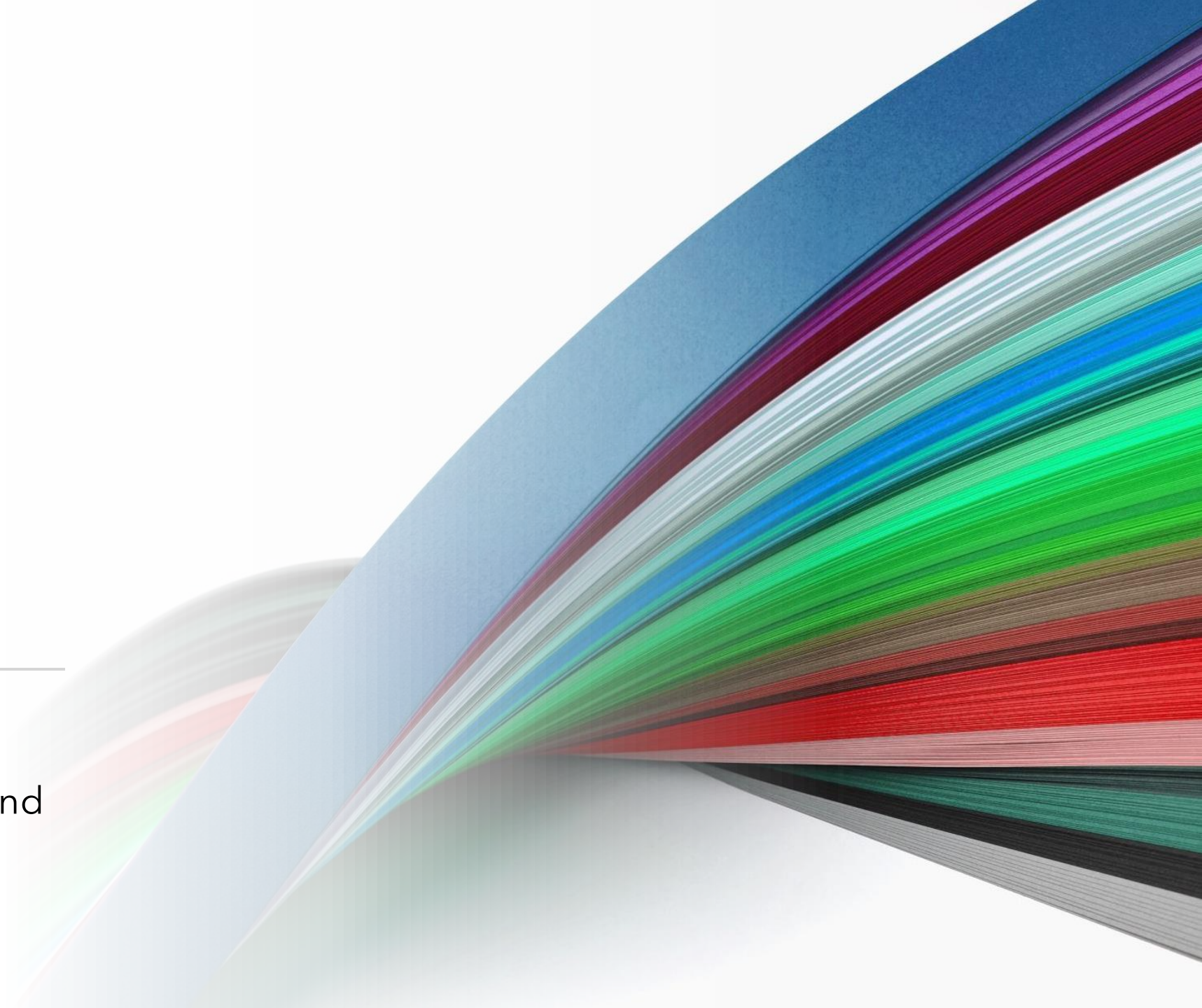


Planning for Berwick's Future

May 27th, 2024

First Reading - Berwick MPS and
LUB

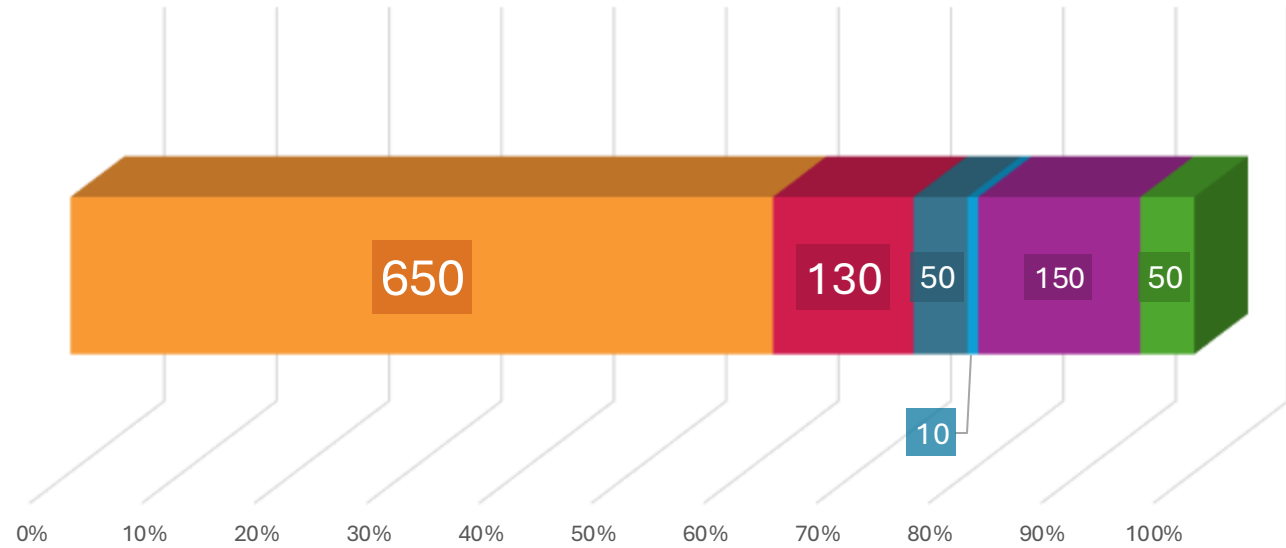




Diversify Berwick's Housing Options

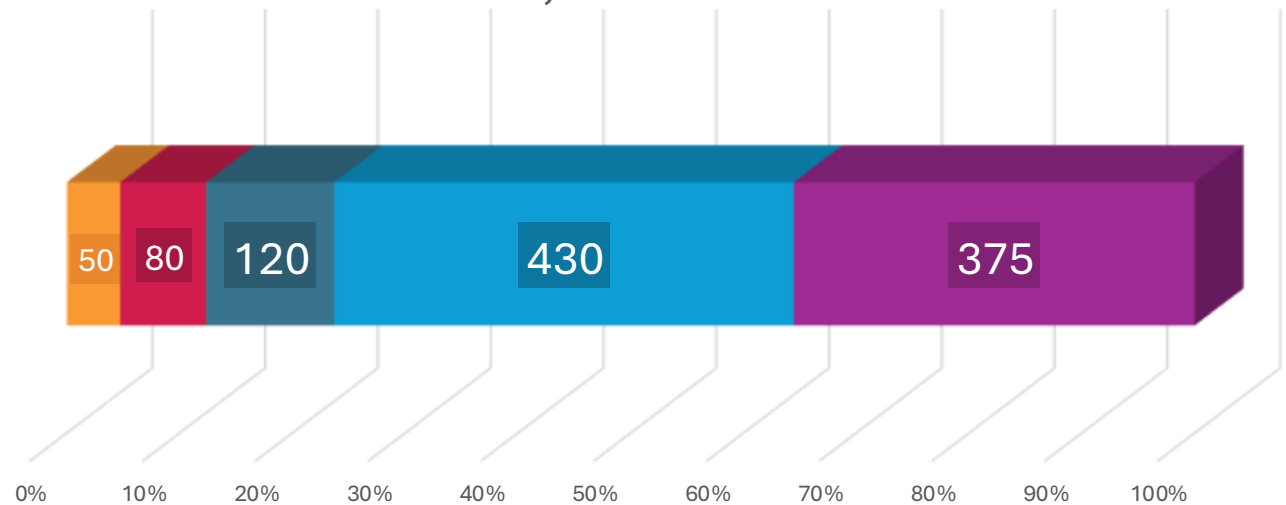
Dwelling Types in Berwick, 2021

- Single-detached house
- Semi-detached house
- Row house
- Apartment or flat in a duplex
- Apartment in a multi-storey building
- Movable dwelling



Sizes of Berwick Household, 2021

- 5 or more persons
- 4 persons
