



Document #	19-018A
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REQUEST FOR DECISION

SUBMITTED BY:	Mackenzie Childs, Planner
DATE:	March 28, 2019
SUBJECT:	Application for amendments to MPS/LUB – 200 Dufferin Street

ORIGIN

An application to amend the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) was submitted on January 21, 2019 by Jody O'Donnell ("the applicant") to enable a self-storage facility at 200 Dufferin Street, PID 60031697, (the "subject property"). The property is owned by R.P Anaka Properties Inc. Council referred the application to staff on February 25, 2019 (Document #19-018).

RECOMMENDATION

Staff recommend that Bridgewater Town Council give first consideration to the amendments to the Municipal Planning Strategy and Land Use By-law as contained in Appendix B for 200 Dufferin Street and schedule a Public Hearing during the regularly scheduled Council meeting on May 13, 2019.

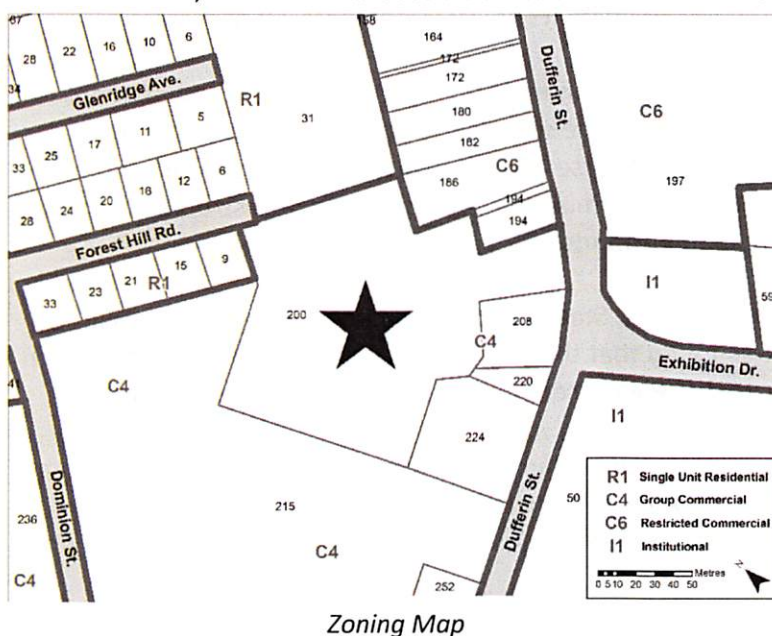
BACKGROUND

The subject property is a commercial property currently used as a warehouse, depot and storage facility in combination with a gym and fitness centre. It is located on the north side of Dufferin Street, near the intersection of Exhibition Drive. The owners are interested in

converting the warehouse space to accommodate a self-storage facility.

The subject property is zoned Group Commercial (C4) and the surrounding zoning is Group Commercial (C4), Restricted Commercial (C6), Institutional (I1), and Single Unit Residential (R1), as shown in the Zoning Map to the left.

The surrounding uses are single unit residential, multi unit residential, institutional



including Bridgewater Police Services and the Exhibition Grounds, and commercial uses including offices, personal service shops, automobile repair services, and retail sales. The future land use designation of the subject property is General Commercial, under which the Group Commercial (C4) Zone falls, and the surrounding properties are designated as General Commercial, Low Density Residential, Limited Commercial, and Institutional, with High Density Residential nearby.

DISCUSSION

To enable self-storage units at 200 Dufferin Street, the Municipal Planning Strategy and Land Use By-law would be amended to permit self-storage facilities by site plan approval in the Group Commercial (C4) Zone, specific to the subject property. Amendments are required because self-storage facilities are not currently permitted in the C4 Zone by any process.

Self-storage facilities are defined in the LUB as, “a building consisting of self-contained storage units that are leased or rented on an individual basis for the storage of personal goods”. Self-storage facilities are currently only permitted in the General Commercial (C5) Zone, Industrial (M1) Zone, and Light Industrial (M2) Zone. This amendment would permit a self-storage facility at the subject property by site plan approval. It would not permit a self-storage facility on any other property in the C4 Zone. Staff determined that a site-specific amendment is appropriate, as a similar use (warehouse) currently exists on the property and a self-storage facility may not be a suitable use throughout the rest of the C4 Zone.

The current use of the building, as a warehouse, depot and storage facility, is similar in nature to a self-storage facility, except that self-storage facilities have a retail component, which means that sales, rental or leasing is directly to the public, rather than through wholesale. The applicant intends to renovate the interior to accommodate storage units while also renting out the seven existing exterior bays as single storage units. In order to make these changes the applicant would go through a site plan approval process after the MPS/LUB amendments are in place. The commercial site plan approval criteria would apply.

Compliance with Planning Documents

The MPS contains 15 Objective Statements to guide its policy statements. Of particular importance to this application are the following:

2. Control land use and development in a manner that will minimize conflicts between land uses and in a manner that is compatible with the town’s service infrastructure.
3. Mix compatible land uses to promote diverse and convenient neighbourhoods.
4. Encourage compact development to maximize the town’s shared infrastructure and to promote healthy, close-knit neighbourhoods.

