

The proposed amendments will reduce certain variance requests which will result in the decrease in the development process timelines for certain residential infill development.

The public consultation process was facilitated in April, May, and July, 2015, to inform the public about the proposed amendments to the Zoning By-law and to seek feedback from the community. A legal review was completed prior to the application being scheduled for the public hearing and resulted in a few minor wording changes. City Council gave first reading to this By-Law No. 7136 on January 29th, 2016 and the Planning Commission held the public hearing on April 6th 2016.

ANALYSIS:

The City of Brandon is experiencing a period of growth with approximately 4,000 new residents over the past five years. A portion of these homes to accommodate the growth are located within existing areas within close proximity to existing amenities and services including parks, schools, shopping and transit routes. New housing within existing neighbourhoods is often referred to as “infill.” An infill development provides alternative housing type, style, and size; it may be in a form of an apartment, an attached dwelling, a detached dwelling or even in a semi-detached style. Infill development utilizes existing infrastructure and provides a variety of housing alternatives.

Consistency with the Brandon and Area Planning District Development Plan 2013

Both policies 2.1(b) and 2.1 (e) set forth in the Development Plan 2013 encourage the provision of adequate supply of affordable housing and the efficient utilization of land by achieving increased residential densities. Furthermore, policy 2.2.3 of the Development Plan 2013 regarding housing affordability encourages the provision of alternative housing types, styles, sizes and tenures in a variety of geographical areas in order to increase the affordable housing stock in City of Brandon.

Consistency with the Zoning By-law No. 7124

The proposed amendments will amend Table 9: Residential Use Table and Table 10: Residential Bulk and Siting Requirements. These proposed regulations will apply to any rezoning, subdivision, variance, conditional use, and development permit approval.

Summary of Proposed Changes to Zoning By-law No. 7124

Intent of Change	Impacted Zone(s)	Proposed Regulations	Existing Regulations
<ul style="list-style-type: none"> Increase options to develop a variety of housing types, while ensuring compatibility with the surrounding area. 	<ul style="list-style-type: none"> RSD 	<ul style="list-style-type: none"> Duplexes and Semi-detached dwellings are conditional uses 	<ul style="list-style-type: none"> Duplexes and Semi-detached dwellings are not permitted
<ul style="list-style-type: none"> To simplify the standard and to increase the buildable area on a property. 	<ul style="list-style-type: none"> RSD & RLD 	<ul style="list-style-type: none"> Side yard is 1.2 m regardless of height 	<ul style="list-style-type: none"> Side yard is 1.2m for a building height of under two storeys. Greater

			than 2 storeys requires 1.8m
<ul style="list-style-type: none"> Encourage intensification on corner lots Ensures the integrity of the ZBL with less variances 	<ul style="list-style-type: none"> Corner sites in RLD 	<ul style="list-style-type: none"> Four dwelling units are permissible subject to complying with setback and parking requirements 	<ul style="list-style-type: none"> Calculated based on lot area. If the lot did not have sufficient size a density variance would be required
<ul style="list-style-type: none"> To review the type of infill in relation to neighbourhood context and community benefit rather than a density calculation 	<ul style="list-style-type: none"> Midblock sites in RLD 	<ul style="list-style-type: none"> Three or more units requires a conditional use application 	<ul style="list-style-type: none"> Calculated based on lot area
<ul style="list-style-type: none"> That the placement of a building be in accordance with the type of use proposed rather than the zone. 	<ul style="list-style-type: none"> Sites in RMD containing up to four dwelling units 	<ul style="list-style-type: none"> Side yard is 1.2m (building must be a maximum 11m or 2.5 storeys) Rear yard is 7.6m (with or without a lane) 	<ul style="list-style-type: none"> Side yard setback of 3m Rear yard setback is 7.6m with a lane and 9.1m with no lane
<ul style="list-style-type: none"> Align height requirement with wood frame construction as identified in Manitoba Building Code. Promote increased amenity areas and building separation. 	<ul style="list-style-type: none"> Sites in RMD with an area of more than 3500m² 	<ul style="list-style-type: none"> Building height 19m or 4 storeys is permitted 	<ul style="list-style-type: none"> Building height 14m or 3 storeys is permitted
<ul style="list-style-type: none"> Encouraging more housing choice to reflect the needs of the community 	<ul style="list-style-type: none"> RSD 	<ul style="list-style-type: none"> Site width is 9.1m (30ft) Site area 273m² 	<ul style="list-style-type: none"> Site width is 12.1m (40ft) Site area 372m²
<ul style="list-style-type: none"> To allow a greater variety of housing types, particularly for lower income levels. 	<ul style="list-style-type: none"> HES , HMU, HT , EI, RLD, RMD, RHD 	<ul style="list-style-type: none"> Minimum dwelling unit size is 18m² 	<ul style="list-style-type: none"> Minimum dwelling unit size is of 38m²
<ul style="list-style-type: none"> Encourage more studio and one (1) bedroom units. This need is outlined in the affordable housing strategy. 	<ul style="list-style-type: none"> Parking for multi-family (3 dwelling units and up 	<ul style="list-style-type: none"> Dwelling units with 1 bedroom or less and a total unit size of 51m² or less: 1/unit. Dwelling units with two bedrooms or more or unit size greater than 51m²: 1.5/unit 10% of the required parking spaces must be unassigned guest parking 	<ul style="list-style-type: none"> 1.5 parking stalls per unit

