



REQUEST FOR DECISION

SUBMITTED BY:	Connor MacQuarrie, Planner I / Development Officer
DATE:	October 15, 2024
SUBJECT:	Special Commercial (C8) Zone amendments (Part 2) – Public Hearing Report

ORIGIN

This report originates from discussions beginning on October 3, 2022 related to land use permissions in the Special Commercial (C8) Zone (Document # 20-158B). This process has been brought to Council in two parts, with Part 1 being completed on February 12, 2024 (Motion 24-032).

Part 2 of the application has already been brought to Council, with first and second consideration occurring on July 8 (Doc #24-008C), and August 12, 2024 (Doc #24-008E), respectively. After Council deferred the request back to staff as per Motion 24-139, staff brought the application back to Council for first consideration on September 23, 2024 (Doc #24-008F).

This is one of two (2) reports brought forward to address the Special Commercial (C8) Zone. One report proposes direction regarding properties in the C8 Zone, while the second, this report provides options for moving forward for the one (1) property at 76 Dominion Street.

RECOMMENDATION

Staff recommends that Council denies the request for amendments, thereby maintaining the Special Commercial (C8) Zone for the property at 76 Dominion, enabling household repair services by development agreement (DA) (**recommended**).

BACKGROUND

The Planning Analysis Report was received at the July 8, 2024, regular meeting of Council at which time Council for the Town of Bridgewater gave 1st consideration to the proposed Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendments and set a date for the Public Hearing on August 12, 2024. Notice of the Public Hearing was published in the local newspaper, the South Shore Breaker, for two consecutive weeks, July 24, 2024, and July 31, 2024, as required under Section 206 of the Municipal Government Act which states:

Given Council's decision to defer the request back to staff, the second Planning Analysis Report was received at the September 23, 2024 regular meeting of Council at which time Council for the Town of Bridgewater gave 1st consideration to the proposed Municipal Planning Strategy

(MPS) and Land Use By-law (LUB) amendments and set a date for the Public Hearing on October 15, 2024. Notice of the Public Hearing was published on the Town's website on September 26, 2024 for two consecutive weeks, as required under Section 206 of the Municipal Government Act which states:

(1) Prior to holding a public hearing required under this Part, the clerk shall provide notice of the public hearing at least fourteen days before the date of the public hearing by either

(a) placing the notice in a newspaper circulating in the municipality, inserted at least once a week, for two successive weeks; or

(b) posting the notice on the municipality's website.

(2) A notice of a public hearing posted under clause (1)(b) must include the date the notice is posted and remain posted until the public hearing has been completed.

In accordance with Section 208 of the Municipal Government Act, amendments to the MPS are subject to review by the Provincial Director of Planning to determine if the planning documents: appear to affect a provincial interest; may not be reasonably consistent with an applicable statement of provincial interest; appear to conflict with the law; or may conflict with the provincial subdivision regulations.

In addition to the Town's policies within the planning documents, consideration of the proposed amendments must be given to their consistency with the provincial requirements of the Statements of Provincial Interest, Schedule B of the Municipal Government Act (MGA) related to drinking water, agricultural land, housing, infrastructure and flood risk. Staff have reviewed these policies in conjunction with the proposed text amendments and are confident that they meet the test of consistency with the Statements of Provincial Interest.

All statutory requirements pursuant to the Municipal Government Act have been met, as follows:

May 8, 2023	Application initiated by the Community Development Department
May 1, 2024	Notification to property owners within 30m (100ft) of subject property re: PPM
May 8, 2024	Notification in the newspaper of proposed amendments and public meeting date/time
May 14, 2024	Public participation meeting (PPM)
July 8, 2024	Planning analysis and PPM report submitted to Council. Council gives 1 st consideration and schedules a public hearing
July 24, 2024	First public notice re: public hearing appears in the South Shore Breaker
July 31, 2024	Second public notice re: public hearing appears in the South Shore Breaker
August 12, 2024	Public hearing and final consideration of proposed amendments. Deferred back to staff
September 23, 2024	Planning analysis report submitted to Council. Council gives 1 st consideration and schedules a public hearing
September 26, 2024	Public notice re: public hearing appears on the Town of Bridgewater website
October 15, 2024	Public hearing and final consideration of proposed amendments

DISCUSSION

The Planning Analysis reports (Document# 24-008C and #24-008F) provide discussion regarding the proposed Municipal Planning Strategy and Land Use By-law amendments.

