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| <b>TITLE:</b><br><p style="text-align: center;"><b>CONDITIONAL USE<br/> 2340 ROSSER AVE<br/> OWNER: 6061087 MANITOBA INC.<br/> APPLICANT: CAM WIRCH</b></p> |  |  |
| <b>PRESENTER:</b> Robert Zilke, BES   | <b>FILE NO:</b><br>C-09-15-B   |   |
| <b>DEPARTMENT:</b><br>Planning & Building Safety  | <b>MEETING DATE:</b><br>July 17, 2015  |   |
| <b>CLEARANCES:</b><br>Principal Planner   | <b>ATTACHMENTS:</b><br>1. Application related documents (Schedule A)<br>2. Map, air photo & drawings (Schedule B)<br>3. Public participation report (Schedule C) |   |
| <b>APPROVALS:</b><br>Original Signed by<br>Robert Zilke<br><br><p style="text-align: right;">June 25, 2015</p> <b>Community Planner</b>                     | Original Signed by<br>Ryan Nickel<br><br><p style="text-align: right;">July 3, 2015</p> <b>Principal Planner</b>   |   |
|   |  | <b>Date</b>   |

**BACKGROUND:**

The applicant, Cam Wirch, on behalf of the owner, 6061087 Manitoba Inc., is applying for a conditional use to allow for two (2) residential units on a property located at 2340 Rosser Ave (Lot 19/20, Block 20, Plan 15 BLTO) in the Commercial Neighbourhood CN Zone.

***Development Context***

The subject property contains a multi-use commercial building and is approximately 15m x 39m in size. The property is located at the corner of Rosser Avenue and 24th Street, on the east side of the 2300 block of 24<sup>th</sup> Street. The subject property is surrounded by Residential Low Density RLD zoned properties, the majority of which are single-family and two-family dwellings. Vehicular access to the site is by the lane to the south of the property.

***History***

The existing building was constructed in the 1945, and is currently used as a convenience store and pizzeria. The applicant intends to convert the back portion of the structure into two (2) residential units.

**DISCUSSION:**

Dwelling units in the Commercial Neighbourhood CN Zone require conditional use approval. The Commercial Neighbourhood (CN) Zone provides land characteristically smaller in size, either within or abutting residential zones, to provide goods and services within a neighborhood. The applicant proposes to convert the rear portion of the existing building from a video rental store use in order to construct two (2) new residential dwelling units.

Four vehicle parking stalls have been provided, with access to those stalls to be provided exclusively by the rear lane; two (2) extra parking stalls is provided for the proposed dwelling units.

***Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:***

***1. Will be compatible with the general nature of the surrounding area;***

The existing commercial use provides neighborhood retails serving the surrounding residential area. The proposed conversion of a portion of the building from commercial to residential is consistent with the character of the existing neighbourhood which includes a mixture of housing types and neighbourhood commercial uses. The size and height of the existing building will not change as a result of the proposed residential development. The proposed residential use is, therefore, compatible with the general nature of 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; and***

The proposed development will maintain the front portion of the building for commercial purposes. The conversion of rear portion of the building to residential will provide different housing types in the neighbourhood. The proposed redevelopment of the property will result in improvements to the building, which include, covered entrances, screened refuse containers and pedestrian connections. The development will provide a total of four (4) parking spaces, two of which are provided for exclusive use of the residential dwelling units.

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

The subject site is designated “Residential” in Map 1: Urban Land Use of the Development Plan 2013. In accordance with Policy 3.2.1(c), “neighbourhood commercial developments may occur on a zoned neighbourhood commercial site within a designated residential area.” The proposed development complies with Policy 3.2.7 regarding neighbourhood commercial developments by, improving the design of the site and building including covered entrances, screened refuse containers, and pedestrian connections, which will have a positive impact on the surrounding residences. The proposal meets the requirements set forth in the Zoning By-law, including parking, building setbacks and applicable design requirements.

***Commenting Agencies***

A summary of comments are summarized below.

*City of Brandon*

- Address to remain the same, developer to designate the commercial and residential units individually.

***Public Hearing Requirements***

As required under section 169 of The Planning Act, notice of this Public Hearing regarding this application was sent to owners of property within 100 metres (328 feet) of the subject property and notice posters were posted on the property.

***Public Outreach Requirement***

The applicant went door-to-door to residents within 100m of the subject property and gave the residents

an overview of the proposed application. As of the writing of this report, the Planning & Building Safety Department has not received any written comments from the public in favour of or indicating opposition to the proposal.

**RECOMMENDATIONS:**

1. That the Public Hearing for Conditional Use Application C-09-15-B at 2340 Rosser Ave be concluded.
2. That Conditional Use Application C-10-14-B to allow for two (2) dwelling units be approved at 2340 Rosser Ave (Lot 19/20, Block 20, Plan 15 BLTO) in accordance with the intent of the application “Schedule A-1”, the attached letter of intent “Schedule A-4” and the attached site plan “Schedule B-2”.