



PLANNING SERVICES PUBLIC ADVISORY PANEL

Municipal Planning Strategy and Land Use Bylaw Plan Review

Town Hall – Council Chambers

Wednesday, April 13, 2016

7:00 pm

AGENDA

1. Call to Order
2. Approval of the Agenda
3. Selection of Chairperson
4. Approval of Minutes
5. Review: MPS Sector/Land Use Policies.
6. Next Meeting – April 25, 2016
7. Adjournment

Middleton MPS/LUB Review
Introduction and Process Overview
April 13, 2016

Existing Middleton Municipal Planning Strategy, Commercial and Industrial Policies		
Part 2.5		
Policy, Business District		Comment
C1, Generalized Future Land Use	The area indicated on Map A, the Future Land Use Map, shall be designated as the Business District. It is intended to provide a primarily pedestrian-oriented area in which retail stores, offices and financial institutions may locate.	
C2, Generalized Future Land Use	The areas indicated on Map A, the Future Land Use Map, shall be designated as the Highway Commercial area. It is intended to provide locations in which car-oriented businesses and facilities may locate.	
C3, Large Development in BD Zone	Business District uses having a floor area of greater than 465 sq. metres (5,005 sq. ft.) shall be permitted in the Manufacturing and Industry Zone subject to a Development Agreement.	
C4, Outdoor Storage in BD Zone	Permanent outdoor storage or outdoor display shall be permitted and regulated within the Business District. Temporary outdoor display shall be permitted provided it does not interfere	

	with vehicular or pedestrian traffic.	
C5, Residential Development in BD Zone	No dwelling units shall be permitted within the Business District unless the dwelling units are located above the commercial ground floor level are existing uses, or are located in areas specified in the Land Use By-law.	
C6, Residential Development in BD Zone	Existing single family dwellings within the Business District shall be permitted to remain as conforming uses and may expand or be converted to any other residential use provided that they meet the requirements set out in the Residential Zone of the Land Use By-law.	
C7, Boarding Homes in BD Zone	Tourist homes and boarding houses shall be permitted in the Business District provided adequate on-site parking is provided at the side or rear of the structure.	
C8, Motels in BD Zone	Motels shall not be permitted in the Business District.	
C9, Utility Uses in BD Zone	Service utility and service industry offices shall be permitted in the Business District.	
C10, Yard Setbacks	Front yard, side yard and rear yard setbacks shall not be required for commercial uses.	
C11, Parking Requirements	Development located:	

	<p>(i) between Main Street and George Street fronting on Commercial Street; and</p> <p>(ii) between Main Street and Church Street fronting on School Street.</p> <p>Shall be exempted from parking and loading/unloading requirements. Notwithstanding this exemption, where space is available, new developments shall be encouraged to provide off-street parking and loading/unloading areas.</p> <p>(iii) all other development within the Business District shall be required to provide adequate parking as set out in the Land Use By-law.</p>	
H12, Maximum Height in the BD Zone	No structure erected in the Business District shall be over seven stories in height.	
C13, Signage	Signs and commercial advertising shall be regulated.	
Policy Highway Commercial		
C14, Highway Commercial Requirements	<p>Highway Commercial uses shall be required to provide:</p> <p>(i) adequate on-site loading/unloading facilities; and</p>	

	(ii) adequate on-site customer parking as set out in the Land Use By-law.	
C15, Maximum Frontage, Highway Commercial Lots	Highway Commercial uses shall not be permitted to have continuous street access along the street line(s) of the property, but shall be restricted to the type of access and egress set out in the Land Use By-law.	
C16, Outdoor Storage	Outdoor storage areas shall be fenced and screened from the view of the public. This requirement shall not apply to outdoor display areas.	
C17, Existing Uses	Existing dwellings within the Highway Commercial Zone shall be permitted to remain as conforming uses and may be converted to any other residential use.	
C18, Commercial Uses in Industrial Park	Highway Commercial uses shall be allowed to locate in the Manufacturing and Industrial areas but only on lots fronting on the south side of West Street and the east side of Brooklyn Road.	
C19, Residential Uses, Brooklyn Rd.	High density residential developments (greater than 10 dwelling units/gross acre) shall be permitted by development agreement in the Highway Commercial designation on properties abutting the west side of Brooklyn Street.	

Policy, Manufacturing and Industry		
M1, Generalized Future Land Use	The areas indicated on Map A, the Future Land Use Map, shall be designated as the Manufacturing & Industry areas. These areas reflect both the existing Manufacturing & Industry and proposed Industrial Park Lands.	
M2, Commercial Uses in Industrial Park	Business District uses having a minimum floor area of 465 m ² (5,005 sq. ft.) shall be permitted in the Manufacturing and Industrial Zone subject to a Development Agreement.	
M3, Parking and Loading Requirements	<p>All new Manufacturing & Industry uses shall be required to provide:</p> <p>(a) off-street parking for employees, customers and visitors; and</p> <p>(b) off-street loading and unloading facilities.</p>	
Land Use By-law Provisions		
Part 12, Business District (BD) Zone		
12.1, Permitted Uses	<p>No development permit shall be issued in a Business District (BD) zone except for one or more of the following uses:</p> <ul style="list-style-type: none"> - amusement arcades - apartment buildings (1998 Civic Addressing 	

	<p>Map, 357 Main Street, 135 Commercial Street, 8/10 School Street, 12 School Street, 14 School Street, 72 Marshall Street, 261/263 Marshall Street)</p> <ul style="list-style-type: none"> - A.W. Allen Building Supply & Mill (1998 Civic Addressing Map, 166 Commercial Street) - banks and financial institutions - Bruce's Imperial service station (1998 Civic Addressing Map, 259 Main Street) - bus or coach stations or depots - cinemas, theatres and concert halls - commercial schools - courthouse uses - dry cleaning retail outlets and associated plants - fire stations - hotels - laundromats - Maritime Tel. & Tel. facilities - medical clinics - museums and art galleries - news and magazine stands - N.S.P. garage (1998 Civic Addressing Map, 259 Marshall Street) - offices - parking lots and structures - photography studios - police station - post offices - printing establishments - professional offices - public libraries - public washrooms - public works facilities 	
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	<ul style="list-style-type: none"> - railway structures including rail passenger stations and rail freight terminals - repair shops - residential dwelling units located above the ground floor level of a commercial structure - residential dwelling units not fronting on Commercial Street, Main Street or School Street - retail establishments including, but not restricted to the following: <ul style="list-style-type: none"> appliance and equipment rentals bakeries bicycles and sports equipment stores booksellers and stationers boutique and craftshops catering establishments clothing and footwear shops confectioners dairy, meat, fish, fruit and vegetable markets delicatessen shops department store drug stores florists furniture and furnishing shops gas, electric and telephone showrooms grocery stores and supermarkets hairdressers, barber shops and beauty salons hardware shops jewellery shops mail-order establishments manpower centres Nova Scotia liquor stores opticians pet and pet food shops photographic, radio and electrical goods shops restaurants sundry and variety stores 	
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	<p>take-out food outlets taverns, beverage rooms and lounges tobacconists travel and ticket agencies</p> <ul style="list-style-type: none"> - single detached dwellings (1998 Civic Addressing Map, 336 Main Street, 352 Main Street, 8 Maple Street, 12 Maple Street, 303/305 Marshall Street, 299 Marshall Street, 5 George Street, 7 George Street, 9 George Street, 11 George Street, 60 Commercial Street, 84 Commercial Street, 149 Commercial Street, 147 Commercial Street, 145 Commercial Street, 141 Commercial Street, 18 School Street, 20 School Street, 22 School Street, 17 School Street) - taxi stands - Thompsons Moving Storage Depot (1998 Civic Addressing Map, 54-56 School Street) - tourist bureau - tourist establishments, including interpretative centres - town hall 	
12.2, Special Requirements	<p>No permanent outdoor storage or outdoor display shall be permitted within 6m (19.68ft.) of a street right-of-way. Outdoor storage areas shall be fenced and screened from public view. Temporary (less than a 24 hour period) outdoor display may be permitted. No display shall be permitted or continued if it is considered by Council to be unsightly, dangerous or noxious or it interferes with vehicle or pedestrian traffic.</p> <p>Maximum height of structure: 7 stories</p> <p>Existing single detached dwellings may expand but not convert to any other residential use</p>	

