



CITY COUNCIL REPORT

TITLE:

**BYLAW NO. 7462 - PLAN OF PUBLIC ROAD TO BE OPENED
PUBLIC RESERVE B AND PART LOT 3 BLOCK 1 PLAN 34717
(5 HUMMINGBIRD LANE)**

PRESENTER:

Ryan Nickel

DEPARTMENT:

Planning & Buildings

ATTACHMENTS:

DATE:

7/8/2026

CLEARANCE / APPROVALS:

Ryan Nickel General Manager

Dave Wardrop City Manager

RECOMMENDATION(S):

That By-Law No. 7462, to open a portion of public road across part of Public Reserve "B" and part Lot 3 Block 1 Plan 34717, located at the NE corner of the intersection of 26th Street and Maryland Avenue, be read a second time.

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

BACKGROUND:

The applicant, the City of Brandon, requires a corner cut off across the City owned Public Reserve and has authorization from the property owner of 5 Hummingbird Lane to allow space for a public sidewalk for the roundabout (Attachment A). The roundabout will safely accommodate additional traffic volumes and facilitate buildout of the area.

ANALYSIS:

The road opening will accommodate the design and construction of a new roundabout intersection at 26th Street and Maryland Avenue. Consistent with all road openings, the land will be transferred into the name of His Majesty the King in the right of the Province of Manitoba.

LEGISLATIVE REQUIREMENTS:

As per *The Municipal Act*, all road openings must be enacted through a by-law.

The by-law received 1st reading on July 6, 2026.

STRATEGIC ALIGNMENT:

The opening will assist in promoting community well-being through the implementation of the Vision Zero Strategy approach to traffic and pedestrian safety.

FINANCIAL IMPACT:

The City of Brandon will be responsible for all costs associated with the opening.

COMMUNICATION STRATEGY:

Pursuant to subsection 289 of The Municipal Act, the City is not required to give public notice nor hold a public hearing.

CONCLUSION:

That By-Law No. 7462, to open a portion of public road across part of Public Reserve "B" and part Lot 3 Block 1 Plan 34717, located at the NE corner of the intersection of 26th Street and Maryland Avenue, be read a second and third time.

BY-LAW NO. 7462

BEING A BY-LAW of The City of Brandon to open a portion of public road across part of NE ¼ SEC. 10, TWP. 10, RGE. 19 WPM, being part Public Reserve “B” and part Lot 3 Block 1 Plan 34717, located at the northeast corner of the intersection of 26th Street and Maryland Avenue.

WHEREAS Section 289 of The Municipal Act, S.M. 1996, Cap.58, c.M225 provides authority for a municipality to open public roads;

AND WHEREAS it is deemed expedient that a public right-of-way be further opened over, upon and across the lands hereinafter described; which lands will be owned by His Majesty the King in the right of the Province of Manitoba and were acquired otherwise than by expropriation;

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

- 1. That the portion of public right-of-way described hereunder is hereby opened and established over, upon, and across the lands described as follows:**

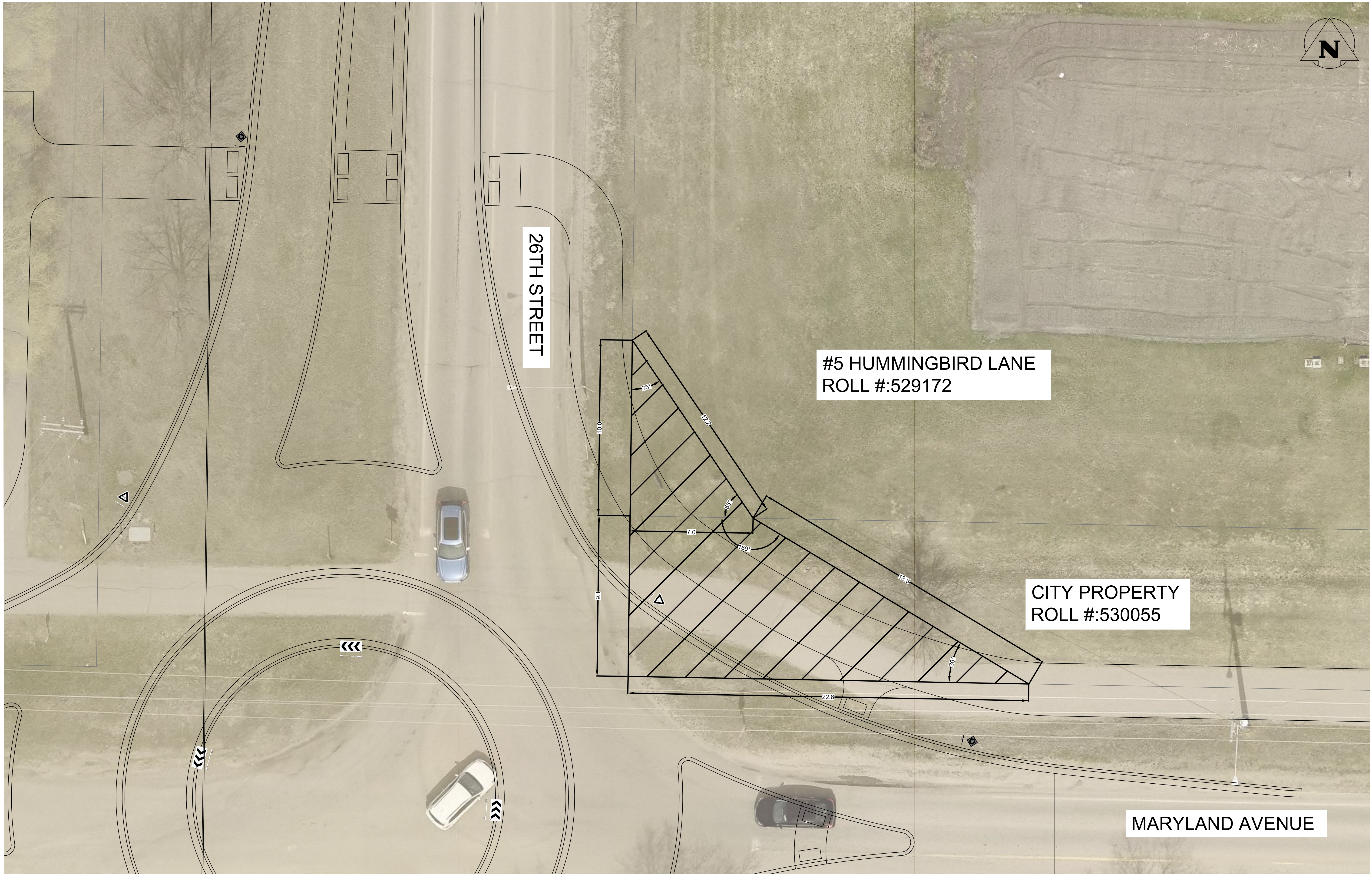
“Public Road, Deposit No. 0626/26,”

a partial copy of which is attached hereto as Schedule ‘A’ and the lands are hereby dedicated for that purpose.
- 2. The said Plan of Public Road to be Opened is hereby adopted and approved, and the City Clerk is authorized and directed to endorse the aforementioned plan for identification, placing thereon their signature, under the corporate seal of the municipality, together with a reference to this by-law.**
- 3. This by-law shall come into full force and effect on the date following its final passage.**

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

MAYOR	CITY CLERK

Read a first time this	day of	A.D. 2026
Read a second time this	day of	A.D. 2026
Read a third time this	day of	A.D. 2026



26TH STREET

#5 HUMMINGBIRD LANE
ROLL #:529172

CITY PROPERTY
ROLL #:530055

MARYLAND AVENUE

NO.	YEAR/MM/DD	ISSUE/REVISION	BY

ENGINEER'S SEAL:

City of
BRANDON

DESIGNED BY: J.M.
CHECKED BY:
APPROVED BY:

THE CITY OF BRANDON
ENGINEERING DEPARTMENT

#5 HUMMINGBIRD LANE EASEMENT REQUEST

26TH & MARYLAND ROUNDABOUT

DRAWING NO. STR-XXXX
SCALE 1:100 H.
SHEET 1 OF 1
REV. 0

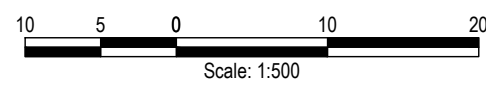
METRIC



DEPOSIT NO.

PLAN OF PUBLIC ROAD TO BE OPENED
ACROSS PART OF
NE 1/4 SEC 10 TWP 10 RGE 19 WPM
BEING
PART PUBLIC RESERVE "B" AND PART LOT 3 BLOCK 1 PLAN 34717

CITY OF BRANDON
MANITOBA



PREPARED UNDER THE EXPROPRIATION ACT (MANITOBA)

NOTES

ALL DISTANCES ARE IN METRES AND MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084
LAND REQUIRED FOR PUBLIC ROAD IS BORDERED THUS
SURVEY POSTS FOUND ON THE GROUND ARE DESCRIBED AND SHOWN THUS.....O
IRON POSTS 0.025 X 0.025 X 0.914 MARKED MLS AND CS ARE PLACED AT ALL POINTS SHOWN THUS.....■
ALL PLANS REFERRED TO ARE ON RECORD IN THE BRANDON LAND TITLES OFFICE

SURVEYOR'S AFFIDAVIT

I, BRENDAN LEE WOOD, OF THE RURAL MUNICIPALITY OF WHITEHEAD, MANITOBA LAND SURVEYOR, MAKE OATH AND SAY THAT I DID PERSONALLY SUPERINTEND THE SURVEY REPRESENTED BY THIS PLAN, THAT THE SURVEY WAS MADE ON MAY 14TH, 2026 AND THAT THE SURVEY AND PLAN ARE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MANITOBA LAND SURVEYOR

SWORN TO BEFORE ME AT THE CITY OF BRANDON

THIS ____ DAY OF _____, 2026

A COMMISSIONER FOR OATHS IN AND FOR
THE PROVINCE OF MANITOBA
MY COMMISSION EXPIRES JANUARY 20, 2027



CERTIFICATE

THIS IS TO CERTIFY THAT:

- | | | |
|--|---|---|
| (A) THIS PLAN REFERRED TO IN BY LAW NO. _____ OF THE CITY OF BRANDON | (D) THE LAND ACQUIRED EXCEPTS MINES MINERALS AND NAMED SUBSTANCES WHICH ARE EXCEPTED FROM OR NOT INCLUDED IN THE CERTIFICATE OF TITLE OF THE REGISTERED OWNER OF THE SURFACE UNDER THE REAL PROPERTY ACT OR ARE NOT OWNED BY THE OWNER OF THE SURFACE UNDER THE REGISTRY ACT AND EXCEPTS RESERVATIONS IN FAVOUR OF THE CROWN AS EXCEPTED FROM THE TITLE OF THE OWNER OF THE SURFACE, OR TO WHICH TITLE IS SUBJECT BY IMPLICATION UNDER THE PROVISIONS OF THE REAL PROPERTY ACT. | (E) THE LAND IS ACQUIRED UNDER SECTION 254(1) OF THE MUNICIPAL ACT. |
| (B) ALL REGISTERED OWNERS OF ANY LANDS THAT WILL VEST BY REASON OF THE REGISTRATION OF THIS PLAN HAVE AGREED WITH THE AUTHORITY ON THE SETTLEMENT OF DUE COMPENSATION FOR THE LAND OR THAT THE CITY IS THE OWNER OR ENTITLED TO BE THE OWNER OF LAND AFFECTED BY THE PLAN. | (C) THE LAND IS ACQUIRED FREE OF ALL ENCUMBRANCES. | (F) UPON THE REGISTRATION OF THIS PLAN THE LANDS AFFECTED BY THIS PLAN WHERE INDICATED AS BORDERED ARE THEREBY OPENED AND DEDICATED TO THE PUBLIC USE AS PUBLIC ROAD. |
| | | DATED AT THE CITY OF BRANDON
THIS ____ DAY OF _____, 2026 |

CITY CLERK

ENTERED AND REGISTERED IN THE BRANDON LAND TITLES OFFICE

THIS ____ DAY OF _____, 20__

AS PLAN NO. _____

AND IS THE PLAN REFERRED TO IN AN INSTRUMENT REGISTERED

IN THE SAID OFFICE AS NO. _____

FOR DISTRICT REGISTRAR

REGISTRATION NO. _____

THIS APPROVAL IS VALID FOR 12 MONTHS UNLESS REGISTERED.

APPROVED THIS ____ DAY OF _____, 20__

EXAMINER OF SURVEYS

RE-APPROVED THIS ____ DAY OF _____, 20__

EXAMINER OF SURVEYS

DRAWN BY: AV

CHECKED BY: BW

CALTECH NO. 26-1076-00-LAC01-R0

Caltech