


TITLE: BY-LAW NO. 7383 – HOUSING ACCELERATOR FUND RELATED ZONING BY-LAW UPDATE TO AMEND ZONING BYLAW NO. 7124		
MEETING DATE: May 15, 2024		Page 1 of 4
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. By-law No. 7383 B. Annotated version of By-law No. 7383 C. Change comparison table D. Letter of Intent E. HAF Action Plan F. CMHC Letter to City G. HAF FAQs H. Letter of objection	
PRESENTER: Andrew Mok, Senior Planner	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That the Planning Commission recommend City Council approve By-law No. 7383 to amend the Zoning By-law No. 7124, to achieve housing targets and align with the initiatives proposed under the Housing Accelerator Fund.

BACKGROUND:

Request

Andrew Mok, on behalf of the City of Brandon ("City"), is applying to amend Zoning By-law No. 7124 ("Zoning By-law") to remove barriers limiting opportunities for housing development as an initiative under the federal government's Housing Accelerator Fund.

History

The City adopted the current Zoning By-law in 2016, but has incorporated incremental amendments to enable development of more housing options across the City since 2017.

In 2023, the federal government announced the start of a funding program called the Housing Accelerator Fund (HAF), providing funding to municipalities that take on initiatives, such as streamlining zoning by-law regulations, to enable more housing development across their communities. To be eligible for this funding, the City of Brandon is moving forward quickly with the actions, including zoning amendments, downtown market housing incentives and affordable housing incentives.

ANALYSIS:

To receive a portion of the funding, the City must complete the initiatives in our action plan (Attachment E) and explore the Housing Accelerator Fund Top 10 Best Practices as outlined by the CMHC (Attachment F). To this end, City Administration has prepared options for inclusive zoning and parking amendments that reflect both our HAF action plan and HAF Best Practices. Attachment B is an annotated version of Bylaw No. 7383, while Attachment C is a change comparison list between the current Zoning By-law and the proposed amendments based on City Administration's recommended options. Below is a summary of the proposed changes with the recommended option highlighted. These changes will affect all areas of the City where residential developments are permitted.

1. Allowing more low-density residential development across the City

Ending exclusionary zoning is a best practice of HAF and has been made a condition of funding approval for many growth leaders receiving funding (e.g. Winnipeg, Regina, Saskatoon). Exclusionary zoning is the use of zoning to exclude certain types of housing types. For example, our Residential Single Detached RSD Zone currently only permits single detached houses and by default excludes all other housing types. Over the last five years in Brandon, 81% of all new dwelling units constructed were multiple-unit housing types (e.g. apartment, row house, duplex). With approximately 50% of all residential areas zoned exclusively for detached housing, a new approach is required to meet changing market demands and provide housing options for all our residents.

Greatest housing supply increase (Recommended) - Combine single detached and low density zoning into one low-density zone. The proposed expansion of the existing low-density (RLD) zone would allow for the development of a variety of low density housing forms including detached homes, and multi-unit buildings up to a maximum of four units

- This scenario most closely aligns with HAF best practices and our HAF action plan
- Potential greatest housing supply increase compared to other scenarios
- Combining RSD Residential Single Detached Zone with RLD Residential Low Density Zone, would open up 50% of all residential zoned lands across the City to the potential of low-density residential housing types
- The RSD Zone is one of three restrictive low-density residential zones, but it is the only one that is restrictive not because of higher-level regulatory requirements (e.g. RLL Residential Large Lot requires sufficient site area for septic fields under Provincial regulations, RMH Residential Mobile/Modular Home allows for mobile homes that have different construction requirements under the Manitoba Building Code)
- This scenario also includes changes under the moderate and lesser housing options scenarios.

Moderate housing supply increase - Up to duplex dwellings permitted in RSD Zone

- This scenario will align with our HAF action plan and somewhat align with HAF best practices
- Potential moderate housing supply increase compared to other scenarios
- Currently, semi-detached, duplex dwellings, and detached secondary suites are conditional uses in the RSD Zone
 - City has seen some success of integrating such dwelling types, such as the 300- and 400-blocks of Kirkcaldy Drive
- Change would make all three dwelling types (detached, semi-detached, and duplex dwelling) permitted in the RSD Zone
- This scenario also includes changes under the lesser housing option scenario

Lesser housing supply increase —Up to four-unit dwellings permitted anywhere in RLD Zone (Minimum change to align with HAF Action Plan)

- This scenario will align with our HAF action plan and somewhat align with HAF best practices
- Potential lowest housing supply increase compared to other scenarios
- Currently, triplexes and four-plexes are permitted only on corner sites, and require conditional use approval for interior sites
- Change would allow triplexes and four-plexes also on interior sites, subject to additional criteria/standards to better integrate these new buildings in existing neighbourhoods
 - Examples of new standards include increased rear yards for two-storey infill developments where neighbouring properties already have deep rear yard, reducing maximum buildable area to mitigate drainage effects on neighbours and limiting site width to minimum 40ft for triplexes and min 50ft for four plexes.

2. Reducing parking requirements for residential uses

Reducing or eliminating parking standards is a best practice of HAF and is being explored and has been adopted by several municipalities receiving HAF funding approval. Reducing parking standards will increase housing project viability and options for where and how sites can be developed. Reducing parking reduces red tape and provides flexibility for the market to determine the correct supply of parking.

Greatest housing supply increase —Eliminate all residential parking requirements

- This scenario will align with our HAF action plan and most closely align with HAF best practices
- Potential greatest housing supply increase compared to other scenarios
- This scenario removes parking requirements for all residential uses

- Responsibility would be fully on the market to determine the amount of parking provided
- Change will be consistent with new City Plan still in development, in that the City will plan for all modes of movement
- Potential for increased demand for public street parking

Moderate housing supply increase (Recommended)—Reduce parking requirements for multi-residential housing types to align with current minimum parking requirements for detached and semi-detached dwellings

- This scenario will align with our HAF action plan and somewhat align with HAF best practices
- Potential moderate housing supply increase compared to other scenarios
- Currently, multiple-dwelling units, such as four-plexes and apartment buildings, require 1.5 spaces/dwelling unit by default, with smaller dwellings along with other low-density uses like semi-detached dwellings only require 1.0 space/dwelling unit
- This scenario proposes the same amount of minimum parking, 1.0 space/unit, for multi-dwelling units (e.g. apartments) as a single detached dwelling
- This scenario includes further reductions for smaller one-bedroom units—0.5 space/unit, supportive housing—0.5 space/4 staff, and downtown housing—no requirement
- With reduced minimums, responsibility will be on the market to determine when additional parking is provided
- Simplifying parking requirements is consistent with City's ongoing mandate to streamline and simplify regulations ("reduce red tape")
- Potential for increased demand for public street parking

Lesser housing supply increase — Reduce parking ratios for affordable and supportive housing, and enlarging dwelling unit areas eligible for reduced parking (Minimum change to align with HAF Action Plan)

- This scenario will align with our HAF action plan, and to a lesser extent align with HAF best practices
- Potential lowest housing supply increase compared to other scenarios
- This scenario reduces parking requirements for
 - Supportive housing from one space for every three residents/staff to one space for every four residents/staff
 - Affordable housing, regardless of unit size and number of bedrooms, from 1.5 to 1.0 spaces/dwelling unit
- This scenario also increases dwelling unit areas for bachelor or one-bedroom dwelling units eligible for reduced (1.0 spaces) parking requirements from 51.0m² (549 sq. ft.) to 56.0m² (603 sq. ft.)
- Reducing parking requirements for affordable housing is consistent with City's Affordable Housing Strategy

- “Affordable housing” will include forms of housing that qualify under future City’s Affordable Housing Incentive Program By-law
- Limited impact on street parking related to low housing supply impact

*3. Density bonusing for smaller or **affordable** dwelling units*

- Currently, there are no Zoning By-law related incentives to encourage development of affordable or smaller dwelling units, both of which are needed in the City
- Change would allow developers providing bachelor, one-bedroom, or affordable dwelling units in new developments to build additional dwelling units on RMD Residential Moderate Density Zone sites above the standard RMD Zone density limits
- The number of additional dwelling units increases based on the proportion of the development proposal’s dwelling units being affordable
- This scenario will align with both our HAF action plan and HAF best practices
- Potential increase to general housing supply would be moderate, but higher for affordable housing supply, as developers of affordable housing projects may either add more affordable dwelling units on a site, or their developments may be more sustainable by having a mix of affordable and market dwelling units on the same site

Consistency with the Development Plan

- Though the new City Plan is still in development, this scenario is still consistent with our current Brandon & Area Planning District Development Plan, including the following policies:
 - 2.2.2—providing a mix of housing options in each neighbourhood
 - 2.2.3— encouraging housing affordability by allowing varieties housing types, styles, sizes and tenures that facilitate affordability in each neighbourhood
- Parking change will be consistent with new City Plan still in development, in that the City will plan for all modes of movement

Commenting Agencies

All comments have been addressed and summarized below.

City of Brandon

- There is a need to meet the current housing demand by providing more housing across the housing continuum throughout the city
- The city currently has various servicing constraints but recognize that the proposed changes will likely result is very gradual increase in unit count as infill has generally been gradual over the last several years
- There will potentially be an increase in street parking in some neighbourhoods
- Parking efficiency studies should be considered as part of further changes to parking requirements as part of the new zoning by-law planned for 2025.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 168 of The Planning Act, notice of the public hearing was advertised in the Brandon Sun on April 27, 2024 and May 2, 2024. Social media, press release, letters,

Public Outreach

In accordance with Section 13 of the Zoning By-law, the city met with various stakeholders such as Construction Association of Rural Manitoba, Chamber of Commerce and had a developer engagement event and included the content in the City Plan engagement event on March 20, 2024. The city is also sending a city-wide mail out to notify residents of the proposed changes. City administration created an FAQ document to further inform the public on the HAF initiatives (Attachment G).

As of the writing of this report, the Planning & Buildings Department received several questions from residents about the proposed changes (leading to the creation of the FAQ) and one e-mail in opposition to this application. The objector raised concerns on what could be developed as of right on a neighbouring vacant property.

STRATEGIC ALIGNMENT:

Though these proposed amendments are HAF initiatives, they also align with Council's Strategic Plan to "Facilitate development opportunities for residential [...] use types in both established (infill) and emerging (greenfield) areas" (Strategy #4 under "Foster an environment that supports economic growth and development").

RISK ASSESSMENT:

The risk of not implementing the suggested changes, which align with HAF Best Practices, is the loss of funding towards housing initiatives.