- 3 persons
- 2 persons
- 1 person



Source: 2021 Census of Population

Frontage
Reduced to 60 ft

Slight reduction
Current bylaw requires 80 feet of frontage but can be reduced by DA

R2
Max 4 units in R2

Restricts units
Gentle increase in units in existing neighbourhoods

Future Residential
Allows for rezoning

Residential/Agriculture
Responds to request to allow development in existing agricultural areas

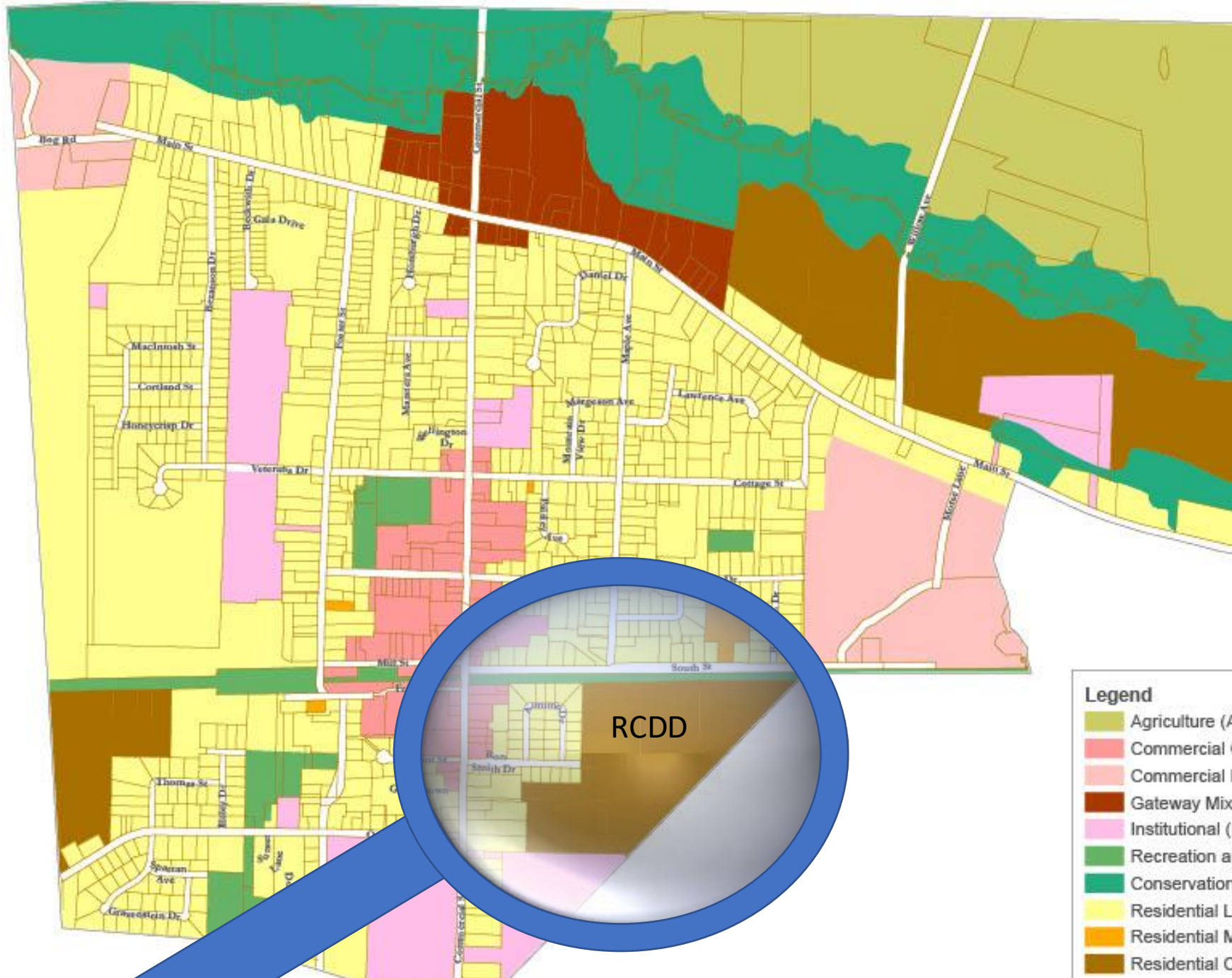
Promoting housing choice and affordability

