



CITY COUNCIL REPORT

TITLE:

BY-LAW NO. 7444 TO REZONE PROPERTIES LOCATED AT 856/862 – 1ST STREET

PRESENTER:

Emmanuel Owusu Ansah

DEPARTMENT:

Planning & Buildings

ATTACHMENTS:

DATE:

5/22/2026

CLEARANCE / APPROVALS:

Ryan Nickel General Manager

Dave Wardrop City Manager

RECOMMENDATION(S):

That By-law No. 7444 to rezone properties located at 856/862 – 1st Street (Lots 1/4 and the Sly 9 Feet of Lot 5, Block 49, Plan 8 BLTO) from RMD Residential Moderate Density to RHD Residential High Density be read a second time.

That the by-law be read a third and final time.

BACKGROUND:

The applicant, Kate McKenzie of McKenzie Design Solutions, on behalf of the property owner, 10239372 Manitoba Ltd., is applying to rezone property located at 856/862 – 1st Street from RMD Residential Moderate Density to RHD Residential High Density. The rezoning will allow for the development of a 20-unit residential building. The applicant concurrently applied for a minor corner side yard variance.

ANALYSIS:

See the Planning & Buildings Department's report submitted for May 20, 2026, public hearing (Attachment F) for full analysis.

The Planning Commission did not recommend approval on a tied vote (2-2), with half of the Planning Commission members present citing traffic concerns, namely the site's location at a busy intersection, the 1st Street/Park Avenue intersection, and proximity to said intersection, and concerns about the condition of the lane and additional traffic on the lane should more developments occur along 1st Street. Development Services staff offer the following response to the Planning Commission's concerns:

- The City Plan supports infill development on corner sites and on corridors identified for intensification. This site is both a corner site and on a major arterial corridor (1st Street), and is preferable for higher density residential. While the increase in units warrants a change to the RHD zone, the built form (building height) remains consistent with the RMD zone.
- The Engineering Department has an obligation to provide access to a site under zoning entitlement. When entitlement is changed, the City reviews feasibility and impact of the proposed change based on maximum entitlement and requests further study as required
- For the submission received to rezone these properties to a higher zoning classification, the Engineering Department ran the proposed 20 units and a maximum of 23 units, as allowed under the proposed RHD Zone, against trip generation calculations
 - The resulting trip generation fell below the peak hour volumes of 100 peak hour trip increase as indicated in the City of Brandon's Traffic Impact Study Policy
- The proposed site plan also provided access that complies with the City of Brandon Municipal Servicing Standards (MSS) by having all access on a minor street
- The City of Brandon permits access to residential zoned properties from back lanes when the back lanes are maintained for the primary purpose of refuse collection
- The location of access on Park Avenue directly to the site is not feasible due to insufficient space to allow for separation of tolerances from the 1st Street/Park Avenue intersection and the existing back

lane

- The location of an access on 1st Street will cause unnecessary traffic delays on an arterial street
 - Access to arterial streets is only considered when there is no other access point and is subject to a traffic impact study
- The site complies with all policies for minimum on-site parking requirements and access arrangements

LEGISLATIVE REQUIREMENTS:

City Council gave first reading to the by-law on February 17, 2026.

The Brandon Planning Commission ("Planning Commission") held a public hearing on May 20, 2026. Two objections were received. The concerns raised primarily related to traffic impact and access to parking. Following consideration of the application, the Planning Commission did not recommend approval on a tied vote (2-2).

Should Council reject this rezoning application, the applicant has the right to file an appeal to the Manitoba Municipal Board pursuant to Section 82.1 of The Planning Act. The Planning Act as currently written further states that, should the Manitoba Municipal Board hold its own hearing and issue an order, that order is final and not subject to further appeal, and the order can override Council's decision.

CONCLUSION:

That By-law No. 7444 (Z-02-26) to rezone 856/862 – 1st Street be given second and third readings.

BY-LAW NO. 7444

BEING A BY-LAW of the City of Brandon to amend Zoning By-law No. 7124.

WHEREAS Section 80(1) of The Planning Act provides that a zoning by-law may be amended;

NOW THEREFORE the Council of the City of Brandon, duly assembled, enacts as follows:

- 1. The land described as the following: Lots 1/4 And The Sly 9 Feet of Lot 5, Block 49, Plan 8 BLTO, commonly known as 856 & 862 1st Street, and identified on the map attached hereto as Schedule "A" is hereby reclassified:

FROM: RMD Residential Moderate Density
TO: RHD Residential High Density**
- 2. Schedule B, Map 4, being part of By-law No. 7124, is hereby amended in accordance with Section 1 of this by-law.**
- 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.**

DONE AND PASSED by the Council of the City of Brandon duly assembled this day of A.D. 2026.

