



Doc. # 20 190

Approved [Signature]

Date 13 NOV 2020

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Council ✓

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Brief Session _____

Agenda 23 NOV 2020

Committee _____

Other _____

MEMO

To: Bridgewater Town Council
From: Nelson Nolan, Junior Planner, Community Development
Cc: Tammy Crowder, CAO
Larry Feener, Director of Engineering
Jessica McDonald, Director, Community Development
Nick Brown, Development Officer
Date: November 12, 2020
Re: 123 Empire Street – application for MPS & LUB Text Amendment and Public Participation Meeting to be held on December 2, 2020

Please find attached the Application Briefing for a text amendment to the Municipal Planning Strategy and Land Use Bylaw to add two new land uses to the Recreation Zone (Rec). Staff in both the Engineering and Community Development Departments have reviewed this application.

A public meeting will be held on December 2, 2020. This meeting will be held virtually. As per the Municipal Government Act, notice will be provided to all property owners within 30 metres of the subject property. Advertisement will also be placed in the Wednesday edition of the LighthouseNOW Progress Bulletin one week in advance of the meeting. It will also be advertised through the Town's social media channels. Information regarding the public hearing and how to participate will be provided on the Town's Development Applications webpage: www.bridgewater.ca/DA

This moves the application into **Step 2: Public Engagement | Council Recommendation** of the MPS & LUB amendment process. After the public meeting, staff will bring forward the Planning Analysis Report and a recommendation for your consideration.

Respectfully submitted,

Nelson Nolan

APPLICATION BRIEFING

SUBMITTED BY: Nelson Nolan
DATE: November 23, 2020
SUBJECT: MPS and LUB Amendment for Recreation (Rec) Zone

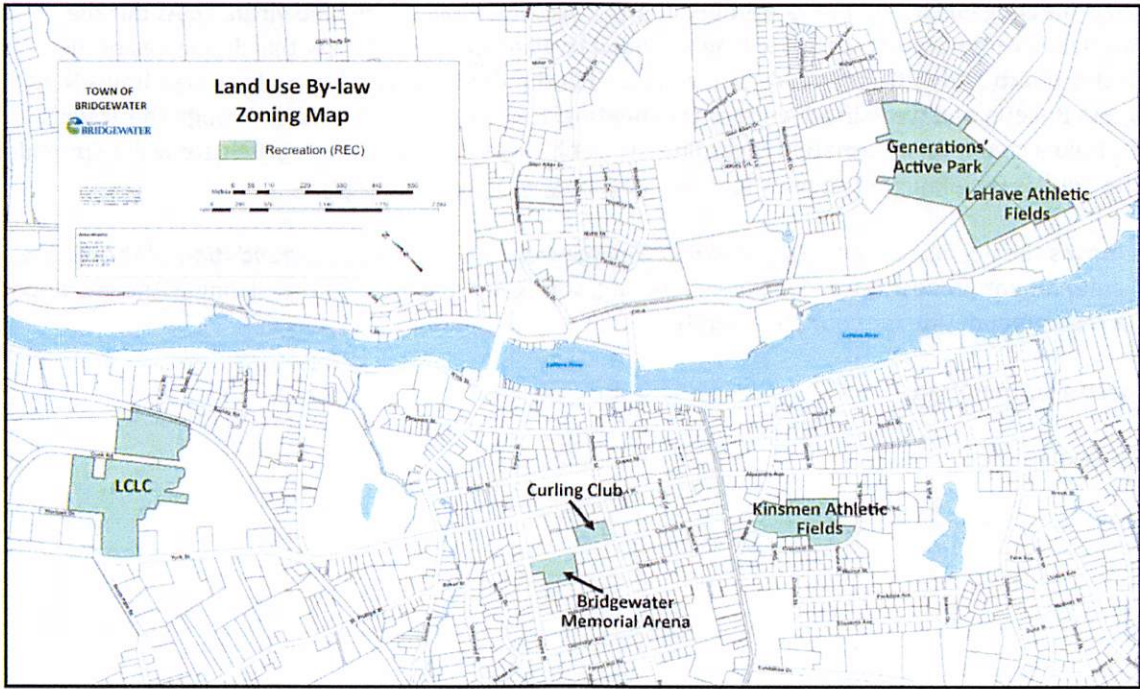
Background

Planning staff received an application from the Town of Bridgewater’s Engineering Department (the “applicant”) on September 15, 2020 to make a text amendment to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to allow Parks and Transit facilities as permitted uses in the Recreation (REC) Zone. The applicant is proposing to use the Bridgewater Memorial Arena at 123 Empire Street (“subject property”) for the purpose of transit and parks facilities.

If approved, the text amendments to the MPS and LUB will apply to all eight properties with Recreation (REC) Zoning in the Town of Bridgewater.

Subject Property

The subject property located at 123 Empire Street has a lot size of 96,703 sq. ft. (2.22 acres). The Bridgewater Memorial Arena is a 1,200-seat multi-purpose arena which was built in 1949 and used for more than 60 years before its closure in 2015. Today, the Arena serves the Parks & Recreation Department (including offices and space for storage) and Bridgewater police (storage purposes).



