


TITLE: SUBDIVISION 4500-14-598 1175 18th STREET LOT 2, PLAN 42768 IN W ½ 14-10-19 WPM OWNER: KEYSTONE AGRICULTURAL AND RECREATIONAL CENTRE INC. APPLICANT: MEIGHEN HADDAD		
PRESENTER: Ryan Nickel, MCIP	AGENDA NO:	
DEPARTMENT: Planning & Building Safety	BOARD MEETING DATE: June 4, 2015	
CLEARANCES: Principal Planner	ATTACHMENTS: A. Application related documents (# of pages = 3) B. Map, air photo & drawings (# of pages = 2)	
APPROVALS: <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <i>Original signed by R. Zilke</i> Community Planner </div> <div style="text-align: center;"> May 15, 2015 Date </div> <div style="text-align: center;"> <i>Original signed by R. Nickel</i> Principal Planner </div> <div style="text-align: center;"> May 25, 2015 Date </div> </div>		

REQUEST:

The applicant, Meighen Haddad LLP, on behalf of the property owner, Keystone Agricultural and Recreational Centre Incorporated, is applying to subdivide a property located at 1175 18th Street to create one (1) lot in the PR Parks and Recreation Zone. As shown on attachment B-1, the subdivision will contain the trade fair and dome buildings for the purposes of accommodating a leasehold title between the Provincial Exhibition of Manitoba and the Keystone Centre. Subdivision approval is required as the lease is greater than 21 years which is considered a subdivision in accordance with The Planning Act.

BACKGROUND:

Development Context

The Keystone Centre site is located between 13th Street to the East, 18th Street to the West, Richmond Avenue to the South and the CN railway right-of-way to the north. The total site area is approximately 36 hectares and includes the Keystone Complex, Canada Inns, Westman Communications Groups Place, and the Trade Fair and Dome buildings. Adjacent to the site is a variety of uses, but mostly consisting of commercial developments to the north, south and west. Neelin Secondary School is also located east of the subject site across 13th Street. Vehicular access to the site is provided by 18th Street, 13th Street and Richmond Avenue.

History

Located on the city's Keystone Centre grounds the Dominion Display Building II (Dome Building) was built in 1913. The building was designated a provincial heritage site in 1984 and, more recently, was recognized by Parks Canada as an honorary national historic site. In July 2009, the domed building had become deteriorated to the extent that it was listed as one of the 10 most endangered historic buildings in Canada. The subdivision will allow the Keystone to obtain additional funding to complete renovation projects that may include constructing new offices for the Provincial Exhibition, Manitoba 4-H Council and Manitoba Agricultural Hall of Fame, and education, classroom and interpretive museum space for displays and programs.

Minor Subdivision

Section 119(1) of The Planning Act defines a minor subdivision as a subdivision that results in a single new parcel of land or a subdivision of one or more parcels of land where each parcel being transferred is to be consolidated with an adjacent parcel covered by another title so that no additional title results, provided

- a) the parcels resulting from the subdivision conform with the development plan by-law, the zoning by-law and any secondary plan by-law,
- b) no new public roads will be created as a result of the subdivision, and
- c) the subdivision does not require any change in access to a provincial road or provincial trunk highway.

Section 124(3) of The Planning Act states that upon receiving an application for a minor subdivision, the approving authority may, in accordance with the regulations and as an exception to subsection (2),

- a) give conditional approval to the minor subdivision, subject to any conditions described in section 135 that the approving authority considers appropriate, and
- b) send a copy of the application and the conditional approval to the council of the municipality in which the affected land is located.

ANALYSIS:

The applicant proposes to subdivide the subject site which contains the Trade Fair and Dome buildings from the remainder of the Keystone site; this will result in the Trade Fair and Dome buildings being located on one site (see Attachment B-2). The new property will be situated on the eastside of the subject site with vehicular access by 13th Street.

Consistency with the Development Plan

Policy 9.2.4 in the Development Plan identifies the Keystone Centre as a special development site. In accordance with the objectives in Section 9.1, Special Development Sites are intended to recognize unique characteristics of certain sites, and to protect and enhance the characteristics of sites deemed to have unique characteristics that should be protected and enhanced. The intention of the subdivision to create a leasehold title in order to secure funding for renovations to the Dome building meet the intent of the policy. The renovations will allow for the building to be potentially used for offices, classrooms, and a museum space.

Consistency with the Zoning By-law

The property is zoned Parks and Recreation (PR) Zone and the two structures meets and exceeds all required setbacks of the proposed property lines. As of the writing of this report, the Dome building currently remains vacant, and therefore, no parking spaces are required. Parking for the Dome building will be calculated at the time a permit is applied for to renovate the space for the intended uses (educational and museum). The Trade Fair building is used for storage and therefore requires a minimum of three on-site parking spaces. The existing site layout as shown on Attachment B-2 can accommodate 23 parking spaces which exceed the minimum requirement.

Commenting Agencies

All comments have been addressed and summarized below.

Hydro

the owner or successor submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for an easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro and registering the easement agreement along with the easement plan, if required, in series immediately following registration of the subdivision

City of Brandon

The City Brandon requires that the owner of the subject site enter into a cross-access agreement to ensure legal access to the proposed property through the Keystone Centre grounds. This agreement is to be registered in series immediately following registration of the subdivision as an easement on the affected titles. This requirement is to be a condition of subdivision approval.

RECOMMENDATION:

That application 4500-15-598 to subdivide 1175 18th Street be approved subject to the owner or successor:

1. submitting written confirmation to the satisfaction of the City of Brandon Planning & Building Safety Department that arrangements have been made for a cross-access agreement, and registering the cross-access agreement as an easement in series immediately following registration of the subdivision; and
2. submitting written confirmation to the City of Brandon Planning & Building Safety Department that arrangements have been made for an easement agreement and Plan of Easement to the satisfaction of Manitoba Hydro, and registering the easement agreement along with the easement plan, if required, in series immediately following registration of the subdivision.

And further, that subject to meeting all other necessary conditions and requirements of subdivision, that the designated signing officers are authorized to sign and seal the Final Certificate of Approval.