



Subject: *Plan Update - Mixed Use Centre Review*
To: CAO for Planning Advisory Committee, July 19, 2022
Date Prepared: July 11, 2022
Related Motions: C21(244), C22(150)
Prepared by: John Woodford, Director of Planning and Development
Approved by: John Woodford, Director

Summary

This report is the second report regarding the review of the Mixed Use Centre Designation and Zone that was put in place in 2016.

This report looks at the Mixed Use Centre policy intent, examines current issues and proposes that two amendments be made.

Financial Impact Statement

Meetings and advertising associated with the Community Plan Update has been budgeted for in 2021/2022 operating budget.

Recommendation

That PAC consider the options and provide direction to staff on a preferred approach. Staff are recommending changes to the requirement for ground floor commercial and height limit south of White Road.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *Direct staff to prepare amendments to the MC designation and zone to:
require commercial space on ground floors of new buildings.*

and

Limit the height of new buildings south of White Road to 12.2 m and 3 storeys.

Background

At the April PAC meeting, staff presented a report on the Mixed Use Centre (MC) Designation and Zone in Enfield and Elmsdale. That report outlined the history of the zone, current regulations and all known development proposals within the zone.

In the April report, staff did not recommend any changes to the zone. However, PAC indicated another look should be taken to deal with concerns being raised by residents in Enfield regarding the scale of new development.

As a result, the following motion was passed:

C22(150) Passed that Council direct staff to review zoning in the areas outlined on the map to see what type of zone could look like to encourage residential and some small-scale commercial as has been discussed.

Discussion

Mixed Use Centre (MC) Zone

Regulations in the Land Use Bylaw require all development in the MC Zone to proceed by site plan approval.

- Maximum height of 4 storeys or 15 metres
- Maximum lot coverage 50%
- Other design controls

Council shall consider the following by development agreement:

- a) Drinking establishments, major (Cabaret or Lounge)
- b) Developments having more than the maximum number of primary buildings permitted.
- c) Drive-thru restaurants
- d) Institutional uses that do not meet the form-based zone requirements but will contribute to the vitality and overall goal of MC Zone.



Permitted uses in the MC Zone

Uses	R2-T	R3	MC	VC	WCDD
Accommodations, Bed & Breakfast	-	P	P	SP	N/A
Accommodations, Employee	-	-	SP	-	N/A
Accommodations, General	-	-	SP	SP	N/A
Animal Hospitals & Veterinary Offices	-	-	SP	SP	N/A
Automobile Dealers & Rentals	-	-	-	-	N/A
Automobile Service Station	-	-	SP	DA	N/A
Automobile Vehicle Repair & Maintenance	-	-	SP	-	N/A
Bank & Financial Institutions	-	-	SP	SP	N/A
Brewery, Distillery & Winery	-	-	SP	SP	N/A
Business Support Services & Printing	C	C	SP	SP	N/A
Car Wash	-	-	-	-	N/A
Commercial Club	-	-	SP	-	N/A
Couriers & Messengers	-	-	SP	SP	N/A
Daycare, General	-	C	SP	SP	N/A
Daycare, Home-Based	C	C	SP	SP	N/A
Drinking Establishment, Major (Cabaret or Lounge)	-	-	DA	DA	N/A
Drinking Establishment, Minor (Tavern or Beverage Room)	-	-	SP	DA	N/A
Dwelling, Multiplex (Large)	-	SP	SP	-	N/A
Dwelling, Multiplex (Small)	C	SP	SP	-	N/A
Dwelling, Single Unit	-	-	-	C	N/A
Dwelling, Townhouse (Cluster)	SP	C	SP	-	N/A
Dwelling, Townhouse (On-Street)	SP	C	SP	-	N/A
Dwelling, Townhouse (Stacked)	SP	C	SP	-	N/A
Dwelling, Two Unit	-	-	-	C	N/A
Educational Services	-	-	SP	SP	N/A
Funeral Services	-	-	SP	SP	N/A
Gambling Industries	-	-	SP	-	N/A
Government Offices & Facilities	-	-	SP	SP	N/A
Health Care Services	SP	SP	SP	SP	N/A

