


TITLE: <p style="text-align: center;">SUBDIVISION 22 – 20TH STREET, 21 – 21ST STREET, AND 1820 PACIFIC AVENUE OWNER: HALO HOLDINGS LTD.; CITY OF BRANDON APPLICANT: HALO HOLDINGS LTD. (Mark Culjak)</p>		
MEETING DATE: June 16, 2021		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Community participation report D. Development review group report	
PRESENTER: Shengxu Li, Community Planner	MANAGER: Ryan Nickel, Chief Planner	

RECOMMENDATIONS:

That the Planning Commission recommends Brandon City Council approve the application to subdivide (4500-21-712) 22 – 20th Street, 21 – 21st Street, and 1820 Pacific Avenue (Parcels A, B and C, Plan 48739 BLTO; All closed lanes in Block 11 with Title no. 46829; Parcels A and C, Plan 35917 BLTO) and open a public road in the Industrial Restricted (IR) and Residential Low Density (RLD) Zones, subject to:

1. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangement have been made for an easement agreement and Plan of Easement to the satisfaction of Centra Gas Manitoba, and registering the easement agreement along with the easement plan, if required, in series with the plan of survey.
2. The owner or successor entering into a development agreement with the City of Brandon with the following conditions:
 - a. The Developer acknowledges the City of Brandon will not be maintaining or improving the newly opened 20th Street right-of-way stub until such time as the right-of-way is to be extended to the future extension of Pacific Avenue, which at such time, the City will improve the right-of-way to a full urban section.
 - b. The Developer acknowledges the public is entitled to utilize the newly opened 20th Street right-of-way for vehicle turnaround.
 - c. The Developer agrees to enter into an Easement Agreement with the City of Brandon to allow for the existing overland storm drainage to continue to drain onto the portion of 21 – 21st Street from adjacent properties located at 30 – 20th Street and 25 – 21st Street. The Developer also agrees this easement shall also include and secure the existing public underground storm sewer drainage pipes located on the southwest corner of 22 – 20th Street and the portion of 2121st Street that is to be consolidated with

22 – 20th Street. The easement agreement will be registered in series with the Plan of Subdivision.

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.

BACKGROUND:

Request

The applicant, Mark Culjak of Halo Holdings Ltd., on behalf of the property owners, Halo Holdings Ltd. and the City of Brandon, is applying to subdivide the properties located at 22 – 20th Street, 21 – 21st Street, and 1820 Pacific Avenue and open a public road in the Industrial Restricted (IR) and Residential Low Density (RLD) Zones.

Approval of this application will allow the following (Attachments B-2 and B-3):

- Parcel A (portion of 1820 Pacific Avenue) and Parcel D (portion of 21 – 21st Street) to be consolidated with Parcels B and C (portion of 22 – 20th Street)
- Parcel E (portion of 21 21st Street) to be consolidated with 25 – 21st Street
- Portions of 1820 Pacific Avenue and 22 – 20th Street to open as part of the 20th Street right-of-way

Development Context

The subject site currently has a business occupying the former Brandon University physical plant, and is located at the northern end of 20th Street right-of-way. Uses surrounding the site include undeveloped lands to the east and west, industrial manufacturing to the north, and lower-density residential to the south and southwest. 20th Street provides access to the site.

History

In December 2020, to allow for a more efficient redistribution of property ownership in this area, City Council adopted a resolution to purchase Parcel B (portion of 22 – 20th Street) from Halo Holdings Ltd. and sell Parcels A and Parcel D to Halo Holdings Ltd. On the same day, City Council adopted another resolution to sell Parcel E to the property owner of 25 – 21st Street.

ANALYSIS:

The applicant is proposing to subdivide the site and consolidate the newly created lots with adjacent properties, resulting in no new lots being created. The applicant is also proposing to

open portions of 1820 Pacific Avenue and 22 – 20th Street as part of the 20th Street right-of-way. By extending 20th Street northward, the east portion of 1820 Pacific Avenue will have street frontage.

Consistency with the Development Plan

The proposed subdivision and public road extension is located in the “Residential” designated area as shown in Map 1 of the Brandon & Area Planning District Development Plan, 2013. Although the proposed subdivision doesn’t create new lots for residential developments, but rather extends an existing public road, the proposal still provides the greater community benefits by granting a portion of 1820 Pacific Avenue a frontage on the extended 20th Street right-of-way. This enables the subdivision of the remainder of 1820 Pacific Avenue should a development opportunity arise.

Consistency with the Zoning By-law

The proposal will maintain existing buildings and not add new buildings or structures on the sites. The only change resulting from this application is extending the 20th Street right-of-way, which does not affect existing zoning. Therefore, the proposal will be consistent with the Zoning By-law.

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

- Development agreement required as part of the subdivision, highlights including:
 - The City will not maintain the newly opened 20th Street until the street has been developed to an urban cross-section
 - General public will be entitled to use the newly opened 20th Street for vehicle turnaround
 - Easement required for overland storm drainage and existing public underground storm sewer drainage pipes

Centra Gas Manitoba

- Property owner of 22 – 20th Street enters into a Right of Use Agreement with Centra Gas Manitoba

LEGISLATIVE REQUIREMENTS:

Notification

The subdivision is creating an extension of a public road and, under s. 125(2) of The Planning Act, a public hearing is required. In accordance with Section 169 of The Planning Act, notice of the public hearing was sent to owners of property within 100 metres (328 feet) of the subject property.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant sent out the public outreach documents to property owners who owns properties in adjacent area. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.