MAYOR

CITY CLERK

Read for a first time this 17th day of February A.D. 2026

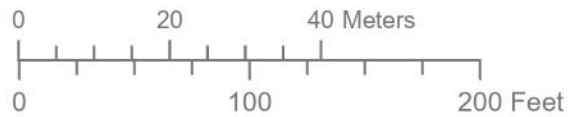
Read for a second time this day of A.D. 2026

Read for a third time this day of A.D. 2026

Schedule A



Rezoning Application Z-02-26
 Amending Schedule 'B' By Law No. 7124
 856 and 862 1st Street
 Lots 1/4 And The Sly 9 Feet Of Lot 5, Block 49,
 Plan 8 BLTO In NE 1/4 14-10-19 WPM



LEGEND

 Proposed Rezoned Lot from RMD to RHD

CN - Commercial Neighbourhood
 RLD - Residential Low Density
 RMD - Residential Moderate Density
 RHD - Residential High Density

Planning & Buildings
 Department



Map Created: 01/22/2026
 Revised:



January 19, 2026

City of Brandon
Planning & Building Department
638 Princess Avenue
Brandon, MB
R7A 0P3h

Attn: Planning, Property & Building Department

Re: Application for Zoning By-Law Amendment for Rezoning to RHD and for Building Side Yard Variance for a Multi-Residential Building at 856/862 1st Street

McKenzie Design Solutions, on behalf of the owner 10239372 Manitoba Ltd., has prepared this letter of intent as part of our application for amendments to *City of Brandon Zoning By-law 7142* to construct a 3-storey residential multi-plex at 856/862 1st Street in Brandon.

Requested Zoning by-law Amendment 1

This site is currently zoned as Residential Moderate Density (RMD). We are requesting to change the zoning to Residential High Density (RHD) for the purposes of constructing a 20-unit multi-residential building.

Requested Zoning by-law Amendment 2

As per *Table 10: Residential Bulk and Siting Requirements* located in *Division 1: Residential* in the zoning bylaw, the side yard of a RHD site on the corner shall be a minimum of 4.6 meters. We are requesting to reduce this to 4.16 meters.

Existing Property

The property shown in Figure 1 has the following legal description: LOTS 1,2,3,4 & PT LOT 5, BLOK 49, PLAN 8, BLTO . The property is zoned RMD.

The property fronts 1st Street and has a frontage of 43.12 meters (141.5 feet). The South side yard faces Park Avenue and has a length of 36.05 meters (118.25 feet). The property has a total area of 1554.6 square meters (16,734 square feet)

The site currently has an existing residence at 856 1st Street. 862 1st Street previously had a residence, but it has been demolished in recent years. The site is primarily grass now.

The property is serviced by the domestic sewer and water mains that run along 1st Street. There are storm sewer mains running along both 1st Street and Park Avenue should we need to tie in to underground storm drainage.



Figure 1: Property Location



Figure 2: 856 1st Street, view from 1st Street



Figure 3: 862 1st Street, view from lane

Proposed Development

The proposed development is a three-story 20-unit multi-residential building. The main floor and basement level have a footprint of 462.0 square meters (4973 square feet). The upper two floors are larger, overhanging into the parking lot. These two floors are approximately 527.4 square meters (5,677 square feet). The building will have a mix of 1,3 & 4 bedroom apartments.

The parking for the development will be to the North of the building with access off the public lane. A small tree buffer will be between the parking lot and the neighboring property. In the front Southeast corner of the lot there will be a patio with planters around it to use as amenity space.

Please see the attached site plan and renderings included in this application for your reference.

Proposed Development and the Criteria for a Variance set forth in the Planning Act

The proposed development will meet the four criteria for approving a variance application:

- 1) Will it be generally compatible with the nature of the surrounding area?

The property is in a primarily residential neighborhood, although there is commercial property directly across 1st Street. There have been quite a few smaller 2 and 3 story multiplexes built along this stretch of 1st Street in the past few years. We feel that our development will fit in nicely in this area as it is increasing in density. Further, since our property is located on the corner of 1st and Park which are an arterial street and a collector street, it is a suitable location for multi-residential development, providing easier access to transportation and amenities for tenants.

- 2) Will it be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area?

