

Conditional Use to Zoning By-law No. 7124

Name of Property Owner: _____

Name of Applicant: _____

Civic Address of Property: _____

Legal Description of Property: _____

References:

City Plan By-law No. 7392; Applicable Secondary Plan By-law; COB Zoning By-Law No. 7124

Prior to submitting a formal application, the Planning & Building Safety Department strongly recommends that all applicants meet with a Community Planner to complete a pre-application review

Conditional Use Request(s): _____

As the applicant, I confirm and verify to the City that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the City Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.

Signature of Applicant: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

Signature of Owner: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Development Services, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

FOR PLANNING DEPARTMENT USE ONLY:

Community Planner: _____ Planning File No.: _____ CityView No.: _____

Date Application Received: _____ Payment Date: _____ Receipt No.: _____ Amount: \$ _____

Conditional Use - Application

REV 06/2024

Conditional Use

A conditional use is a process where a proposed use requires further scrutiny before it may be approved. The proposed use may have unique characteristics or operations that may affect nearby properties.

Documentation and Fee Requirements **Application may not be processed until all information has been submitted**

- Application Fee: See fee schedule
- Status of Title: Issued by Brandon Land Titles Office no later than 30 days before the date of the application
- Letter of Authorization: From registered owner(s) of the land whose name(s) appear on the title
- Letter of Intent: As per attached checklist
- Site Plan: As per attached checklist
- Community Participation Report: As per attached checklist
- Other plans and documentation may be required, depending on the nature of the request

Timelines

The process generally can take seven (7) weeks at best. Complicated applications may take a longer period of time.

Decision Making Authority

The Planning Commission, an independent body of five (5) members appointed by City Council, decides on conditional use applications. If there is an appeal to the Planning Commission's decision, City Council will make a final decision.

Pre-Application Review

Before formal submission of an application, the Planning & Buildings Department can do a preliminary review of the application package and, if necessary, advise the applicant which elements of the package to revisit. The Planning & Buildings Department cannot guarantee support or approval of an application, as it must objectively analyze all applications. The pre-application review may take two to three (2-3) weeks.

Public Hearing

The applicant must attend a public hearing scheduled by the Planning & Buildings Department, and is responsible to present details of their application and answer any questions the Planning Commission may have. The public hearing allows the general public to comment on the application prior to the Planning Commission's decision.

Appeals

Anyone who commented on the application and is not satisfied with the Planning Commission's decision may file an appeal in writing to the Office of the City Clerk. The appeal must indicate who is appealing, the Conditional Use Decision number, and the reasons for the appeal.

Conditions and Limits of Approval

Conditional use approvals that have been inactive for twelve (12) consecutive months will lapse and become null and void. Some approvals may have conditions attached. Unless otherwise indicated in the conditions, they must be satisfied within twelve (12) months of the date of approval. Under certain circumstances, conditional use applications may be extended. Contact the Planning & Buildings Department for extension details.

Letter of Authorization

Date: _____

To: City of Brandon
Development Services
638 Princess Avenue
Brandon, MB R7A 0P3

RE: _____ (address or legal description of application)

I (We) hereby give authorization to:

_____ (Applicant's name)

To apply for a development application for the above address.

Registered Owner(s) on the Current Status of Title:

_____	_____	_____
Name (Print)	Name (Signed)	Date
_____	_____	_____
Name (Print)	Name (Signed)	Date
_____	_____	_____
Name (Print)	Name (Signed)	Date
_____	_____	_____
Name (Print)	Name (Signed)	Date

Letter of Intent (Conditional Use) Requirements

All letters of intent must have the following information:

1. Business/Formal letter format (addressed to “City of Brandon Planning & Building Safety Department”, signed and dated)
2. Name(s) of applicant(s)
3. Location of proposed development (civic address and legal description)
4. Description of proposed development/request (e.g. What use is being established? What is being constructed/developed on site?)
5. Demonstrate the proposal meets the three (3) criteria set forth in Section 106(1) of The Planning Act to approve a conditional use:
 - Will it be compatible with the general nature of the surrounding area?
 - Will it be detrimental to the health of general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area?
 - Is it generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law?

Site Plan (Conditional Use and Variance) Requirements

The site plan must be drawn to scale with all dimensions clearly labeled and submitted in PDF and paper format (Maximum Size: 11" x 17") showing:

1. Title and date (latest revision)
2. North arrow (oriented to top of page)
3. Drawing scale (metric)
4. Location (civic address and legal description)
5. Site lines and all adjacent public rights-of-way
6. All easements (e.g. utility, overland drainage)
7. Total floor area of building(s) (m²)
8. Existing/proposed buildings (include setbacks from property lines)
9. Roadways, driveways, laneways, aisles
10. Pedestrian connections
11. Parking
12. Existing/proposed utilities on or near the site
13. Any other information as required

Community Participation Report

All community participation reports must include the following information:

1. Business/Formal letter format (addressed to “City of Brandon Planning & Building Safety Department”, signed and dated)
2. Name(s) of applicant(s)
3. Method(s) of notification
4. List of properties that were notified
5. Summary of comments or concerns
6. Summary of efforts to address comments or concerns
7. If a public meeting is held, the date and location of the meeting