

CITY OF BRANDON PLANNING COMMISSION

REGULAR MEETING

Wednesday, March 15, 2023 - 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. Conditional Use/Variance Application

1 Ferraro Drive

Owner: Bellafield Holdings Ltd.

Applicant: Taylor Eisner

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

1. That the Public Hearing for Conditional Use Application C-01-23 and Variance Application V-01-23 at 1 Ferraro Drive be concluded.

Conditional Use

2. That Conditional Use Application C-01-23 to establish special needs housing for four (4) persons be approved at 1 Ferraro Drive (Lot 1, Block 5 Plan 67620 BLTO) in accordance with the attached letter of intent "Attachment A-1", site plan "Attachment B-3", and elevation plan "Attachment B-4".

Variance

3. That Variance Application V-01-23 to vary Subsection 27(e) of the Zoning By-law by allowing parking, including a required parking space, between the front site line and the principal building in the Residential Single Detached (RSD) Zone be approved at 1 Ferraro Drive (Lot 1, Block 5 Plan 67620 BLTO) in accordance with the attached letter of intent "Attachment A-1", site plan "Attachment B-3", and elevation plan "Attachment B-4", subject to the applicant ensuring the driveway width

be at least 6.6m within private property to accommodate the required parking spaces (one accessible and regular parking space each).

- b. **By-law No. 7347 Rezone**
353 – 16th Street North
Owner: City of Brandon
Applicant: City of Brandon

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

1. That the Public Hearing to amend By-law No. 7347 (Z-02-23) to rezone the property located at 353 – 16th Street North be concluded.
2. That Planning Commission recommend City Council amend By-law No. 7347 (Z-02-23) to rezone the property located at 353 – 16th Street North from Industrial Restricted (IR) to Educational & Institutional (EI) by deleting Section 3 in its entirety and substituting therefor:

“3. This By-law will come into force when the development agreement required under this By-law is executed with the City and registered in the Brandon Land Titles Office.

4. This By-law will be repealed without coming into force one year after the date of this By-law’s adoption unless the development agreement required under this By-law is executed with the City and is registered in the Brandon Land Titles Office.”

3. That the Planning Commission recommend City Council approve By-law No. 7347 as amended in accordance with the attached letter of intent “Attachment B-1” and site plan “Attachment C-3”, subject to the owner or successor entering into a development agreement with the City of Brandon with the following conditions:
 - a. 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.
 - b. 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.
 - c. 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

- d. 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.
- e. 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.
- f. The Developer agrees to provide a tree buffer and 1.8m high opaque fence along the shared south property line with 347 16th St N. Buffer and fence is to be included on the Developer's submitted landscaping plan at the time of Development Permit.
- g. The Developer agrees 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.

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.

5.0 General Business

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

6.0 Adjournment