



REQUEST FOR DECISION	
<b>SUBMITTED BY:</b>	Nelson Nolan, Junior Planner
<b>DATE:</b>	January 11, 2021
<b>SUBJECT:</b>	Planning Analysis and First Reading - MPS and Land Use By-law Text Amendments to the Recreation (REC) Zone

Document #	20-190A
Approved	<i>[Signature]</i>
Date	23 Dec 2020
<b>COPIES TO:</b>	
Council	✓
Senior Mgmt	✓
Discussion Session	
Agenda	11 Jan 21
Committee	
Other	

## ORIGIN

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.

## RECOMMENDATION

It is recommended that Town Council for the Town of Bridgewater give first consideration to the amendments to the Municipal Planning Strategy and Land Use By-law to allow Parks and Transit facilities as permitted uses in the Recreation (REC) Zone, as contained in Appendix A and schedule a Public Hearing during the regularly scheduled meeting on February 8, 2021.

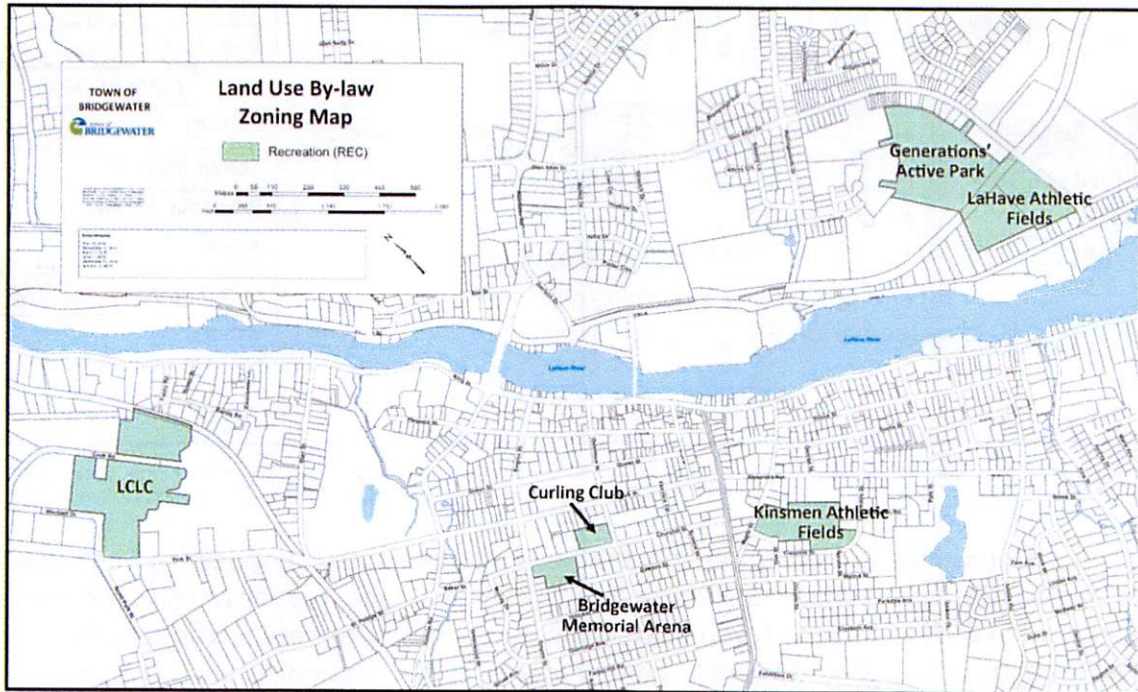
## BACKGROUND

### Subject Property

The subject property located at 123 Empire Street is shown on the maps below and 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). The current use of the site by Parks and Recreation is not listed as a permitted use in the Land Use Bylaw, however, it has been and remains and common practice to conduct parks operations from permitted parks or recreational facilities as an ancillary or accessory use. This was case for Bridgewater Memorial Arena until for the years leading to its discontinuance as a recreation facility in 2015. As parks operations were a use permitted accessory to the authorized recreational facility at the effective date of the current Land Use By-law, subject to the provisions outlined in Sections 238

to 242 of the Municipal Government Act, it continues to be a legal non-conforming use in a structure.

