


TITLE: CONDITIONAL USE 930 – 23 RD STREET OWNER: 3696775 MANITOBA LTD. APPLICANT: MITCHELL POOLE		
MEETING DATE: August 16, 2023		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Development Review Group Report D. Public Outreach Report	
PRESENTER: Bernice Leyeza, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Conditional Use Application C-06-23 to allow for a storage facility in the Industrial Restricted (IR) Zone be approved at 930 – 23rd Street in accordance with the attached letter of intent “Attachment A-1” and the attached site plan “Attachment B”, subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in “Attachment C” of this report, and that Administration be authorized to prepare a Development Agreement containing all conditions and requirements to protect the City’s interests in accordance with any procedures, policies, by-laws and Acts.

BACKGROUND:

Request

The applicant, Mitchell Poole, on behalf of the property owner, 3696775 Manitoba Ltd., is applying to allow for a storage facility for a property located at 930 – 23rd Street in the IR Zone.

Development Context

The subject site currently has a detached dwelling and some shipping containers, and is located on the northwest corner of 23rd Street and Southern Avenue, both street sections being unimproved. Uses surrounding the site are predominantly light industrial and commercial uses. 23rd Street, Southern Avenue, and a lane provide access to the site.

History

The detached dwelling was built in 1948. The applicant applied for a demolition permit in July 2023.

ANALYSIS:

The applicant is proposing to build a 381.25m² storage facility on the site with parking stalls accessing off Southern Avenue. This will replace the house and the shipping containers that was used for storage space for the business at 945 – 24th Street.

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 surrounded by predominantly light industrial and commercial uses with the prevalence of both indoor and outdoor storage in the adjacent properties.

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 proximity of the proposed storage facility from the nearest residential uses is relatively far, and the proposed land use will not expect any increase in traffic along Southern Avenue and 23rd Street. City administration will require the Property Owner to upgrade Southern Avenue if the access and parking spaces will be coming off of Southern Avenue, otherwise, will not be required.

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

- Existing IR Zone complies with the Commercial designation in the Development Plan (Policy 3.2.1.d)
- The proposal otherwise conforms to the Zoning By-law, including setbacks and parking requirements
- Outdoor storage requires a conditional use application in the IR zone

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

- The City requires a development agreement for the property owner to address the following:
 - Mitigation increased stormwater runoff from development site
 - Design and construction of Southern Avenue, if it will be used for primary access
 - Preparation of all grading and road construction drawings by a professional engineer
- More detailed site plan indicating landscaping plan and location of commercial bins, can be addressed during permitting stage
- The proposed storage facility does not require water and sewer, hence, will not be required to extend the service line to the site.

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 mailed letters to nearby property owners on June 27, 2023 (Attachment D-1). As of the writing of this report, the Planning & Buildings Department has received a comment from the public regarding connection to the service line, and clarified that the proposed development does not require services.