

Attachment “D”

REPORT FROM THE DEVELOPMENT REVIEW GROUP

DATED: March 6, 2023

RE: REZONING OF 353 – 16th STREET NORTH (Z-02-23)

It is recommended that the approval of rezoning of 353 – 16th Street North, if granted, be subject to the Developer entering into a Development Agreement subject to the following conditions:

1. The Developer agrees to develop a mixed use building which includes non-residential uses on the main floor and 24 residential units on the 2nd and 3rd floors, in general consistency with the attached site plan.
2. The Developer agrees to contribute \$3,008.88 for cash in lieu of land dedication of public reserve. This contribution is due in full upon execution of the development agreement.
3. The Developer agrees to contribute \$4,860.00 to the Brandon School Division for cash in lieu purposes. Payment is to be made to the Brandon School Division with proof of payment submitted to the City of Brandon prior to the issuance of a development permit.
4. The Developer agrees to contribute \$4,275.00 towards the construction of a future sidewalk within the 16th Street North right-of-way. Such contribution shall represent 50% of the entire length of 353 – 16th Street North and will be held in a reserve account until such time as the sidewalk is constructed. This contribution is due in full upon execution of the development agreement.
5. The Developer agrees to improve and maintain a landscaping buffer area located along the shared property line with 347-16th Street North. This shall include but not be limited to, designing and constructing a 1.8m (6.0ft) high opaque fence on the shared property line. Such landscaping buffer and fence is to be reviewed and accepted by the Planning Department as part of the landscaping plan prior to the issuance of a development permit.
6. The Developer agrees to mitigate increased runoff for a 100-year, pre and post development, storm water event. The Developer will be required to submit design drawings as prepared by a professional engineer with such design being subject to review and acceptance by the City Engineer.

7. The Developer will agree to save harmless the City by way of inclusion of save harmless clauses in the development agreement as the property is located within both Methane Gas Zone 2 and the flood plain.

The Engineering Department requests 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.

THIS REPORT SUBMITTED BY:

Development Review Group
Rezoning No. Z-02-23



Mark Allard P. Eng.
General Manager of Development Services



Ryan Nickel, RPP
Director of Planning and Buildings