Shared housing

Up to 10 bedrooms
Permitted in all residential zones

Large Vacant parcels
Requires detailed planning

Planning
Large parcels must have detailed planning to maximize land base





N

0 100 200 400 600 Meters

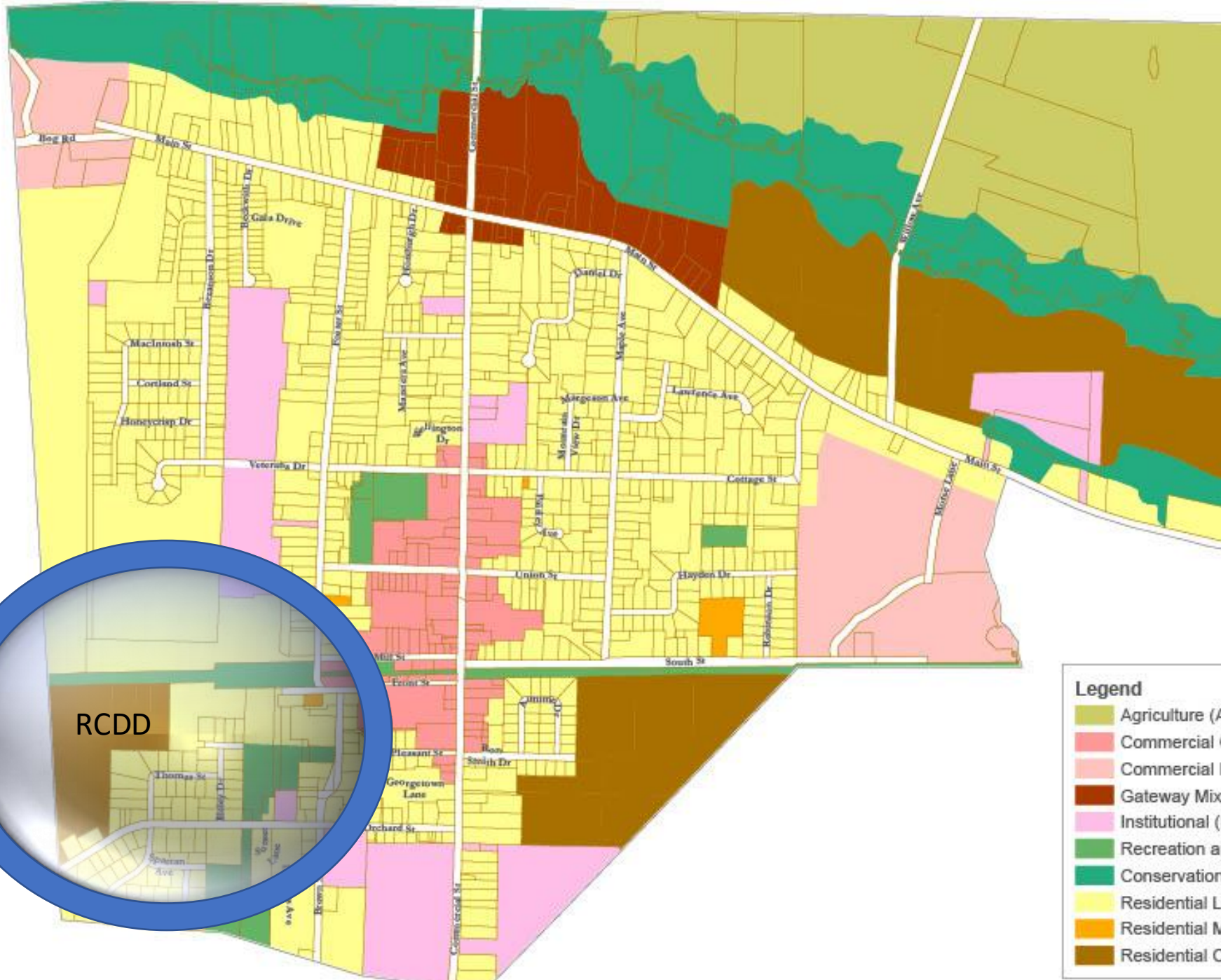
Scale 1:4,500

Coordinate System: NAD 1983 CSRS UTM Zone 20N
 Projection: Transverse Mercator
 Datum: North American 1983 CSRS

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Approved by Council on
 Last Update Date:

- Legend**
- Agriculture (A1)
 - Commercial General (C1)
 - Commercial Industrial (C2)
 - Gateway Mixed-Use (GMU1)
 - Institutional (I1)
 - Recreation and Open Space (OS1)
 - Conservation (OS2)
 - Residential Low-Density (R2)
 - Residential Medium-Density (R3)
 - Residential Comprehensive Development District (RCDD)