IMPLICATIONS

Financial/Budget

There would be no financial implications.

Legal

Concurrent amendments to the MPS and LUB are not subject to appeal, while amendments solely to the LUB are subject to appeal.

Strategic Priorities / Work Program

Land use and development control is the core function of the Community Development Department.

- Municipal Planning Strategy
- Land Use By-law

OPTIONS

1. Council conducts second and final consideration of the Municipal Planning Strategy and Land Use By-law text amendments to change the specific use within Table T from “Automobile Parts Sales & Services” to “Household Repair Services” for the property at 76 Dominion Street.
2. Council denies the request for amendments, thereby maintaining the Special Commercial (C8) Zone for the property at 76 Dominion enabling household repair services by development agreement (DA) (**recommended**).

COMMUNICATIONS

A public participation meeting was held on May 14, 2024, as per the requirement of the Municipal Government Act Section 205(4). Comments could be submitted to the Community Development Department separate from the meeting and none were received.

One correspondence was received and provided to Council before 1st consideration. The correspondence is to be read at the mandated Public Hearing on August 12, 2024.

A Public Hearing is required by the Municipal Government Act, Section 230 (2), after Council gives 1st consideration to the proposed amendments. As per Section 208 of the Municipal Government Act, amendments to the MPS, and concurrent amendments to the LUB, are subject to review by the Provincial Director of Planning, after which a notice is placed in the paper and the amendments become effective.

ATTACHMENTS

Appendix A – Proposed Amendments to the Municipal Planning Strategy (2014)

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

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.

1. **Policy C-55:** It shall be a policy of Council to permit the following developments as-of-right in the Special Commercial (C8) Zone:
 - d) Developments ~~in existence before the date of approval of this Municipal Planning Strategy and~~ listed in Table T of the Special Commercial (C8) Zone of the Land Use By-law

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.

It is recommended that the Town of Bridgewater's Municipal Planning Strategy be amended as follows.

5.9.1 Permitted Developments

- a. The following developments shall be permitted as-of-right in the Special Commercial (C8) Zone subject to the requirements of this By-law:
 - Single Unit Dwellings
 - Two Unit Dwellings
- b. The following developments shall be permitted in existing buildings and on sites so used prior to the effective date of this By-law; however, these developments shall not be expanded or enlarged as-of-right:

Table T: Permitted Commercial Uses in C8 Zone		
Name	Address	Use
South Shore Speed & Sound Mader's Refrigeration	76 Dominion Street	Automobile and automobile parts sales and services Household Repair Service

Appendix C

Proposed Amendments to the Municipal Planning Strategy & Land Use By-law (2014), By-law Form

Town of Bridgewater

By-law

Title: Amendments to the Municipal Planning Strategy and Land Use By-law By-law (2024)	
By-Law number Bylaw # 214	Legislative authority: Municipal Government Act , Section 205
Effective date:	Amended date: N/A

Be it enacted by the Council of the Town of Bridgewater, under the authority of Section 205 of the Municipal Government Act, as follows:

Title

This By-law is titled Amendments to the Municipal Planning Strategy and Land Use By-law By-law (2024)

Purpose

The purpose of these amendments is to eliminate the Special Commercial (C8) Zone, completing the necessary amendments to the Municipal Planning Strategy and Land Use By-law.

Part 1: Amendments to the Municipal Planning Strategy

Section 6

1. Subsection 6.5.3, Policy C-55 – Replace “in existence before the date of approval of this Municipal Planning Strategy and listed in” with “listed in Table T of”

Part 2 Amendments to the Land Use By-law (2014)

Section 5

1. Subsection 5.9.1, Table T – Replace “South Shore Speed & Sound” with “Mader’s Refrigeration”
2. Subsection 5.9.1, Table T – Replace “Automobile and automobile parts sales and services” with “Household Repair Service”

PUBLIC PARTICIPATION MEETING conducted on: May 14, 2024

FIRST READING conducted on: September 23, 2024

PUBLIC HEARING conducted on: October 15, 2024

SECOND & FINAL READING conducted on: