

To: Planning Advisory Committee  
From: Andrew Fisher, Manager of Planning & Strategic Initiatives  
Date: June 4, 2018  
Subject: **Planning Strategy Future Land Use Map & Land Use Bylaw Map Amendment – 283-295 Church Street Rezoning**

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## **INTRODUCTION:**

An application by the property owner of 283 & 295 Church Street (PID 25014648 & 25014655) to change the zoning from Industrial to Highway Commercial. The zoning change is being requested to allow a portion of the existing building to be used for a residential purpose.

This rezoning request also requires an amendment to the Future Land Use Designations Map of the Municipal Planning Strategy (MPS).

## **BACKGROUND:**

The subject properties are approximately 7 acres and 1.8 acres in area. The larger parcel contains a former manufacturing plant approximately 8,830 m<sup>2</sup> (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 m<sup>2</sup> (5,200 sqft) of the front part of the building is a 1-storey office space. The property owner wants to convert a portion of the offices to a residential unit.

Adjacent uses include single-detached dwellings to the northwest, and directly across the street. Farm fields surround the rear of the properties, and soccer fields to the southeast. Also, to the southeast and across the street is a mobile home park (Brentwood Estates). As shown on the attached map, the lands surrounding the subject properties are zoned Highway Commercial. The lands across the street are zoned General Residential, and Mini Home.

Residential uses are not a permitted use in the Industrial Zone but are permitted in the Highway Commercial Zone. As proposed, conversion of the building for residential purposes would be internal only with no significant change to the building exterior. The bulk of the building and the property would continue to be used for commercial purposes.

Attached are excerpts from the Land Use Bylaw (LUB) showing the permitted uses for the Industrial and Highway Commercial Zones.

## **RELEVANT POLICY AND DISCUSSION:**

The Municipal Planning Strategy (MPS) contains the general development policies that guide the detailed regulations set out in the Land Use Bylaw (LUB). Likewise, the Future Land Use Designations Map prescribes the locations for general groups of uses, and the LUB Zoning Map provides detailed zoning on specific properties. As noted in the MPS policies below, the Future Land Use Designations Map mostly reflects the existing land uses in Town. As such, the subject properties were designated Industrial, shown in yellow on the attached map.

Amending the MPS Map does not significantly change the circumstances of this rezoning request. The biggest difference lies in how the amendment is administered, in that the MPS amendment is subject to review by the Provincial Director of Planning. An LUB amendment with no MPS amendment does not require Provincial Director of Planning review.

The following MPS policies establish the context for the Future Land Designations Map.

**MPS 2.3.1 General Land Use and Development**

*The general land use and development objectives of this plan strive to ensure that an adequate supply of land exists for all land uses within the Town. 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.*

**MPS 3.1 General Land Use Policies**

<i>Generalized Future Land Use Map</i>	<b>GP-1</b> <i>It shall be the intention of Council to provide for the overall development of the Town in accordance with the Generalized Future Land Use Map which constitutes Schedule A of this document.</i>
	<b>GP-2</b> <i>It shall be the intention of Council to designate on the Generalized Future Land Use Map areas to be predominantly used for residential, commercial, industrial and other purposes.</i>
	<b>GP-3</b> <i>It shall be the intention of Council to allow a limited range of compatible uses in each designation, subject to the policies of this document.</i>

Any LUB amendment must be in keeping with the general intent of the Municipal Planning Strategy (MPS). The following MPS policies are most relevant to this request to amend the LUB Zoning Map.

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

<i>Compatible Uses</i>	<p><b>CP-6</b> <i>It shall be the intention of Council to ensure that areas designated Commercial are primarily used for commercial purposes. Within designated commercial areas other uses which may be permitted include:</i></p> <ul style="list-style-type: none"> <li><i>(a) residential uses;</i></li> <li><i>(b) light industry;</i></li> <li><i>(c) parks and open spaces;</i></li> <li><i>(d) recreation facilities;</i></li> <li><i>(e) institutional uses and public buildings;</i></li> <li><i>(f) utilities and other such uses deemed to be compatible and desirable within a commercial area.</i></li> </ul>
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**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 provided in bold font.

<p><i>Amendment Criteria</i></p>	<p><b>A-5</b> <i>It shall be the intention of Council, when considering an amendment to this or any other planning document, including the entering into or amendment of a development agreement, to consider the following matters, in addition to all other criteria set out in the various policies of this planning strategy:</i></p> <p><b>(a) That the proposal conforms to the general intent of this plan and all other municipal bylaws and regulations.</b></p> <p><b>(b) That the proposal is not premature or inappropriate by reason of:</b></p> <p><i>(i) the financial capability of the Town to absorb any costs relating to the development;</i></p> <p><i>(ii) the adequacy of municipal water, sanitary sewer and storm sewer services;</i></p> <p><i>(iii) the adequacy of road networks, in, adjacent to, or leading to the development;</i></p> <p><b>(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:</b></p> <p><b>(i) type of use;</b></p> <p><b>(ii) height, bulk and lot coverage of any proposed building;</b></p> <p><b>(iii) parking, traffic generation, access to and egress from the site;</b></p> <p><b>(iv) any other matter of planning concern outlined in this strategy.</b></p>
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Per the Procedure for Public Participation and Notification, notices of the Public Participation Opportunity were mailed to owners of property within 60 metres, and hand-delivered to occupants within 30 metres. Notice was also placed in the local newspaper. As of the time of writing one question was received and no submissions for or against the zoning change had been received.

**CONCLUSIONS:**

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. It could also be argued that having a residential use onsite could increase security in the area.

As noted above the MPS Future Land Designations Map is intended to outline the location and type of uses that guide detailed zoning in the LUB Zoning Map. The circumstances of this particular rezoning request are not substantially changed by the need to amend the MPS map. It could be characterized as a 'housekeeping' issue.

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 a arterial street and the site was originally designed for a large-scale industrial use.

**MOTION OPTIONS:**

**Option One:** I move that the Planning Advisory Committee recommend that Council amend the Municipal Planning Strategy Schedule 'A' Future Land Use Designations Map by changing 283 & 295 Church Street from Industrial to 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.

Option Two: I move that the Planning Advisory Committee recommend that Council **not** amend the Municipal Planning Strategy Schedule 'A' Future Land Use Designations Map by changing 283 & 295 Church Street from Industrial to 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.

Option Three: I move that the Planning Advisory Committee defer the application and instruct Staff to provide more information.

**STAFF RECOMMENDATION: Option One.**