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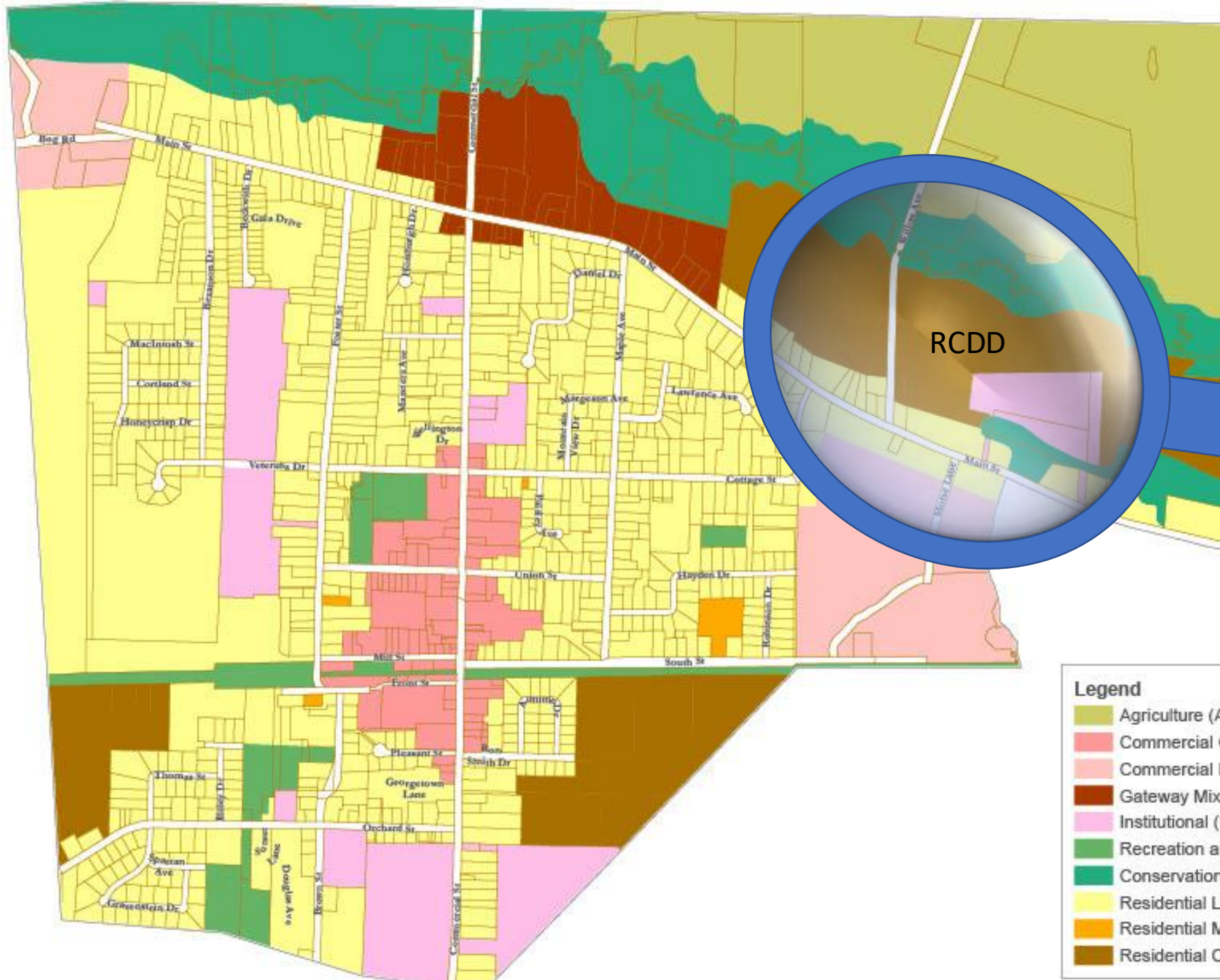
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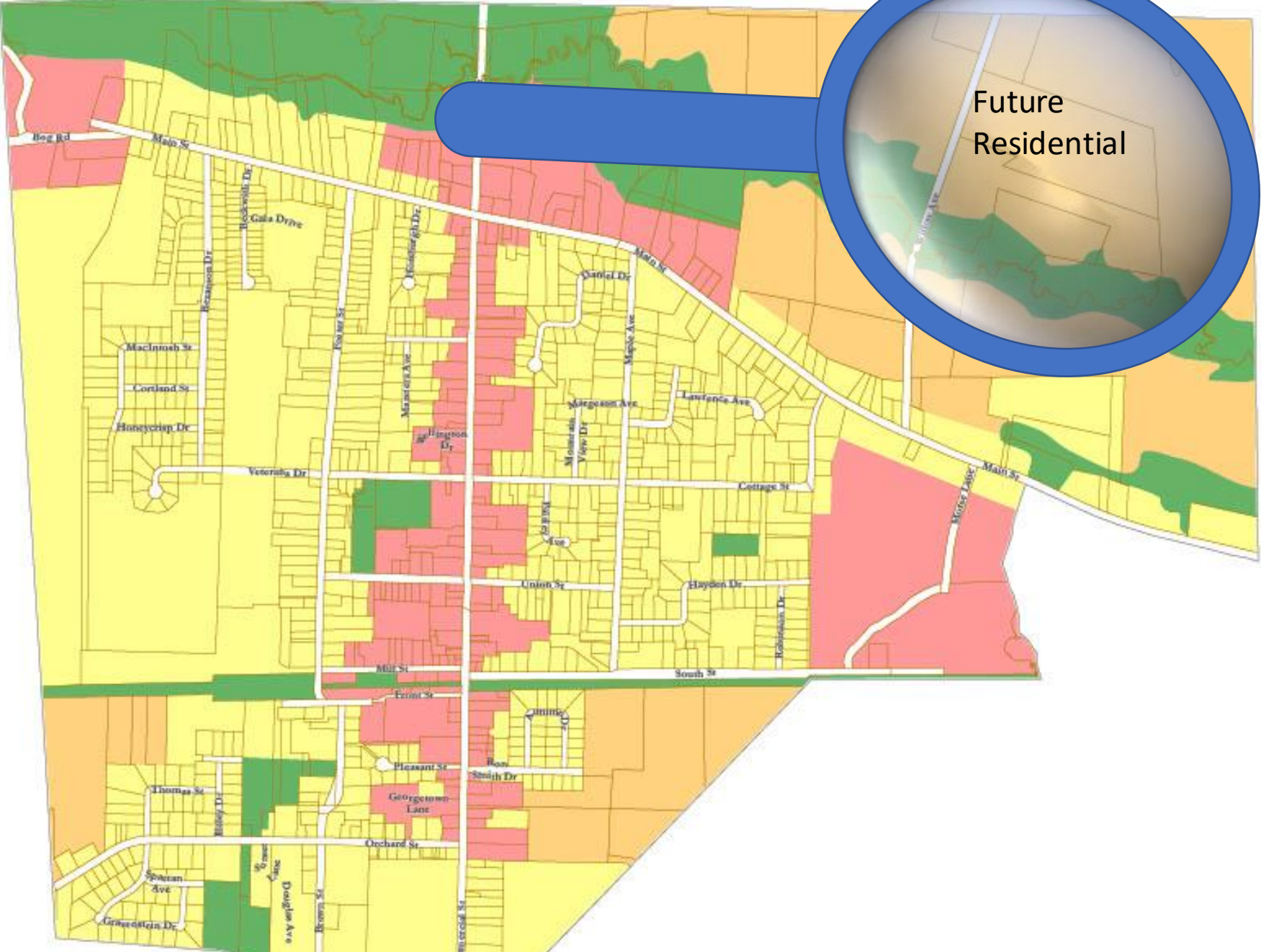
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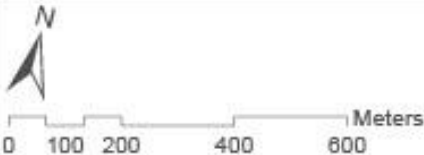
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 - Conservation (OS2)
 - Residential Low-Density (R2)
 - Residential Medium-Density (R3)
 - Residential Comprehensive Development District (RCDD)



Legend

- Commercial
- Environment
- Future Residential
- Residential

Continues to be zoned Agriculture but allow for rezoning to another zone



Scale 1:4,500

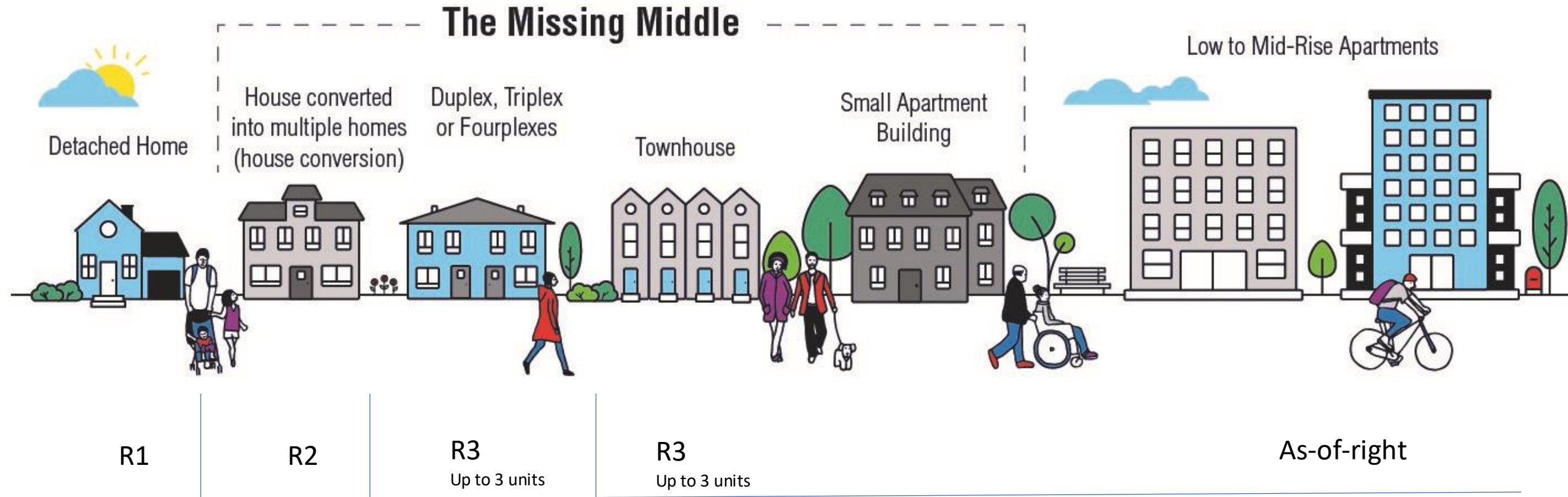
Coordinate System: NAD 1983 CSRS UTM Zone 20N
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Gentle increases in density



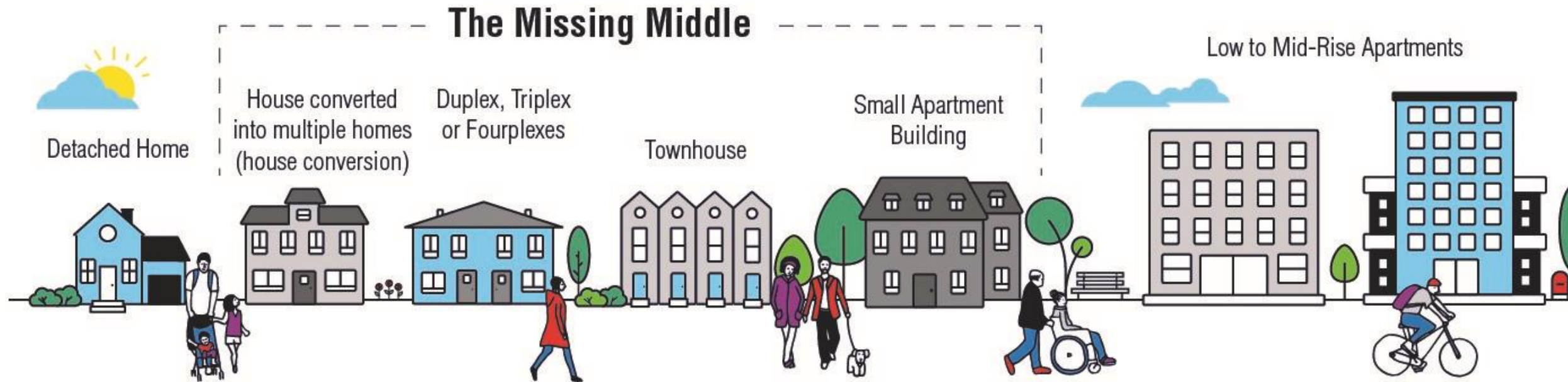
Residential Units by zone in current bylaw



