


TITLE: BY-LAW NO. 7361 TO REZONE PROPERTIES LOCATED AT 1, 3, AND 5 CROCUS GARDENS ROAD (LOT 6/8, PLAN 41919 BLTO) APPLICANT: STEVE MCMILLAN OF VBJ DEVELOPMENTS LTD. OWNER: VIONELL HOLDINGS LTD.		
MEETING DATE: July 19, 2023		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7361 B. Application related documents C. Map, air photo & drawings D. Development Review Group Report E. Community Engagement Report	
PRESENTER: Bernice Leyeza, Community Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That the Planning Commission recommend City Council approve By-law No. 7361 (Z-02-23) to rezone the properties located at 1, 3, and 5 Crocus Gardens Road from Residential Moderate Density (RMD) to Educational & Institutional (EI), subject to the owner or successor entering into a Development Agreement with the City of Brandon as set out in "Attachment D" 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, Steve McMillan of VBJ Developments Ltd., on behalf of the property owner, Vionell Holdings Ltd., is applying to rezone the properties located at 1, 3, and 5 Crocus Gardens Road from Residential Moderate Density (RMD) to Educational & Institutional (EI). Approval of this application will allow for development of seniors housing of a four-storey building that would have two phases:

- Phase 1 having 47 dwelling units to be attached to the existing Rotary Villas Assisted Living Facility via a walkway
- Phase 2 having 30 dwelling units to be constructed in the future north of Phase 1

History

In 2001, the site was subdivided into eight lots for the development of seven (7) 12-unit life lease multiple dwellings. To date, only four such buildings and a storage shed exist.

Development Context

The site is currently undeveloped and is located on south side Queens Avenue between 10th and 13th Streets. A private water line runs through the site. Uses surrounding the site include predominantly low-residential uses and senior housing facilities, with commercial uses along Richmond Avenue. Crocus Gardens Road, which is a private right-of-way, provides access to the site.

ANALYSIS:

Approval of this application will allow for the development of seniors housing that will be attached to the existing senior housing known as Rotary Villas to the east at 1340 – 10th Street through a walkway.

Consistency with the Development Plan

- 5.2.1(b) Institutional Location: Smaller scale institutions may be allowed in areas not designated for institutional (e.g. employment lands) provided that the scale and type of development is compatible
- 2.2.2 Housing Mix: The proposed rezoning supports the provision of more housing options in all neighbourhoods
- 2.2.7 Supportive Housing: The proposed rezoning provides for integration of specialized supportive housing

Consistency with the Zoning By-law

- The site is currently zoned RMD, and requires rezoning to EI to allow for the proposed development
- The proposed development generally meets the bulk and siting requirements under Table 16, Section 62 of the Zoning By-law

Commenting Agencies

All comments have been summarized below.

City of Brandon

- Consolidation of 1, 3, and 5 Crocus Gardens Road and 1340 – 10th Street required before issuance of building permit
- Update the existing Stormwater Servicing Study to account for the current City of Brandon IDF information and the existing stormwater network impacted by the proposed development, to be submitted before issuance of development permit

- Developer to enter into a Private Wastewater Service Maintenance Agreement with the City for 2, 4, 6, 7, and 8 Crocus Gardens Road, to be submitted and registered on all affected lands before the issuance of development permit
- Developer to enter into a Private Sewer and Water Agreement with the City for 2, 4, 6, 7, & 8 Crocus Gardens Road
- Any existing water or sewer service connections pre-installed to 1, 3, or 5 Crocus Gardens that will not be used by the proposed development will be disconnected in accordance with the Water and Wastewater By-law
- Developer to contribute cash-in-lieu dedication for parks and school purposes
- 1312-10th Street is designated as a Municipal Heritage Site, including the stone fence that is erected on the south property line shared with 1340-10th Street (i.e. as part of the applicant's proposed development)
 - There are concerns that the stone fence is being used as a retaining wall by 1340-10th Street
 - Stone fence is showing a lean towards north

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 168 of The Planning Act, notice of the public hearing was sent to owners of property within 100 metres (328 feet) of the subject property. Notice was also posted on the subject property and advertised in the Brandon Sun on July 6, 2023 and July 13, 2023.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the applicant mailed letters to nearby property owners on July 4, 2023 (Attachment E). As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.