In order to consider the requested amendment, Staff reviewed the implementation policies of the Municipal Planning Strategy. It was found that the requested amendment is consistent with Policies IM-1 through IM-3 and Policy IM-6. Please see Appendix A for a review of IM-6.

Policy IM-1 states an amendment to the Municipal Planning Strategy (MPS) is required when a text or map amendment in the Land Use By-law (LUB) would conflict with the text or maps of the MPS. Therefore, a text amendment to the MPS is required because of the text amendment to the LUB.

Policy IM-2 states “It shall be the policy of Council to consider amendments to the Land Use By-law provided the amendment is consistent with the intent of the Municipal Planning Strategy”. The MPS recognizes the General Commercial Designation has distinct commercial character and intends for it to include a broad range of commercial development along or close to major arterial streets. The Group Commercial (C4) Zone, which falls within the General Commercial Designation, is intended to accommodate larger format shopping and mixed-use development. The General Commercial Designation is the designation that permits the widest variety of uses; current permitted developments in the C4 Zone include a range of uses from laundromats to gas stations to cultural facilities.

As per Policy IM-3, the proposed use for the property has been identified as a self-storage facility in combination with the existing gym and fitness centre.

The MPS also contains policies for general development and commercial development. These policies will be addressed during the site plan approval process, pending completion of the MPS/LUB amendment process.

Public Participation Meeting

A public participation meeting was held on March 13, 2019 at 6:00pm in Council Chambers at Town Hall. Notification was provided to all properties within 30m (100ft) of the subject property. In attendance at the meeting were one member of the public, the applicant and Town staff. Notice was published on March 6, 2019 in the South Shore Breaker for one week prior to the meeting. No concerns were voiced by the public at the meeting.

Concerns were received via email from a resident regarding the location of the use. They believe the location has the potential to be used in a more consistent way with existing nearby uses and that they had concern over driveway access and traffic congestion at the intersection.

IMPLICATIONS

Financial/Budget

Staff do not anticipate any budget implications.

Legal

Staff do not anticipate any legal implications.

Strategic Priorities / Work Program

Land Use & Development Control is the core function of the Planning & Recreation Department.

OPTIONS

1. Council give first consideration to the draft amendments to the MPS and LUB contained in Appendix B and schedule a Public Hearing during the regularly scheduled Council meeting on May 13, 2019.
2. Deny request for amendments to the MPS and LUB.
3. Defer request back to staff for further analysis.

COMMUNICATIONS

A public participation meeting was held on March 13, 2019 as per the requirement of the Municipal Government Act Section 205(4). A Public Hearing will be held prior to final consideration of the proposed development agreement in accordance with section 206 of the Municipal Government Act.

Appendix A

MPS Policy IM-6	Staff Comment
<i>When considering any proposed development agreements or amendments to the Land Use By-law, it shall be a policy of Council to have regard for the following matters:</i>	
a) <i>Compatibility of the proposed land use with adjacent land uses; and</i>	The proposed use is compatible with adjacent land uses as there is a wide variety of commercial uses nearby in the C4 Zone.
b) <i>Compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, bulk, and architectural style; and</i>	The proposed development is compatible as there are no additions planned for the exterior of the building, excluding a fence. Any exterior changes will be addressed in the site plan approval process.
c) <i>Compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic impacts, and noise; and</i>	Compatibility of the specific development will be addressed in the site plan approval process, not at this stage of the process. Traffic impacts are detailed below.
d) <i>Integration of the development into the surrounding area by means of appropriate landscaping, with screening provided by existing and new vegetation and fencing as required; and</i>	Integration of the development will be addressed in the site plan approval process, not at this stage of the process.
e) <i>The adequacy of sanitary services, water services, and storm water management services; and</i>	The subject property/building is serviced via a 150 mm diameter water service from Forest Hill Road, sanitary sewer from Forest Hill Road and storm sewer from Dufferin Street. The nearest fire hydrant is located on Dufferin Street, has a static pressure of 30 psi and flow of 1600 USGPM at 20 psi residual. It is not anticipated that changes to the existing services will be necessary based on the proposed use of self-storage, however services are available within the street right-of-way should changes be necessary.
f) <i>Contribution of the proposal towards an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services; and</i>	It is understood that the proposed use would utilize the existing infrastructure already serving this property.
g) <i>The adequacy of the road network in, and adjacent to, or leading to the development, regarding connectivity, congestion and traffic hazards; and</i>	<p>The subject property has public street access from Dufferin Street.</p> <p>Map 4 – Street Classification identifies Dufferin Street as a Arterial Street intended for high volumes of traffic.</p>

