

# Amendments to Special Commercial (C8) Zone

Community Development Department  
November 25, 2020

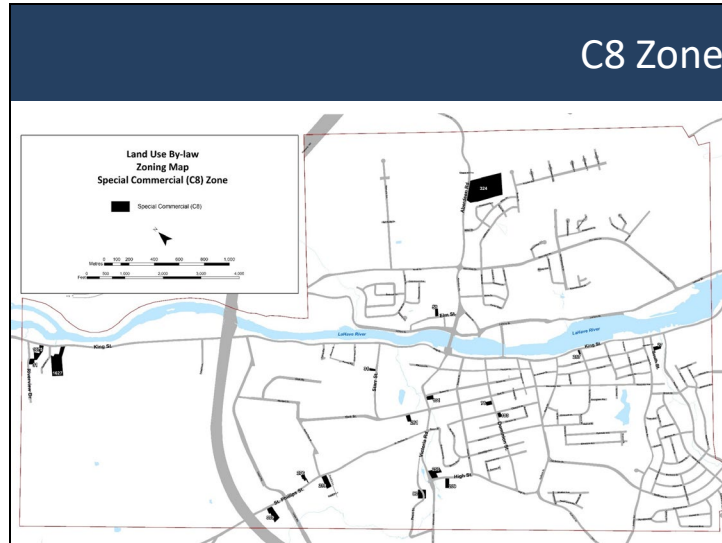


## Application

- Amend Municipal Planning Strategy (MPS) and Land Use By-law (LUB)
- Permit additional commercial uses by development agreement
- Reason for amendment: provide greater flexibility to properties that have limited permitted uses

2020-11-23

- The amendments being proposed are to the Municipal Planning Strategy and the Land Use Bylaw. The MPS provides the policy framework for land use and development control and the LUB is the by-law to implement that policy.
- These amendments are looking to permit additional commercial uses by development agreement in the C8 Zone.
- There are three planning process types and different uses are permitted in different zones by a certain process: as of right, site plan and development agreement. A development agreement is a legal agreement between Town Council and a property owner that enables certain development to happen on that property. The Municipal Planning Strategy and Land Use By-law detail what type of land use activities require a development agreement in order to be permitted. A development agreement may take 4 to 6 months or longer to complete, depending on the complexity of the project proposal.
- The reason for these amendments is to provide greater flexibility to C8 properties because they currently have very limited permitted uses.



- This map shows the location of the C8 properties in town. There are 18 of them and they are diverse:
  - Located throughout town
  - Vary in size
  - Have different surrounding zoning and surrounding uses
  - Are on a variety of streets with varying street classifications
  - Have a range of current uses.

## C8 Zone

- Contains properties with commercial uses in residential areas
- Uses were established before zoning
- Controls are in place to reduce conflict in residential areas
- Council has ability to rezone if commercial use is discontinued

2020-11-23

- The C8 Zone consists of properties where commercial uses exist in residential areas.
- Commercial uses were established at these properties before land use zoning was created in the 1970s, so they were permitted to continue in the existing building. However, controls were placed to reduce any conflict to these residential areas.
- The Town's policy says that if these commercial uses are discontinued Council has the ability to rezone the properties to what they are designated as in policy. Every property in town falls into a zone, but also into a designation, which is what Council envisions for that property in the future. Policy shows the majority of these 18 properties as residential.
- The intent of the policy is to actually get rid of the commercial uses in this zone and transition it to residential.
- However, staff feel that permitting more uses by development agreement would help property owners because some buildings aren't well-suited to residential and a low-impact commercial business may still be suitable.
- Staff also believe this is supported in policy because the uses are no more disruptive or conflicting than the existing uses, and general town policy supports a mix of compatible uses.

