


TITLE: BY-LAW NO. 7334 TO AMEND DOWNTOWN BRANDON SECONDARY PLAN BY-LAW NO. 7238 AND ZONING BY-LAW NO. 7124		
MEETING DATE: June 1, 2022		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7334 B. Annotated version of By-law No. 7334 C. Letter of intent	
PRESENTER: Andrew Mok, BES RPP MCIP	MANAGER: Ryan Nickel, Director of Planning & Buildings	

RECOMMENDATIONS:

That the Planning Commission recommend City Council approve By-law No. 7334 (Z-03-22, SP-01-22) to amend both the Downtown Brandon Secondary Plan By-law No. 7238 and City of Brandon Zoning By-law No. 7124.

BACKGROUND:

Request

The applicant, Andrew Mok of the City of Brandon (“City”), is applying to amend both the Downtown Brandon Secondary Plan By-law No. 7334 (“Secondary Plan”) and Zoning By-law No. 7124. Specifically, the amendment will permit residential uses on the first storey in new construction in the Downtown Central Business (DCB) Zone if the non-residential component faces a front street and occupies at least 50% of the first storey’s floor area.

History

City Council adopted the current Zoning By-law in 2016 and the current Secondary Plan in 2019, the latter being an update to the 2013 HUB Secondary Plan. In recent discussions between City administration and the Brandon Downtown Development Corporation Board, both parties recognized an opportunity update the Zoning By-law to enable a broader scope of development especially in the downtown core, such as the so-called Princess Site, bound by Rosser and Princess Avenues and 9th and 10th Streets, consistent with the Secondary Plan.

ANALYSIS:

Recent market analysis demonstrates that the non-residential market in the downtown area has higher vacancy and lower lease rates than other commercial areas in the City. The requirement of a full first-storey non-residential component for new buildings in downtown therefore pose a challenge to the industry and stakeholders. To address this challenge and at the same time enable more residents to live downtown to, amongst other things, provide local market potential for existing and future downtown businesses, amendments to both the Secondary Plan and Zoning By-law are necessary.

Consistency with the Development Plan

- 2.2.1, 2.2.5—higher-density residential uses may also be in the downtown area
- 7.2.2—downtown area to be primary focus for civic, social, cultural, arts, professional, entertainment, and high density housing land uses

Consistency with the Downtown Brandon Secondary Plan

- 4.5.2—endeavour to accommodate population growth within the Downtown area, and achieve land use and densities efficiently

Consistency with the Zoning By-law

- Amendment only affects new buildings to be constructed in the Downtown Central Business (DCB) Zone
 - Provides more flexibility to develop DCB Zone vacant sites (i.e. sites currently without buildings)
- Dwelling units still not permitted in existing buildings in the DCB Zone for two reasons
 - Preserve existing commercial floor area stock in the DCB Zone
 - Challenges to converting existing buildings from commercial to residential uses under the Manitoba Building Code (e.g. entire building must be upgraded rather than just incremental upgrades commensurate to proposed use change)
- No change to new or existing buildings in the Downtown Mixed Use (DMU) Zone
 - Residential on first storey conditional use in the DMU Zone if along a Commercial Corridor
 - Residential on first storey permitted elsewhere in the DMU Zone

Commenting Agencies

The City did not receive any comments of significant concern.

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 May 12, 2022 and May 19, 2022.

Public Outreach

In accordance with Section 13 of the Zoning By-law, the City met with the Brandon Downtown Development Corporation Board as part of ongoing and broader discussions to further implement the Secondary Plan’s vision and increase the developability of vacant sites such as the “Princess Site” bound partially by Princess Avenue and 9th and 10th Streets. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.

STRATEGIC ALIGNMENT:

Amending the Secondary Plan and Zoning By-law as proposed is consistent with Council’s Strategic Plan pillar of Downtown resurgence by providing more options to develop the “Princess Site”.

CONCLUSION:

The Planning & Buildings Department recommends that the Planning Commission recommend Council approve By-law No. 7334 to amend both the Downtown Brandon Secondary Plan By-law No. 7238 and City of Brandon Zoning By-law No. 7124. The Planning Commission must close this public hearing before it can render a recommendation to Council on this application.