R1/R2/R3 —————→

By Development Agreement

Proposed Residential Units by zone

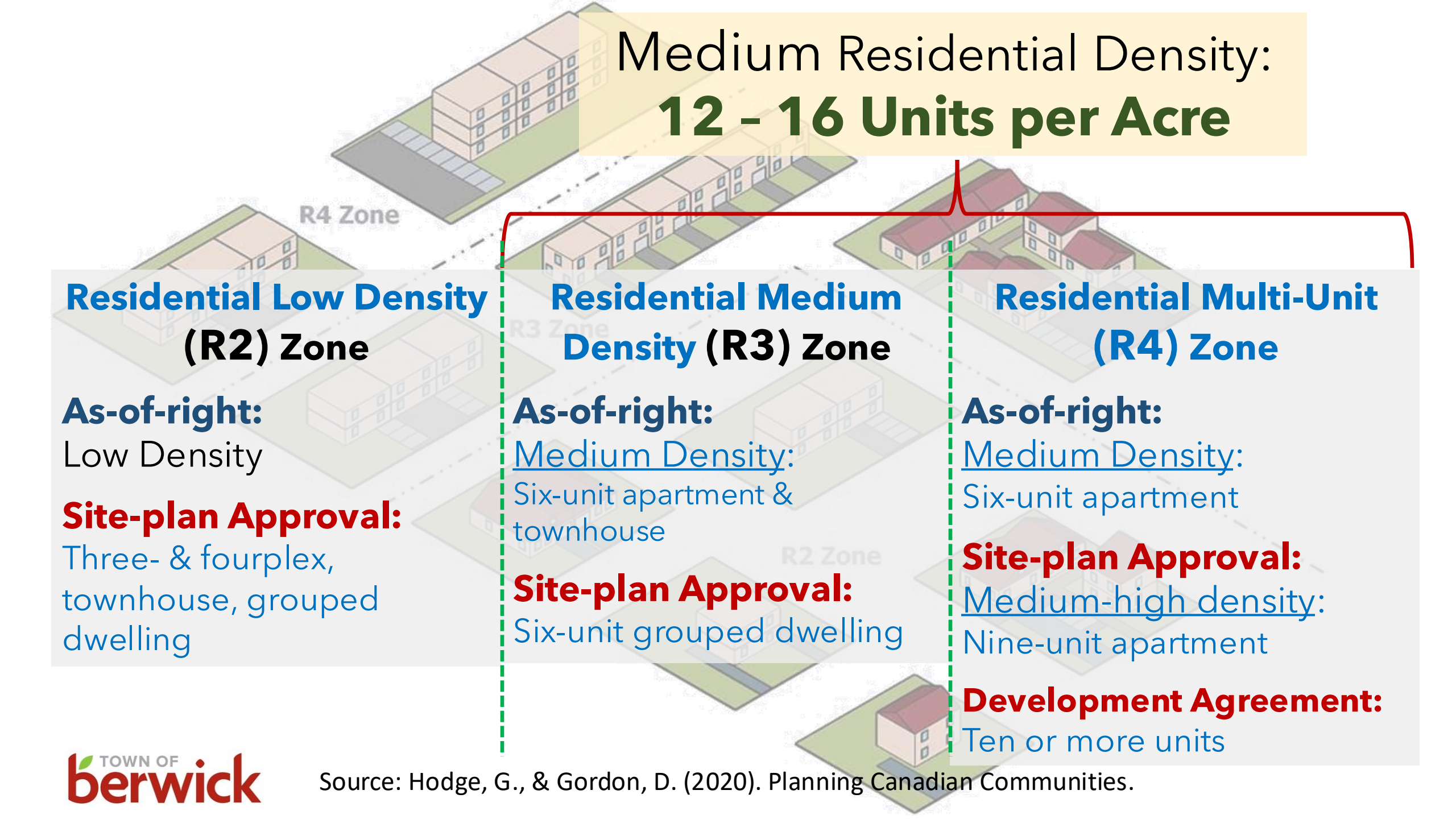


R2 Zoning

- 2 main units as of right
- 4 units by site plan approval

R3 and R4 Zones

- 10 or more units in R4 zone by DA
- 7-9 units in the R3 and R4 zone by site plan approval
- Requires a ground water assessment. Other criteria include compatibility criteria and design.



