


TITLE: CONDITIONAL USE 2820 ROSSER AVENUE LOT 24, BLOCK 79, PLAN 15 BLTO APPLICANT & OWNER: STONE & SKY DEVELOPMENTS LTD.		
MEETING DATE: July 5, 2023		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents, including public outreach report B. Map, air photo & drawings	
PRESENTER: Bernice Leyeza, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Conditional Use Application C-05-23 to allow for a duplex in an interior lot with a minimum site width less than 15.2m in the Residential Single Detached (RSD) Zone be approved at part of 2820 Rosser Avenue (Lot 24, Block 79, Plan 15 BLTO) in accordance with the attached letter of intent "Attachment A-1" and site plan "Attachment B-3", subject to the owner or successor providing design details for the City of Brandon Engineering Department's approval addressing increased site stormwater runoff.

BACKGROUND:

Request

The applicant and owner, Stone & Sky Developments Ltd., is applying to allow for a duplex dwelling on an interior site in the RSD Zone on a property located at 2820 Rosser Avenue.

Development Context

An existing detached dwelling occupies the western portion of the site located on the south side of Rosser Avenue, between 28th Street and McDiarmid Drive. A boulevard tree is located on the northeast corner of the site. The site is predominantly surrounded by low-density residential uses, with a school on the southwest portion from the subject site. Rosser Avenue and a lane to the south provide access to the site.

History

The existing detached dwelling on the site was built in 1941. A title split occurred in 2023.

ANALYSIS:

The applicant is proposing to build a duplex dwelling on the eastern lot having a width of 7.90m.

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 site is located in an area with predominantly low-density residential development (detached dwellings and duplexes). The proposed front-to-back duplex with a garage in the front and parking in the rear yard 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 proposed building's design is consistent with the existing residential developments in the neighbourhood (e.g. bi-level, garage in the front, parking in the rear yard), and therefore will not have negative impacts or effects on other properties or potential development in the surrounding area. Due to a grade change (~1.0m downward sloping from the rear to the front), the height of the building appears to be two levels, but the proposed height of the building will match the adjacent property to the east.

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 proposed development conforms to the Brandon & Area Planning District Development Plan 2013 (Development Plan):

- The subject site is within the area identified as "Residential" in Map One: Urban Land Use of the Development Plan (2.2.1);
- The development will contribute to a range of housing density options in the neighbourhood and increase density in close proximity to major institutions, schools, transit routes, open space area and major collector streets (2.2.4, 2.2.5)
- To accommodate part of the population growth within developed areas while ensuring contextually appropriate infill development (10.2.4)

The proposal also conforms to the bulk and siting requirements of the City of Brandon Zoning By-law.

Commenting Agencies

All comments, summarized below, are proposed to be conditions of approval:

City of Brandon

- Developer to mitigate increased stormwater runoff from development site, to be a condition of this application
- Development charges will be applicable at the time of building permit as per the Development Charges By-law
- Developer shall use the existing access on Rosser Avenue and not make any alteration to the access
- Developer to be in contact with Real Estate to provide new address and required unit numbers

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 did door-to-door canvass and mailed their proposal to owners of nearby properties on June 20th, 21st, and 27th, 2023 and did not receive concerns when submitting the community participation report. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.