

REQUEST FOR DECISION		
SUBMITTED BY: Connor MacQuarrie, Planner I / Development Officer		
DATE:	July 8, 2024	
SUBJECT:	Special Commercial (C8) Zone amendments (Part 2) – Planning Analysis Report	

ORIGIN

This report originates from Council discussions on January 23, 2023, regarding the Special Commercial (C8) Zone and Neighbourhood Commercial (C7) Zone (Document # 20-158B), as well as previous discussions on October 3, 2022, related to staff exploring alternatives to the restrictive development permissions of the Special Commercial (C8) Zone, based on input from landowners and staff. An Initiation Report was brought to Council on May 8, 2023 (Document #20-158D).

The process is being brought forth to Council as two parts. The first part being map amendments for certain C8 zoned properties and text amendments to the C7 zone, completed as per Motion 24-032, on February 12.

This report outlines the second part of this two-part process and includes proposed map amendments for the remainder of the C8 zoned properties.

RECOMMENDATION

It is recommended that Town Council for the Town of Bridgewater give first consideration to the proposed map and text amendments to the Municipal Planning Strategy and Land Use By-law as found in Appendix D and schedule a Public Hearing for August 12, 2024.

BACKGROUND

This staff-initiated application was separated into two parts. Part 1 was brought to Council on May 8, 2023 (Document #20-158D) and included amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to redesignate and rezone five (5) C8 zoned properties, as well as provide text amendments to the MPS and LUB to provide more opportunities for commercial uses in the C7 Zone. On February 12, Council approved the proposed amendments (Motion 24-032).

Part 2 of this application, and the subject of this report, is to complete map amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to redesignate and/or rezone the remaining C8 zoned properties to a more suitable zone with respect to: the current use, property conditions, abutting zoning, future development intentions, and access to municipal

infrastructure. This report includes map amendments to address those remaining C8 Zone properties that had uses beyond the scope of the Neighbourhood Commercial (C7) Zone.

There are currently fourteen (14) properties located within the Special Commercial (C8) Zone on the Zoning Map of the Land Use By-law (LUB). Of the fourteen (14) commercial uses, five (5) properties are said to retain their prescribed commercial use, as per the C8 Zone. The remaining nine (9) have seen those specifically designated commercial uses discontinued. The fourteen (14) sites are identified on the map below.

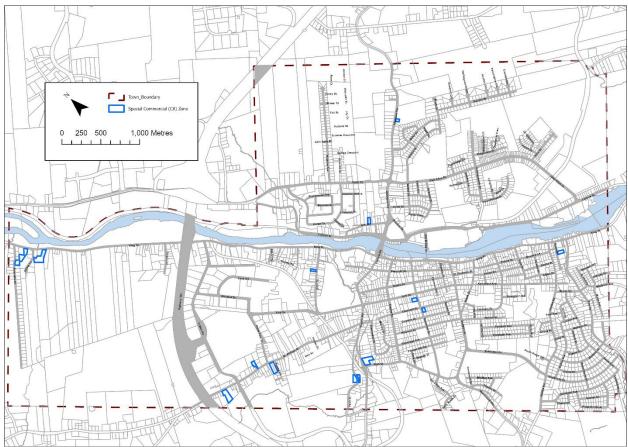


Figure 1 Context Map - Special Commercial (C8) Zone Properties

C8 Zone Properties

The MPS identifies the C8 Zone as containing properties which feature commercial uses established before land use controls were instituted in the 1970s. The intent of the zone is to reduce the potential for conflict between these existing commercial uses and the residential development, which have more recently defined these areas of Town.

The C8 Zone aims to identify existing uses in the Land Use By-law which shall be allowed to remain in the existing buildings; however, controls have been established to limit expansion of the use and buildings. Further, the zone indicates that, Council shall consider rezoning those C8 properties in accordance with the Future Land Use Map (FLUM) of the Municipal Planning Strategy, if those commercial uses permitted on the property are discontinued.

The current as-of-right permissions in the C8 Zone are single- and two-unit dwellings; the specific use for each property listed in Table T (S.5.9.1 LUB); and subject to certain conditions: home based businesses and residential conversions (up to three dwelling units).

Uses permitted by Development Agreement include expansions of an existing building or use, the replacement of a building, multi-unit residential up to 4 dwelling units per acre, collective residential development up to 4 dwelling units per acre, and inns in buildings constructed before August 27, 1975. Additionally, the following specific uses are permitted by the development agreement process within the existing buildings: craft workshops, dog grooming, dressmaking & tailoring, galleries, household repair services, offices, personal service shops, retail sales up to $93m^2$ (1,000ft²) on corner lots of arterial or collector streets, with the immediate residential area in which the use is located as the primary service area for the use, and studios.

Over the years the number of C8 Zone properties has decreased as previously authorized land uses are discontinued and/or rezoning applications are made. This is in part due to the intentionally restrictive nature of the zone and due to businesses moving or closing. Currently only five (5) of the fourteen (14) C8 Zone properties contain operational commercial businesses, suggesting amendments to the zone should be considered.

Below is a list of potentially impacted properties:

Current Special Commercial (C8)

- 304 Aberdeen Road
- 1675 King Street
- 255 Victoria Road
- 90 Pearl Street
- 27 South Street
- 359 St. Phillips Street
- 56 Starr Street
- 239 St. Phillip's Street
- 58 Elm Street
- 1627 King Street
- 103 Dominion Street
- 76 Dominion Street
- 31 Riverview Drive
- 276a St. Phillip's Street

DISCUSSION

This staff-led process would aim to:

- 1) Amend the Municipal Planning Strategy to enable the elimination of the Special Commercial (C8) Zone through strategic redesignations on the Future Land Use Map, best reflecting the current property conditions and future development intentions, and associated document changes within the Limited Commercial Designation; and subsequently
- 2) Amend the Land Use By-law through map amendments to the Zoning Map.

The Special Commercial (C8) Zone, located within the Limited Commercial Designation of the Municipal Planning Strategy (MPS), identifies historic commercial uses which were established in areas that are now predominantly residential, and establishes specific controls to limit the expansion and the use of buildings to reduce future conflict in residential areas.

