


<b>TITLE:</b> <p style="text-align: center;"><b>CONDITIONAL USE  2340 ROSSER AVENUE  OWNER: 6061087 MANITOBA LTD.  APPLICANT: CAM WIRCH</b></p>		
<b>MEETING DATE:</b> May 16, 2018		<b>Page 1 of 3</b>
<b>DEPARTMENT:</b> Planning, Property & Buildings	<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings C. Community Participation Outreach	
<b>PRESENTER:</b> <i>Original signed by R. Zilke</i> Robert Zilke, MCIP RPP, Community Planner	<b>MANAGER:</b> <i>Original signed by R. Nickel</i> Ryan Nickel, Chief Planner	

**RECOMMENDATIONS:**

That Conditional Use Application C-07-18-B to allow for an office in the Commercial Neighbourhood (CN) Zone be approved at 2340 Rosser Avenue (Lots 19/20, Block 20, Plan 15 BLTO) in accordance with the intent of the application “Attachment A-1”, the letter of intent “Attachment A-2” and the floor plan “Attachment B-3”.

**BACKGROUND:**

***Request***

The applicant, Cam Wirch, on behalf of the property owner, 6061087 Manitoba Ltd., is applying to allow for an office for a property located at 2340 Rosser Avenue in the Commercial Neighbourhood (CN) Zone. Approval of this application will allow for a personal service consisting of a 500 sq.ft bookkeeping/accounting office. The proposed office will take up a portion of the space that is currently dedicated to the existing convenience store.

***Development Context***

The subject site is currently developed as a convenience store with two attached dwelling units located to the rear of the structure. The property is located at the corner of Rosser Avenue and 24<sup>th</sup> 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-detached and two-unit dwellings. Vehicular access to the site is by the lane to the south of the property. The parking for the proposed use will be accommodated off site, similar to how the parking for the convenience store has been historically off site and legal non-conforming.

**History**

The existing building was constructed in the 1945, and is currently used as a convenience store. In 2015, the owner was approved to convert the back portion of the structure into two (2) residential units.

**ANALYSIS:*****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 already provides neighborhood retail services the surrounding residential area, the inclusion of an accounting office creates a mix use development. The proposed conversion of a portion of the building from commercial to residential is consistent with the character of the existing neighbourhood that 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 office development. The proposed office use is 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;***

The proposed development will maintain the front portion of the building for commercial purposes. The conversion of the rear portion of the commercial space into office will create another service for surrounding residents. The parking for the commercial portion has always been accommodated offsite, since an office use has reduced parking requirements from the retail use there would be no additional stalls required to be provided onsite. The nature of the office space is that no more than one client would visit at a time, the impact on surrounding properties would be minimal.

***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 site is designated "Residential" in Map 1: Urban Land Use of Brandon & Area Planning District 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 (a) regarding neighbourhood commercial developments being small-scale operations which primarily serve the local neighbourhood with functions, such as convenience stores and personal services like an accounting office.

The proposal meets the requirements set forth in the Zoning By-law, including building setbacks and applicable design requirements.

***Commenting Agencies***

*No comments have been received.*

**LEGISLATIVE REQUIREMENTS:*****Notification***

In accordance with 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 site and notice posters were posted on the site.

***Public Outreach***

In accordance with Section 13 of the Zoning By-law, the applicant hand delivered letters to all the dwellings between Rosser Avenue and Princess Avenue, and along 24<sup>th</sup> Street, there was no opposition or concerns received. As of the writing of this report, the Planning, Property & Buildings Department has not received representation in favour of or in opposition to this application.

**CONCLUSION:**

The Planning, Property & Buildings Department recommends that the proposed office be allowed in the Commercial Neighbourhood (CN) Zone. The Planning Commission must close this public hearing before it can render a decision on this application.