

TITLE: VARIANCE 110 PRINCESS AVENUE OWNER: TOWN CAR RENTAL LTD. APPLICANT: ABH CONSTRUCTION (SHIJU ANTONY)		
MEETING DATE: July 16, 2025		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Development Review Group report	
PRESENTER: Emmanuel Owusu Ansah, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Variance Application V-10-25 to vary Subsection 23(h) of the Zoning By-law by reducing the required rear yard from 7.6m to 3.0m in the CG Commercial General Zone be approved at 110 Princess Avenue (Lots 17/ 20 Block 35 Plan 2 BLTO) in accordance with the letter of intent “Attachment A” and site plan “Attachment B-3”, subject to the owner or successor entering into a development agreement with the City of Brandon with conditions as set out in “Attachment C” of this report.

BACKGROUND:

Request

The applicant, Shiju Antony of ABH Construction, on behalf of the property owner, Town Car Rental Ltd., is applying to vary Subsection 23(h) of the Zoning By-law by reducing the required rear yard from 7.6m to 3.0m for property located at 110 Princess Avenue in the CG Commercial General Zone. Approval of this application will allow for the development of a building to accommodate a car rental business.

Development Context

The subject site currently has a building being used as an office for the car rental business and is located at the southwest corner of the 1st Street/Princess Avenue intersection. Uses surrounding the site include moderate-density residential to the north and west, low-density residential to the south and east and pockets of commercial uses further north and west. Princess Avenue provides access to the site.

History

The site was vacant prior to the construction of the existing building, which has served as the office for the ongoing car rental business. The applicant is now seeking to expand and modernize the building to better support the continued commercial use of the property.

ANALYSIS:

The applicant is proposing to demolish the existing office building and replace it with a new building that will include four garage bays for minor servicing and cleaning of the rental vehicles along with an office.

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 surrounding area consists of a mix of low- and moderate-density residential development as well as commercial uses. Although the form of the development differs from nearby residential buildings, it aligns with the intended commercial land use pattern for the area which encourages a blend of residential and commercial activities. Additionally, the site has been fenced to create a clear physical separation from adjacent residential properties, minimizing visual and functional conflicts.

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 reduction in the rear yard setback is not expected to create adverse impacts on neighbouring properties. The rear of the site abuts the side yard of a residential development. The layout will ensure the proposed building will shield all vehicle movements on site from the closest residential neighbour immediately to the south. To further mitigate the proximity of the proposed building to the southern neighbour, the Urban & Landscape Design Standards requires a landscaped buffer between the commercial development and nearby residential uses, and City administration will require this as a condition of approval. The proposal is not anticipated to negatively affect the health, safety, or general welfare of surrounding residents or properties.

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 subject property has limited lot depth, which restricts the ability to design a functional site that accommodates essential site circulation, customer parking, and building access. Strict application of the 7.6m rear yard setback would force the building forward, eliminating the opportunity to provide front parking that is critical to the operation of a car rental business. By reducing the rear yard setback to 3.0m, the applicant can shift the building back, allowing for on-site surface parking in front of the building. This layout eliminates the need for vehicular activity near the shared residential boundary and minimizes potential disruption to neighbouring homes. Given the site's limitations and operational needs, the proposed variance represents the minimum modification necessary to enable the continuous use of the site.

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

- 4.3(3)(e) – the proposed expansion contributes to Downtown's role as a hub for economic activity by attracting continued investment
- The site is located within the "General Urban Area" under Map 3: Urban Structure
- 7.1(1)(a) – general Urban Area allows for commercial development
- 7.1(4) Commercial and Institutional General Policies (a) and (b) – proposal supports providing a diversity of commercial uses in appropriate locations within the General Urban Area, offering services that meet the needs of both residents and the broader region

The Downtown Brandon Secondary Plan (DBSP) – Expansion Area

- The site is designated "Downtown Expansion Area"
 - Not applying for rezoning so can therefore continue in its existing form and does not need to align with the DBSP vision
- The site is on a Commercial Corridor:
 - Section 6.2 - To retain and enhance the commercial business presence along the commercial corridors

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 and summarized below.

City of Brandon

City administration advises that a development agreement is required, with conditions as identified in “Attachment C” of this report. Some key conditions include the following:

- Removal of existing approaches on 1st Street and Princess Avenue, and existing asphalt within the street right-of-way, replacing with sod, barrier curb, and gutter

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. The use is already permitted and the application is to move the building closer to the south. As of the writing of this report, the Planning and Buildings Department has received one letter of opposition to this application. The concerns raised included potential impact and encroachment onto objector’s property and property maintenance.