This application intends to remove the C8 Zone and subsequently redesignate and rezone the subject properties to a suitable zone for each of the properties in question. The Special Commercial (C8) Zone was not created with the intention of being a long-term zone. The intent of the zone is for rezoning to occur to a (most often residential) zone as determined by the Future Land Use Map (Map 2, MPS), upon the discontinuation of the preauthorized land use; the MPS states "Should these commercial land uses be discontinued, Council shall consider rezoning them in accordance with the Future Land Use Map of this Municipal Planning Strategy."

Following engagement with impacted property owners and upon further analysis on the subject properties, it was determined by staff that existing policy and regulations within the MPS and the LUB respectively, provides sufficient opportunity for existing property owners to maintain their businesses as Legal Non-Conforming Uses until such a time as they decide to discontinue said uses. As such, staff have provided recommendations as to the proposed designations and zones for each of the C8 zoned properties.

Although redesignation and rezoning C8 properties would eliminate the permission for the previously authorized site-specific land uses, it ensures that a subsequent commercial use will not occur in an area defined by its residential nature. In some cases, a rezoning may provide a greater residential density than is currently permitted. Most of the rezonings would already be supported by existing policy as well as the current designation on the Future Land Use Map; however, staff have looked to accommodate alternative residential zones upon engagement with the property owner, should a designation to enable such a rezoning be supported in policy.

C8 Zone Amendments

The remaining fourteen (14) C8 Zone properties are being considered for amendments within Part 2 of the application. As shown in the chart below, ten (10) C8 Zone properties are proposed to be rezoned to Two Unit Residential (R2) Zone.

Three (3) C8 Zone properties are being proposed to be rezoned to higher intensity residential zones:

- Two (2) properties are proposed to be redesignated to the Comprehensive Residential designation; and
- One (1) property is being proposed to be redesignated to the High-Density Residential designation.

Should Council make a favourable motion regarding the proposed amendments, text amendments will need to be made to the Municipal Planning Strategy and the Land Use By-law, to remove mention of any policies or regulations relating to the Special Commercial (C8) Zone. Additionally, map amendments will need to be made to redesignate and rezone C8 Zone properties on the Future Land Use Map and the Zoning Map respectively.

Concurrent MPS and LUB Amendments

Two (2) of the fourteen (14) C8 Zone properties would require a redesignation, in addition to a rezoning, as shown in the "current designation" and "proposed designation" columns.

Two properties within the C8 zone are being recommended for concurrent redesignations and rezonings. Firstly, 255 Victoria Road, currently split zoned as R1 and C8, is located on a corner lot with frontage on an arterial street (Victoria Road) as well as a collector street (High Street). The

property is authorized as a two-unit dwelling in accordance with its current zoning, but has the ability to accommodate significant increases in density. The size of the lot at 1.24 acres and its location in proximity to educational institutions and commercial centers, would make the property a candidate for a higher density residential zone. The zone sought for 255 Victoria Road is the Comprehensive Residential (R3) Zone.

The second property, 76 Dominion, is located on Dominion Street, close to the intersection York and Dominion Street(s). The approximate 15,700sqft (0.36 acres) lot is located centrally, and is in proximity to existing institutional uses, as well as higher density residential uses. The current authorized use is as a "Automobile Parts, Sales, and Services", in accordance with the permissions of the C8 Zone. Given the property's proximity to alike uses, institutional uses, and commercial areas, 76 Dominion would make a good candidate for the High Density Residential (R6) Zone.

Property	Current Permitted Use	Proposed Zone	Current Designation	Proposed Designation
255 Victoria Road	Wood Product Sales	R3	Low Density Residential / Limited Commercial	Comprehensive Residential
76 Dominion Street	Automobile and automobile parts sales and services	R6 with LNC use	Medium Density Residential	High Density Residential

LUB Amendments

The remaining twelve (12) properties within the C8 Zone are being recommended for amendments to the Land Use By-law (LUB). Eleven (11) properties are currently designated as Low Density Residential, while one (1) is designated as Comprehensive Residential.

Of these twelve (12) properties, there are four (4) which currently operate existing commercial businesses as permitted by the C8 Zone. There is a fifth (5th) property which the owner has indicated contains an existing commercial business, however, staff are currently unaware of the state of the business.

For those properties with existing commercial businesses, the use and structure on said property would be granted Legal Non-Conforming status, colloquially known as being grandfathered. The Town's planning documents grants permissions through Section 3.1.4 Non-Conforming Uses, for existing non-conforming uses, structures, and uses within structures to continue their use, regardless of the permitted uses or zoning standards of the Land Use Bylaw.

Those uses or structures which are granted legal non-conforming status will be legally permitted to continue their commercial operations as currently used, provided they are not discontinued for one (1) year or more. These permissions have been expanded from the MGA's legislative timeline of six (6) months, to one (1) year.

Property	Current Permitted Use	Proposed Zone	Current Designation	Proposed Designation
27 South Street	Woodworking Shop	R2	Low Density Residential	Low Density Residential
276a St. Phillips Street	Meat Packing & Retail Sales	R2	Low Density Residential	Low Density Residential
56 Starr Street	Electrical Installation & Repairs	R2	Low Density Residential	Low Density Residential
239 St. Phillip's Street	Truck Parking & Storage	R2	Low Density Residential	Low Density Residential
1627 King Street	Machine Shop	R2	Low Density Residential	Low Density Residential
103 Dominion Street	Dress Sales, Dress Making & Alterations	R2	Low Density Residential	Low Density Residential
304 Aberdeen Road	Known by Staff as a Single Unit Dwelling	R2	Low Density Residential	Low Density Residential
	Amendments	s to Legal Non-Co	onforming Uses (LNC)	
359 St. Phillips Street	Towing & Salvage Yard	R2 with LNC use	Low Density Residential	Low Density Residential
1675 King Street	Office	R2 with LNC use	Low Density Residential	Low Density Residential
58 Elm Street	Blacksmith Shop	R2 with LNC use	Low Density Residential	Low Density Residential
90 Pearl Street	Used Automobile Sales	R3 with LNC use	Comprehensive Residential	Comprehensive Residential
31 Riverview Drive	Automobile Repair	R2 with LNC use	Low Density Residential	Low Density Residential

When considering what zone the properties could be rezoned to, staff considered a variety of factors including: current use; the location within town; proximity to residential properties; access by sidewalk; further municipal infrastructure; the type of building; and conversations with property owners.