Uses	R2-T	R3	MC	VC	WCDD
Home-Based Business	SP	SP	SP	SP	N/A
Movie Theatre	-	-	SP	-	N/A
Office & Professional Services	C	C	SP	SP	N/A
Personal Care Services	C	C	SP	SP	N/A
Recreation Facility, Indoor	C	C	SP	-	N/A
Repair & Maintenance	-	-	SP	-	N/A
Restaurant, Drive-Thru	-	-	DA	DA	N/A
Restaurant, Full & Limited Service	-	-	SP	SP	N/A
Restaurant, Take-Out	-	-	SP	SP	N/A
Retailers & Rental Services	-	C	SP	SP	N/A
Shopping Centre	-	-	SP	-	N/A
Special Care (Nursing Home)	SP	SP	SP	SP	N/A
Special Care (Residential Care Facility, Home for Special Care or Group Home)	SP	SP	SP	SP	N/A
Tradesperson & Craftsperson Businesses & Offices	-	-	SP	SP	N/A
Urban Cottage Developments	SP	C	C	-	N/A
Institutional (IU) Zone Uses	SP	SP	SP	SP	N/A
Institutional (IU) Zone Uses that do not meet form-based zone requirements.	DA	DA	DA	DA	N/A
Open Space (OS) Zone Uses subject to the requirements of that zone.	P	P	P	SP	N/A
Conversion of existing buildings into multiple unit residential buildings with 10 units or less.	-	-	-	SP	N/A
Multiple unit dwellings with a minimum of 8 dwelling units to a maximum of 12 dwelling units subject to the Form-Based Zone Requirements for the Village Core (VC) Zone.	-	-	-	SP	N/A
Two Dwelling Unit Residential (R2) Zone Uses subject to the requirements of that zone.	P	P	P	-	N/A
Automobile detailing as a secondary use to the primary commercial or residential use of the property.	-	-	-	SP	N/A

P - Permitted as-of-right through a development permit.
 SP - Permitted by site plan approval.
 DA - Permitted to apply to Council for a development agreement: note that other restrictions may apply.
 C - Conditionally permitted: discretionary approval may apply, view zone requirements.

Mixed Use Centre Zone Issues

As staff understand the concerns with the MC Zone, it is with the scale of development permitted, particularly the possibility of 4 storey buildings. Further, this concern is at the Enfield or southern end of the designation.

Buildings proposed to date:

- 4 storey - 5 buildings
- 3 storey - 4 buildings
- 1 storey - 1 building
- All residential - 8 buildings
- All commercial - 1 building

Scale of Development

Concerns about the scale of development can be broken down into three issues: height, mass and context.

HEIGHT

The maximum height currently permitted in the MC Zone is 15 metres. This effectively enables a height of 4 storeys. However, where a property borders an R1 or R2 zoned property, it would be limited to 3 storeys or 12.2 m. A 4 storey building is possible within the 12.2 m limit.

Current regulations also mitigate the visual impact of height by requiring a 2 m step-back requirement above the 2nd or 3rd floor as shown below:



MASS

Mass roughly equates to the size of a building as viewed from the street or neighbouring property.

In the MC Zone a building is limited by its height of 15 m and length of 50 m.

To lessen the impact of buildings in the MC Zone, where a building is more than 20 m long, vertical recesses or projections are required as shown below:



CONTEXT

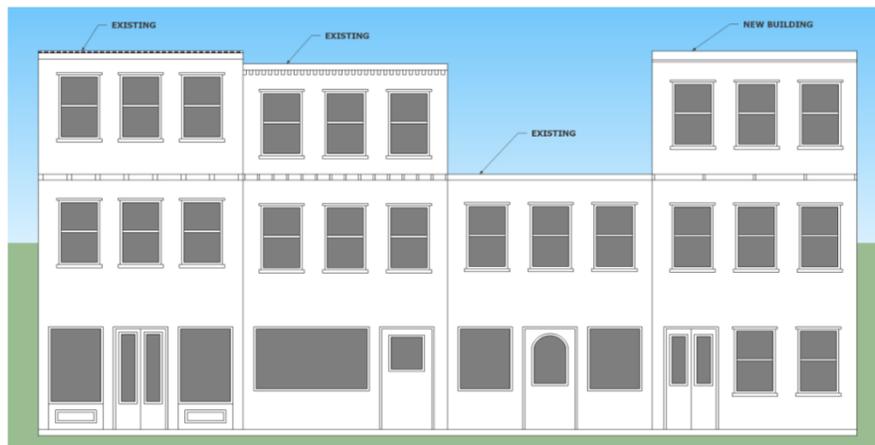
Context deals with the visual impact that a new building will have on the surrounding neighbourhood. Context can make even a 2 storey house look large or quite small as shown in the examples below:



It should be expected that for an area in transition, such as the MC Zone, that there will be buildings that look ‘out of place’ until more of the street is developed. Nonetheless, the current regulations require that:

Where a new building exceeds the height of abutting 2 storey structures, architectural details shall be incorporated into the buildings façade to reinforce abutting building heights.

An example of this technique is shown below where a new building matches the cornice line and window placement of a neighbouring building.



From the Town of Yarmouth LUB

Need for Rentable Commercial Space

The corridor region of East Hants is experiencing an extreme shortage of commercial space and buildings. In 2017 EBD completed a Retail Market Analysis, and at that time the corridor region had a 3.3% commercial vacancy rate. This was below what a healthy market level should be, which would see a vacancy rate of 4% to 5%. A verity of vacant spaces are beneficial to a market as it enables businesses to start up, grow and expand into new locations, sizes, and formats.

Since 2017, the vacancy rate has declined steadily. In the last two years the rate has dropped to almost nothing at times, with only one or two spaces available across the entire corridor region. This shortage of commercial space has inhibited business growth. During 2021/22 EBD worked with over 30 companies that were unable to locate into the community because there was no available commercial space or land. This trend has continued through the first quarter of 2022-23.

Mixed Use Centers provide an attractive commercial format for business by enabling access to street visibility, foot traffic, transit, and population density. It is typically one of the most efficient employment land uses, with between 14-25+ employees per acre.

These types of commercial spaces further aid in attracting workforce into the region by providing convenient and accessible employment clusters. The walkability, transit accessibility, and reduced commuting duration that mixed use centers provide are considered extremely desirable and sought after by the current workforce. Communities that provide mixed use centers are seeing increased investment as both businesses and workforce chose to locate into these areas

Future of the Mixed Use Centre Area

The MC designation and zone quite deliberately attempted to enable the creation of a more urban, walkable, mixed use and medium density streetscape in this part of Enfield and Elmsdale. Since the creation of this zone in 2016, area land owners and the development community have responded to this vision with a number of proposals, several of which are at the site plan approval or building permit stage. From this perspective the zone can be viewed as a success.

However, if Council is of the opinion that the vision created in the previous plan review is not appropriate, staff have prepared options to consider changes.

It should be noted that Council directed staff to deal with this project as part of the current plan update and so any changes considered will come into effect with the updated plan - anticipated at the end of the year.

Options

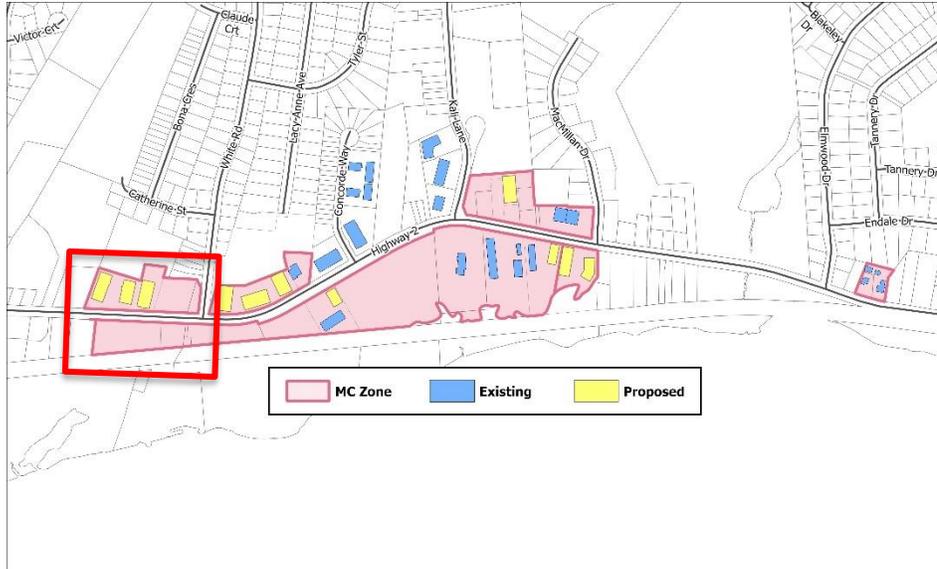
1. Reduce the geographic area that the zone applies to
2. Reduce the maximum permitted height
3. Reduce the maximum number of dwelling units per building
4. Make the commercial component mandatory

1. Reduce the geographic area that the zone applies to

Council could decide to reduce the area zoned MC. If it is the southern most part of the district that is of concern, amendments could be made to remove all properties south of White Road.

There are challenges with this option as there are already two proposals with site plan approval in this area. These buildings would become legal non-conforming if the zoning is changed.

If the MC Zone is removed a decision would also need to be made on what to replace it with. Prior to 2016 this area was mostly R1 or R2.



2. Reduce the maximum permitted height

Current maximum height is 15 metres (effectively 4 stories). This could be lowered to 3 stories.

If the concern is for abutting R1 or R2 properties, the height limit is already 3 storeys or 12.2 m. However, within 12.2 m a four storey building could be built, depending on the type of construction. Again, if the area south of White Road is of most concern, just this area could be restricted to 3 storeys, regardless of whether they are under the 12.2 m limit.

It is not recommended to lower the height for the entire MC area as there seems to be less concern at the Elmsdale end, however amending the height limit abutting R1 and R2 zoned properties south of White Road to 12.2 m and 3 storeys seems a reasonable approach to deal with concerns in Enfield.

3. Reduce the maximum number of dwelling units

Currently 12 residential units are permitted on the ground floor and 30 units on floors 2-4 for a total of 42 units. This could be reduced so that buildings have less mass. The R3 zone, for example, has a maximum of 24 dwelling units.

It is not recommended that such a change be made as the MC Zone was intended for this medium density scale of development.

4. Make the commercial component mandatory

This was not a concern raised by Council but brought forward by Economic & Business Development.

Currently ground floors have to be made 'commercial capable'. This means a minimum ceiling height of 3.05 m and street facing entrances. As noted earlier, only one commercial building and one mixed use building have been proposed to date. Given that the intent of this area is for it to be mixed use and there is evidence that the market has changed since the zone was implemented in 2016, it seems appropriate to require a commercial component.

As a result, it is recommended that the zone be amended to require a commercial component on the ground floor of new buildings.

Conclusion

Staff have complied with Council's request to review the Mixed Use Centre (MC) Zone and Designation and are recommending that changes be made to require a commercial component in new buildings and that buildings south of White Road be limited to 3 storeys.

Recommendation

That PAC consider the options and provide direction to staff on a preferred approach. Staff are recommending only changes to the requirement for ground floor commercial and that buildings south of White Road be limited to 3 storeys.