### Location of Recreation Zone



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 following is a list of all active parks and facilities located within the Recreation (REC) Zone:

Name of Recreational Land	Facility Classification
Curling Club	Facility
Generations Active Park	Active Park & Facility
Kinsmen Athletic Field	Active Park
LaHave Street Sports Fields	Active Park
Lunenburg County Lifestyle Centre	Facility
Memorial Arena	Facility

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 and an addition of Site Plan Criteria for development, and the uses permitted by Site Plan to Section 9.2,

The proposed definitions for “Parks Facility” and “Transit Facility” 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).

## Public Participation Meeting

A public participation meeting was held on December 9, 2020 at 6:00pm virtually using Microsoft Teams. Notification was provided to all properties within 30m (100ft) of each of the REC Zoned properties, not just the subject property (arena). In attendance at the meeting were two members of the public, Graham Hopkins the Inspection & Facilities Manager on behalf the applicant, and two staff. Notice was published on December 2, 2020 in the South Shore Breaker for one week prior to the meeting. The notes from the meeting can be found in Appendix C, as well as emails to staff and online comments from the Development Applications webpage.

Concerns expressed by meeting attendees centered on how the proposed changes could allow for Transit and Park Facilities uses at other properties zoned Recreation (REC) in Bridgewater including locations such as the Curling Club and Kinsmen field. Staff commented on that there are constraints to using other properties zoned Recreation (REC) for the proposed land uses and made clear that the proposal is for Bridgewater Memorial Arena. Staff suggested that this concern could be addressed by ensuring that Parks Facilities and Transit Facilities be permitted only in existing structures. The Planner was asked why the Town would not rezone the BMA property instead of adding to new land uses. The Planner replied that the proposed land uses are currently not identified anywhere in the Land Use By-law it is appropriate to add Park and Transit Facilities as permitted land uses in the Recreation (Rec) Zone.

## DISCUSSION

The Recreation (Rec) Zone accommodates a range of opportunities for organized sport and recreation within the town. The following uses are permitted as-of-right:

- a) Community Centres
- b) Community Gardens
- c) Cultural Facilities
- d) Interpretative Centres
- e) Leash Free Dog Parks
- f) Libraries
- g) Marinas
- h) Markets, Exhibitions, Trade Shows & Fairs
- i) Outdoor Recreational Uses
- j) Parks
- k) Recreation Facilities
- l) Visitor Information Centres

The MPS states that development that is inconsistent with the purpose and intent of the Recreation (REC) Zone will be prohibited. Staff have reviewed this application and determined that the proposed uses are compatible with other permitted uses enabled by the Recreation (REC) Zone. A text amendment to Policy OS-13 of the MPS and the Recreation (REC) Zone of the Land Use Bylaw is required to enable Transit and Park Facilities as permitted land uses. Staff propose that Parks and Transit Facilities be permitted by a site plan approval process in line with existing site plan approval criteria that exists for Residential, Commercial and Institutional Zones. A Site Plan approval process can ensure that these new proposed permitted uses in the Recreation (Rec) Zone remain compatible with surrounding land uses. The proposed amendments can be found in Appendix A.

### Compliance with Planning Documents

The purpose of the Municipal Planning Strategy (MPS), as set out by the Municipal Government Act (MGA) is to provide statement of 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 a 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.

### **Municipal Planning Strategy**

To consider the requested amendment, Staff reviewed the policies of the Municipal Planning Strategy. It was found that the requested amendment is consistent with planning principles, vision and objectives and existing policy of the MPS, including implementation policy IM-1, IM-2, and IM-3.

### **Objective Statements**

The Municipal Planning Strategy (MPS) contains 15 Objective Statements to guide its policy statements. Below are those of particular importance to this application, and a summary of how the development is supported by them.

- 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.*

There are eight properties in Bridgewater zoned Recreation surrounded by land uses which include industrial, residential, commercial, and institutional. Parks and Transit Facilities do not pose a conflict with any these land uses. The site plan approval process can ensure that buildings which may be used for Parks and Transit Facilities would be located to ensure that the generation of traffic and noise would mitigate impacts to adjacent properties.

- 3. Mix compatible land uses to promote diverse and convenient neighbourhoods.*

Properties zoned Recreation (REC) are primarily located in parts of Bridgewater that already contain a diversity of land-uses. The addition of Transit and Parks facilities to the Recreation (REC) Zone would increase land use diversity.