For all properties, including those granted legal non-conforming status, future buildings and uses would have to adhere to the permitted uses and zoning standards of the new zone, such as building height and setbacks to property lines.

The following table outlines the differences between the current Special Commercial (C8) Zone permissions in the LUB and the following three (3) proposed zones.

- Two Unit Residential (R2) Zone
- Comprehensive Residential (R3) Zone, and
- High Density Residential (R6) Zone

The uses with an asterisk (*) have additional conditions, as per the LUB.

Development Permissions	Current Special Commercial (C8)	Two Unit Residential (R2) (Permissions if amended)	Comprehensive Residential (R3)	High Density Residential (R6)
As of Right	1- and 2-unit dwellings	1- and 2-unit dwellings	1- and 2-unit dwellings	Residential development, up to 10 units per acre
As of Right	Site-specific commercial use (and expansion)	Neighbourhood grocery and convenience stores*	Neighbourhood grocery and convenience stores, and restaurants within*	Multi-unit residential development (11 – 20 units/acre)*
Permitted Uses with Conditions	Home based businesses*	Home based businesses*	Home based businesses*	Home based businesses*
Permitted Uses with Conditions	Residential conversions up to 3 units*	Residential conversions up to 3 units*	Residential conversions up to 4 units*	Residential conversions up to 5 units*
Development Agreement	Multi-unit residential (up to 4 units/acre)*		3- and 4-unit dwellings on collector and arterial streets and multi-unit residential (25 units/acre)*	Multi-unit residential development (21-30 units/acre)* Collective residential development containing (21-30 units/acre)*
Development Agreement	Inns, craft workshops, dog grooming, dressmaking and tailoring, galleries, household repair services, offices, personal service shops, retail sales, and studios*	Inns, offices, institutional uses, neighbourhood grocery, and convenience stores	Offices and institutional uses*	All institutional uses*

Compliance with Planning Documents

The purpose of the Municipal Planning Strategy (MPS), as set out by the Municipal Government Act (MGA) is to provide policy to guide the development of the municipality. The MGA further states that a municipality shall not act in a manner that is inconsistent with their MPS and that the Land Use By-law (LUB) shall enable the policies of the MPS. Consequently, the two documents are intricately linked and must be read together. The MPS sets the policies and vision for land use in Bridgewater and the LUB sets out the rules of law for how to achieve those policies and vision.

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.
- 5. Support a functional and sustainable transportation network by improving street connectivity and supporting a range of transportation options.
- 6. Enable the development of a full range of housing options so that all people can live out their lives in Bridgewater.
- 7. Improve the design and appearance of Bridgewater's built form to foster community identity and a strong sense of place.
- 10. Improve the pedestrian experience by promoting safe, accessible and inviting streets and public spaces.

To consider the amendments, Staff reviewed the policies of the Municipal Planning Strategy. It was found by staff, that the proposed amendments are consistent with planning principles, vision and objectives and existing policy of the MPS, including implementation policy IM-1.

Policy IM-1 states it shall be the policy of Council to require an amendment to the Municipal Planning Strategy where any policy intent is to be altered. Policy IM-3 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.

	Relevant MPS Policies	Staff Comment
G-1	It shall be a policy of Council to regulate non-conforming structures or uses in accordance with Sections 238 – 241 of the Municipal Government Act.	The Municipal Government Act (MGA) provides opportunity for a municipality to relax restrictions contained in Section 238-241. Bridgewater, through the Town's planning documents, has expanded the duration of time for recommencing nonconforming structures or uses; from the MGA's legislated 6 months, to 1 year as per Policy G-1 of the MPS and Section 3.1.4 of the LUB.
G-2	It shall be a policy of Council to prohibit the recommencement of a non-conforming development that has been discontinued for a period of one (1) year or more.	Section 3.1.4 of the LUB regulates the recommencement period for discontinued non-conforming structures and uses.

	Relevant MPS Policies	Staff Comment	
R-1	It shall be a policy of Council to identify areas where residential development will be encouraged and accommodated, in accordance with the Zoning Map of the Land Use Bylaw, to ensure that Bridgewater's growth occurs in a well-planned manner and is supported by the town's service infrastructure.	By rezoning historic commercial uses from the C8 Zone to a residential zone, this ensures that future residential development will be encouraged and accommodated in a planned manner that is supported by the Town's infrastructure.	
R-2	It shall be a policy of Council to control land use and development in a manner that will minimize conflicts between land uses, in accordance with the Land Use By-law.	existing uses and buildings to limit conflicts between histori	
R-9	It shall be a policy of Council to promote residential densification in strategic areas of Bridgewater, in accordance with the Zoning Map and the Land Use By-law.	Residential densification is promoted by upzoning strategic properties - those in proximity of services, infrastructure, institutional and commercial uses - to a residential zone with increased density permissions.	

Further to the policies above, the policy preamble within the Section 6.5.3 Special Commercial (C8) Zone indicates that, should the commercial land uses be discontinued within the C8 Zone, Council shall consider rezoning these uses in accordance with the Future Land Use Map of the Municipal Planning Strategy (MPS).

MPS Policy IM-6	Staff Comment	
When considering any proposed development agreements or amendments to the Land Use By-law, it shall be a policy Council to have regard for the following matters:		
a) Compatibility of the proposed land use with adjacent land uses; and	The rezonings and redesignations to the C8 Zone properties would permit uses that would be compatible with adjacent land uses.	
 b) Compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, bulk, and architectural style; and 	Not applicable	
c) Compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic impacts, and noise; and	(Policy G-25 Any outdoor lighting that is associated with development, or is used to illuminate permitted signage shall be directed away from adjacent properties and streets, as per Section 3.1.26 of the LUB. Outdoor display and outdoor storage are prohibited in residential zones, as per LUB Section 4.1.6 and controlled in commercial zones abutting a non-commercial zone, as per Section 5.1.1.	

MPS Policy IM-6

Staff Comment

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:

d) 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	Policy G-18 requires landscaping in all developments subject to site plan approval or a development agreement. Policy G-19 encourages the use of native plant species in any required landscaping. Landscaping is prescribed through LUB Section 4.1.8 requiring a minimum vegetation coverage on residentially zoned properties; as well as encouraging the use of native species, and the retention of trees. Further, Policy G-18 would be assessed with any future
e) The adequacy of sanitary services, water services, and storm water management services; and	development application as prescribed by the Land Use By-law. I Future developments would be subject to the adequacy of service infrastructure and the wastewater betterment charge.
f) Contribution of the proposal towards an orderly and compact development pattern that makes efficient use of existing and new municipal infrastructure and services; and	By rezoning existing C8 Zone properties to a suitable residential zone, this will ensure all future development conforms to the new zone thereby reducing the potential for conflicts in use.
g) The adequacy of the road network in, and adjacent to, or leading to the development, regarding connectivity, congestion and traffic hazards; and	Not applicable.
h) The adequacy of site access as determined by the Traffic Authority; and	Not applicable.
i) The ability of emergency services to respond to an emergency at the location of the proposed development; and	Not applicable.
j) The adequacy of active transportation infrastructure to support walking and cycling to and from the proposed development; and	Although there is no specific proposed development, active transportation was a consideration when determining which properties should be upzoned from C8 to the R3 and R6 Zones. Proximity to other development, infrastructure, and ensuring the property is not at the edge of town were considerations.
k) The provision of off-street vehicle and bicycle parking to prevent significant congestion, nuisance and inconvenience in the area; and	Not applicable.
I) Consideration of any previous uses of the site which may have caused soil or groundwater contamination; and	Not applicable.
m) Suitability of the site in terms of slope and flood and erosion risk in accordance with Map 6 – Environmental Constraints; and	Not applicable.

Staff Comment

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:

n) Consideration of any autisinated agricumental	Not applicable
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;	Not applicable.
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	Not applicable.
p) The financial ability of the Town to absorb any costs relating to the proposal; and	Not applicable.
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	The amendments are supported in policy and MPS amendments would be required for some proposed LUB amendments.

Public Participation Meeting

By-law are regarded as guidelines.

agreement and the requirements of the Land Use

A public participation meeting was held on May 14, 2024, at 6:00pm at Town Hall. Notification was provided to all properties within 30m (100ft) of the properties in question, as well as the property owners. Five (5) members of the public attended as well as Town staff. Notice was published on May 8, 2024, in the South Shore Breaker for one week prior to the meeting. The notes from the meeting can be found in Appendix A.

Comments from individual property owners within the Special Commercial (C8) Zone were noted at the May 14, 2024, PPM, indicating the proposed amendments to eliminate the C8 Zone were not desired.

There were concerns specifically regarding the reduction in the number and types of permitted uses, in rezoning from the C8 to an R2 property. On this point, staff noted that zoning was by nature exclusionary, with the intent of reducing the potential for conflict between land uses.

Comments from other property owners within the C8 Zone noted that there was specific interest in changing their current permitted use to another use permitted by development agreement, in the C8 Zone (dog grooming). Additional comments from the owner(s) of this property (359 St. Phillips Street), indicated that their property was not conducive to a residential zone, due to proximity to the industrial park, most notably Dexter Bridgewater Asphalt Plant and Michelin.

Comments were also received from property owners within the C8 Zone, specifically from those with existing commercial uses. Two (2) property owners indicated the permissions of one (1) year for Non-Conforming Uses (LUB Section 3.1.4) to be insufficient, citing concerns such as the potential for illness, slow business periods, and the (in)ability to pass on the business itself based on the one (1) year timeline.

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 gives first consideration to the draft amendments to the MPS and LUB contained in Appendix D, as well as the map amendments, and schedule a Public Hearing during the regularly scheduled Council meeting on August 12, 2024 (recommended).
- 2. Deny the request for amendments.
- 3. Defer request back to staff for further analysis.

COMMUNICATONS

A public participation meeting was held on May 14, 2024, 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 amendments in accordance with section 206 of the Municipal Government Act.

ATTACHMENTS

Appendix A – Public Participation Meeting (PPM) Minutes

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

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

Appendix D – Proposed Municipal Planning Strategy & Land Use By-law Amendments, By-law Form

Appendix E – Proposed Amendments to the Future Land Use Map

Appendix F – Proposed Amendments to the Zoning Map

Appendix A

Public Participation Meeting – Special Commercial (C8) Zone Map Amendments

Date of Meeting: 14 May 2024

Meeting Commenced: 6:05pm Meeting Ended: 7:20pm

Attendance: 6 members of the public; 1 member representing the media; and 2 staff

members.

Comments

 Question about whether staff talked about permitting apartment building on the subject properties.

- Staff responded that where the new zone may be Comprehensive Residential (R3) or High Density Residential (R6), there would be some opportunities for multi-unit development.
- Concern (58 Elm Street) where the proposed Two Unit Residential (R2) Zone imposes restrictions whereas the current Special Commercial (C8) Zone offers more opportunities for redevelopment.
 - Staff outlined the various development permissions for each zone.
- Concern (58 Elm Street) that proposed zoning (R2) does not provide benefit, and question about allowing commercial at the subject property (why not?).
 - Staff explained that the process to rezone would not result in the forced discontinuation of the existing commercial use (Blacksmith Shop).
- Comment (58 Elm Street) that if the property is rezoned (to R2), I will declare war and run black smoke.
- Question (58 Elm Street) about what benefit the rezoning would have for the property owner
 - Staff explained that there may not be benefit to the subject property; however, the intention to be lessen incompatible land uses to the benefit of the communities and direct neighbourhood.
- Comment (58 Elm Street) about there already being a dwelling unit at the subject property.
- Concern with number of high density rezonings, and that higher densities are not going to be beneficial.
 - Staff stated that three properties, if rezoned, would allow increased density, or more than 2 units.
- Comment (359 St Phillips Street) regarding a desire to stay zoned Special Commercial for the opportunity to be permitted as a Dog Grooming established (permitted by the development agreement process)
- Comment (359 St Phillips Street) about the location not being conducive to residential lands uses dues to proximity to industrial (Asphalt Plant).
- Comment in support of rezonings; we have to protect neighbouring properties. Some agreement among attendees. A more general discussion regarding the purpose of zoning ensued.
- Concern (58 Elm Street) regarding the 1-year allowance for a discontinued nonconforming use of land, and suggestion that any extension to the 1-year "grace period" would not be helpful.

Appendix B

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.

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6.5.3 Special Commercial (C8) Zone

Bridgewater was settled during the 1800s, however, land use controls were not instituted until the 1970s. As a result, a number of commercial uses were once established in areas which are now predominately residential, and therefore designated and zoned residential. Council is aware of some present and potential conflicts between these existing commercial uses and their residential neighbours. As a result, these uses, specifically identified in the Land Use Bylaw, shall be allowed to remain in the existing buildings, and on the sites they have occupied over the years. However, specific controls have been established to limit the expansion of the use and buildings in order to reduce future conflict in residential areas. Should these commercial land uses be discontinued, Council shall consider rezoning them in accordance with the Future Land Use Map of this Municipal Planning Strategy.

Policy C-54:

It shall be the policy of Council to establish a Special Commercial (C8) Zone and associated zone standards in the Land Use By-law, in accordance with the Zoning Map of the Land Use By-law.

Policy C-55:

It shall be a policy of Council to permit the following developments as-of-right in the Special Commercial (C8) Zone:

- a. Single unit dwellings;
- b. Two unit dwellings;
- c. Residential conversions of dwellings established before August 27, 1975, to a maximum of three dwelling units, in accordance with the Land Use By-law; and
- d. Developments in existence before the date of approval of this Municipal Planning Strategy and listed in the Special Commercial (C8) Zone of the Land Use By-law.

Policy C-56:

It shall be a policy of Council to consider the following developments by development agreement in the Special Commercial (C8) Zone:

- Expansion of an existing building or use, or the replacement of a building, listed in Section 5.9.1.b of the Special Commercial (C8) Zone of the Land Use By-law, in accordance with Policy CDA-5;
- b. Inns in buildings constructed and located on the lot before August 27, 1975, in accordance with Policy IM-6;

- c. Multi-unit residential development up to a maximum of 10 units per hectare (4 units per acre), in accordance with Policy IM-6;
- d. Single-unit development as a collective development, two-unit development on both individual lots or as a collective development, and multi-unit residential development, with a maximum permitted density of up to 10 units per hectare (4 units per acre), in accordance with Policy IM-6; and
- e. Change of use to any of the following uses, or the addition of any of the following uses, in the existing buildings at the date of this by-law, in accordance with Policy IM-6.
 - i. Craft Workshops
 - ii. Dog Grooming
 - iii. Dressmaking & Tailoring
 - iv. Galleries
 - v. Household Repair Services
 - vi. Offices
 - vii. Personal Service Shops
 - viii. Retail Sales up to 93m² (1,000ft²) on corner lots of arterial or collector streets, with the immediate residential area in which the use is located as the primary service area for the use
 - ix. Studios

Policy CDA-5:

It shall be a policy of Council to ensure that the following criteria are met when Council is considering proposals for expansion, replacement or change of use in the Special Commercial (C8) Zone by development agreement:

- a. Any new building, or any expansion in the volume of a building in which an established commercial or industrial use is located shall not result in the creation of new nonresidential floor area that is in excess of 40% of the gross floor area of the building prior to expansion;
- b. The area of outdoor storage or open display uses that are located on the lot shall not increase:
- c. Any nuisances that are associated with the use will be eliminated or reduced to an acceptable level as a result of the change, including noise, odour, dust, unsightly material, and unsanitary conditions, or no new nuisances will be created as a result of the proposed change;
- d. Any new buildings and any alterations, or additions made to established buildings with respect to the development shall be compatible in terms of architectural features, height and bulk, with other buildings in the neighbourhood;
- e. All signage shall be reasonably consistent with the requirements of the Land Use By-Law; and
- f. The development is in accordance with Policy IM-6

Appendix C

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 Land Use By-law be amended as follows.

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	•	Permitted Developments.	
		Permitted Uses with Conditions	
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2.1 Zones

R1	Single Unit Residential	C1	Historic Downtown Commercial
R2	Two Unit Residential	C2	LaHave Commercial
R3	Comprehensive Residential	С3	Urban Commercial
R4	Downtown Residential	C4	Group Commercial
R5	Medium Density Residential	C5	General Commercial
R6	High Density Residential	C6	Restricted Commercial
R7	Manufactured Residential Home	С7	Neighbourhood Commercial
REC	Recreation	ce	Special Commercial
Р	Park	С9	Highway Commercial
CON	Conservation	AG	Agricultural
11	Institutional	M1	Industrial
12	Residential Institutional	M2	Light Industrial

3.1.24 Home Based Businesses

In all residential zones, the Restricted Commercial (C6) Zone, the Neighbourhood Commercial (C7) Zone, the Special Commercial (C8) Zone, and the Agricultural (AG) Zone, a home based business shall be permitted in any dwelling unit or a building accessory to a dwelling unit, provided that all of the following requirements are met:

3.1.25 Residential Conversions

Residential conversions shall be permitted in the Single Unit Residential (R1) Zone, Two Unit Residential (R2) Zone, Comprehensive Residential (R3) Zone, Downtown Residential (R4) Zone, Medium Density Residential (R5) Zone, High Density Residential (R6) Zone, Historic Downtown Commercial (C1) Zone, Special Commercial (C7) Zone, Urban Commercial (C3) Zone, Neighbourhood Commercial (C6) Zone, Agricultural (AG) Zone, and Restricted Commercial (C6) Zone, in accordance with the following requirements:

