


TITLE: <p style="text-align: center;">VARIANCE 459 RUSSELL STREET OWNER: 5705356 MANITOBA LTD. APPLICANT: STEVE McMILLAN</p>		
MEETING DATE: April 15, 2026		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Emmanuel Owusu Ansah, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Variance Application V-03-26 to vary Table 12 under Section 55 of the Zoning By-law to decrease the required reverse corner side yard from 4.6m to 1.5m in the CG Commercial General Zone be approved at 459 Russell Street (Lot 1, Plan 54304 BLTO) in accordance with the attached letter of intent “Attachment A” and site plan “Attachment B-3”, subject to the following conditions:

1. Fencing parking access from the back lane and not allowing a pull-through access into the parking lot
2. Providing mitigation measures for increased post-development stormwater runoff to that of an equivalent pre-development storm event
3. Closing and restoring the existing access to Victoria Avenue East as per the City of Brandon’s Standard Construction Specifications

BACKGROUND:

Request

The applicant, Steve McMillan, on behalf of the property owner, 5705456 Manitoba Ltd., is applying to vary Table 12 of the Zoning By-law by reducing the required reverse corner side yard from 4.6m to 1.5m for property located at 459 Russell Street in the CG Commercial General Zone. Approval of this application will allow for the construction of a commercial-residential mixed-use building.

Development Context

The subject site is located at the northeast corner of Victoria Avenue East and Russell Street. A duplex dwelling occupies 453 Russell Street, while a mixed-use building (doctor’s office in the first floor and residential dwelling units in the basement) occupies 459 Russell Street. The site is surrounded by predominantly low-density dwellings to the north and east,

commercial uses and high-density dwellings to the west, and the Brandon Regional Health Centre to the south. The site is about 200 metres from a park and school, and has access to commercial services along Victoria Ave and 1st Street. Russell Street and Victoria Avenue East provide vehicular and pedestrian accesses to the site.

History

Conditional use applications were approved in 2008 and 2009 to allow for a medical office use in the first storey in the RLD Zone while maintaining two (2) dwelling units in the basement of 459 Russell Street. City Council approved the rezoning application to CG Commercial General Zone on October 17, 2022.

ANALYSIS:

The applicant is proposing to reduce the required reverse corner side yard from 4.6m to 1.5m to allow for the proposed mixed-use development that will face Victoria Avenue East.

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;

There are only few reverse corner sites in the surrounding area, primarily located further north along Princess Avenue East, and such sites have limited corner side yard setbacks. The existing building at 459 Russell Street is situated relatively close to the reverse corner (west) site line. Accordingly, the proposed reduction to the reverse corner side yard setback is considered compatible with the established development pattern and general character 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 proposed reverse corner side yard reduction will still provide sufficient setback from the Russell Street/Victoria Avenue East intersection for traffic visibility around the corner at the intersection. Therefore, the proposal will not have any detrimental effects to 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

The proposed development meets the required buffer on its side site line (i.e. at least 3.0m) and rear site line (i.e. at least 7.6m). Despite the standard 0.0m minimum required

front yard in CG Zone, due to abutting a residential zone a building on this site must be at least 4.6m from the east site line to provide a transition to the residential front yard to the east. The proposed decrease of the reverse corner side yard 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*

City Plan

- The site is located within the “General Urban Area” under Map 3: Urban Structure
- 7.1(1)(a) – General Urban Area allows for a mixture of residential and commercial development
- 7.1(3)(Residential General Policies)(a)(b)(e) – proposal provides a mix of housing options and supports residential development in an area with sufficient water and wastewater capacity, while also promoting the intensification of already developed areas.
- 7.1(4)(Commercial and Institutional General Policies)(a)(b) – proposal supports providing a diversity of commercial uses in appropriate locations offering services that meet the needs of both residents and the broader region.

Zoning By-law

- Apart from the variance request, the proposal complies with all other provisions in the Zoning By-law

Commenting Agencies

All comments have been addressed or included as conditions.

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, no additional public outreach effort is required, as the variance to the Zoning By-law is not resulting in the increase of intensity or density of 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.