the full service growth nodes in the following timeframes:</p> <ul style="list-style-type: none"> <li>i. The Victoria Node in the short term (0-2 years)</li> <li>ii. The Richmond Ave Node in the medium term (10-20 years); and</li> <li>iii. The PTH 110 &amp; Richmond East Nodes in the long term (20-30 years).</li> </ul> <p>The phasing of infrastructure is market driven and the City shall consult with property owners and prepare a business case prior to front-ending any capital infrastructure improvements to service the growth nodes in the EBIA.</p>	<p>The City shall include the phasing of transportation and servicing improvements for the EBIA in Appendix F in the City’s 30 year capital budget for growth and endeavor to service the full service growth nodes in the following timeframes:</p> <ul style="list-style-type: none"> <li>i. The Victoria Node in the short term (0-9 years)</li> <li>ii. The Richmond Ave Node in the medium term (10-20 years); and</li> <li>iii. The PTH 110 &amp; Richmond East Nodes in the long term (20-30 years).</li> </ul> <p>The phasing of infrastructure is market driven and the City shall consult with property owners and prepare a business case prior to front-ending any capital infrastructure improvements to service the growth nodes in the EBIA.</p>	Short term timeframe typographical error left significant gap between short term and medium term
8.1.3	<i>None—new</i>	<p><b>8.1.3 Advanced Development of FS-B Area</b></p> <p><b>Further to Policy 8.1.2, should the City receive a development request for serviced land in the FS-B area before the projected phasing of servicing improvements in Appendix F, the City may permit development through:</b></p> <ul style="list-style-type: none"> <li>i. <b>Private on-site water supply and wastewater disposal systems in accordance with the Water and Wastewater By-law; or</b></li> <li>ii. <b>The detailed design and construction of off-site water and wastewater improvements as shown on Figure 5B and explained in Appendix G.</b></li> </ul> <p><b>In accordance with Policy 8.1.2, the phasing of infrastructure is market driven, and there must be a business case to justify any City front-ending or public/private partnerships to construct the off-site infrastructure identified on Figure 5-B.</b></p>	New provision to address any development that may occur in the Full Service Area “B”, generally east of PTH 110, before the City can commit to significant infrastructure improvements to service this area
8.2.2	In the absence of development charges, off-site developer contributions shall be determined by development agreements executed when a site is rezoned or subdivided for development.	<p>In the absence of development charges, off-site developer contributions shall be determined by development agreements executed when a site is rezoned or subdivided for development.</p> <p><b>The City may consider funding partnerships for capital investments identified in Appendices F and G to facilitate the development of primary industries that grow the local and regional economy.</b></p>	Confirm the openness of the City exploring partnership opportunities for private capital involved in City infrastructure investments to enable development in the EBIA SP area

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8.2.4	Developers may be required to oversize transportation or servicing improvements required to support full buildout of a growth node or a development sub-area. In the absence of Council-approved Development Agreement Parameters; where developers construct oversized infrastructure as the City shall endeavor to recover, on behalf of the developer, the additional costs incurred from developers benefiting from the infrastructure.	Developers may be required to oversize transportation or servicing improvements <b>to support the full buildout of a growth node or a development sub-area in accordance with the Oversized Infrastructure &amp; Developer Reimbursement Parameter and associated Standard Operating Procedure.</b>	City now has the Oversized Infrastructure & Developer Reimbursement Parameter and associated Standard Operating Procedure in place to address oversizing of infrastructure
8.3.2	The information provided in a concept plan will vary between the “Development Sub-Areas” as determined by the Chief Planner and City Engineer and may include: <ul style="list-style-type: none"> <li>i. A phase 1 environmental site assessment</li> <li>ii. Grounds and surface water evaluation</li> <li>iii. Preliminary geotechnical infestation</li> <li>iv. Information detailing how the concept plan implements the EBIA Secondary Plan</li> <li>v. Layout of future roadways, pedestrian connections, and transit routes/stops</li> <li>vi. Layout of building lots, with proposed zones and land sizes</li> <li>vii. Design of servicing networks, including water, wastewater and land drainage</li> <li>viii. Traffic impact assessment, if traffic exceeds projected volumes in Secondary Plan</li> <li>ix. An off-site servicing assessment, if projected servicing requirements exceed volumes in Secondary Plan</li> <li>x. Phasing of development</li> </ul>	The information provided in a concept plan will vary between the “Development Sub-Areas” as determined by the Chief Planner and City Engineer and may include: <ul style="list-style-type: none"> <li>i. A phase 1 environmental site assessment</li> <li>ii. Grounds and surface water evaluation</li> <li><b>iii. Geotechnical investigation</b></li> <li>iv. Information detailing how the concept plan implements the EBIA Secondary Plan</li> <li>v. Layout of future roadways, pedestrian connections, and transit routes/stops</li> <li>vi. Layout of building lots, with proposed zones and land sizes</li> <li>vii. Design of servicing networks, including water, wastewater and land drainage</li> <li>viii. Traffic impact assessment, if traffic exceeds projected volumes in Secondary Plan</li> <li>ix. An off-site servicing assessment, if projected servicing requirements exceed volumes in Secondary Plan</li> <li>x. Phasing of development</li> </ul>	Correct typographical error

**Figure Amendments**

Figure	Existing	Proposed	Rationale
5B	<i>None—new</i>	New Figure 5B:	New figure shows alternate layouts for infrastructure development to enable some development within the FS-B area before City infrastructure investments occur in accordance with the timeline in Appendix F of the EBIA SP