Medium Residential Density: **12 - 16 Units per Acre**

Residential Low Density (R2) Zone

As-of-right:
Low Density

Site-plan Approval:
Three- & fourplex,
townhouse, grouped
dwelling

Residential Medium Density (R3) Zone

As-of-right:
Medium Density:
Six-unit apartment &
townhouse

Site-plan Approval:
Six-unit grouped dwelling

Residential Multi-Unit (R4) Zone

As-of-right:
Medium Density:
Six-unit apartment

Site-plan Approval:
Medium-high density:
Nine-unit apartment

Development Agreement:
Ten or more units

17.82 Units
per Acre

16.34 Units
per Acre

15.37 Units
per Acre

16 Units per
Acre

12 Units
per Acre

15.37 Units
per Acre

7.26 Units
per Acre

7.26 Units
per Acre

4.36 Units
per Acre

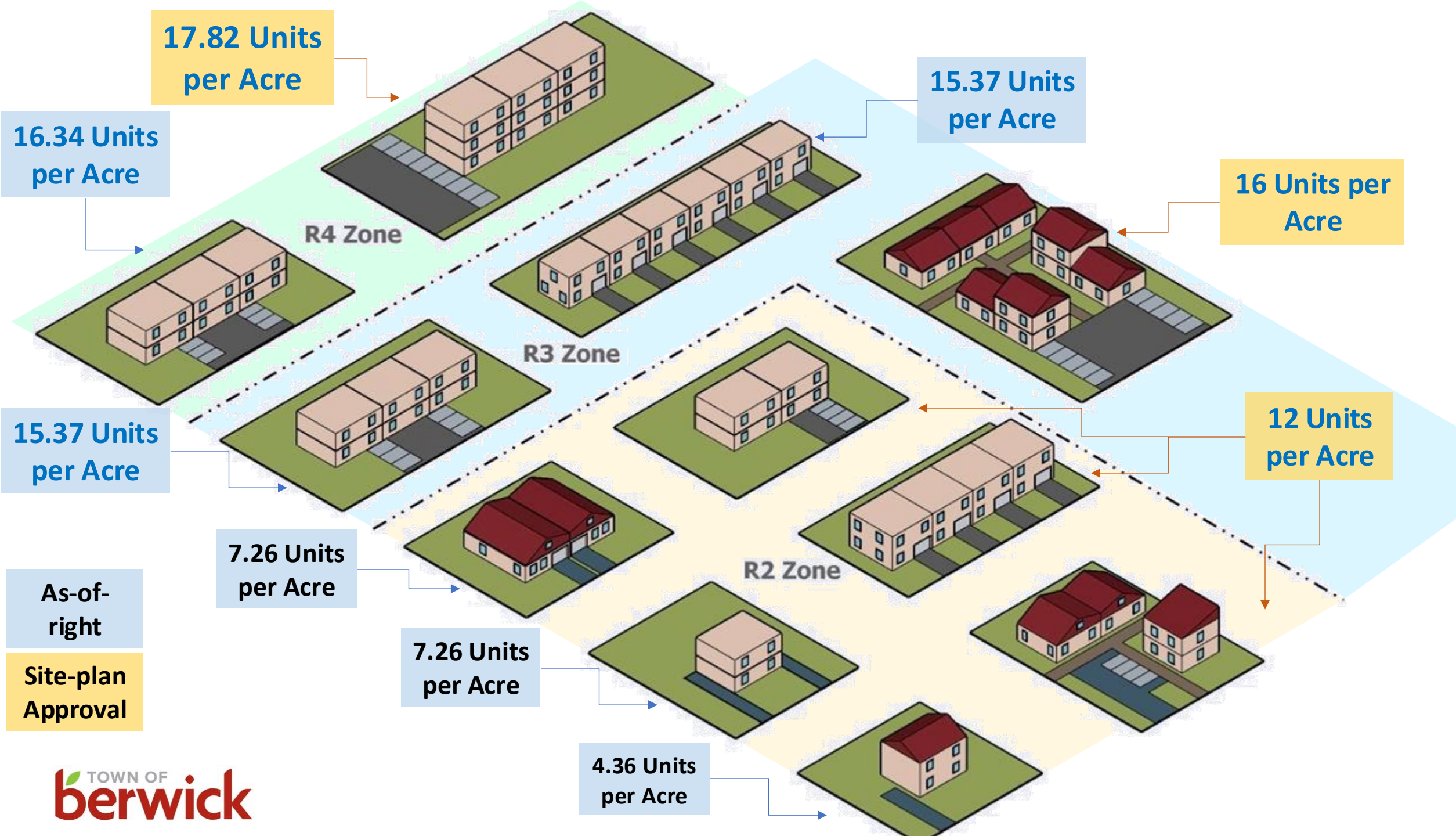
As-of-
right

Site-plan
Approval

R4 Zone

R3 Zone

R2 Zone



Encourage More Commercial Development



How the Plan encourages Commercial?

01

Reduce Parking

0.5 spaces per residential unit
(reduced from 1 or 1.5)

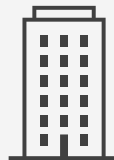
1 parking space per 300 square feet of floor area (no change)



02

Height

Allows up to 5 stories of residential – must provide a hydrological study and compatibility of design



03

Mixed Use

Encourages the development of ground floor commercial with residential above.

Promotes walkability and density in areas with sidewalks and services.



Reduce Parking

- Inefficient use of land
- Enable more developable lands
- Reduce development cost
- More tax revenue for the Town
- More “feet on the street” for local businesses.