Table A: Maximum Dwelling Units Permitted through Residential Conversions			
Single Unit Residential (R1)	Two Units	Historic Downtown Commercial (C1)	Five Units on all streets excluding King Street
Two Unit Residential (R2)	Three Units	Urban Commercial (C3)	Two Units
Comp. Residential (R3)	Two Units	Restricted Commercial (C6)	Four Units
Downtown Residential (R4)	Four Units	Special Commercial (C8)	Three Units
Medium Density Residential (R5)	Five Units	Neighbourhood Commercial (C7)	Three Units
High Density Residential (R6)	Five Units	Agricultural (AG)	Two Units

3.1.27 Fencing

Table B: Fencing				
Zone	Development Permit	Max Height in Front and Flankage Yards	Max Height in Rear and Side Yards	Opaque Fences *
All Residential Zones Res. Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	Always Required	1.2m (4ft)	2.5m (8ft)	Only Permitted in Side and Rear Yards

3.2.5 Design Standards for Vehicular Parking Areas

Zone	Maximum Length
All Residential Zones	
Historic Downtown Commercial (C1) Zone	
Urban Commercial (C3) Zone	
Restricted Commercial (C6) Zone	10 contiguous spaces per row
Neighbourhood Commercial (C7) Zone	
Special Commercial (C8) Zone	
Highway Commercial (C9) Zone	

3.3.4 Permitted Number of Signs

Table J: Permitted Signage for a Business Premise					
	Maximum Number of Signs by Type				
Permitted In	Projecting Wall Sign (S. 3.3.5)	Canopy Sign (S. 3.3.6)	Flat Fixed Wall Sign (S. 3.3.7)	Ground Sign (S.3.3.8)	Total # of Permitted Signs
Home Based Businesses	One	n/a	One	One	One Sign
Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	One	Two	Two	One	Two Signs

3.3.5 Projecting Wall Signs

Table K: Projecting Wall Signs		
Permitted In	Dimensions	General Requirements
Home Based Businesses	Sign faces shall not exceed 0.3m² (3ft²) in area	A projecting wall sign shall have a maximum of two sign faces.
Historic Downtown (C1) LaHave Commercial (C2)	Sign faces shall not exceed 2m ² (22ft ²) in area	No projecting wall sign shall be erected less than 3m (9.8ft) from grade.
Urban Commercial (C3)		A projecting wall sign shall be placed at a right angle to the building face to which it is attached, except where
Group Commercial (C4) General Commercial (C5)		it is erected on the corner of a building which faces corner lot.
Restricted Commercial (C6) Neighbourhood Commercial (C7)		No projecting wall sign shall project over a public street beyond the curb, or into the corner vision
Special Commercial (C8)		triangle.
Highway Commercial (C9)		No projecting wall sign shall swing freely on its supports without the installation of a suitable catch, chain, or other control device.
Residential Institutional (I2)		Signs in the Historic Downtown (C1) Commercial Zone
Recreational (REC)		shall adhere to the signage design requirements
Industrial (M1)		outlined in Section 3.3.13.
Light Industrial (M2)		

3.3.6 Canopy Signs

Table L: Canopy Signs		
Permitted In	Dimensions	General Requirements
Historic Downtown (C1) LaHave Commercial (C2) Urban Commercial (C3) Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C9) Highway Commercial (C9) Institutional (I1) Residential Institutional (I2) Recreational (REC)	Sign area shall occupy no more than 75% of the canopy face upon which it is attached.	No canopy sign shall be erected less than 3m (10ft) from grade. No canopy sign shall project over a public street beyond the curb line, or into the corner vision triangle. No canopy sign shall extend beyond the extremities of the canopy face. A canopy sign shall not be permitted on a canopy which has deteriorated and become unsightly. All such canopy signs shall be removed. Signs in the Historic Downtown (C1) Commercial Zone shall adhere to the signage design
Group Commercial (C4) General Commercial (C5) Industrial (M1) Light Industrial (M2)	N/A	requirements outlined in Section 3.3.13.

3.3.7 Flat Fixed Wall Signs

Table M: Flat Fixed Wall Signs		
Permitted in	Dimensions	General Requirements
Home Based Businesses	Signs shall not exceed 0.3m² (3ft²) in sign area	A flat fixed wall sign shall be parallel to the wall upon which it is attached.
Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	Signs shall not exceed 0.46m² in area for each linear metre (or 1.5ft² for each linear foot) of the premise's exterior length, up to a maximum sign area of 2.3m² (25ft²).	A flat fixed wall sign shall not extend beyond the extremities of the wall upon which it is attached. Signs in the Historic Downtown (C1) Commercial Zone shall adhere to the signage design requirements outlined in Section 3.3.13.

3.3.8 Ground Signs

Table N: Ground Signs		
Permitted In	Dimensions	General Requirements
Home Based Businesses	Sign faces shall not exceed 0.3m² (3ft²) in area. Signs shall not exceed 1.5m (5ft) in height.	A ground sign shall have a maximum of two sign faces. A ground sign shall be setback a minimum of 1m (3ft) from any public right-of-way or common lot boundary.
Conservation (CON) Park (P)	Sign faces shall not exceed 1.2m² (13ft²) in area. Signs shall not exceed 2m (7ft) in height.	A ground sign or portion thereof shall not extend into a corner vision triangle. Ground signs located in the LaHave Commercial (C2), Urban Commercial (C3), Group Commercial
Res. Zones, in accordance with Section 3.3.4.b.ii	Sign faces shall not exceed 2.3m² (25ft²) in area.	(C4), General Commercial (C5), Highway Commercial (C9), Industrial (M1), and Light
Restricted Commercial (C6)	Signs shall not exceed 4m (13ft) in	Industrial (M2) Zones may extend over a driveway,
Neighbourhood Commercial (C7)	i neight.	on-site parking area, walkway, or trail if the clearance between the bottom of the sign and the
Special Commercial (C8)		ground is a minimum of 3m (10ft).
Institutional (I1) adjacent to Local Streets		In the Institutional (I1) Zone, signs larger than 2.3m2 (25ft2) in area or taller than 4m (13ft) in height shall
Residential Institutional (I2)		, , ,

