


TITLE: SUBDIVISION; BY-LAW NO. 7431 TO REZONE PROPERTY LOCATED AT 1660 AND 1900 – 34TH STREET OWNER/APPLICANT: WAVERLEY DEVELOPMENTS (JOHN BURGESS)		
MEETING DATE: August 6, 2025		Page 1 of 7
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7431—current B. By-law No. 7431—red-lined C. Application related documents D. Map, air photo & drawings E. Development Review Group report	
PRESENTER: Andrew Mok, BES RPP MCIP, Senior Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

Neighbourhood Plan Amendment

That the Planning Commission recommend City Council approve the amended Brookwood South Neighbourhood Plan concept as shown in “Attachment D-6” of this report, subject to the following amendments to the concept or the Neighbourhood Plan itself:

1. Making the connection between the central roundabout and Lakeview Drive part of Phase 1 to satisfy Regulation P19 access requirements for the Phase 1 lots to the south of the school site;
2. Making the southern access to Patricia Avenue within Phase 2 of development;
3. Ensuring collector streets, as indicated in the Southwest Brandon Secondary Plan Traffic Impact Study, with low-density residential lot frontages on both sides have rights-of-way wide enough to accommodate a centre median where front driveway accesses are proposed;
4. Considering development potential at the southwest and southeast quadrants of the central roundabout, as driveways must be located as far from the roundabout as possible pursuant to the latest street design standards;
5. Revising the leisure greenspace northwest of the school site to increase its size and provide direct connectivity to the school site consistent with the Southwest Brandon Secondary Plan;
6. Providing details on interim stormwater storage should the primary stormwater pond be located in Phase 3;
7. If applicable, adjusting phasing to address servicing requirements, primarily watermain looping;
8. Identifying all multi-use trails within the Neighbourhood Plan area consistent with the Southwest Brandon Secondary Plan; and

9. Reconfiguring the area around southeast dead-end street to avoid low-density residential through sites due to Manitoba's Subdivision Regulation prohibiting residential through sites.

Rezoning

1. That the Planning Commission recommend City Council amend By-law No. 7431 (Z-08-25) to rezone 1660 and part of 1900 – 34th Street (Lot 46, Plan 60653 BLTO; Part SE¼ 9-10-19 WPM) from DR Development Reserve and, under the R.M. of Cornwallis Zoning By-law No. 1558/09/99, Agricultural General 80 (AG80) to RLD Residential Low Density by deleting Section 1 in its entirety and substituting therefor:

“The land described as the following: Lot 46, Plan 60653 BLTO, commonly known as 1660 – 34th Street, and Part SE¼ 9-10-19 WPM, commonly known as 1900 – 34th Street, and identified on the map attached hereto as Schedule “A” is hereby reclassified:

FROM: DR Development Reserve and, under the R.M. of Cornwallis Zoning By-law No. 1558/09/99, AG80 Agricultural General

TO: RLD Residential Low Density”

2. That the Planning Commission recommend City Council approve By-law No. 7431 as amended.

Subdivision

That the Planning Commission recommend Brandon City Council approve the application to subdivide (4500-25-749) 1660 and part of 1900 – 34th Street (Lot 46, Plan 60653 BLTO; Part SE¼ 9-10-19 WPM) to create forty-nine (49) lots and a public road in the RLD Residential Low Density Zone in accordance with the subdivision application map “Attachments D-3” through “D-5”, subject to:

1. The applicant submitting to Teranet Manitoba (Brandon Land Titles Office) a Plan of Survey before a Plan of Subdivision to address the differing surface rights;
2. The applicant provide an updated Brookwood South Neighbourhood Plan, including all amendments under “Neighbourhood Plan Amendment” of this report, supporting servicing and traffic engineering studies;
3. 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 E” of this report;

4. The owner or successor submitting written confirmation to the City of Brandon Planning & Buildings Department that the Brandon School Division has received \$9,922.50 as a cash-in lieu contribution for school purposes;
5. 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 Manitoba Hydro, BellMTS, and Westman Communications Group, and registering the easement agreement along with the easement plan, if required, in series with the plan of subdivision;
6. 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;
7. 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, including proposed street names for new public roads, to the satisfaction of City of Brandon Real Estate Administration; and
8. The owner or successor completing a Heritage Resources Impact Assessment through a qualified archaeological consultant to the satisfaction of Manitoba Historic Resources Branch.

BACKGROUND:***Request***

The applicant, John Burgess of Waverly Developments, is applying to rezone and subdivide lands located at 1660 and part of 1900 – 34th Street from DR Development Reserve and, under the R.M. of Cornwallis Zoning By-law No. 1558/09/99, Agricultural General 80 (AG80) to RLD Residential Low Density. The applicant also seeks to amend the Brookwood South Neighbourhood Plan. Approval of these applications will allow for the development of 49 lots primarily marketed for detached dwellings.

