


TITLE: VARIANCE 110052 PATRICIA AVENUE OWNER/APPLICANT: VBJ DEVELOPMENTS LTD. (STEVE MCMILLAN)		
MEETING DATE: September 3, 2025		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Andrew Mok, BES RPP MCIP	MANAGER: Andrew Mok, BES RPP MCIP, A/Principal Planner	

RECOMMENDATIONS:

That Variance Application V-16-25 to vary Table Five-2 under Subsection 10(1) of the R.M. of Cornwallis Zoning By-law No. 1558/09/99 to reduce the minimum site area from 80 acres to 5.3ha (13.1 acres) for Proposed Lot 1 and 12.9ha (31.9 acres) for Proposed Lot 2 in the AG80 Agricultural General Zone be approved at part of 110052 Patricia Avenue (Part NE¼ 3-10-19 WPM) in accordance with the attached letter of intent "Attachment A" and subdivision application map "Attachment B-3".

BACKGROUND:

Request

The applicant, Steve McMillan of VBJ Developments Ltd., is applying to reduce the minimum site area for proposed lots on property located at 110052 Patricia Avenue in the AG80 Agricultural General Zone under the R.M. of Cornwallis Zoning By-law No. 1558/09/99. Approval of this application along with an associated subdivision application will allow the creation of two lots as a first step to enable future development of this area.

Development Context

The subject site is currently undeveloped, and is located at the southwest corner of the 18th Street/Patricia Avenue intersection. There is a Class 4 wetland in the middle of the site taking up nearly the entire width of the site. Uses surrounding the site include low-density residential to the north and east, commercial to the north, and rural or agricultural lands to the east, south, and west. Patricia Avenue provides access to the site.

History

The site was annexed from the R.M. of Cornwallis into the City of Brandon in 2017, and became part of the Southwest Brandon Secondary Plan area in 2024. The property owner obtained permits from both the City and the Province for grading of lands north of the wetland, coinciding with lands subject to this variance and associated subdivision applications.

ANALYSIS:

The applicant proposes to create two lots to enable a first step to developing part of the site. The applicant is not proposing any new uses, and notes they will have to return with additional rezoning and subdivision applications to enable development.

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;*

The requested variance does not change what currently exists on site, which is undeveloped land, relative to the surrounding area. 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;*

The requested variance pertains to the size of the proposed lots and does not enable establishment or a change of uses compared to what currently exists on site. Therefore, the proposed subdivision and the requested variance does not change the parameters of this site's effects on neighbouring properties and those living or working in the surrounding area, and therefore will not have any detrimental effects on the 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*

With the requested variance, both the applicant and the City currently avoid a rezoning of the site. The City believes that a variance makes more sense than a rezoning, despite an older pre-annexation zone being in place on the site, as this does not preemptively give the applicant development rights when both the City and the applicant currently do not have a high level of confidence in what development may occur on the site. To avoid unnecessary rezoning, the proposal is the minimum modification of the Zoning By-law 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*

City Plan

- 6.1(5)—prior to opening new areas for development, the City must consider various issues such as alignment with all applicable planning documents, servicing, and environmentally sensitive areas
- 6.2(1)(g)—developer required to prepare a neighbourhood plan consistent with the applicable secondary plan prior to any development on this site

Southwest Brandon Secondary Plan

- 6.2.6 and 6.2.8—neighbourhood plan acceptable to the City required before the City can entertain any development, including any further subdivision of the site and rezoning of at least part of the site

Zoning By-law

- No new or changed uses proposed, nor any new buildings or structures, for the site, therefore no concerns under the R.M. of Cornwallis Zoning By-law
- Any future rezoning of at least part of the site must be in accordance with the City of Brandon Zoning By-law

Commenting Agencies

The City did not receive any comments of significant concern.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with and exceeding minimum requirements under Subsection 169(3) 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 requested variance does not propose an increase of intensity or density of a use on the site. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.