

CITY OF BRANDON PLANNING COMMISSION

REGULAR MEETING

Wednesday, October 20, 2021 - 7:00 p.m.

Council Chambers - City Hall

AGENDA

1.0 Roll Call

2.0 Adoption of Agenda

3.0 Confirmation of Minutes

4.0 Public Hearing

a. By-law No. 7316 Rezone and Subdivision

1910 Bell Avenue

Owner: Waverly Developments Ltd.

Applicant: Burgess Law Office (John Burgess)

Following receipt of all representation, it is the recommendation of the Planning & Buildings Department:

1. That the combined Public Hearing for By-law No. 7316 (Z-08-21) to rezone part of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) and Subdivision Application 4500-21-716 be concluded.
2. That the Planning Commission recommend City Council approve By-law No. 7316 (Z-08-21) to rezone part of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) from Residential Single Detached (RSD) and Parks and Recreation (PR) to Residential Low Density (RLD), subject to the owner or successor entering into a development agreement with the City of Brandon, to be registered in series with the subdivision, with the following conditions:
 - a. The Developer agrees to construct 31 residential units and public right-of-ways as per the proposed site plan and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement;
 - b. The Developer agrees to legally open, extend and construct the new public right-of-way of Outback Drive and Onyx Cove as proposed on the plan of subdivision and to extend all below and

- above ground municipal services for the right of way. The Developer will be required to submit design drawings as prepared by a professional engineer; such design is subject to review and acceptance by the City Engineer;
- c. The Developer agrees all proposed 15.0m wide street right-of-ways proposed under this subdivision will be signed as no parking on both sides of the street;
 - d. The Developer agrees to construct a secondary emergency access to the Lands by way of Bell Avenue in accordance with Brandon Fire and Emergency Services Street Development / Access Road Policy. The Developer will be required to submit design drawings as prepared by a professional engineer with such design is subject to review and acceptance by the City Engineer;
 - e. The Developer agrees to provide confirmation that there is sufficient capacity in the downstream land drainage system network to accept additional proposed drainage prior to the acceptance of the engineered drawings;
 - f. The Developer agrees to pay a contribution towards boulevard trees. The amount of trees will be determined at the time of detailed design taking into consideration the City's Urban and Landscape Design Standards. Payment of such trees will be based upon the City's tree contract pricing for the current year;
 - g. The Developer agrees that should any private lots be designed to convey shared drainage with the use of swales, easements are to be registered on all affected private lots. Such easements will be required to be registered in series with the Plan of Subdivision;
 - h. Within one year of executing the development agreement or prior to application for the next subdivision/rezoning in the Oakridge Estates Neighbourhood Plan, whichever comes first, the developer agrees to submit an updated Neighbourhood Plan, including public reserve dedications for all of phase 2 (including the current stage) and all supporting servicing and traffic engineering studies for review by City administration and approval by City Council;
 - i. The Developer agrees to provide written confirmation that necessary arrangements have been made for postal service and that the pick-up / drop off location of the community mail box has been determined between the Developer and Canada Post, to the approval of Canada Post;
 - j. The Developer acknowledges the site will be subject to development charges. Network Infrastructure charges of \$101,359.26 (2021 rate) are due upon the execution of the development agreement in accordance with Schedule B-3 of the Development Charges By-law. Additional development charges will be charged against any future buildings and will be applied at the time of issuance of a building permit;

- k. The Developer agrees, prior to the issuance of the subdivision certificate of approval, to contribute to the Brandon School Division in lieu of land dedication. Payment of receipt will be required prior to issuance of the subdivision certificate of approval;
- l. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City's right-of-way. The Detailed Cost Estimate is to be prepared by the Developer's Consulting Engineer and is submit to review and acceptance by the City Engineer; and
- m. The Developer will be responsible to submit an Irrevocable Letter of Credit totaling 15% of the Detailed Cost Estimate. Submission of the Letter of Credit is required prior to the issuance of a development permit;

And 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.

SUBDIVISION

- 1. That the Planning Commission recommend City Council approve the application to subdivide (4500-21-716) a portion of 1910 Bell Avenue (Lot 6, Plan 66744 BLTO) to create thirty-two lots and public roads in the Residential Low Density (RLD) Zone, subject to the owner or successor:
 - a. providing written confirmation to the City of Brandon Planning & Buildings Department that taxes for the property to be subdivided, for the current year plus any penalty, interest and arrears, have been paid in full or arrangements must be made satisfactory to Brandon City Council; and
 - b. submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for a joint use easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, BellMTS, and Westman Communication Group, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision.

5.0 General Business

- a. Tracking Table
- b. Administrative Business
- c. Absences From Upcoming Meetings

6.0 Adjournment