The development will comply with all necessary codes and bylaws and as such there should be no health or safety concerns for people living in the area.

This development will only rejuvenate and improve the look of the existing property and should have no negative effect on properties or future development in the area.

- 3) Is it the minimum modification of the zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property?

We believe it is. The side yard variance is to allow enough room for a buffer to provide separation between the new building and the neighbor on the North side. The rezoning is just to allow for the increase in density to the site.

- 4) Is it generally consistent with the applicable provisions of the development plan by-laws, the zoning by-law and any secondary plan by-law.?

We believe the development is consistent with these plans and by-laws.

If you have any questions or would like further information regarding this application or our proposed design, please do not hesitate to contact myself or the other members of our project team included in this application.

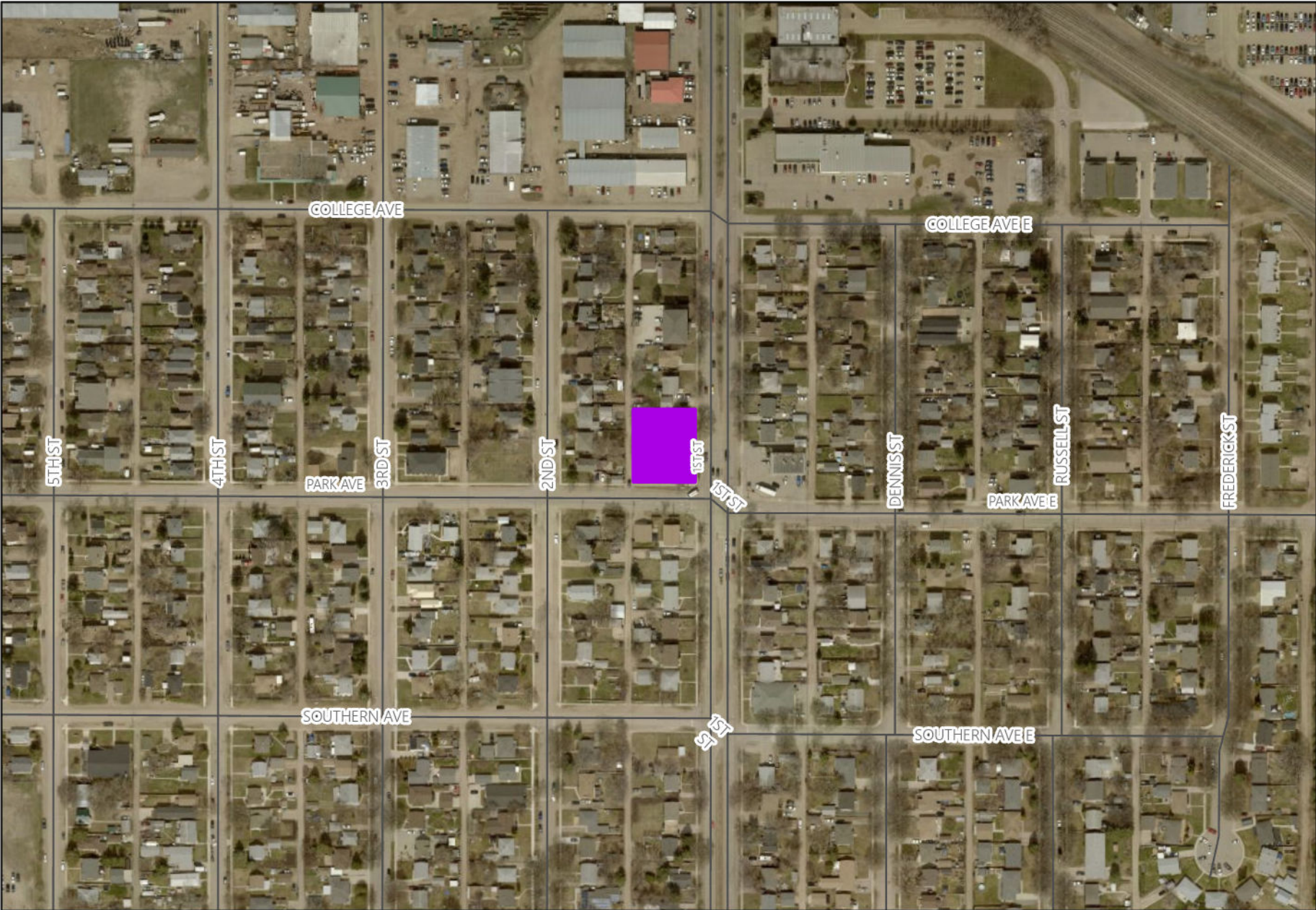
Warm regards,



Kate McKenzie, C.E.T.