3.3.11 Window Signs

Table Q: Window Signs		
Permitted In	Dimensions	General Requirements
Historic Downtown (C1) LaHave Commercial (C2) Urban Commercial (C3) Institutional (I1) Residential Institutional (I2) Recreational (REC) Restricted Commercial (C6) Neighbourhood Commercial (C7) Special Commercial (C8)	Signs shall be placed or painted on the interior or exterior of a glass window or door provided that they cover no more than 40% of the window in which it is placed. The letter height of window sign shall not exceed 200mm.	Window signs shall only be permitted on the ground floor level of a building. Window signs shall only include the business name, logo, or description of the products sold or services provided.

5.1.3 Home Based Businesses

In the Restricted Commercial (C6) Zone <u>and</u> Neighbourhood Commercial (C7) Zone, and Special Commercial (C8) Zone, a home based business is permitted in any dwelling unit or a building accessory to a dwelling unit, provided that all of the requirements of Section 3.1.24 are met.

5.9 Special Commercial (C8) Zone

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	
A. Collicut	90 Pearl Street	Used Automobile Sales	
Argyle Inn	324 Aberdeen Road	Motel & Restaurant	
Cobbler Corner	287 King Street	Shoe Repairs & Shoe/Leather Sales	
Country Home Woodworks	27 South Street	Woodworking Shop	
Demones C. Monuments Ltd.	101 Victoria Road	Monument Sales	
Food Inspection Agency	1675 King Street	Office	
G. Lake	255 Victoria Road	Wood Product Sales	
Gerald Hebb's Tow & Salvage Yard	359 St. Phillips Street	Towing & Salvage Yard	
Hubley's Electrical Ltd.	56 Starr Street	Electrical Installation & Repairs	
Langille's Plumbing & Heating	261 York Street	Contractor Shop and Plumbing & heating Sales Office	
Lester Zwicker Trucking	239 St. Phillip's Street	Truck Parking & Storage	
Rahman's Blacksmith Shop	58 Elm Street	Blacksmith Shop	
Riverview Automotive	31 Riverview Drive	Automobile Repair	
Riverview Machining Services	1627 King Street	Machine Shop	
Sew What?	103 Dominion Street	Dress Sales, Dress Making & Alterations	
South Shore Nursery	209 High Street	Office & Commercial Building Retail Sales	
South Shore Speed & Sound	76 Dominion Street	Automobile and automobile parts sales and services	
Victor Greek's Meat Market	276a St. Phillip's Street	Meat Packing & Retail Sales	

5.9.2 Permitted Uses with Conditions

The following uses shall be permitted as of right in the Special Commercial (C8) Zone subject to the requirements of this By-law, including the special conditions below:

- Home Based Businesses, in accordance with Section 3.1.24
- Residential Conversions up to three units, in accordance with Section 3.1.25

5.9.3 Uses by Development Agreement

The following developments shall be permitted by Development Agreement in the Special Commercial (C8) Zone subject to the requirements of this By-law, in addition to the development agreement policies outlined in the Municipal Planning Strategy:

- a. Expansion of an existing building or use, or the replacement of a building listed in Section 5.9.1.b, in accordance with MPS Policy CDA-5;
- b. Multi-unit residential development up to a maximum of 10 units per hectare (4 units per acre), in accordance with MPS Policy IM-6;
- c. Single and two-unit dwellings as a collective residential development up to a maximum of 10 units per hectare (4 units per acre), in accordance with MPS Policy IM-6; and
- d. Inns in buildings constructed before August 27, 1975, in accordance with MPS Policy IM-6.
- e. Change of use to any of the following uses, or the addition of any of the following uses, in the existing buildings at the date of this by law, in accordance with Policy IM-6.
 - i. Craft Workshops
 - ii. Dog Grooming
 - iii. Dressmaking & Tailoring
 - iv. Galleries
 - v. Household Repair Services
 - vi. Offices
 - vii. Personal Service Shops
 - viii. Retail Sales up to 93m² (1,000ft²) on corner lots of arterial or collector streets, with the immediate residential area in which the use is located as the primary service area for the use
 - ix. Studios

5.9.4 Zoning Standards

The following requirements apply to all developments permitted as of right in the Special Commercial (C8) Zone:

CS	Special Commercial Zone	
Minimum fi	ront yard	4m (13ft)
Minimum r	ear yard	4m (13ft)
Minimum s	ide yard	1.5m (5ft)
Minimum fl	lankage yard	3m (10ft)
Maximum k	ouilding height	10m (33ft)
Minimum k	ot area	650m² (6,997ft²)
Minimum k	ot frontage	20m (66ft)

Appendix D

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 Legislative authority:		
Bylaw #214	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

Table of Contents

1. Remove "Section 6.5.3 Special Commercial (C8) Zone".

Section 6

- 2. Remove Subsection 6.5.3.
- 3. Remove Policy C-54.
- 4. Remove Policy C-55.
- 5. Remove Policy C-56.
- 6. Remove Policy CDA-5.

Map 2: Future Land Use Map amendment to redesignate 255 Victoria Road, PID 60025681, from a split-designation, Low Density Residential and Limited Commercial, to a Comprehensive Residential Designation, as seen in Appendix B.

Map 2: Future Land Use Map amendment to redesignate 76 Dominion Street, PID 60028636, from a Medium Density Residential, to a High Density Residential Designation, as seen in Appendix B.

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

Section 3

- 1. Subsection 3.1.24 Remove "the Special Commercial (C8) Zone".
- 2. Subsection 3.1.25 Remove "Special Commercial (C7) Zone" and replace "C8" with "C7".
- 3. Subsection 3.1.25, Table A Remove "Special Commercial (C8): Three Units".
- 4. Subsection 3.1.27 Remove "Special Commercial (C8)".
- 5. Subsection 3.2.5, Table H Remove "Special Commercial (C8) Zone".
- 6. Subsection 3.3.4, Table J Remove "Special Commercial (C8)".
- 7. Subsection 3.3.5, Table K Remove "Special Commercial (C8)".
- 8. Subsection 3.3.6, Table L Remove "Special Commercial (C8)".
- 9. Subsection 3.3.7, Table M Remove "Special Commercial (C8)".
- 10. Subsection 3.3.8, Table N Remove "Special Commercial (C8)".
- 11. Subsection 3.3.11, Table Q Remove "Special Commercial (C8)".

Section 5

- 12. Subsection 5.1.3 Replace ", Neighbourhood Commercial (C7) Zone, and Special Commercial (C8) Zone" with "and Neighbourhood Commercial (C7) Zone".
- 13. Subsection 5.9 Remove
- 14. Subsection 5.9.1 Remove
- 15. Subsection 5.9.2 Remove
- 16. Subsection 5.9.3 Remove
- 17. Subsection 5.9.4 Remove

Zoning Map: Zoning Map amendment to rezone 255 Victoria Road, PID 60025681, from a Special Commercial (C8) to a Comprehensive Residential (R3) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 76 Dominion Street, PID 60028636 from a Special Commercial (C8) to a High Density Residential (R6) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 276a St. Phillips Street, PID 60609138, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 103 Dominion Street, PID 60029741 from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 1627 King Street, PID 60020393, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 31 Riverview Drive, PID 60020211, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 58 Elm Street, PID 60050937, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 239 St. Phillips Street, PID 60024221, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 56 Starr Street, PID 60021789, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 359 St. Phillips Street, PID 60023983, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 1675 King Street, PID 60020260, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 27 South Street, PID 60037546, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 304 Aberdeen Road, PID 60047586, from a Special Commercial (C8) to a Two Unit Residential (R2) Zone, as seen in Appendix C.

Zoning Map: Zoning Map amendment to rezone 90 Pearl Street, PID 60025392, from a Special Commercial (C8) to a Comprehensive Residential (R3) Zone, as seen in Appendix C.

PUBLIC PARTICIPATION MEETING conducted on: May 14, 2024 FIRST READING conducted on: July 8, 2024 PUBLIC HEARING conducted on: SECOND & FINAL READING conducted on:

Appendix E

Proposed Amendments to the Future Land Use Map

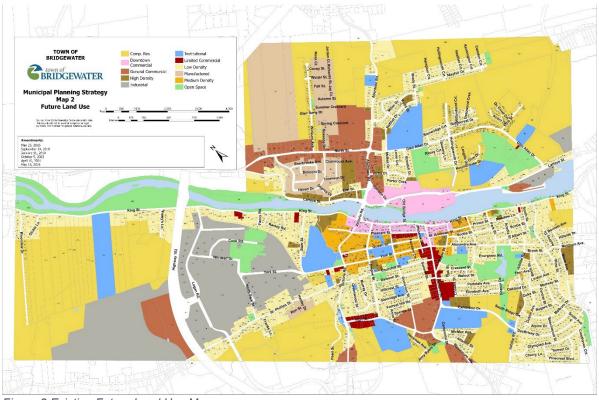
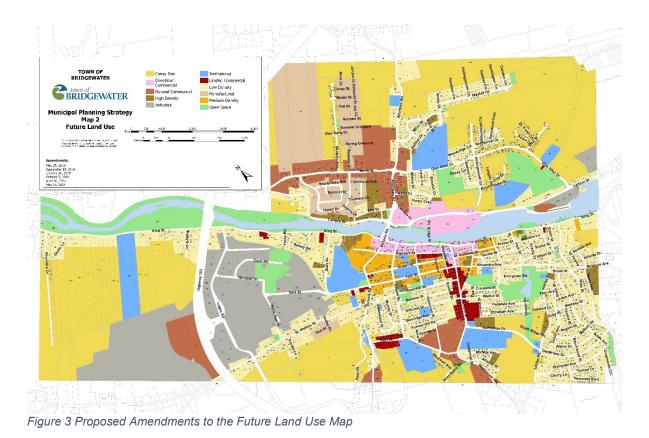


Figure 2 Existing Future Land Use Map



Appendix F

Proposed Amendments to the Zoning Map

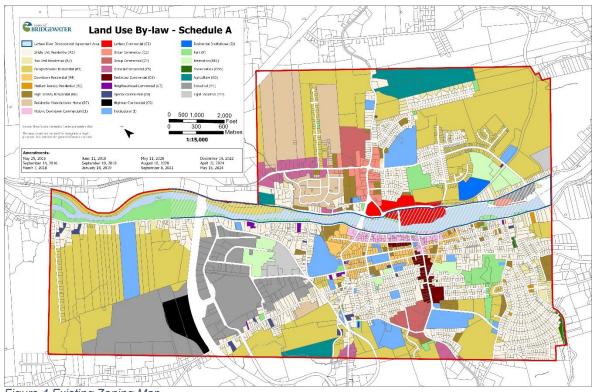


Figure 4 Existing Zoning Map

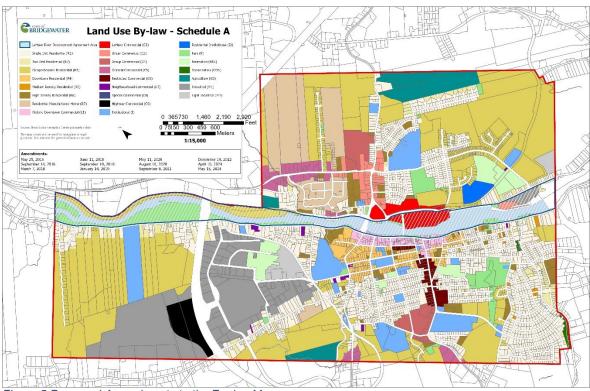


Figure 5 Proposed Amendments to the Zoning Map