## Current Permitted Uses

As-of-right	With conditions*	By development agreement*
<ul style="list-style-type: none"><li>• Single unit dwellings</li><li>• Two-unit dwellings</li><li>• Site-specific commercial use</li></ul>	<ul style="list-style-type: none"><li>• Home based businesses</li><li>• Residential conversions up to three units</li></ul>	<ul style="list-style-type: none"><li>• Expansion of building or use</li><li>• Multi-unit residential (up to 4 units/acre)</li><li>• Collective residential (up to 4 units/acre)</li><li>• Inns in pre-1975 buildings</li></ul>

\* In accordance with policies

2020-11-23

## Proposed Permitted Uses

- In existing buildings:
  - Craft workshop
  - Dog grooming
  - Dressmaking & tailoring
  - Galleries
  - Household repair services
  - Offices
  - Personal service shops
  - Retail sales up to 1000sq ft (corner lots of arterial or collector streets, immediate residential area as service area)
  - Studios

2020-11-23

## Why these uses?

- Returning to 1997 uses
- They are less impactful commercial uses
- Some are permitted in residential zones
- Similar to Restricted Commercial (C6) Zone
  - Commercial abutting residential with increased setbacks
  - Limits commercial uses
  - Limits size of building additions
- Similar to home-based businesses

2020-11-23

- The list is based off what was permitted by development agreement in the 1997 planning documents, so staff is returning to that list.
  - In 2014 this list was removed because there was intent to slowly revery the C8 Zone to residential, so uses were really limited.
  - Since then staff have realized it doesn't make sense for all of the properties and can prevent property owners from finding adaptive reuse of the buildings.
- The uses were reviewed to be sure they were considered less impactful commercial uses that are suitable for a residential context
- A few of these uses, but not all, are permitted in residential zones through development agreement
- They are also similar to the uses permitted in the Restricted Commercial Zone, which is commercial, not residential, but is located on corridors in town like Dufferin Street where it abuts residential, so it provides a good idea of compatible uses and practices to make the uses more compatible
  - There are increased setbacks in this zone in order to reduce negative impacts on adjacent residential properties
  - It also limits the list of permitted commercial uses because it considers the surrounding residential area
  - And it limits the size of building additions
- The uses are also similar to what is permitted as home-based businesses, however with home-based businesses there are even more restrictions because the commercial use must be secondary to the main residential use and be a maximum 350sq ft


## Why by development agreement (DA)?

- Variety of C8 Zone properties
- Permitted by development agreement in 1997
- Increased control to support compatibility
- Wastewater capacity
- Properties designated primarily as residential, not commercial
- If a change of use were requested the application would go through the Town's Development Agreement criteria and process

2020-11-23

- The amendments would look at having these uses permitted by development agreement, rather than as-of-right for a few reasons
- There is a variety of properties that make up the C8 Zone. As shown on the map, they are located in various places around town, with a variety of surrounding zones and uses. Not all of these properties would actually suit all of the proposed additional uses.
- As mentioned, a similar list of uses existed in the 1997 documents, and these were by development agreement
- There is an increased ability to make sure the proposed use will fit in with the adjacent properties through ways such as buffering or screening for example.
- Generally the town is facing wastewater capacity issues and some of the permitted uses would increase wastewater flows, which is something the town is working to avoid. Having these uses permitted by development agreement provides opportunity for any required offsetting measures to be captured, whereas they wouldn't be if the uses were permitted as-of-right.
- Almost all the 18 properties are designated as residential on the Future Land Use Map of the Municipal Planning Strategy, not commercial, and amendments can't fully go against policy. So although these amendments would permit more commercial uses on these properties, there would still be limitations as to what is permitted where.
- In the future, if the amendments are passed and a property owner requests a change of use to something on the proposed list, a development agreement process would be required to determine if the proposed use is in fact suitable on that specific property. Staff would need to determine if it is compatible with the neighbourhood and is supported with existing infrastructure. The application would go through the Town's Development Agreement criteria and process.

## Next Steps

1. Preliminary Memo to Council
2. Information Meeting
3. Public Participation Meeting (November 25<sup>th</sup>) 
4. Planning analysis report to Council and first reading of proposed amendments
5. Public Hearing - Please identify on sign in sheet if you'd like to be notified
6. Second Reading of amendments (same date as Public Hearing)
7. Review by Provincial Director of Planning
8. Publication of amendments (amendments in effect)

**\*\*Red** stages provide opportunity for public comment.

Comments welcome to [mackenzie.childs@bridgewater.ca](mailto:mackenzie.childs@bridgewater.ca) or 902-541-4386 by December 2, 2020

2020-11-23



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