MCKENZIE DESIGN SOLUTIONS

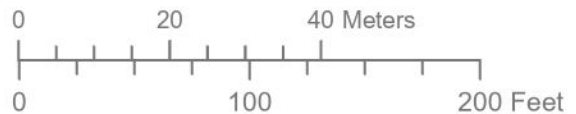
Rezoning Application (Z-02-26) - 856 and 862 1st Street



Rezoning Application (Z-02-26)



Rezoning Application Z-02-26
 Amending Schedule "B" By Law No. 7124
 856 and 862 1st Street
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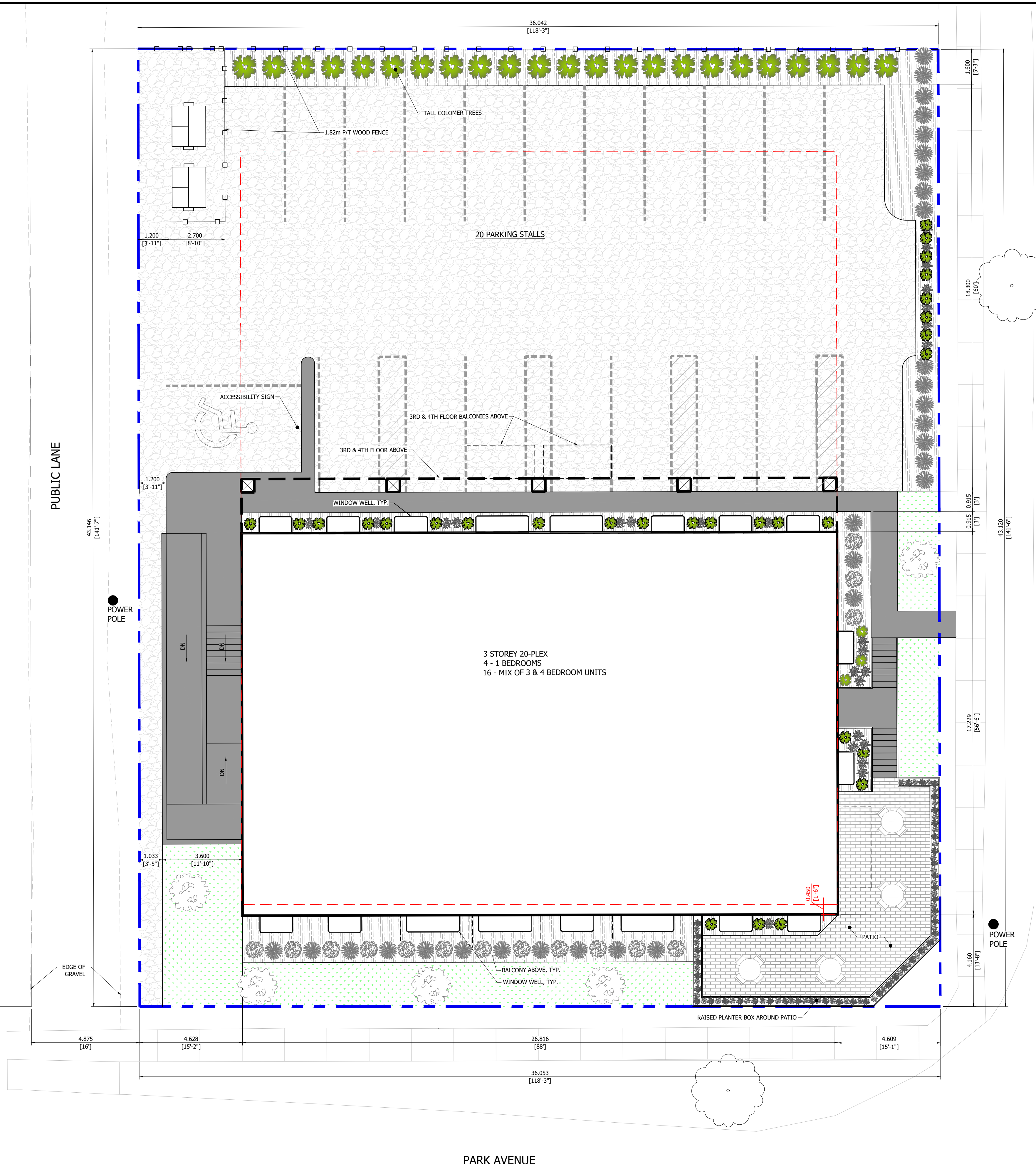
Proposed Rezoned Lot from
 RMD to RHD

