



CITY OF BRANDON

UNDER THE PLANNING ACT

VARIANCE ORDER NO: V-08-22

Under Section 95 of The Planning Act, Dominic Lefebvre, on behalf of Koch Fertilizer Canada, ULC, applied to the Planning Commission of the City of Brandon to allow for rebuilding of a non-conforming building pursuant to Clause 92(1)(c) of The Planning Act at 1205 – 17th Street East (Parcel L, Plan 38228 BLTO) in the Industrial Heavy (IH) Zone.

After careful consideration of the application and any representation made for or against the variation sought by the applicant, the City of Brandon Planning Commission was satisfied that the application:

- (a) will be compatible with the general nature of the surrounding area;
- (b) will not 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;
- (c) is the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and
- (d) is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.

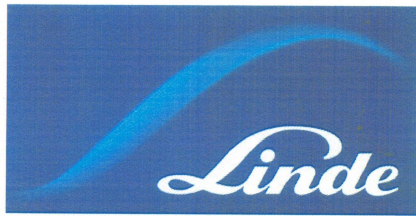
The Planning Commission therefore agreed to approve said Variance Application, whereby such approval was granted in accordance with the intent of the attached letter of intent (Attachment A-1) and site plan (Attachment B-3).

Dated this 2nd day of June, A.D. 2022.

This Order shall expire if not acted upon within twelve (12) months of the date of making. The issuance of a building permit for the purposes of constructing the proposed building constitutes acting upon this order.

Pursuant to Section 34 of The Planning Act, the applicant, any person who made representation at a hearing on the application held by the Planning Commission, or a designated employee or officer of the City of Brandon Planning & Buildings Department may appeal the decision to City Council. The appeal must be in writing and submitted within 14 days of the date on this decision to the Legislative Services Department at 410 – 9th Street, Brandon, MB R7A 6A2, and identify the contact information and home address of the appellant, the decision being appealed, and the reason(s) for the appeal.

Amber Chapil, Planning Commission Clerk



Dominic Lefebvre
National Operations Manager
Linde Canada Inc.
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April 12th, 2022

City of Brandon – Planning & Building Department
638 Princess Avenue
Brandon, Manitoba
R7A 0P3

Re: Letter of Intent – Variance to Zoning By-law No. 7124

To Whom It May Concern,

Name of Applicant: Dominic Lefebvre, Linde Canada Inc.

Location of Proposed Mobile Office Replacement: 1205-17th Street East, Brandon, MB, R7A 7C9

Description of Proposed Change: Replace existing mobile office located at Linde Canada Inc. - 1205-17th Street East, which is currently at the end of its useful life with a new mobile office at the same exact location where the existing mobile office is located. Same specs used. Replacement in-kind.

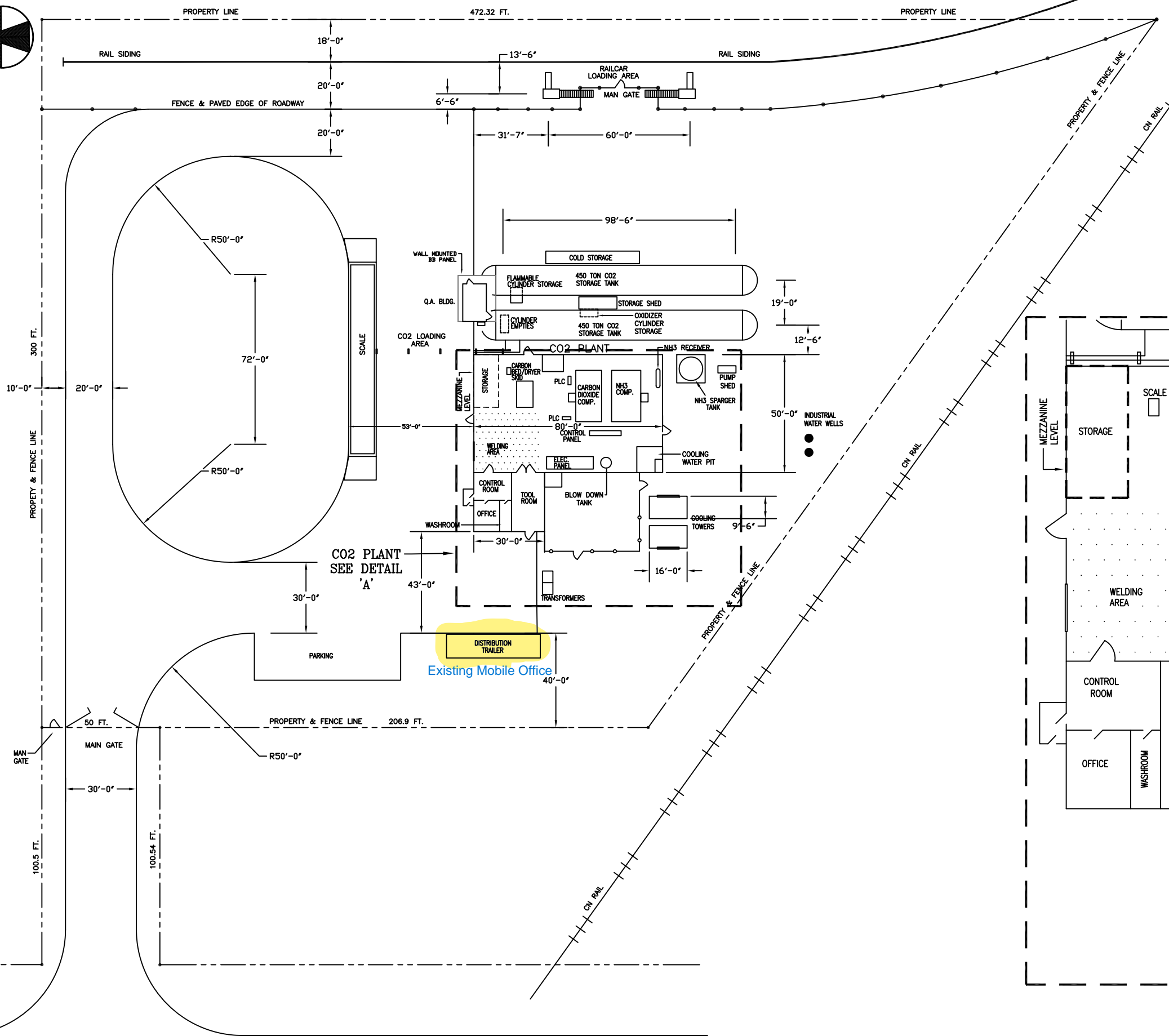
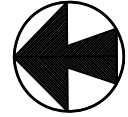
Compliance with Planning Act Criteria: The new mobile office will be a replacement in-kind at the same exact location than the existing mobile office. It will be compatible with the general nature of the surrounding area. It will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area. The replacement mobile office will be consistent with all applicable provisions of the development plan by-law and will have no negative effect on the zoning by-law since it's a replacement in-kind.

