


TITLE: SUBDIVISION; BY-LAW NO. 7427 TO REZONE PART OF PROPERTY LOCATED AT 1900 – 34 TH STREET OWNER/APPLICANT: WAVERLY DEVELOPMENTS (JOHN BURGESS)		
MEETING DATE: July 16, 2025		Page 1 of 7
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7427 B. Application related documents C. Map, air photo & drawings D. Development Review Group report	
PRESENTER: Andrew Mok, BES RPP MCIP	MANAGER: Sonikile Tembo, RPP MCIP, Principal Planner	

RECOMMENDATIONS:

Rezoning

That the Planning Commission recommend City Council approve By-law No. 7427 (Z-05-25) to rezone part of 1900 – 34th Street (SE¼ 9-10-19 WPM) from, under the R.M. of Cornwallis Zoning By-law No. 1558/09/99, Agricultural General 80 (AG80) to Educational & Institutional (EI) and Residential Low Density (RLD).

Subdivision

That the Planning Commission recommend Brandon City Council approve the application to subdivide (4500-25-747) 1900 – 34th Street (SE¼ 9-10-19 WPM) to create eleven lots and a public road in the Educational & Institutional (EI) and Residential Low Density (RLD) Zones in accordance with the subdivision application map “Attachments C-3 and C-4”, subject to:

1. The applicant revising the subdivision plan to include
 - a. The dedication and opening of street right-of-way corner cutoffs to facilitate future roundabout construction at the intersection of 34th Street and the new, yet-to-be-named east-west public road; and
 - b. The dedication of land for the South End Lift Station currently under construction near the 34th Street/Patricia Avenue intersection;
2. The owner or successor entering into a development agreement with the City of Brandon, to be registered in series with the subdivision, with conditions as set out in Attachment D of this report;
3. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that the Brandon School Division has received \$2,025.00 as a cash-in lieu contribution for school purposes;

4. The owner or successor 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 BellMTS and Westman Communications Group, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision;
5. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for postal service to the satisfaction of Canada Post;
6. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that arrangements have been made for addressing of the proposed lots to the satisfaction of City of Brandon Real Estate Administration;
7. The owner or successor completing a Heritage Resources Impact Assessment through a qualified archaeological consultant to the satisfaction of Manitoba Historic Resources Branch; and
8. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that they have obtained a License to Construct Water Control Works from Manitoba Environment and Climate Change.

BACKGROUND:

Request

The applicant, John Burgess of Waverly Developments, is applying to rezone and subdivide lands located at part of 1900 – 34th Street from, under the R.M. of Cornwallis Zoning By-law No. 1558/09/99, Agricultural General 80 (AG80) to Educational & Institutional (EI) and Residential Low Density (RLD). Approval of these applications will allow for the development of a new public school site and ten detached-dwelling lots along a new public road.

Development Context

The 5.7-hectare site is currently undeveloped and is located south of the Brookwood North neighbourhood, previously known simply as Brookwood. The entire quarter-section, save for the corner closest to the 34th Street/Patricia Avenue intersection, is undeveloped, with that corner having a Manitoba Hydro substation and, currently under construction, the City's Southwest Lift Station. Uses surrounding the quarter-section include lower density residential developments to the north and east, a recreational facility to the south, and agricultural lands to the west. Plateau Drive and a proposed public road extending from 34th Street will provide access to the site.

History

In 2012, the City annexed the quarter-section in which the site is located, along with the quarter-section immediately to the east where Bellafield Neighbourhood is under development. As part of the annexation, the City inherited the zoning of the quarter-section from the R.M. of Cornwallis Zoning By-law enacted at that time, leaving it untouched until the property owner was ready to begin developing the quarter-section. Council adopted the Brookwood South Neighbourhood Plan (BSNP) in 2018 that provides further guidance on developing this quarter-section.

ANALYSIS:

Approval of these applications will allow for the development of a public school and ten lots that the applicant proposes for detached dwellings. Though this development is out of phase relative to the BSNP, this is out of necessity considering the Government of Manitoba committing funding to a new school in this part of the City with deadlines for construction associated with the funding.