- 4. Encourage compact development to maximize the town's shared infrastructure and to promote healthy, close-knit neighbourhoods.*

The use of the Bridgewater Memorial Arena for the purpose of Transit and Parks Facilities would maximize the utility of an existing building and reduce the need for Town spending on a new facility elsewhere in Bridgewater.

- 9. Celebrate and preserve Bridgewater's historic culture and built heritage for current and future generations.*

The Bridgewater Memorial Arena has historical value as a commemorative site for Canadian soldiers that fought in the Second World War and as an important site of recreation activities for several consecutive generations of Bridgewater residents. Capital investment into the continued use of the Bridgewater Memorial ensures that building remains functional and can be used by future Bridgewater residents for a variety of land uses.

- 11. Develop a comprehensive parks and open space network that meets the leisure and recreational needs of the community.*

The addition of Parks and Transit facilities as land uses in the Recreation (REC) zone does not substantially alter the nature of Bridgewater's parks and open space network. The use of a portion of the Bridgewater Memorial Arena as a Parks Facility ensures that the Parks & Recreation Department has sufficient space for its operations to meet the leisure and recreational needs of the community.

**Policy IM-1**

It shall be the policy of Council to require an amendment to the Municipal Planning Strategy where any policy intent is to be altered and a text amendment in the LUB would conflict with the text in the MPS. The proposed amendments to Recreation (REC) Zone policies in the MPS ensure there is no conflict to permit Parks and Transit Facilities as uses in the Land Use Bylaw.

**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. The proposed amendments to the Land Use Bylaw require an amendment to the Municipal Planning Strategy to ensure consistency.

**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. The proposed uses, Parks Facility and Transit Facility, have been identified and defined.

**Policy IM-6**

This policy states when considering any proposed amendments to the Land Use By-law, it shall be a policy of Council to have regard for matters on compatibility of the development, servicing, transportation, and environment. The following comments were received from the Engineering department.

*Sanitary*

The BMA (ice shed area) was used regularly by the public for 70 years for sports such as hockey, figure skating, public skates, and ball hockey and well as other large events such as concerts, tournaments, dances, home shows, wrestling matches and markets. The proposed use of this area will reduce the occupancy load from a maximum 1200 people to 26. Toilets will be reduced from 10 to 5, showers will be reduced from 6 regularly used showers to 1 used infrequently. The proposed use of the building will reduce the wastewater flows substantially from the previous use of the space.

*Water*

Fire flows around the location of the BMA have not changed significantly over the years. The sprinkler system was approved and designed for the original building which at the time had a far higher occupancy load and a higher fire load than the proposed use of the building. The sprinkler system piping will be reduced by a considerable amount because the stadium seating, locker rooms, and storage areas will be removed from the building and no longer required.

### *Transportation*

Due to the proximity of the new ramps into the building, two new access points will be constructed on the property. However, access around the property will be limited and no through traffic will be permitted to pass in front of new ramps. Any changes, deletions, additions of access points will need to be approved by the Traffic Authority.

Street networks are adequate for emergency service to respond, on site emergency access will be reviewed during the Building Permit process.

### **General Development Objectives**

The MPS contains policies for general development, residential development, and commercial development objectives; the relevant are outlined below.

<b>Policies for General Development</b>		<b>Staff Comment</b>
Policy G-9	It shall be a policy of Council to ensure that all developments permitted by site plan approval and development agreement include provisions for adequate automobile and bicycle parking to serve the development.	The amendment would require a site plan approval process which may determine that additional automobile parking is required to serve the development. It is not anticipated that a change in the number of automobile parking spaces or bicycle parking spaces will be required for the proposed development.
Policy G-18	It shall be a policy of Council to require landscaping in all development subject to site plan approval and development agreement, in order to enhance or preserve the character of the areas, to provide screening and buffers, or to reduce conflict with surrounding land uses.	The amendment would require a site plan approval process which may determine that the development provide screening and buffers to reduce conflict with surrounding land uses. It is not anticipated that additional screening and buffers will be required for the proposed development.
Policy G-24	It shall be a policy of Council to require fencing in any development permitted by site plan approval and development agreement, where Council believes fencing will help preserve the character of the area, provide necessary screening, or help to reduce potential conflicts with surrounding land uses.	The amendment would require a site plan approval process which may determine that the development provide fencing where Council believes fencing will help preserve the character of the area, provide necessary screening, or help to reduce potential conflicts with surrounding land uses. It is not anticipated that this will be required for the proposed development.