The City notes that there is a typographical error in By-law No. 7431. Section 1 of this by-law is supposed to identify both 1660 and 1900 – 34th Street. However, the by-law as initially drafted only identifies the civic address of 1660 – 34th Street but the legal description of 1900 – 34th Street. Further, Section 1 fails to include the existing DR Development Zone encompassing 1660 – 34th Street (“Attachment A”). Schedule A to By-law No. 7431 correctly identifies both properties and their existing zones, therefore the text amendment to correct the error can be considered a minor amendment under The Planning Act (“Attachment B”).

Development Context

The subject 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 49 lots and new roads to connect to existing streets in Brookwood North, namely Lakeview Drive to the west and Plateau Drive to the east ("Attachments D-3" through "D-6"). Plateau Drive will also see an extension to the south towards a new school site under another set of rezoning and subdivision applications that went to a public hearing on July 16, 2025.

The applicant is also proposing a modified layout of the Brookwood South neighbourhood under the Brookwood South Neighbourhood Plan. Though a public hearing is not required for the neighbourhood plan amendment, given the interconnectedness of all these land use applications, City administration is including analysis as information to the Planning Commission for guidance to City Council. The analysis is also included as the neighbourhood plan update is a condition of subdivision approval.

Consistency with the Brandon City Plan

- 4.1(2)(a)—Though the applicant is primarily marketing the proposed lots for detached dwelling development, the proposed RLD Zone and the sizes of the proposed lots can enable some additional forms of low-density housing, such as duplex dwellings and detached secondary suites
- 4.1(8)(b)—The applicant is currently working with Manitoba Historic Resources Branch, in light of comments first raised with the nearby Brookwood South School site rezoning and subdivision applications, to confirm if a heritage resources impact assessment is required
- 5.1(2)(d) and (e), 5.2(1)(d), 5.3(1)—Currently adopted Southwest Brandon Secondary Plan and BSNP identify new multi-use trails along several streets, and proposed layout in this subdivision application allow for easy connectivity to future phases of development in the Brookwood South neighbourhood
- 6.2(1)(c)—proposed development contiguous to existing Brookwood North neighbourhood
- 7.1(1), 7.1(3) Residential General Policies(a)—site located within “General Urban Area” as set out in Map 3: Urban Structure, which allows for residential development

Consistency with the Southwest Brandon Secondary Plan (SWBSP)

- Section 2.2—RLD Zone lots proposed within Residential Low Density area under SWBSP
- Other requirements such as access off collector streets, multi-use trails, and greenspaces, to be addressed through the neighbourhood plan amendment as outlined under “Recommendations—Neighbourhood Plan Amendment” in this report

Brookwood South Neighbourhood Plan (BSNP)

- Council adopted the current version of the BSNP in 2018
- City requires changes to the proposed amended concept plan and, based on the proposed concept (“Attachment D-6”), possibly the BSNP itself to ensure consistency with the SWBSP and all applicable laws, by-laws, and regulations as noted in this report’s recommendation, such as
 - Design issues associated with the central roundabout
 - Greenspaces and active transportation connectivity, the latter both within and out of the neighbourhood
 - Drainage of neighbourhood area depending on phasing of development

Consistency with the Zoning By-law

- Proposed lots comply with bulk and siting requirements in the RLD Zone

Commenting Agencies

All comments have been addressed and summarized below. Where conditions are warranted, the City recommends they be conditions of subdivision approval unless otherwise indicated.

City of Brandon

- Development agreement required with conditions as set out in “Attachment E” of this report
- Applicant to provide new addressing of the proposed lots, and confirm the proposed name of the new street currently identified in the subdivision application map as “Public Road”
 - Due to a street name not proposed at the time of subdivision, confirmation of the proposed street name will take longer due to a required separate process
- Parks contribution not sought, as City seeks land dedications for greenspaces in the neighbourhood consistent with the SWBSP and an updated BSNP acceptable to the City, with the City acquiring those greenspaces during subdivisions of corresponding lands adjacent to such greenspaces

Utilities

- Joint use easements required with Manitoba Hydro, BellMTS, and Westman Communications Group

Canada Post

- Community mailbox installation required to support additional residents in this subdivision

Brandon School Division

- Brandon School Division requires \$9,922.50 as cash-in-lieu of land dedication for school purposes

Manitoba Historic Resources Branch (HRB)

- HRB advises that a heritage resources impact assessment may be required
 - City can deem the condition of subdivision approval met if HRB confirms they do not require a heritage resources impact assessment

Teranet Manitoba (Brandon Land Titles Office)

- Due to differing surface rights between the two properties, Teranet Manitoba requires a Plan of Survey before a Plan of Subdivision to finalize subdivision

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 July 24, 2025 and July 31, 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 the current version of the 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.