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 RMD - Residential Moderate Density
 RHD - Residential High Density

Planning & Buildings
 Department



Map Created: 01/22/2026
 Revised:



GENERAL NOTES

1. ALL DECIMAL NUMBERS ARE METERS AND WHOLE NUMBERS ARE MILLIMETERS UNLESS NOTED OTHERWISE.
- 2.
3. DIMENSION IN RED REPRESENTS REQUESTED SIDE YARD SETBACK REDUCTION.

SITE INFORMATION

CIVIC ADDRESS:
856 & 862 - 1ST STREET, BRANDON, MB

LEGAL DESCRIPTION:
LOTS 1/4 & PT 5, BLOCK 49, PLAN 8, BLTO

ZONE: RMD
PROPOSED ZONE: RHD

MIN. SETBACK REQUIREMENTS (RHD):
FRONT YARD: 6.0m (REDUCED: 4.6m)
SIDE YARD (INTERIOR): 4.6m
SIDE YARD (CORNER): 4.6m
REAR YARD (WITH LANE): 4.6m

AREA OF SITE: 1554.6 sq.m. (16,734 sq.ft.)
sq.m. (4,973 sq.ft.)
SITE COVERAGE FROM BUILDINGS: 29.7%

SUITE BREAKDOWN:
3 & 4 BEDROOM UNITS: 16
1 BEDROOM UNITS: 4

REQUIRED PARKING: 18
PROVIDED PARKING: 23

LEGEND

- GRAVEL PARKING AREA
- NEW CONCRETE
- LANDSCAPE (STONE OR MULCH)
- GRASS
- PROJECT PROPERTY LINES
- ADJACENT PROPERTY LINES
- MINIMUM BUILDING SETBACK

PRELIMINARY
FOR DISCUSSION PURPOSES ONLY

NO.	REVISION	DATE

DESIGNER:
MCKENZIE
 DESIGN SOLUTIONS
 kate@mckenzieesignsolutions.ca | 204-570-1322
 BRANDON, MB

PROJECT NAME: 20-PLEX

PROJECT LOCATION: 856 & 862 - 1ST STREET,
BRANDON, MB

SHEET NAME: SITE CONCEPT

ISSUE DATE: NOVEMBER 10, 2025

SHEET SIZE: ARCH D (24"x36")

DRAWN BY: KM

C-101

1 SITE CONCEPT PLAN
SCALE: 1:100



May 3, 2026

Re: Community outreach for Rezoning and Variance for 856/862 1st Street

On April 18, 2026, McKenzie Design Solutions, on behalf of the owner 10239372 Manitoba Ltd, sent a letter to all property owners and tenants noted on the list provided to us by the city. Please see attached letter.

As of the writing of this report, we have had no comments on the project. We had one owner reach out to us to see if the city would allow the same design on their property at 860 and 854 2nd Street, but unfortunately their location did not suit the design.

If you have any questions or would like further information this report, please do not hesitate to contact me.

Kind Regards,

A handwritten signature in black ink, appearing to read "Kate McKenzie".

Kate McKenzie, C.E.T.

President/ Senior Designer

MCKENZIE DESIGN SOLUTIONS

Phone; 204-570-1322.

Email: kate@mckenziedesignsolutions.ca



March 18, 2026

Attn: Property Owner or Area Resident

McKenzie Design Solutions, on behalf of the owner 10239372 Manitoba Ltd., is applying for amendments to *City of Brandon Zoning By-law 7142* to construct a 3-storey residential multi-plex at 856/862 1st Street in Brandon. This letter has been sent to you for information on the application.

Requested Zoning by-law Amendment 1

This site is currently zoned as Residential Moderate Density (RMD). We are requesting to change the zoning to Residential High Density (RHD) for the purposes of constructing a 20-unit multi-residential building.

Requested Zoning by-law Amendment 2

As per *Table 10: Residential Bulk and Siting Requirements* located in *Division 1: Residential* in the zoning bylaw, the side yard of a RHD site on the corner shall be a minimum of 4.6 meters. We are requesting to reduce this to 4.16 meters.

Existing Property

The property shown in Figure 1 has the following legal description: LOTS 1,2,3,4 & PT LOT 5, BLOK 49, PLAN 8, BLTO . The property is zoned RMD.