## Parks & Open Space Objectives

Policies for Open Space		Staff Comment
Policy OS-12	It shall be a policy of Council to establish the Recreation (REC) Zone in the Land Use By-law, in accordance with the Zoning Map of the Land Use By-law	This amendment would add Parks and Transit Facilities to all properties zoned Recreation (REC) according to the Zoning Map and Land Use Bylaw.
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	Parks Facilities and Transit Facilities would be added as permitted land uses in the Recreation (REC) Zone subject to a site plan approval process.

## Residential Development Objectives

Bridgewater's residential development objectives in the MPS are to encourage residential growth, accommodate a full range of housing options, promote community health, increase residential density, encourage infill development, and mix compatible uses.

Policies for Residential Development		Staff Comment
Policy 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	A site plan approval process would ensure that Parks and Transit Facilities are compatible land uses, particularly in parts of Town predominantly designed as residential.



### Site Plan Approval Process

To address site specific concerns and ensure that new uses in the Recreation (REC) Zone are compatible with surrounding land uses, the Town could require that Transit and Parks Facilities be permitted as uses in the Recreation (REC) Zone through a site plan approval process. Site plan approval allows municipalities to gain control over the site characteristics of a development in addition to controlling the use of the land. This includes such details as the location of buildings, parking, walkways, landscaping etc. To establish a site plan approval district, the Municipal Planning Strategy must contain policy support outlining where it will be applied, what uses will be subject to it, what matters will be dealt with, and what criteria will be used to evaluate it.

Bridgewater's Land-use Bylaw contains a Site Plan Approval process for residential, commercial, and institutional zones and has guided proposed Site Plan criteria for the Recreation Zone. See Appendix E for more information on site plan criteria the Town currently uses for Site Plan Approval processes.

The proposed amendment would add two new land uses to the Recreation (REC) zone: Parks Facility; and Transit Facility, as shown in Appendix A. The definitions for "Parks Facility" and "Transit Facility" would be added to Section 11: Definitions of the Land Use Bylaw. The Transit Facility definition ensures that the use does not permit automobile repair services.

The proposed definitions are:

Transit Facility | an indoor and/or outdoor facility that is used by a municipal government's transit service for vehicle storage and maintenance, exclusive of automobile repair services.

Parks Facility | an indoor and/or outdoor facility that is used by a municipal government for parks equipment storage, maintenance, and repair.

## IMPLICATIONS

### Financial/Budget

The applicant is the Town, meaning capital costs for improvements to Bridgewater Memorial Arena were included in this budget, operation and maintenance costs will be included in future budgets.

### Legal

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

### Strategic Priorities / Work Program

Municipal Planning Strategy  
Land Use By-law

## **OPTIONS**

- 1) Town Council for the Town of Bridgewater give first consideration to the amendments to the Municipal Planning Strategy and Land Use By-law to the Recreation (REC) Zone as contained in Appendix A and schedule a Public Hearing during the regularly scheduled meeting on February 8, 2021.
- 2) Deny the request for amendments to the MPS and LUB.
- 3) Defer request back to staff for further analysis.

## **COMMUNICATONS**

Policy IM-7 describes the required public participation process that staff and Council must complete before Council can consider final approval of the requested LUB amendments.

A Public Hearing will be held prior to final consideration of the proposed amendment, in accordance with Section 206 of the Municipal Government Act. A notice will be published in the local paper two weeks in advance.

**APPENDIX A**

# 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.**

**Policy OS-13**      The following Developments shall be permitted as-of-right in the Recreation (REC) Zone subject to the requirements of this By-law:

- a) Community Centres
- b) Community Gardens
- c) Cultural Facilities
- d) Interpretative Centres
- e) Leash Free Dog Parks
- f) Libraries
- g) Marinas
- h) Markets, Exhibitions, Trade Shows & Fairs
- i) Outdoor Recreational Uses
- j) Parks
- k) Recreation Facilities
- l) Visitor Information Centres

**Policy OS-13 A**      It shall be a policy of Council to permit the following developments by site plan approval in the Recreation (REC) Zone

