

Notice of Approval of Amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB)

These amendments were approved by Council on May 23, 2024 and deal with the creation of a Special Commercial (C-3) Zone and the rezoning of the next residential subdivision of Perry Lake Developments.

The amendments were reviewed by the Provincial Director of Planning who has determined that they do not require ministerial approval.

The amendments are available on the Town's website or at the Town Office and are effective the day this notice is posted on the Town's website.



Amendments to the Municipal Planning Strategy and Land Use By-law

The Municipal Planning Strategy (MPS)

The MPS is amended:

(a) by deleting the following from Section 4.1 the following:

“One of these residential areas deserves special mention, and that is the area along Main Street between the highway commercial uses near the highway and the downtown. Although there will be pressure to convert this area to commercial uses (there are already several commercial uses intermixed with the residential ones), Council feels it is important to maintain the area as residential to provide a buffer between the two commercial areas. If this main entrance of the Town becomes an unbroken commercial strip, the goal of promoting the Downtown area as a vibrant, pedestrian-friendly place to visit will be jeopardized.

Equally important is this area’s proximity to the residential component of the Perry Lake proposal, located just to the south of this area. The proposal consists of a subdivision in excess of 30 lots for the first phase and a mix of residential uses. Maintaining the residential uses on Main Street will solidify this entire area as a stronger residential community. The Serviced Residential designation will include an area on Main Street East up to Riverside Avenue.”;

(b) by adding the following section after **Section 5.2 Highway Commercial**

“5.2A Special Commercial (C-3) Zone

While most of the residential areas of the Town will be zoned primarily for residential uses one area has been chosen for a limited number of commercial uses. This is the area along Main Street between the highway commercial uses near the highway and the downtown.

The Town has received a request to allow the conversion of a house at 12 Main Street into a café in order to expand one that is located on property leased from the Town. The lease is nearly up and the property may be the site of a new library.

Council is in favour of allowing this use at 12 Main Street and will give the other residential properties in the area the same opportunity to have a similar commercial use if the owners decide to do so.

One reason for allowing commercial uses on this section of Main Street is to attract people to continue along Main Street into the downtown. Main Street is the main route into the downtown.

So that Main Street will not in time have the appearance of one long commercial strip the commercial uses in this area will only be permitted in buildings which have a residential "look". There are no significant changes being made to the existing home at 12 Main Street so it will retain its residential appearance. If new construction is proposed for other sites at some point in time the building will be required to look like a residence.

The type of commercial uses will also be controlled. Uses which do not generate a lot of traffic such as cafes, hair salons, small offices, physical therapy clinics, etc will be the kind of commercial use permitted. There will also be other requirements to help maintain the residential character of this area, such as parking lots in the rear yard.

Council will accomplish this by establishing a special commercial zone which will initially only apply to the area on Main Street between the Downtown Commercial (C-1) Zone and the Highway Commercial (C-2).

The zone will also allow residential uses so a building may contain both a dwelling unit and a commercial use.

Policy CP-6A

It shall be a policy of Council to establish the Special Commercial (C-3) Zone which will permit a limited number of commercial uses which do not generate a significant amount of traffic and have less of an adverse effect than other commercial uses on adjacent residential uses.

Policy CP-B

It shall be a policy of Council to zone the property at 12 Main Street (PID#20122750) to the C-3 Zone.

Policy CP-6C

It shall be a policy of Council to consider a rezoning to the C-3 Zone in the area along Main Street between the Downtown Commercial (C-1) Zone and the Highway Commercial C-2 Zone.

Policy CP-6D

The C-3 Zone shall contain requirements designed to help maintain the residential appearance of the area.”; and

(c) by deleting the following from the first paragraph of **Section 5.3:**

“Council has identified one step in Section 4.1 to achieve this goal. Instead of having a continuous commercial strip along the street, the residential area that currently exists near Highway 2 will be preserved for the long term.”

Land Use By-law

The Land Use By-law is amended:

(a) by adding in Section 3.1 **Zones** “Special Commercial C-3” below “Highway Commercial (C-2)”

(b) by adding to the end of **Part 9** the following:

“9.3 Special Commercial (C-3) Zone

9.3.1 Permitted Uses

The following uses are permitted in this zone:

- cafes
- hair salons
- business or professional offices
- flower sales
- physical therapy establishments
- uses permitted in the General Residential (R-2) Zone

9.3.2 Lot Specifications

The following minimum specifications apply to all lots in the Special Commercial (C-3) Zone

	MINIMUM SPECIFICATIONS
Minimum Lot Area	460 m ² (4952 sq. ft.)
Minimum Lot Frontage	15 m (49.2 ft.)
Required Front Yard	6 m (19.7 ft.)
Required Rear Yard	6 m (19.7ft.)

Required Flanking Yard	3.5 m (11.4 ft.)
Required Side Yard	1m (3.3 ft.) on one side and 3 m (9.8 ft) on the other
Maximum Height	11 m (36 ft.)

9.3.3 Lot Specification Exceptions

A conversion of an existing residence (no expansion to building footprint) to a commercial or partial commercial use need not meet the yard specifications above.

9.3.4 Residential Appearance

Any building which is used for a commercial use will either by the conversion of an existing residence or by the redevelopment of a residential property have the appearance of a residence in terms of windows and a roof with a minimum pitch of 4:12.

9.3.5 Drive- thrus Not Permitted

Drive-thrus are not permitted in this zone.