The property fronts 1st Street and has a frontage of 43.12 meters (141.5 feet). The South side yard faces Park Avenue and has a length of 36.66 meters (120.28 feet). The property has a total area of 1580.7 square meters (17,015 square feet)

The site currently has an existing residence at 856 1st Street. 862 1st Street previously had a residence, but it has been demolished in recent years. The site is primarily grass now.

The property is serviced by the domestic sewer and water mains that run along 1st Street. There are storm sewer mains running along both 1st Street and Park Avenue should we need to tie in to underground storm drainage.

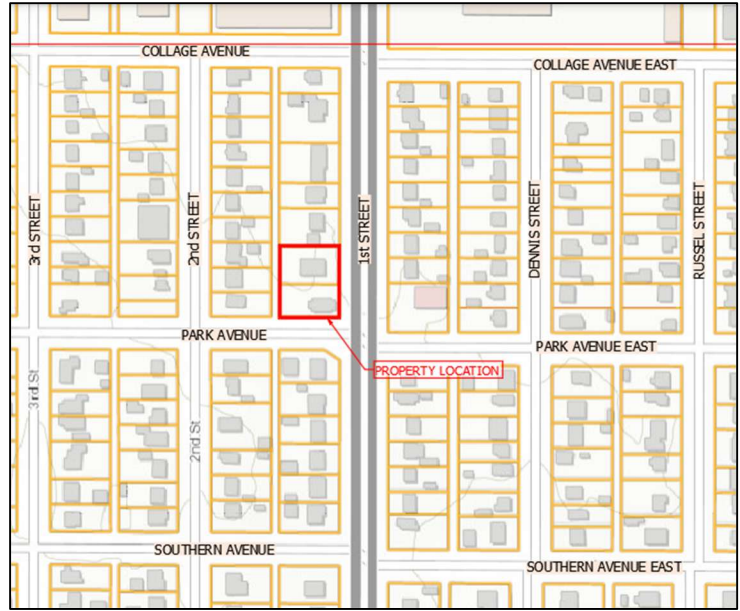


Figure 1: Property Location



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Figure 3: 862 1st Street, view from lane

Proposed Development

The proposed development is a three-story 20-unit multi-residential building. The main floor and basement level have a footprint of 462.0 square meters (4973 square feet). The upper two floors are larger, overhanging into the parking lot. These two floors are approximately 527.4 square meters (5,677 square feet). The building will have a mix of 1,3 & 4 bedroom apartments.



Figure 4: Proposed 20-Plex

The parking for the development will be to the North of the building with access off the public lane. A small tree buffer will be between the parking lot and the neighboring property. In the front Southeast corner of the lot there will be a patio with planters around it to use as amenity space.

