


TITLE: CONDITIONAL USE 2211 ROSSER AVENUE OWNER: CANDACE ELAINE SIGURDSON APPLICANTS: BRANDON HOUSING FIRST (SAMANTHA SHUPE) & BRANDON MAINTENANCE SERVICES		
MEETING DATE: October 4, 2023		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Public outreach report D. Letters of objection	
PRESENTER: Andrew Mok, BES MCIP RPP	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Conditional Use Application C-09-23 to allow for special needs housing for up to seven (7) people in the Residential Low Density (RLD) Zone be approved at 2211 Rosser Avenue (Lots 1/3, Block 13, Plan 15 BLTO) in accordance with the attached letter of intent "Attachment A-1".

BACKGROUND:

*Request*

The applicants, Samantha Shupe of Brandon Housing First and Brandon Maintenance Services, on behalf of the property owner, Candace Elaine Sigurdson, is applying to allow for special needs housing for up to seven (7) people for a property located at 2211 Rosser Avenue in the Residential Low Density (RLD) Zone.

*Development Context*

The subject site currently has a temporarily vacant residential building that previously accommodated multiple individuals in their own quarters, and is located at the northwest corner of the 22<sup>nd</sup> Street/Rosser Avenue intersection. Uses surrounding the site include predominantly low-density residential on all sides, with moderate-density residential further north and northwest, neighbourhood commercial further west, recreational further south (community centre), and institutional further southeast (Brandon University). 22<sup>nd</sup> Street and Rosser Avenue provide vehicular and pedestrian access respectively to the site.

*History*

The original house on the site was built in 1906, with additions added to it over the years. Beginning in 2004, the City processed first a rezoning application, then a conditional use application, to permit a boarding house on the site. Council did not move forward with the

rezoning application, but approved the conditional use application for a boarding house in 2005 subject to a development agreement dealing with providing parking off 22<sup>nd</sup> Street for the site.

Over the years since the 2005 conditional use approval, the City received various complaints associated with people frequenting the site. More recently, the building has been vacant to enable renovations throughout the building.

#### ANALYSIS:

The applicant is proposing to establish special needs housing for seven residents. The site would accommodate people who have been periodically or chronically homeless, filling a gap in the housing continuum in the City. The use will have staff on site 24 hours/day to ensure on-site residents have necessary supports that promote independent living, with additional staff from the 7<sup>th</sup> Street Health Access Centre visiting the site regularly as part of those supports.

Regarding gaps in the housing continuum in the City, according to the City's Housing Needs Report from July 2023, shelter usage doubled in 2020 from 2019 and has increased since, and individuals using services on the Homeless Individuals and Families' Information System increased by over 500 people since 2019. The report further notes that the City needs additional transitional housing units to stabilize people currently living in emergency living situations and the 863 clients receiving various services on the Homeless Individuals and Families' Information System

*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 proposed use is residential in nature in a predominantly residential area, therefore, the proposed use 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;*

Special needs housing is a broad category under the Zoning By-law that typically provides housing for vulnerable populations and has additional persons on site at least part-time to ensure the residents' well-being. One side effect to the applicant proposing to have full-time staff on site is that someone is already there to address any incidents promptly, either directly or by calling for assistance or additional resources. Compared to the prior boarding house use on this site, this should mitigate the risk of conflicts between on-site residents and surrounding neighbours. Further, with special needs housing, staff rather than residents typically have the ability to drive and from the site, reducing the risk of traffic or parking being

issues in the surrounding area. The proposed use therefore should not have any detrimental effects to people or properties 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*

Brandon & Area Planning District Development Plan, 2013

- 2.2.1—site located in a “Residential” designated area under Map 1: Urban Land Use
- 2.2.2—providing a mix of housing options in each neighbourhood
- 2.2.3—encouraging alternative housing types that facilitate affordability in each neighbourhood
- 2.2.7—provide supportive housing

City of Brandon Zoning By-law

- New conditional use application being considered, as special needs housing is a different use compared to the boarding house use approved in 2005, different conditional uses are not transferable
- Proposal does not call for any building additions or using the site more intensely than the previous use, and site already has sufficient parking off 22<sup>nd</sup> Street for both full-time and visiting staff

*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, the applicant conducted in-person outreach by canvassing the surrounding area (100 metres of the site) (Attachment D). As of the writing of this report, the Planning & Buildings Department has received two letters of opposition to this application. Concerns and questions the objectors raised included

- The conditional use application process, such as submission requirements and relation between the 2005 decision and current application
- Neighbourhood safety
- History of types of people having frequented the site

Earlier portions of this report speak to the first two points. Regarding the third point, Planning & Buildings acknowledges the surrounding residents past experiences with the site. However, both the Zoning By-law and the Planning Commission regulate land use. The Zoning By-law and the Planning Commission cannot regulate who may use the land, as that is considered a discriminatory practice under the Charter of Rights and Freedoms and The Human Rights Code (Manitoba).