MPS Policy IM-6	Staff Comment
<i>When considering any proposed development agreements or amendments to the Land Use By-law, it shall be a policy of Council to have regard for the following matters:</i>	
<p><i>h) The adequacy of site access as determined by the Traffic Authority; and</i></p>	<p>This property has a public street access point from Dufferin Street as well as two additional access points through adjacent private property which has nine (9) public access points.</p> <p>The LUB requires a maximum of two access points for new development but serves as a good guiding principle for existing development. Consideration should be given to reducing the number of access points to be more in line with the LUB.</p> <p>Any changes additions or deletions of access points to public streets will need to be approved by the Traffic Authority.</p>
<p><i>i) The ability of emergency services to respond to an emergency at the location of the proposed development; and</i></p>	<p>The proposed use would not change the ability for emergency services to respond to an emergency. The property is to be properly civic addressed per the current Civic Numbering Bylaw.</p>
<p><i>j) The adequacy of active transportation infrastructure to support walking and cycling to and from the proposed development; and</i></p>	<p>Dufferin Street is classified as an Arterial Street and has sidewalks on both sides of the street.</p>
<p><i>k) The provision of off-street vehicle and bicycle parking to prevent significant congestion, nuisance and inconvenience in the area; and</i></p>	<p>Parking requirements would be addressed during the site plan approval process. There is a large number of parking spaces for the warehouse and gym facilities that currently exist.</p>
<p><i>l) Consideration of any previous uses of the site which may have caused soil or groundwater contamination; and</i></p>	<p>The property was previously used as a Canadian Tire Store with a vehicle repair area on the southern portion of the building. It is not uncommon for these types of use to have soil or groundwater contamination.</p>
<p><i>m) Suitability of the site in terms of slope and flood and erosion risk in accordance with Map 6 – Environmental Constraints; and</i></p>	<p>MPS Map 6 – Environmental Constraints does not identify this property of having slopes in excess of 20% grade nor risk of flood.</p>
<p><i>n) Consideration of any anticipated environmental impacts resulting from the development, such as air and water pollution, soil contamination, and potential for the contamination or sedimentation of watercourses. Where Council determines, on the advice of a qualified person, that there is a significant risk of environmental damage from any proposed development, an environmental impact assessment shall be carried out by the developer for the purpose of determining the nature and extent of any impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage;</i></p>	<p>The proposed use does not pose significant risk of environmental damage.</p>

MPS Policy IM-6	Staff Comment
<i>When considering any proposed development agreements or amendments to the Land Use By-law, it shall be a policy of Council to have regard for the following matters:</i>	
<p><i>o) The application of sustainable design principles and energy efficient technology, including but not limited to renewable energy infrastructure, environmentally friendly paving alternatives, provision of alternative transportation parking, integration of landscaping into the design of parking lots, green roofs, etc.; and</i></p>	<p>The application of these principles and technology is not proposed for the development as there are no additions planned for the exterior of the building.</p>
<p><i>p) The financial ability of the Town to absorb any costs relating to the proposal; and</i></p>	<p>Staff do not anticipate any additional costs arising from the proposed development.</p>
<p><i>q) The proposal's conformance with the intent of the Municipal Planning Strategy and to all other applicable Town By-laws and regulations, except where the application is for a development agreement and the requirements of the Land Use By-law are regarded as guidelines.</i></p>	<p>The proposal conforms with the intent of the Municipal Planning Strategy, as noted in the comments found within the report.</p>

Proposed Amendments to the Municipal Planning Strategy (2014)

NOTE: The proposed amendments are shown below. Underlined text is to be added. Strikethrough text is to be removed.

It is recommended that the Town of Bridgewater's Municipal Planning Strategy be amended as follows. The following provision in Section 6: Commercial Development shall be added:

Policy C-36: It shall be a policy of Council to permit the following developments by site plan approval in the Group Commercial (C4) Zone:

- a) New drive-through facilities, in accordance with the criteria outlined in the Land Use By-law.
- b) Self-storage facilities at PID 60031697, in accordance with the criteria outlined in the Land Use By-law.

PUBLIC PARTICIPATION MEETING conducted on:	March 13, 2019
FIRST READING conducted on:	, 2019
PUBLIC HEARING conducted on:	, 2019
SECOND & FINAL READING conducted on:	, 2019

Proposed Amendments to the Land Use By-law (2014)

NOTE: The proposed amendments are shown below. Underlined text is to be added. Strikethrough text is to be removed.

5.5.2 Developments by Site Plan

The following developments shall be permitted by site plan approval in the Group Commercial (C4) Zone subject to the requirements of this By-law, including the site plan criteria outlined in Section 5.1.4:

- a. All developments listed in Section 5.5.1 that are between 1,401m² (15,080ft²) and 5500m² (60,008sf) in gross floor area;
- b. Multi-unit Residential Development between 1,401m² (15,080ft²) and 5500m² (60,008sf) in gross floor area, up to a maximum of 50 per hectare (20 units per acre), where the ground floor building frontage is occupied by a commercial use and more than 30% of the ground floor area is used for commercial purposes; ~~and~~
- c. Drive-through facilities, in accordance with Section 5.1.5; and
- d. Self-storage facilities at PID 60031697.

PUBLIC PARTICIPATION MEETING conducted on:	March 13, 2019
FIRST READING conducted on:	, 2019
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SECOND & FINAL READING conducted on:	, 2019