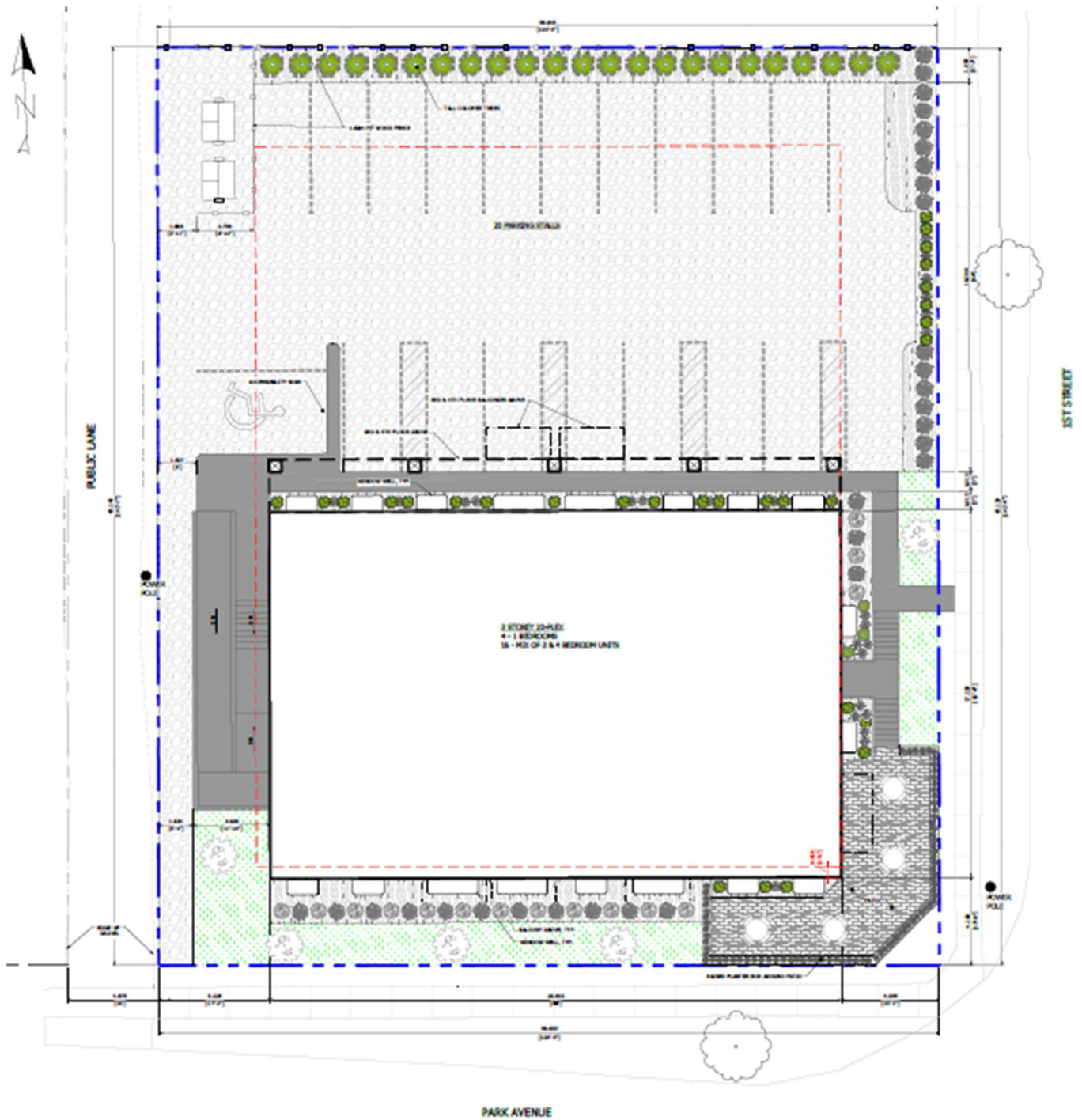


Figure 6: Proposed Site Plan

The city will hold a public hearing regarding this application. Information on the public hearing will be posted on site and in the Brandon Sun 2 weeks prior to the hearing.

If you have any questions or would like further information regarding our proposed design, please do not hesitate to contact me. You may also contact the City of Brandon Development Services Branch to speak with a community planner.

Development Services: 204-729-2110

Kind Regards,

A handwritten signature in black ink that reads "Kate McKenzie". The signature is written in a cursive, flowing style.

Kate McKenzie, C.E.T.

President/ Senior Designer

MCKENZIE DESIGN SOLUTIONS

Phone; 204-570-1322

Email: kate@mckenziedesignsolutions.ca

Attachment “E”

REPORT FROM THE DEVELOPMENT REVIEW GROUP

DATED: May 5, 2026

RE: REZONING OF 856 & 862 – 1ST STREET (Z-02-26)

It is recommended that the approval of Rezoning No. Z-02-26, if granted, be subject to the applicant entering into a Development Agreement subject to the following conditions:

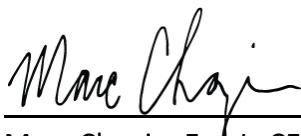
1. The Developer agrees to construct a residential building consisting of twenty (20) units in general consistency with the proposed site plan and any variation of the plan may require the Developer to obtain approval from Brandon City Council who may request additional public input and amendment to the agreement.
2. The Developer agrees to provide stormwater storage for a 1-in-100 year post-development rainfall event, limiting the discharge rate to that of 1-in-5 year pre-development rainfall event.
3. The Developer agrees to remove the existing approach from 856 – 1st Street to 1st Street and to restore the curb, gutter and sod the public boulevard.
4. The Developer agrees that all costs that are associated with the “no-stopping” signage required along Park Avenue between 1st and 2nd Streets, shall be borne solely by the Developer.
5. The Developer agrees to provide financial contribution towards four (4) boulevard trees. Tree pricing to be based on City tree contract pricing at the time of development agreement execution.
6. The Developer agrees to contribute \$1,165.97 for cash in lieu of land dedication of public reserve.
7. The Developer agrees to make a monetary contribution of \$4,050.00 to the Brandon School Division for cash in lieu purposes.
8. The Developer agrees to provide the City with a Detailed Cost Estimate for all work proposed to be completed within the City’s right-of-way. The Detailed Cost Estimate is to be prepared by the Developer’s Consulting Engineer and submitted for review and acceptance by the City Engineer.
9. The Developer will be responsible to submit an Irrevocable Letter of Credit totalling 15% of the Detailed Cost Estimate. Submission of the Letter of Credit is required prior to the issuance of a development permit.