Consistency with the Brandon City Plan

- 4.1(5)—Accommodating another school addresses a need for more educational facilities in the city, which in turn opens opportunities for community use and programming
- 5.1(2)(d) and (e), 5.3(1)—Currently adopted Southwest Brandon Secondary Plan and BSNP identify new multi-use trails along several streets, including the new east-west collector street, that will connect the proposed school site to the rest of the existing and future multi-use trail network
- 6.2(1)(c)—though the proposed development is “leapfrog” development (development that is not contiguous to existing developed areas), the location of the school site relative to the future Brookwood South neighbourhood and the ongoing construction of the City’s new sewer lift station near the 34th Street/Patricia Avenue intersection makes this location necessary and acceptable in this case
 - Further, the applicant has also applied for another stage of residential development in Brookwood South that may proceed to the public hearing process soon
- 7.1(1), 7.1(3) Residential General Policies(a), 7.1(4) Commercial and Institutional General Policies(a)—site located within “General Urban Area” as set out in Map 3: Urban Structure, which allows for residential and institutional development
- 7.1(3)Residential General Policies(d)—pursuant to Southwest Brandon Secondary Plan, City requires applicant to include multi-use paths in both the future east-west “Public Road” and the extension of Plateau Drive, providing connectivity to both the City’s multi-use path network and to the proposed school site

- 7.1(4)Commercial and Institutional General Polices(g)—pursuant to the Southwest Brandon Secondary Plan, Brandon School Division has selected this site for their next K-8 school to serve this part of the City

Consistency with the Southwest Brandon Secondary Plan (SWBSP)

- Section 2.2—RLD Zone lots proposed within Residential Low Density area under SWBSP
- Section 2.5.1—School site identified within this part of the quarter-section under the SWBSP, proposed to be 4.0ha in area
- Section 4—School site proposed to be along a collector street, which the City will require, pursuant to the SWBSP, to have a multi-use trail to improve multi-modal transportation connectivity both to the future neighbourhood and to the school site

Consistency with the Brookwood South Neighbourhood Plan (BSNP)

- Council adopted the current version of the BSNP in 2018
- Proposed location of school site consistent with BSNP, such as being on a corner site facing two streets and fronting along a collector street
- Proposed RLD Zone lots allow for the possibility of development of duplexes that is consistent with the BSNP that calls for more intense low-density residential development along the south side of the school site across the proposed east-west collector street

Consistency with the Zoning By-law

- Existing AG80 Zone under the old R.M. of Cornwallis Zoning By-law does not permit any urban development
- Proposed school site complies with bulk and siting requirements under the proposed EI Zone
- Proposed residential lots comply with bulk and siting requirements under the proposed RLD Zone

Commenting Agencies

All comments have been addressed or added as conditions.

City of Brandon

- As condition of subdivision approval, the City requires an updated plan of subdivision with conditions as stated in this report's recommendation
- Development agreement required as condition of subdivision approval with conditions as per Attachment D

Manitoba Historic Resources Branch (HRB)

- HRB has concerns, noting that the development footprint of both this set of applications and the applications for another part of the BSNP area are near wetlands, a relic channel, old melt water channels, a historic trail, and known archaeological sites, and therefore the proposed development has potential to impact heritage resources
- Planning & Buildings Department recommends the acceptance by HRB of a heritage resource impact assessment be a condition of subdivision approval
 - Should HRB in the end not require a heritage resource impact assessment, said condition can be considered met for subdivision approval purposes

Manitoba Environment and Climate Change (ECC)

- Manitoba Environment and Climate Change (ECC) advises that a License to Construct Water Control Works is not required unless a Class 3, 4, or 5 wetland is impacted or altered (filling or draining) by this development, or the works will outlet onto areas outside the City
- Planning & Buildings Department recommends the issuance by ECC of a License to Construct Water Control Works be a condition of subdivision approval
 - Should ECC confirm that such a license is not required, said condition can be considered met for subdivision approval purposes

Brandon School Division

- As information, Brandon School Division did not exercise the option under The Planning Act to obtain school site land as a land dedication

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 and exceeding minimum requirements under Subsection 168(2) of The Planning Act, notice of the joint public hearing was posted in front of the Planning & Buildings Department and advertised in the Brandon Sun June 26, 2025 and July 3, 2025. Further, in accordance with and exceeding minimum requirements under Subsections 168(4) and 169(3) of The Planning Act, notice was sent to owners of property within 100 metres (328 feet) of the subject property and also posted on the subject property.

Public Outreach

In accordance with Section 13 of the Zoning By-law, public outreach is not required as the rezoning and subdivision applications are consistent with an approved secondary plan and neighbourhood plan, in this case the SWBSP and BSNP respectively. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.