Sincerely,

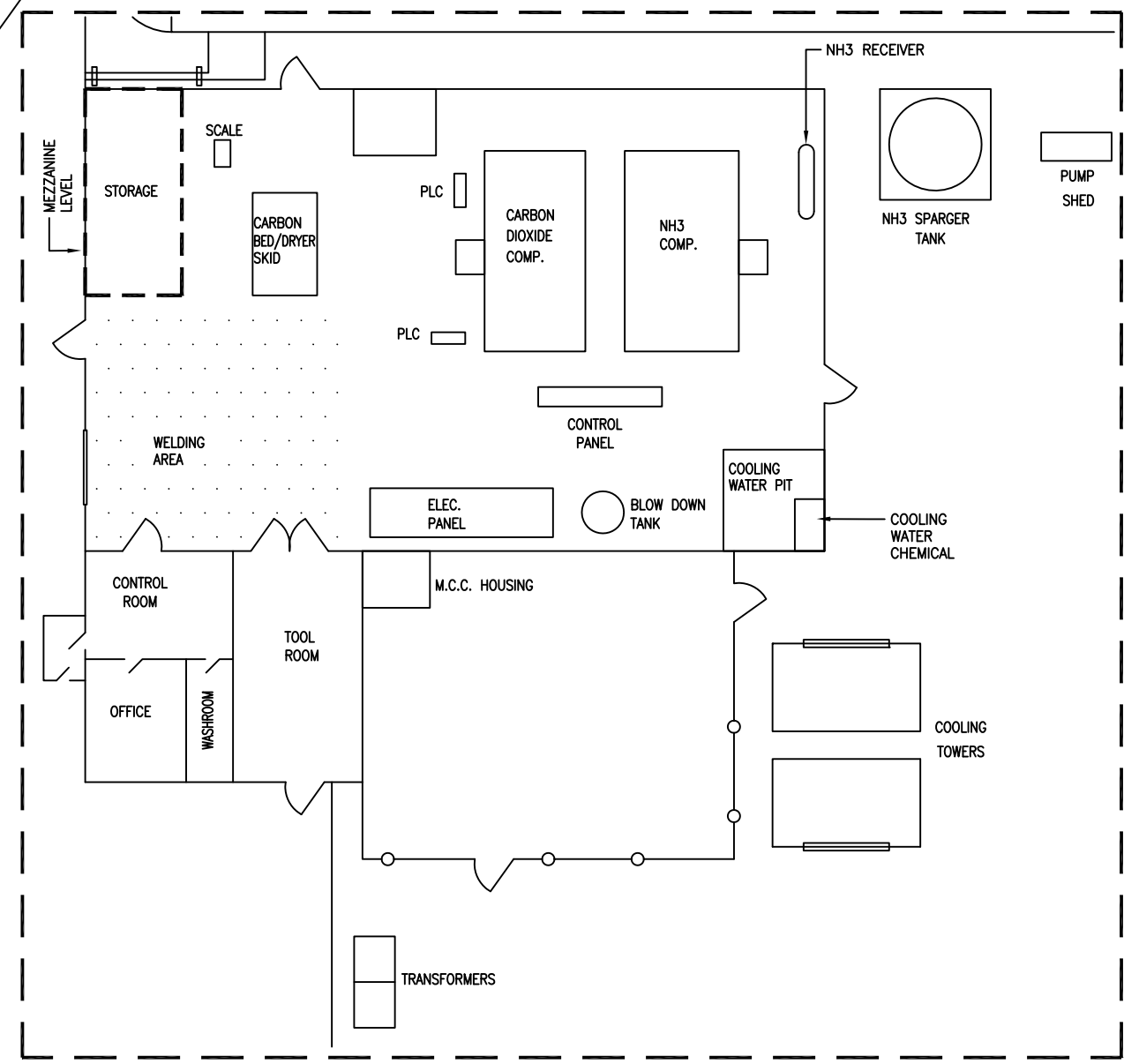
A handwritten signature in black ink that reads "Dominic Lefebvre". The signature is fluid and cursive, with the first name being particularly prominent.

Dominic Lefebvre
National Operations Manager
Linde Canada Inc.

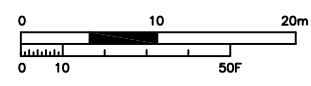
NORTH



DETAIL 'A'
CO2 PLANT
(N.T.S.)



17 TH. STREET EAST



1	Attachment B-3	AV	KS	KS	KS	Oct.18/19
ALTRN		BY	CHKD	REVD	APVD	DATE

OVERALL SITE PLAN	PRAXAIR BUSINESS CONFIDENTIAL PRAXAIR CANADA INC.				SITE IDENTIFICATION C706	
	TYPE OF PLANT CO2 PLANT		REVIEWED KS	CHECKED KS	PROJECT NUMBER --	
TITLE GENERAL DRAWING PLOT PLAN BRANDON, MANITOBA		SCALE 1:550	DATE 17/10/2019	SHEET 1	TOT. SHS. 1	
MODEL NAME 1117000291	SIZE B	DRAWING NUMBER 1-117-00-029	ALTERNATION 1			

18/10/2019