It is requested 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.

THIS REPORT SUBMITTED BY:

Development Review Group


Rezoning No. Z-02-26



Marc Chapin, Eng.L. CET
Manager of Land Development



Sonikile Tembo, RPP
Principal Planner

TITLE: BY-LAW NO. 7444 TO REZONE PROPERTY LOCATED AT 856/862 – 1ST STREET OWNER: 10239372 MANITOBA LTD. APPLICANT: McKENZIE DESIGN SOLUTIONS (KATE MCKENZIE)		
MEETING DATE: May 20, 2026		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7444 B. Application related documents C. Map, air photo & drawings D. Public outreach report E. Development Review Group report	
PRESENTER: Emmanuel Owusu Ansah, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That the Planning Commission recommend City Council approve By-law No. 7444 (Z-02-26) to rezone 856/862 – 1st Street (Lots 1/4 and the Sly 9 Feet of Lot 5, Block 49, Plan 8 BLTO) from RMD Residential Moderate Density to RHD Residential High Density, subject to the owner or successor entering into a development agreement with the City of Brandon.

BACKGROUND:

Request

The applicant, Kate McKenzie of McKenzie Design Solutions, on behalf of the property owner, 10239372 Manitoba Ltd., is applying to rezone properties located at 856 and 862 – 1st Street from RMD Residential Moderate Density to RHD Residential High Density. Approval of this application will allow for development of a 20-unit residential building. The applicant concurrently applied for a minor corner side yard variance.

Development Context

The sites are located at the northwest corner of intersection of Park Avenue and 1st Street. Surrounding uses include mostly low-density residential on all sides, some moderate density further north, and commercial to the east. A public lane provides access to the site.

History

The site contains an existing residential building at 856 – 1st Street, while 862 – 1st Street has remained vacant after demolition of a dwelling unit in 2023.

ANALYSIS:

Approval of this application will allow for the development of a three-storey 20-unit residential building. The site is along both arterial and collector streets, with the arterial street being a Residential Corridor, and medium-scale development of this nature fits within the intended land use framework for the corridor.

Consistency with the Brandon City Plan

- The site is located within “General Urban Area” and along a Residential Corridor under Map 3: Urban Structure
- 7.1(1)(a) – General Urban Area to support existing and future residential development
- 7.1.(3)(Residential General Policies)(a)(b)(c)(e) – proposal supports residential development within a serviced General Urban Area with adequate water and wastewater capacity, while providing a mix of housing options and densities and promoting infill development within an established area
 - The area primarily consists of detached dwellings with pockets of multi-unit dwellings
- 7.1.(3)(Residential Development)(c)(e) – proposal supports location of medium scale housing on arterial streets and corner lots and intensification of residential development on corridor
- 7.4.(1)(Corridor General Policies)(a) – support high-density and intensity residential developments

Consistency with the Zoning By-law

- The site is currently zoned RMD and requires rezoning to RHD to allow for the proposed development
 - The rezoning is primarily to allow additional density. While the proposed height is generally consistent with the current RMD Zone, the site would permit approximately 14 units under RMD compared to 20 units under RHD, allowing more efficient use of the site.
- Apart from the minor variance request, the proposed development generally meets the bulk and siting requirements under the RHD Zone

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

Administration advises that a development agreement is required, with conditions as identified in “Attachment E” of this report. Some key conditions include the following:

- On-site stormwater mitigation
- Provision of “no stopping” signage on adjacent streets at the developer’s cost
- Financial contribution for boulevard trees
- Provision of cash-in-lieu of land dedication for both parks and school purposes

LEGISLATIVE REQUIREMENTS:***Notification***

In accordance with and exceeding minimum requirements under Subsection 168(2) of The Planning Act, notice of the public hearing was posted in front of the Planning & Buildings Department and advertised in the Brandon Sun on April 16, 2026, and May 7, 2026. Further, in accordance with and exceeding minimum requirements under Subsection 168(4) 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, the applicant sent letters to all property owners and tenants within 100m of the site. The applicant indicated that no comments were received. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.