9.4.5 Buffer required

The parking area and garbage receptacles shall be screened from adjacent residential uses by:

- a) a fence that forms an opaque visual barrier at least 1.75 m (5.7 ft) high; or
- b) a evergreen hedge that is at least 1.75 (5.7 ft.) high.

9.4.6 Maximum Size of Commercial Use

The size of the commercial use shall be restricted to 120 sq. metres (1291 sq. feet), excluding decks and accessory buildings.

9.4.7 Signage

Notwithstanding Part 7, one sign with a maximum size of 1 square metre (10.8 sq. ft.) shall be permitted and shall not be a flashing or digital sign.

9.4.8 Dumpsters

Dumpsters are not permitted.

9.4.9 Lighting

Lighting is designed to light the structure, driveways and pedestrian infrastructure, but shall not be directed onto neighbouring properties or public streets.

- (c) By Rezoning the property At 12 Main Street to the Special Commercial (C-3) Zone from the General Residential (R-2) Zone.



Amendments to the Municipal Planning Strategy and Land Use By-law

Perry Lake - Phase 3

Municipal Planning Strategy amendment

The Municipal Planning Strategy is amended by:

- (a) Deleting the first bullet of the third paragraph of Section **4.1.3 Multiple Unit Residential Development** as follows:

“In addition to single and two unit residential developments this proposal includes a site for multiple unit residential development consisting of two buildings of six storeys. Council has determined that this development is consistent with criteria contained in this Strategy and will zone these sites to the Multiple Mid Rise Residential (R-3B) Zone.”

and substituting therefor the following:

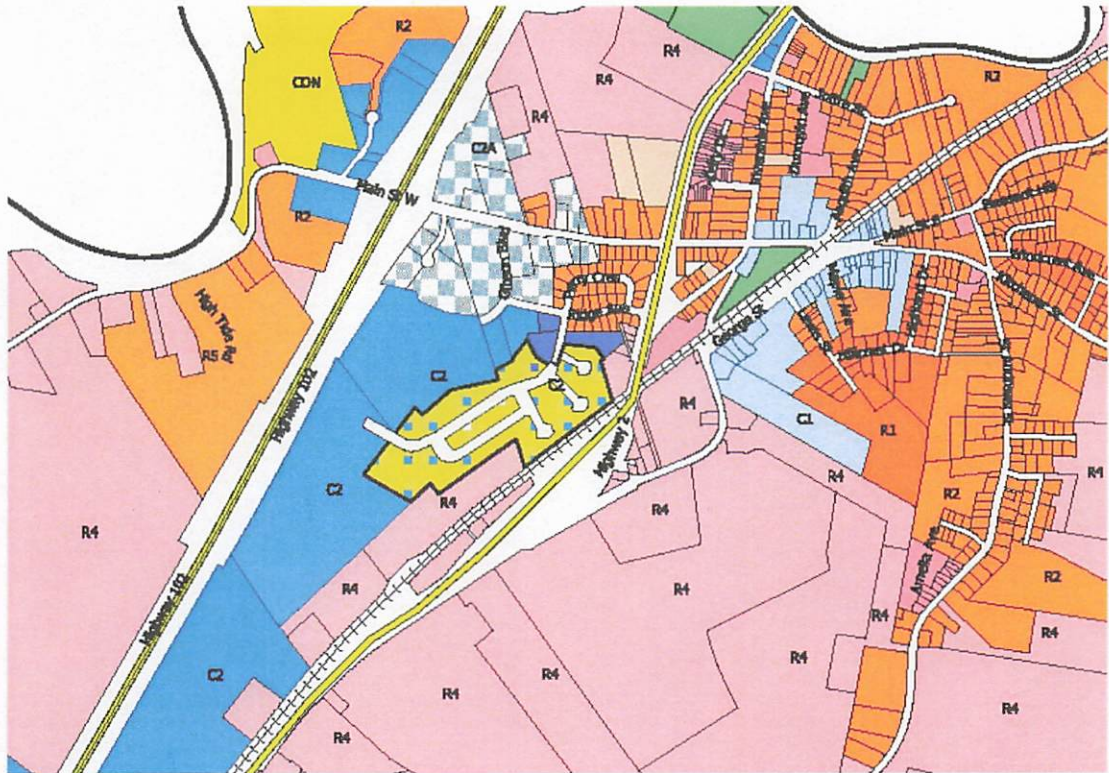
“In addition to single and two unit development the proposal includes a number of sites for townhouse development and apartment buildings as shown on a concept plan submitted to the Town in 2007.

Council is in favour of zoning the site to reflect this 2007 Concept Plan. The Town is planning to upgrade its water and wastewater system and the owner Perry Lake Limited is aware that these upgrades will be necessary to service all of the site in the long term. Perry Lake has indicated the planned “build out” of the site is in the order of 10 to 12 years.

The Statement of Provincial Interest on Housing states that the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types. Council has already made changes to reduce lot sizes and yard requirements. This zoning will more directly encourage higher densities.

As well, the senior levels of government have stated that establishing higher densities will be a requirement in accessing funding for service upgrades such as the ones being planned by the Town.”

- (b) adding “including the multi-unit development shown on the Perry Lake Limited Concept Plan” to the end of Policy RP-8.
- (c) redesignating on the Generalized Future Land Use Map the area highlighted below to Serviced Residential.



Land Use By-law Amendment

The Zoning Map of the Land Use By-law is amended by rezoning to the General Residential (R-2) Zone and the Multiple Mid-Rise Residential (R-3B) zone the area as shown below.