Zoning Map

To the north are residential properties zoned High Density Residential (R6), and Single Unit Residential (R1), as well as Institutional (I1). To the east and west, there are primarily Single Unit Residential (R1) properties. To the south are properties zoned Park (P) and Single Unit residential (R1).



Context Map

Development Proposal

The Recreation (REC) zone accommodates land for recreation and organized sport activities and distinguishes lands from traditional park space and conservation land. The Town of Bridgewater owns most lands zoned Recreation (Rec), including the Memorial Arena, apart from land owned by the Bridgewater Curling Club and the Lunenburg County Lifestyle Centre. Many of the developments that exist in the Recreation Zone are Active Parks (such as Kinsmen Athletic Field) or Facilities (such as the LCLC).

The applicant expressed the need for Parks operations to make use of the site for offices and storage, and for Bridgewater transit operations to store vehicles. This would require an amendment to Policy OS-13 which permits certain developments as-of-right in the Recreation (Rec) Zone. The proposed amendment would add two new land uses to the Recreation (Rec) zone: Parks Facility; and Transit Facility. A LUB amendment requires that definitions for “Parks Facility” and “Transit Facility” be added to the Land Use Bylaw.

Definitions for “Parks Facility” and “Transit Facility” would resemble the definition that exists for Public Works Facility, defined in the Land Use Bylaw as follows:

Public Works Facility | an indoor and/or outdoor storage facility for equipment that is used by a municipal government’s public works department for street and right of way maintenance, snow and ice removal, litter abatement, and infrastructure maintenance and repair

The MPS and LUB amendment requires consideration of impacts on all properties zoned Recreation (Rec).

Application Process

The application was received by staff on September 15, 2020. An initial review of the proposal has been done by Community Development staff. The proposal requires a thorough review by Engineering and Community Development staff against the criteria of Policy IM-6 and other relevant policies (as identified in this report). A public meeting is also required prior to any Council consideration. Further revisions to the proposal may be considered based on public feedback. Following the public meeting and any further revisions to the proposal, staff will provide a full analysis of the text amendments to the Municipal Planning Strategy and Land Use Bylaw at a future meeting of Council. If given consideration by Council, the application will proceed to public hearing. Staff will present a final report and recommendation at that time. The amendments will be sent to the Province for review.

Simplified Application Timeline

Step 1 – Application Briefing

Step 2 – Public Participation Meeting

Step 3 – Planning Analysis Report and Recommendation to Council and First Reading of proposed MPS/LUB amendments

Step 4 – Public Hearing

Step 5 – Second Reading of Proposed MPS/LUB map and text amendments

Step 6 – Review of amendments by Provincial Director of Planning

Step 7 – Publication of the amendments

Policy Index

Policy OS-13

It shall be a policy of Council to permit the following developments as-of-right in the Recreation (REC) Zone: a) Recreation facilities and uses; b) Community centres; c) Community gardens; d) Cultural facilities; e) Interpretive centres; f) Leash free dog parks; g) Libraries; h) Marinas; i) Markets, exhibitions, trade shows, & fairs; j) Outdoor recreational uses; k) Parks; and l) Visitor information centres

Policy IM-1

It shall be the policy of Council to require an amendment to the Municipal Planning Strategy where: a) Any policy intent is to be altered; b) A text or map amendment in the Land Use By-law would conflict with the text or maps of the Municipal Planning Strategy; c) An amendment to the Subdivision By-law would conflict with the text of the Municipal Planning Strategy; d) Where the boundaries of the planning area are altered; or e) Housekeeping amendments

Policy IM-2

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.

Policy IM-3

It shall be the policy of Council to consider an application for amendment to the Land Use By-law only if the application has identified a proposed use for the property. Council shall give consideration to both the proposed use and to the impact of other uses permitted in the requested zone.

Policy IM-4

It shall be the policy of Council to consider an application for amendment to the Land Use By-law only if the site meets all of the lot size and zone standards for the zone sought.

Policy IM-6

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:

- a) Compatibility of the proposed land use with adjacent land uses; and*
- b) Compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, bulk, and architectural style; and*
- c) Compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic impacts, and noise; and*
- 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*
- e) The adequacy of sanitary services, water services, and storm water management services; and*
- 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*
- g) The adequacy of the road network in, and adjacent to, or leading to the development, regarding connectivity, congestion and traffic hazards; and*
- h) The adequacy of site access as determined by the Traffic Authority; and*
- i) The ability of emergency services to respond to an emergency at the location of the proposed development; and*

- j) The adequacy of active transportation infrastructure to support walking and cycling to and from the proposed development; and*
- k) The provision of off-street vehicle and bicycle parking to prevent significant congestion, nuisance and inconvenience in the area; and*
- l) Consideration of any previous uses of the site which may have caused soil or groundwater contamination; and*
- m) Suitability of the site in terms of slope and flood and erosion risk in accordance with Map 6 – Environmental Constraints; and*
- 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;*
- 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*
- p) The financial ability of the Town to absorb any costs relating to the proposal; and*
- 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.*