


TITLE: CONDITIONAL USE 1003 – 26 TH STREET OWNER: MANLY ARNASON, CHERISE ARNASON APPLICANT: MR. RIDE TAXI SERVICE (GIRMA SAMUEL)		
MEETING DATE: February 21, 2024		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Maps and drawings	
PRESENTER: Andrew Mok, BES MCIP RPP	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That Conditional Use Application C-01-24 to allow for a taxi service in the CG Commercial General Zone be approved at 1003 – 26th street (Lot 1, Plan 31570 BLTO) in accordance with the attached letter of intent “Attachments A-1 and A-2” and site plans “Attachments B-3 and B-4”, subject to the property owner, prior to the issuance of a building permit for the proposed use, bringing the site into compliance with the City of Brandon Solid Waste Collection and Disposal By-law, as amended, to the City of Brandon Sanitation Department’s satisfaction.

BACKGROUND:

Request

The applicant, Girma Samuel of Mr. Ride Taxi Service, on behalf of the property owners, Manly Arnason and Cherise Arnason, is applying to allow for a taxi service on property located at 1003 – 26th Street in the Commercial General (CG) Zone.

Development Context

The subject site currently has a detached dwelling with a detached garage converted for office use, and is located on Southern Avenue and on the east side of 26th Street. Uses surrounding the site include commercial to the north, east, and south, including a mixed-use commercial-residential development further north, and residential to the west. Southern Avenue provides access to the site.

History

The house on the site was built in 1955 and is still functioning as a house. The detached garage was first built in 1988, and then expanded in 1993. At some point in time, the garage was converted for commercial use. The previous known commercial use in the converted garage was a construction contractor.

ANALYSIS:

The applicant is proposing to use the converted detached garage as a call centre for Mr. Ride Taxi Service. The applicant confirmed that there would be one or two staff members at the office at any given time.

*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 applicant is proposing to use the converted garage only as a taxi call and dispatch centre, and is not proposing to enable vehicle repairs or taxi parking/storage on site. This use is more office-like in nature and would be consistent with existing commercial uses in the area and especially along 26th Street between Park and Brandon Avenues. Planning & Buildings therefore believes this proposal will be 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 applicant is proposing to have only one or two staff members at a given time at the proposed call centre, and is not proposing any additions to the existing building. Planning & Buildings believes this proposal should not have any significant increase in traffic, noise, and other nuisances similar compared to the previous commercial use on site, and therefore should not have any detrimental effects to 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**BAPD Development Plan 2013*

- 3.2.1—The property in question is within the area identified as “Commercial” in Map One: Urban Land Use of the Development Plan
- 3.2.3 - Proposal will contribute to encouraging office use along main corridors or close to major institutions

Zoning By-law

- The proposal conforms to all applicable Zoning By-law provisions, such as bulk and siting requirements and parking

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

- Sanitation Department advises that an existing set of waste collection bins on site are only for the collection of residential waste from the site
- Due to the mixed-use nature of the property, if the applicant and property owner wish to continue maintaining public waste collection, they must complete a commercial agreement and pay a weekly commercial collection fee of \$20/cart/week
- Alternatively, the applicant and property owner may pursue private collection instead, in which case the Sanitation Department can reassign the assigned waste collection bins to a residential property
- Planning & Buildings therefore recommends, as a condition of approval, that, prior to the issuance of a building permit for the proposed use, the property owner resolves the waste collection issue to the Sanitation Department's satisfaction

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 not have to do public outreach, as the application will not result in an increase in the intensity of the use of the site compared to what is already permitted. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.