- a) Parks Facility
- b) Transit Facility

**PUBLIC PARTICIPATION MEETING conducted on:**

December 7, 2020

**FIRST READING conducted on:**

January 11, 2021

**PUBLIC HEARING conducted on:**

**SECOND & FINAL READING conducted on:**

# Proposed Amendments to the Land Use Bylaw

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. The following section of the Land-use Bylaw should be added: 9.2.1 Site Plan Criteria for Development; 9.2.3 Developments by Site Plan; and Section 11 Definitions. The following provisions in Section 9.2 Recreation (REC) of the Land Use By-law should be amended to reflect new numbering: 9.2.1 2 Permitted Developments and 9.2.2 Zoning Standards.

## **9.2.1 Site Plan Criteria for Development**

The following site plan criteria apply to all new development that is permitted through the site plan approval process in the Recreation (REC) Zone. No development permit shall be issued for development that is inconsistent with these criteria, in addition to applicable zone standards and all other requirements of this By-law:

- a. The location of new structures on the lot shall minimize negative impacts on the surrounding neighbourhood, including noise, dust, fumes, lighting, shadows, or other nuisance or inconvenience to neighbouring properties;
- b. The location of off-street parking and loading facilities shall minimize negative impacts on the surrounding neighbourhood, including traffic, noise, dust, fumes, lighting, or other nuisance or inconvenience to neighbouring properties;
- c. The location, number and width of driveways are designed to prevent traffic, noise, dust, fumes, congestion, or other nuisance and inconvenience in the area and minimize negative impacts on the surrounding neighbourhood;
- d. The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover or other landscaping elements which is necessary to protect and minimize negative land use impact on neighbouring properties;
- e. Existing vegetation shall be retained where the vegetation is healthy and helps to minimize negative impacts on the surrounding neighbourhood;
- f. The location of pedestrian walkways, and/or related infrastructure, shall be provided to link public sidewalks and parking areas to entrances of all primary buildings;
- g. The type and location of outdoor lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties;
- h. The location of facilities for the storage of solid waste provides for maximum separation from residential development and public areas;
- i. The location of all existing easements shall be identified;
- j. The grading or alteration in elevation or contour of the land shall minimize undue erosion and/or sedimentation, and other negative impacts on neighbouring properties;
- k. The management of storm and surface water is addressed, and associated plans are approved by the Town Engineer;
- l. The type, location number and size of signs or sign structures do not negatively alter the appearance of the streetscape or neighbourhood;
- m. All signage shall be designed and constructed according to the signage requirements listed in Section 3.3;

## **9.2.1 2 Permitted Developments**

The following Developments shall be permitted as-of-right in the Recreation (REC) Zone subject to the requirements of this By-law:

- Community Centres

- Community Gardens
- Cultural Facilities
- Interpretative Centres
- Leash Free Dog Parks
- Libraries
- Marinas
- Markets, Exhibitions, Trade Shows & Fairs
- Outdoor Recreational Uses
- Parks
- Recreation Facilities
- Visitor Information Centres

**9.2.3 Developments by Site Plan**

- a) Transit Facility
- b) Parks Facility

**9.2.4 Zoning Standards**

The following requirements apply to all developments permitted as-of-right in the Recreation (REC) Zone:  
REC Recreation Zone

- Minimum front yard 3m (10ft)
- Minimum rear yard 4m (13ft)
- Minimum side yard 1.5m (5ft)
- Minimum flankage yard 3m (10ft)
- Maximum building height 10m (33ft)
- Minimum lot area 650m<sup>2</sup> (6,997ft<sup>2</sup>)
- Minimum lot frontage 21m (69ft)

**Section 11: Definitions**

Transit Facility | an indoor and/or outdoor facility that is used by a municipal government’s transit service for vehicle storage and maintenance, exclusive of automobile repair services of transit vehicles.

Parks Facility | an indoor and/or outdoor facility that is used by a municipal government for parks equipment storage, maintenance, and repair.