<ul style="list-style-type: none"> To allow for yard or parking area to the rear of a building. To encourage pedestrian orientated development to the street 	<ul style="list-style-type: none"> RSD, RLD, RMD, RHD 	<ul style="list-style-type: none"> Reduction of minimum required front yard setback to 4.6m for any portion of a building that does not include a garage or carport 	<ul style="list-style-type: none"> Front yard setback of 6m
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Consistency with the Brandon’s Affordable Housing Strategy

The proposed infill amendment is consistent with various strategies found within the Affordable Housing Strategy. Specifically, strategy 2(j) which advocates for reduced parking stalls for smaller units, 3(b) decreasing the required lot width to 9.1m(30 ft), 3(d) increasing density on corner lots in the RLD zone, 3(i) decreasing the minimum side yard setbacks for single and semi-detached homes, and 6(a) allowing for development on smaller lots. The proposed amendments implement these strategies as well as the goals and objectives set forth the Affordable Housing Strategy.

Commenting Agencies

No concerns were raised by the commenting agencies/departments.

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 has also been posted on the subject property and advertised in the Brandon Sun on March 17th and March 24th, 2016.

Public Outreach

As of the writing of this report, the Planning & Building Safety Department has received written comments both in favor and indicating concerns to this application. In preparing this by-law, public input was gathered through the following methods:

- Kick-off informational session – February 25th, 2015
- Public Open House – April 21st, 2015
- Public Open House – May 21st, 2015
- Public Open House – July 29th, 2015

Approximately 50 residents participated in the public events, which included elected officials, special interest group representatives and developers. The outreach process supplied a questionnaire which was filled out by 35 residents. The feedback received from the participants on infill growth was generally positive; the majority of the comments citing the need for increased flexibility to promote housing affordability while respecting existing character of the neighborhoods.

Public Hearing Held and City Council’s Second Reading

In accordance with Section 36(2) of The Planning Act, the Planning Commission held a public hearing on April 6th 2016; please see attached minutes of the hearing. One speaker expressed his support of the amendments and found that they will provide increased options and flexibility for infill development. Another speaker also expressed support for the amendments as the proposed amendments would provide flexibility for non-profit organizations such as the Habitat for Humanity and Western Seniors Housing Co-op to development affordable infill housing. There was one speaker who spoke in opposition of the proposed amendments with primary concerns with the reduced lot sizes and setbacks (please see attached hearing

minutes and written comments submitted by the opposition). Upon public testimony, the Planning Commission recommended that City Council approve By-law No. 7136 as presented.

Third Reading to be Held in Abeyance

City Council gave second reading to the by-law on April 8th 2016, holding 3rd reading in abeyance to give objectors an opportunity to file a second objection. A second objection was not received, and therefore a second public hearing is not required prior to third reading being considered.

RECOMMENDATION:

That By-law No. 7136 (Z-05-15-B) to provide updated regulations for residential development in the City of Brandon Zoning By-law No. 7124 be read a third and final time.