

TITLE: VARIANCE 110052 PATRICIA AVENUE OWNER: VBJ DEVELOPMENTS LTD. APPLICANT: CITY OF BRANDON (ANDREW MOK)		
MEETING DATE: October 15, 2025		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Andrew Mok, BES RPP MCIP	MANAGER: Sonikile Tembo, RPP MCIP, Principal Planner	

RECOMMENDATIONS:

That Variance Application V-17-25 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 1,650m² (0.4 acres) of a proposed lot 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 site plan “Attachment B-3”.

BACKGROUND:

Request

The applicant, Andrew Mok of the City of Brandon, on behalf of the property owner, 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 will allow for the creation of an additional lot for a future lift station to satisfy a condition of approval for subdivision application 4500-25-750.

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 to the north and the Service Road to the east provide 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. City of Brandon Zoning By-law is yet to be amended to include these annexed lands, hence the reference to the R.M. of Cornwallis

Zoning By-law. 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 application.

The property owner applied to create two lots north of the wetland to enable future development. The Planning Commission approved the variance application to reduce the minimum site area for the proposed lots on September 3, 2025, while City Council approved the subdivision application on September 15, 2025. One of the conditions of subdivision approval was the dedication of land to the City for the future development of a lift station to enable development in this area. As this lift station land to be dedicated is below the minimum site area, a variance is required for the site to comply.

ANALYSIS:

The subdivision application 4500-25-750 proposed the creation of two lots north of the wetland to enable future development of those lands, and applied for minimum site area variances for the proposed lots as the applicant was not ready to rezone the lands for development. City administration confirmed on review of the subdivision application that the City requires land for the future lift station to be located as shown in Attachment B-2. The City is therefore pursuing a variance to reduce the minimum site area under the current AG80 Zone. Rezoning of this land will happen at a later stage with the rezoning of adjacent lands.

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 lot and does not enable establishment or a change of use compared to what currently exists on site. Therefore, 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 City requiring land dedication from the property owner of land sufficiently large enough to accommodate a future lift station, the parcel being created will be smaller than what the AG80 Zone currently allows. Given that the City has no need to seek a larger land dedication from property owner, the request variance is the minimum modification of the zoning by-law required to relive its injurious effect on the 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(2)(b) and (c)—the City shall plan capital infrastructure and “right time” infrastructure investment in alignment with growth projections to accommodate 20 years of growth
- 6.2(1)(a)—the City will prioritize infrastructure improvements to service the south Growth Area in accordance with the City Plan’s Emerging Area Growth Strategy
- 6.9(1)(b)—extend infrastructure and utilities in a logical and economically practical manner having regard to available capacity and growth management policies

Southwest Brandon Secondary Plan

- 3.2.1 and 3.4.1—All off-site infrastructure, specifically in this case domestic sewer infrastructure, to be developed in accordance with, amongst other things, Map D: Domestic Sewer
 - o Map D identifies a lift station at this site
- 3.4.5—Lift station required to accommodate development of lands that include this site subject to the associated subdivision application

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 must be in accordance with the City of Brandon Zoning By-law

Commenting Agencies

All comments have been addressed and summarized below.

Manitoba Transportation and Infrastructure (MTI)

MTI's Hydrologic Forecasting and Water Management advises that all new permanent structures be 1.5m above the ordinary high-water level of any waterbody with a minimum 30.5m setback from the top of the waterway embankment as general precautionary measures against flooding and erosion.

LEGISLATIVE REQUIREMENTS:*Notification*

In accordance with Subsection 169(3) of The Planning Act, notice was posted on the subject property. Though Subsection 169(3) of The Planning Act gives the option to send notices to owners of property within 100 metres (328 feet) of the subject property, the ongoing Canada Post strike prevents this option.

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.