**PUBLIC PARTICIPATION MEETING conducted on:** December 7, 2020  
**FIRST READING conducted on:** January 11, 2021  
**PUBLIC HEARING conducted on:**  
**SECOND & FINAL READING conducted on:**

**APPENDIX B**

**MPS SECTION 17 POLICY REVIEW OF APPLICATION**

In accordance with Section 17 of the Municipal Planning Strategy, Town Council shall consider MPS Policies IM-1, IM-2, IM-3, IM-4 and IM-6 prior to making a decision on requested MPS and LUB amendments. Accordingly, planning and engineering staff have reviewed the request in accordance with the policies and provide the following comments:

<b>MPS Policy IM-6</b>	<b>Staff Comment</b>
<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>	
<i>a) Compatibility of the proposed land use with adjacent land uses; and</i>	The Site Plan Approval process will ensure compatibility with adjacent land uses through the control of the location of new structures, location of parking and loading driveways, and location of walls, fencing, and landscaping.
<i>b) Compatibility of the development with adjacent properties in terms of height, scale, lot coverage, density, bulk, and architectural style; and</i>	There are no alternations being made to the height, scale, lot coverage, density, bulk, and architectural style of the Bridgewater Memorial Arena in the proposed development.
<i>c) Compatibility of the development with adjacent properties in terms of lighting, signage, outdoor display, outdoor storage, traffic impacts, and noise; and</i>	The proposed development should not increase the traffic impacts of the existing development or increase the amount of noise coming from the facility.
<i>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</i>	The proposed development is contained within the existing Bridgewater Memorial Area and should not require additional landscaping or screening.

*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:*

*e) The adequacy of sanitary services, water services, and storm water management services; and*

Sanitary

The 2018 Sanitary Stormwater Master Plan concluded that "Future development or densification within Town will increase overflows from the sanitary and combined sewer system with the exception of development or redevelopment in areas which can drain by gravity to the WWTP." It further states that "Current NSE/CCME regulations and guidelines require that new developments or densification of existing developments do not increase the frequency or volume of overflows." To accommodate development, system improvements to the wastewater collection system will be necessary to offset the increased flows from any new development or redevelopment at a recommended ratio of 2:1 (removed 2 parts stormwater to allow 1 part of new sanitary sewer). Offsetting flows will be necessary, should the proposed wastewater flows exceed the as of right flows.

*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:*

<p>e)</p>	<p>There is a 200 mm diameter sewer main on Churchill Street. The property is serviced with a 200 mm diameter sanitary lateral. The BMA (ice shed area) was used regularly by the public for 70 years for sports such as hockey, figure skating, public skates, and ball hockey and well as other large events such as concerts, tournaments, dances, home shows, wrestling matches and markets. The proposed use of this area will reduce the occupancy load from a maximum 1200 people to 26. Toilets will be reduced from 10 to 5, showers will be reduced from 6 regularly used showers to 1 used infrequently.</p> <p>The proposed use of the building will reduce the wastewater flows substantially from the previous use of the space.</p> <p><u>Water</u></p> <p>There is a 200 mm diameter watermain on Churchill Street. The developer will be responsible for the analysis for a fire flow requirements comparing to the available fire protection. The property is serviced with a 200 mm diameter water lateral and on site sprinkler system.</p> <p>Fire flows around the location of the BMA have not changed significantly over the years. The sprinkler system was approved and designed for the original building which at the time had a far higher occupancy load and a higher fire load than the proposed use of the building. The sprinkler system piping will be reduced by a considerable amount because the stadium seating, locker rooms, and storage areas will be removed from the building and no longer required .</p> <p><u>Storm</u></p> <p>There is no available storm sewer on Churchill Street. Empire Street has a shallow 300 mm diameter storm sewer. Storm water generated from the proposed development cannot be directed to the sanitary sewer system, separation is required.</p> <p>No additional Storm Sewer will be generated by this property. In fact, the amount of clear water entering the existing Sanitary Sewer System will be greatly reduced as the process used to clean and maintain the former ice surface before, during and after hockey games and skating has stopped. The Zamboni previously shaved ice from the ice surface and dumped it outside the building on a catchbasin which was connected to the existing Sanitary Sewer.</p>
<p><b>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</b></p>	<p>The proposed development intends to use existing municipal infrastructure.</p>



**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:*

<p><b><i>g) The adequacy of the road network in, and adjacent to, or leading to the development, regarding connectivity, congestion and traffic hazards; and</i></b></p>	<p>The proposed development is on a corner lot at the intersection of Empire Street and Churchill Street. Empire Street is a collector street and Churchill Street is classified as a local street. The road network adjacent to the development is adequate to support the proposed use.</p>
<p><b><i>h) The adequacy of site access as determined by the Traffic Authority; and</i></b></p>	<p>Any changes, deletions, additions of access points will need to be approved by the Traffic Authority. It is staffs understanding that changes may be proposed and may result in reviewing the number of access points servicing the property.</p> <p>Due to the proximity of the new ramps into the building, 2 new access points will be constructed on the property. However access around the property will be limited and no through traffic will be permitted to pass in front of new ramps.</p>
<p><b><i>i) The ability of emergency services to respond to an emergency at the location of the proposed development; and</i></b></p>	<p>Street networks are adequate for emergency service to respond, on site emergency access will be reviewed during the Building Permit process. The property is to be properly civic addressed per the current Civic Numbering Bylaw.</p>
<p><b><i>j) The adequacy of active transportation infrastructure to support walking and cycling to and from the proposed development; and</i></b></p>	<p>Both Empire Street and Churchill Street have sidewalks on one side, there are no dedicated cycling lanes on either street.</p>
<p><b><i>k) The provision of off-street vehicle and bicycle parking to prevent significant congestion, nuisance and inconvenience in the area; and</i></b></p>	<p>The site plan approval process will determine automobile and bicycle parking requirements.</p>
<p><b><i>l) Consideration of any previous uses of the site which may have caused soil or groundwater contamination; and</i></b></p>	<p>The proposed property was previously used as a municipal arena originally constructed around 1950. Such operations and construction types used various materials that could cause environmental concerns, however staff are not aware of any significant issues.</p>
<p><b><i>m) Suitability of the site in terms of slope and flood and erosion risk in accordance with Map 6 – Environmental Constraints; and</i></b></p>	<p>Map 6 – Environmental Constraints does not identify any areas having risk of flooding and identifies a small portion of the property having slopes 20-30%.</p>

**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:*

<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 provided sound engineering and construction methods are followed.</p>
<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 proposed alterations to the Bridgewater Memorial Arena do not require the application of sustainable design principles and energy efficient technology.</p>
<p><i>p) The financial ability of the Town to absorb any costs relating to the proposal; and</i></p>	<p>Capital costs for improvements were included in this budget, operation and maintenance costs will be included in future budgets.</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 proposed amendments to the Land Use Bylaw require an amendment to the Municipal Planning Strategy to ensure consistency.</p>

## **APPENDIX C**

### **Minutes from Public Participation Meeting: Recreation Commercial Zone – Text Amendments**

Wednesday, December 9, 2020 @ 6:00PM (virtual)

Attendance: Scott and Pearl Foyers; Nelson Nolan (Planner, Town); Graham Hopkins (Inspection and Facilities Manager, Town) and Nick Brown (Chair)

- The attendees wondered why if the proposal is for the Bridgewater Memorial Arena (BMA) property, then why not make the amendments site specific? The Planner responded that it is much preferred to make amendments to a zone, rather than a property. The Municipal Planning Strategy sets out objections and conditions for each zone, so it can be messy or confusing when certain properties within a zone have different permissions.
- The attendees and staff discussed hypothetical situations including the use of the existing tennis courts and the Curling Club, as both are located in the Recreation (REC) Zone. It was proposed that the amendments could be conditioned in several ways. For example, it may only permit Parks Facilities and Transit Facilities in existing structures. Staff commented on constraints associated with other REC zoned properties and reiterated that the proposal at hand is for the BMA property.
- The Planner confirmed, upon questioning, that Parks Facilities and Transit Facilities are not presently permitted in the REC Zone.
- The Planner was asked why the Town would not rezone the BMA property, to which the reply was that those uses are currently not identified in the Land Use By-law (anywhere). The text amendments must be made, and staff deemed it appropriate to maintain the current REC zoning at 123 Empire Street, with these additional permitted developments.
- The Planner, upon questioning, confirmed the surrounding zoning and land uses.
- It was said that the proposal for the BMA would result in an excellent use of the building, and that it would be good to see it not left vacant.
- The Inspection and Facilities Manager described the full proposal for the BMA site.
- Discussion continued with respect to parking and traffic concerns on Crescent Street.

### **ASK BRIDGEWATER SUBMISSION**

#### **Questions / Comments:**

Can you identify which 8 (Rec) properties are specifically included this application?