


TITLE: CONDITIONAL USE 1120 HIGHLAND AVENUE OWNER: DON SAWATSKY APPLICANT: BRENDA SCOTT OF INDIGO WHOLESALE INC. O/A UNCLE WIENER'S WHOLESALE		
MEETING DATE: October 6, 2021		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Bernice Leyeza, Community Planner	MANAGER: Ryan Nickel, Director Planning & Buildings	

RECOMMENDATIONS:

That Conditional Use Application C-08-21 to allow for a commercial establishment under 4,645m² in the Commercial Highway (CHW) Zone be approved at 1120 Highland Avenue (Lot 8, Plan 1013 BLTO Exc Road Plan 23368 BLTO) in accordance with the attached letter of intent “Attachment A-1”.

BACKGROUND:

Request

The applicant, Brenda Scott of Indigo Wholesale Inc. o/a Uncle Wiener’s Wholesale, on behalf of the property owner, Best Buy Real Estate Holdings Ltd., is applying to allow for a commercial establishment under 4,645m² for a property located at 1120 Highland Avenue in the CHW Zone.

Development Context

The subject site currently has a vacant building, and is located on the south side of Trans-Canada Highway 1 along Highland Avenue. The site is surrounded by a mixture of commercial and industrial uses, while land to the south of the site is currently undeveloped. Highland Avenue provides access to the site.

History

Previous businesses, Extreme Electronics and Best Buy Homes, each applied for conditional use approval on the site to allow commercial establishment in the CHW Zone, and both were approved in 2002 and 2015 respectively.

ANALYSIS:

The intent of the CHW Zone is to provide sites for businesses that cater to the travelling public and transportation industry along the Trans-Canada Highway. Other types of highway commercial development, such as wholesale business, may be allowed in this zone if no other sites are available and the development is compatible with the CHW Zone. The proposal intends to utilize the existing building, and will provide landscaping along Highland Avenue.

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 majority of the commercial uses in the area cater to the travelling public and transportation industry. The proposed wholesale business retails predominantly agricultural merchandise, exercise equipment, and household products. Thus, the proposal is 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 proposal will repurpose the building, and the use will not intensify the use of the site. Therefore, it will not negatively affect the surrounding properties or potential development in the surrounding area.

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

- The subject site is designated as Commercial in the Brandon & Area Planning District Development Plan (3.2.1 Location and Exceptions).
- The proposal meets one of the commercial objectives which is to strengthen Brandon's function as a regional centre of commerce, and to maximize employment opportunities (3.1(b) Objectives)

North Brandon Gateway Secondary Plan

- Variety of commercial land uses are encouraged within the Secondary Plan area to provide a range of services and generate local employment opportunities (6.1.1 General Policies)
- New development within Commercial Arterial (CAR) and CHW Zones should be located on sites large enough to accommodate adequate parking, loading internal circulation and landscaping requirements (6.3.5 Major Commercial Policies)

Zoning By-law

- Site is zoned as CHW, where commercial establishment under 4,645m² requires a conditional use application
- Aside from the conditional use, the proposal conforms to most other applicable provisions and requirements in the Zoning By-law
- Landscaping should be provided on areas of a site visible from a street (e.g. building frontage, parking islands) (Urban & Landscape Design Standards Manual, Section 5.1(a))
 - Can be addressed during the occupancy permit stage

Commenting Agencies

The Planning & Buildings Department did not receive any comments of significant concern.

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, no public outreach effort was required, as the conditional use to the Zoning By-law does not result in an increase in intensity or density of use on the site. As of the writing of this report, the Planning & Buildings Department has not received comments in favour of or in opposition to this application.