	provided they meet the requirements set out in the Residential (R) Zone.	
Part 13, Highway Commercial (HC) Zone		
13.1, Uses Permitted	<p>No development permit shall be issued in a Highway Commercial (HC) zone except for one or more of the following uses:</p> <p>Amusement Arcades Animal kennels and grooming Automobile trade activities including, but not restricted to the following: Automobile dealership Carwashes Department of Transportation Depot Gasoline stations Motorcycle and accessory dealers Motor vehicle registry Repair garages School bus depot Service stations Transport garages Vehicle weigh scales Bowling alleys Driver training schools Existing motels converted to apartment use Funeral parlours Grocery stores and supermarkets High density residential developments (greater than 10 dwelling units/gross acre) in the Highway Commercial designation on properties abutting the</p>	

	<p>west side of Brooklyn Street by Development Agreement</p> <p>Hobby shops and craft stores</p> <p>Hotels, motels, youth hostels</p> <p>Laundromats</p> <p>Marine craft and accessories</p> <p>Mobile home and travel-trailer sales and service</p> <p>Non-motorized commercial recreation uses</p> <p>Public and private halls</p> <p>Recreational-trailer parks and laundromats and variety stores accessory thereto</p> <p>Restaurants</p> <p>Seed and agricultural merchants</p> <p>Service and utilities uses</p> <p>Single detached dwellings (1998 Civic Addressing Map, 157 Main Street, 151 Main Street, 147 Main Street, 145 Main Street, 139/141 Main Street, 115 Main Street, 111 Main Street, 43 Brooklyn Street, 33 Brooklyn Street, 9 Brooklyn Street, 16 Brooklyn Street)</p> <p>Take-out food outlets</p> <p>Taverns, beverage rooms and lounges</p> <p>Theatres</p> <p>Veterinary clinics</p>	
13.2, Zone Requirements	<p>Minimum Lot Frontage 30 m (98.42 ft.)</p> <p>Minimum Front Yard Setback 9 m (29.53 ft.)</p> <p>Minimum Rear Yard Setback 6 m (19.68 ft.)</p> <p>Minimum Side Yards 2 building height or 3 m (9.84 ft.), which ever is greater</p> <p>Maximum Height of Structures 10 m (32.80 ft.)</p>	

13.3, Special Requirements	<p>Where required, uses shall provide on-site loading and unloading facilities(see Part 5, page).</p> <p>All uses shall provide parking at a rate of one parking space for every 20 m² (215.28 sq. ft.) of interior or exterior retail area.</p> <p>Uses shall not be permitted to have continuous access along the street line(s) of the property, but shall be restricted to one access and one egress each of "13 m (42.65 ft.)" or less in width from the property per 100 m (328.08 ft.) frontage along each street frontage.</p> <p>Outdoor storage areas shall be fenced and screened from the view of the public. This requirement shall not apply to outdoor display areas.</p> <p>Existing single detached dwellings may expand, but not convert to any other residential use provided the expansion meets the requirements of the Residential zone for that use.</p> <p>Abutting zone requirements shall apply (see Part 4.25)</p>	
Part 14, Manufacturing and Industry (M) Zone		
14.1 Uses Permitted	No development permit shall be issued in a Manufacturing & Industry zone except for one or	

	<p>more of the following uses:</p> <p>Agricultural machinery and supply dealer</p> <p>All Business District (BD) zone uses having a minimum floor area of 465 m² (5,005 sq. ft.) by Development Agreement</p> <p>Any manufacturing, processing, industrial or assembly operation excepting those connected with primary petroleum, metal or chemical industries and motorized transportation equipment</p> <p>Bulk plants and fuel storage</p> <p>Builders and contractors yards and depots</p> <p>Commercial uses accessory to a main permitted use and carried on in the main building</p> <p>Electronics manufacturing and industrial communications</p> <p>Food catering</p> <p>General building supplies</p> <p>Government establishments excepting retail outlets</p> <p>Industrial, mechanical and hand laundries and dry cleaning plants</p> <p>Industrial catering</p> <p>Laboratories</p> <p>Marine craft and accessory sales and service</p> <p>Mobile home, mini home and travel trailer sales and service</p> <p>Motel, hotel, youth hostels</p> <p>Motor vehicle sales, service, repair and washes</p> <p>Moving and storage depots</p> <p>Machine shops</p> <p>Municipal maintenance depots</p>	
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	Recycling depots (totally enclosed) Research and development establishments Seed and agricultural merchants Service stations Service & utility uses Single detached dwelling (1998 Civic Addressing Map, 50 Brooklyn Street, 51 Victoria Street) Trucking depots Utility facilities Vocational training centres Warehousing establishments Wholesale storage, distribution and sales Business offices and commercial uses accessory to the above											
14.2 Zone Requirements	<table><tr><td>Minimum Lot Frontage</td><td>30 m (98.42 ft.)</td></tr><tr><td>Minimum Front Yard Setback</td><td>9 m (29.53 ft.)</td></tr><tr><td>Minimum Rear Yard Setback</td><td>6 m (19.68 ft.)</td></tr><tr><td>Minimum Side Yards</td><td>2 building height or 3 m (9.84 ft.), whichever is greater</td></tr><tr><td>Maximum Height of Structures</td><td>10 m (32.80 ft.)</td></tr></table>	Minimum Lot Frontage	30 m (98.42 ft.)	Minimum Front Yard Setback	9 m (29.53 ft.)	Minimum Rear Yard Setback	6 m (19.68 ft.)	Minimum Side Yards	2 building height or 3 m (9.84 ft.), whichever is greater	Maximum Height of Structures	10 m (32.80 ft.)	
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Maximum Height of Structures	10 m (32.80 ft.)											
14.3 Special Requirements	<p>All uses shall provide on-site loading unloading facilities.</p> <p>All uses shall provide one parking space for every 75 m² (807.31 sq. ft.) of floor area.</p> <p>Uses shall not be permitted to have continuous access along the street line(s) of the property, but</p>											

	<p>shall be restricted to one access and one egress of 13 m (42.65 ft.) or less in width from the property per 100 m (328.08 ft.) frontage, along each street frontage.</p> <p>Outdoor storage areas shall be fenced and screened from the view of the public. This requirement shall not apply to outdoor display areas.</p> <p>Permitted uses shall not be obnoxious by reason of sound, odour, dust, fumes, smoke or other emission or refuse matter or water carried waste.</p> <p>All Business District (BD) Zone uses locating in this zone shall require a minimum site area of 4,100 m² (44,133.48 sq. ft.) and shall meet the parking requirements established for shopping malls. Such uses may exist in combination with uses permitted in the Manufacturing & Industry (M) Zone without increase to the minimum site area, providing that parking is provided at the rate for shopping malls on the total floor area of all uses.</p> <p>For greater clarity, it is the intention to maintain two zones, Manufacturing & Industry (M) zone and Highway Commercial (HC) zone along the east frontage side of Brooklyn Road and the south side frontage of West Street. Should uses from both zones be established on the same site, the requirements of the respective zone shall apply, except where the use is permitted in both</p>	
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	zones, in which case the least restrictive zone requirements shall apply.	