



AMHERST TOWN COUNCIL

RFPD# 2018142

Date: October 22, 2018

TO: Mayor Kogon and Members of Amherst Town Council

SUBMITTED BY: Andrew Fisher, Manager of Planning & Strategic Initiatives

DATE: October 22, 2018

SUBJECT: **Application to Amend the MPS Future Land Use Designation Map and LUB Zoning Map**

SUBJECT: Application to amend the MPS Future Land Use Designation Map and LUB Zoning Map to change the zone for 283 & 295 Church Street from Industrial to Highway Commercial.

RECOMMENDATION OF THE PLANNING ADVISORY COMMITTEE: That Council amend the Municipal Planning Strategy Schedule 'A' Future Land Use Designations Map by changing 283 & 295 Church Street from Industrial to Highway Commercial, and amend the Land Use Bylaw Schedule 'A' Zoning Map by changing the same properties from the Industrial Zone to the Highway Commercial Zone.

NEXT COURSE OF ACTION: Give Second Reading of the amendment.

PLANNING MANAGER COMMENTS: All relevant policies and procedures have been followed with respect to LUB & MPS amendments. A Public Participation Opportunity was held at the June 4, 2018 meeting of the PAC with no objections from the four people in attendance. First Reading was given approval at the June 25, 2018 regular meeting of Council.

RECOMMENDATION: Report/Document: **Attached** Available ___ Nil ___
Staff report to PAC.

KEY ISSUE(S) CONCEPTS DEFINED: The subject properties are approximately 7 acres and 1.8 acres in area. The larger parcel contains a former manufacturing plant approximately 8,830 m² (95,000 sqft) in area, and the smaller parcel, approximately 1.7 acres, is vacant except for a fence. The former manufacturing area of the building is currently used for storage space, rental and warehousing. Approximately 483 m² (5,200 sqft) of the front part of the building is a 1-storey office space. The subject properties are surrounded by pasture, single detached dwellings, and a leased land community. The property owner wants to convert a portion of the offices to a residential unit. Residential uses are not a permitted use in the Industrial Zone but are permitted in the Highway Commercial Zone.

RELEVANT POLICY:
MPS 2.3.1 General Land Use and Development



A Generalized Future Land Use Map has been created which identifies the desired future land uses within the Town. To a large degree this map reflects the existing land use pattern of the built-up areas of the Town.

Policy CP-6 is relevant as it states Council's intention to allow light industrial and residential uses within commercial designations (ie. Zones).

Policy A-5 lists the overall matters that should be considered in relation to any potential planning document amendment and the most relevant sections are:

(a) **That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.**

(c) **That consideration is given to the extent to which the proposed type of development might conflict with any adjacent or nearby land uses by reason of:**

(i) **type of use;**

(ii) height, bulk and lot coverage of any proposed building;

(iii) **parking, traffic generation, access to and egress from the site;**

(iv) **any other matter of planning concern outlined in this strategy.**

Staff feel this rezoning request conforms to general intent of the MPS and other regulations and does not represent a significant potential impact on the surrounding area over and above the current situation. The subject properties are surrounded by the Highway Commercial Zone so the rezoning would be a logical extension of this zone. It could also be argued that having a residential use onsite could increase security in the area.

It is important to consider and compare the uses permitted in the Industrial and Highway Commercial Zones. A positive outcome to changing to Highway Commercial is that it continues to allow light industrial uses but not heavier industry that might not be appropriate in close proximity to residential uses. Conversely, the Highway Commercial Zone permits almost any commercial use, including retail and vehicle-oriented uses. The main impacts of these permitted uses could be increased traffic and activity; however, the risk of negative impacts to the surrounding area are relatively low. The properties are located on an arterial street and the site was originally designed for a large-scale industrial use.

RESPONSE OPTIONS:

1. Give second and final reading of the amendments;
2. Reject the rezoning request;
3. Defer a decision and direct staff to provide more information.

IMPLICATIONS OF PAC RECOMMENDATION:

GENERAL: The recommendation of the PAC, which followed an advertised Public Participation Opportunity, is in general keeping with MPS policies.

COMMUNICATION: Upon second reading, the right to appeal will be advertised, following which the Provincial Director of Planning will be given notice of the amendment.

OTHER COMMENTS:

Submitted by: Andrew Fisher, Manager of Planning & Strategic Initiatives

Reviewed by: