


TITLE: VARIANCE; BY-LAW NO. 7428 TO REZONE PROPERTY LOCATED AT 911 DOUGLAS STREET OWNER/APPLICANT: CITY OF BRANDON (DANIEL ASHFIELD)		
MEETING DATE: July 2, 2025		Page 1 of 5
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7428 B. Application related documents C. Map, air photo & drawings	
PRESENTER: Andrew Mok, BES RPP MCIP	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

Rezoning

That the Planning Commission recommend City Council approve By-law No. 7428 (Z-06-25) to rezone part of 911 Douglas Street (Lot 17, Plan 1489 BLTO) from PR Parks and Recreation to IG Industrial General.

Variance

That Variance Application V-07-25 to vary Table 16 under Section 62 of the Zoning By-law to reduce the minimum site width from 22.8m to 7.3m in the IG Industrial General Zone be approved at 911 Douglas Street (Lot 17, Plan 1489 BLTO) in accordance with the attached letter of intent "Attachment B" and site plan "Attachment C-6".

BACKGROUND:

Request

The applicant, Daniel Ashfield of the City of Brandon, is applying to rezone part of 911 Douglas Street and applying for a variance to enable a narrower site width for the proposed residual lot to enable future industrial development by others. The applicant also concurrently applied for subdivision to enable this development.

Development Context

The subject site currently has a softball diamond within the northernmost part of the site, with the rest of the site undeveloped mainly thanks to the site being flagged as part of a former landfill site. Surrounding uses include industrial on all sides, with another softball diamond and accessory parking for both diamonds at 1204 Van Horne Avenue East, immediately north of the site. There is currently an informal access off Douglas Street, though softball diamond users typically park at the other softball diamond site and walk across the closed lane at 723 Douglas Street between both diamonds to get to the site.

History

The site under City ownership remained undeveloped until the City obtained conditional use approval to develop softball diamonds at both this site and 1204 Van Horne Avenue East in 2012. The rationale at the time for lack of development and then the eventual development of softball diamonds was that the site sits on a former landfill, and the City understood at the time that regulations precluded development both on and near the former landfill site.

ANALYSIS:

Approval of these rezoning and variance applications will enable the City to sell the proposed-to-be-rezoned part of the site for future industrial development. Two circumstantial changes since 2012 allow the City to entertain this proposal. First, the City understands that today's regulations allow for consideration of development even on landfill sites, though subject to several significant mitigation measures such as installing systems to both monitor and vent methane gas from any buildings constructed over landfills. Second, the City, thanks to a 2024 environmental impact assessment on the site, has a better understanding of the extent of the former landfill, meaning that a significant portion of land on the south side of the site may accommodate development, as that part of the site will only be near the former landfill and therefore poses a lower risk to future industrial development.

With the proposed lot taking up most of the frontage along Douglas Street, a variance is necessary to enable a site width reduction to reflect the narrow frontage of the residual lot, which the applicant proposes to be a panhandle-shaped lot. However, the residual lot will still maintain its existing full and compliant width in the rear where the existing softball diamond sits.

Rezoning

Consistency with the Brandon City Plan

- 4.3 Economic (3)(b) and (c)—City Is maximizing use of existing infrastructure by creating an infill lot and developing underutilized property for industrial development
- 7.2—site is located within the Employment Area as set out in Map 3: Urban Structure, an area intended for industrial development

Consistency with the Zoning By-law

- Current PR Zone will remain on proposed residual lot with the existing softball diamond, maintaining the softball diamond as a permitted use
- Proposed lot complies with bulk and siting requirements of proposed IG Zone
- Proposed IG Zone is also consistent with surrounding industrial sites also zoned IG

*Variance**Consistency with Part 6, Section 97(1)(b) of The Planning Act and Demonstration that the Variance:**1. Will be compatible with the general nature of the surrounding area:*

Though the proposed residual lot with the existing softball diamond will have significantly reduced frontage along Douglas Street that is atypical of lots along the street, it enables the creation of an industrial lot that has wide frontage along the street and is more compatible with the surrounding area. Furthermore, due to the historical arrangement of lots in the area, there is at least one industrial property along Douglas Street that is like a flag-shaped lot in that the frontage along the street is considerably narrower than most of the lot in the rear. The proposal therefore will be compatible with the general nature of the surrounding area.

2. 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:

Primary public access to the softball diamond in the proposed residual lot is from the existing parking lot off Van Horne Avenue East. However, if emergency access is necessary, the narrowed site width will still be wide enough for two-vehicle-abreast egress to Douglas Street. Furthermore, City vehicles may access the site from Douglas Street if necessary for site maintenance purposes, eliminating the risk of encroachment on other properties. The proposal therefore will not have any detrimental effects on people or properties in the surrounding area.

3. 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

In addition to providing sufficient width for emergency or maintenance access off Douglas Street, Provincial subdivision regulations require all lots to have direct frontage onto streets. The applicant's submission indicates the entire width of the front portion of the site is both outside the former landfill's extent and has no impacted soil (Attachment C-5), making that area a strong candidate to accommodate industrial development. However, a subdivision where the proposed industrial lot would have taken up the entire width of the site would result in the proposed residual lot being landlocked with no direct access to any street in the area. Because of this regulatory requirement, the proposal is the minimum modification of the Zoning By-law required to relieve its injurious effect on the applicant's property.

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

Analysis addressed under the subsection "Rezoning" on Page 2 of this report.

Commenting Agencies

All comments have been addressed and summarized below. Note that these comments are associated with the associated subdivision and, if successful, the future sale of the proposed industrial lot, and the comments are here for the Planning Commission's information to demonstrate the City is taking into account potential development concerns.

New Address Required

The proposed industrial lot will require a new civic address as a condition of subdivision approval.

Development Agreement Required

As a condition of sale of the proposed industrial lot, a development agreement will be required with the following conditions:

- Removal and restoration of the current site access in accordance with the City's standard construction specifications
- Construction of a new shared access at the southwest corner of the proposed lot to access both the proposed and residual lots, with proper supporting cross-access agreements
 - City will not grant any further accesses
- Mitigation of increased storm water runoff providing storage for a 100-year post-development storm event while limiting discharge to a 5-year pre-development runoff rate
- Save harmless agreement due to being in proximity of a methane gas site (former landfill)

The City must wait until we sell the proposed industrial lot to execute the development agreement, as the City cannot register a development agreement on a property that it owns.

*LEGISLATIVE REQUIREMENTS:**Notification*

In accordance with and exceeding minimum requirements under Subsection 168(2) of The Planning Act for the rezoning and Subsection 169(3) of The Planning Act for the variance, notice of the public hearing was posted in front of the Planning & Buildings Department and advertised in the Brandon Sun on June 19, 2025 and June 26, 2025. 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, public outreach is not required as the proposal is to enable an industrial use within an appropriately classified area and located more than 100m from any residences. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.