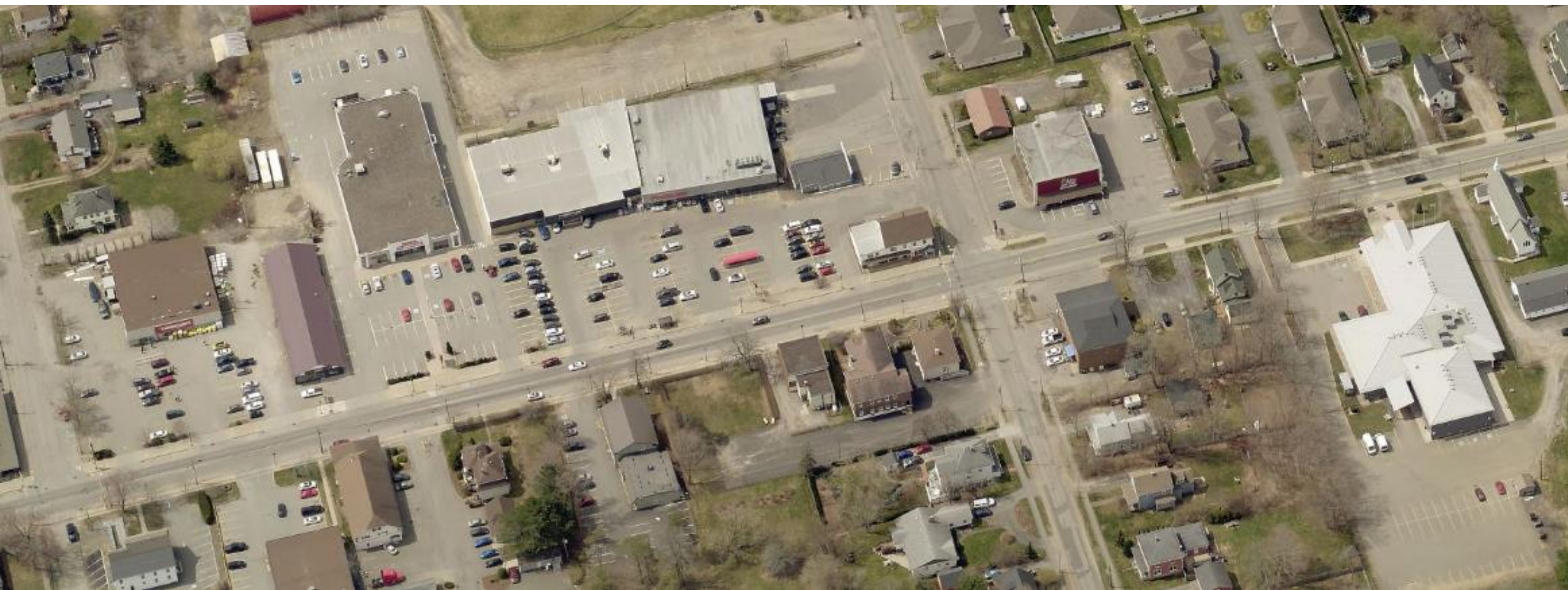




- Landscape dominated by automobile



- No less than 9 acre of lands in downtown Berwick is used for parking spaces & driveways.



- Appearance of low parking occupancy rate.



- Opportunities for infill development, providing more downsized & affordable residential and commercial units in downtown

Building Height

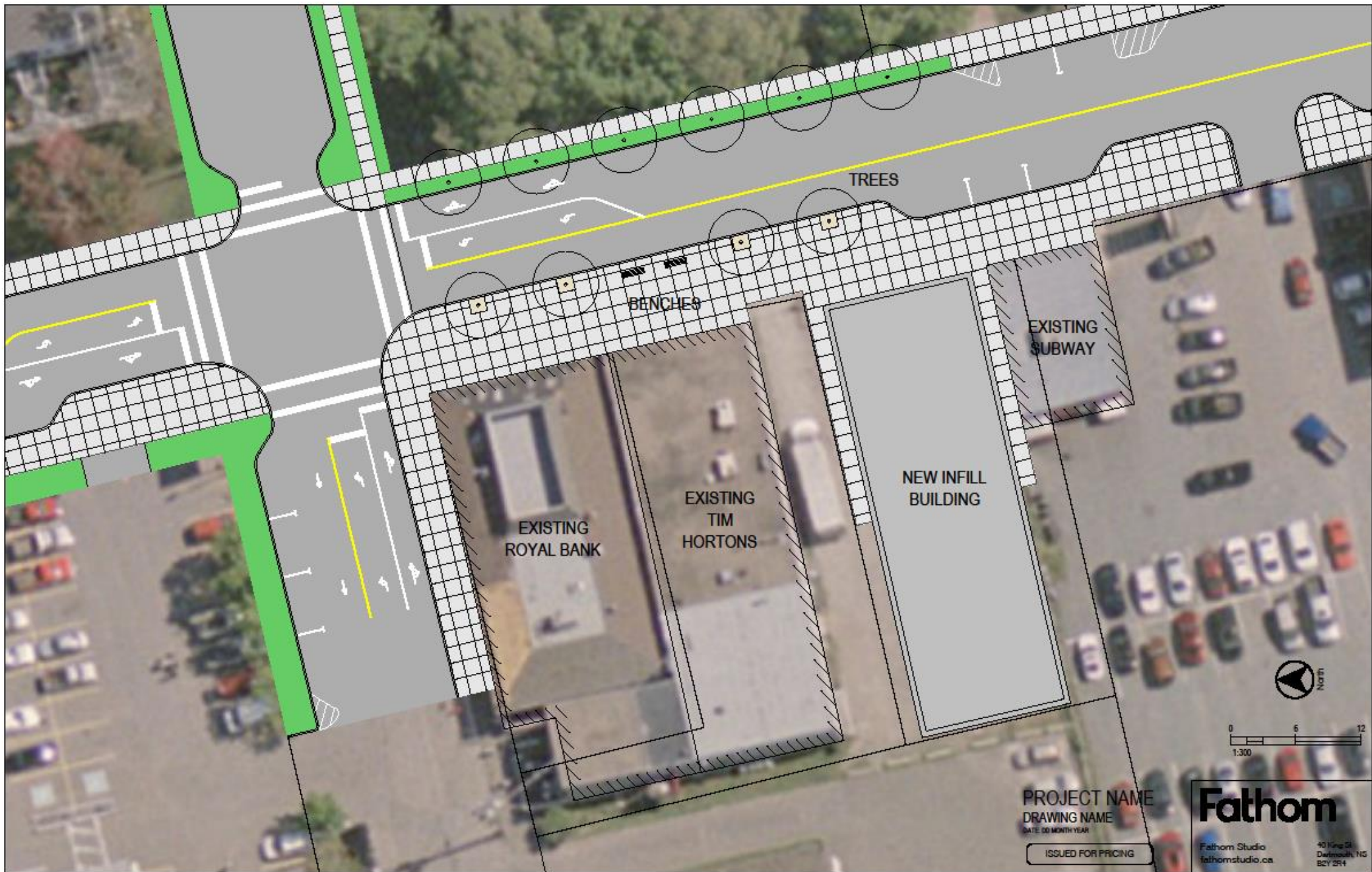
- More efficient use of land through infill development
- Diversify Berwick's housing options in the most efficient location of town
- Facilitating higher density development in the core area



Mixed Use

- Downsized, affordable commercial spaces
- Promote walkability and active living
- Enhance the status of Berwick as a regional centre of service.









Reduce Parking Mixed Use

Policy 4-43 It shall be the intention of Council to encourage, promote and consider mixed use commercial/residential development with reduced parking requirements on those properties zoned Commercial General (C1) from Main Street to Orchard Street which abut Commercial Street by Development Agreement. In addition to criteria contained in Policy 5-22, Council shall consider the following:

- a) That the proposed structure is generally compatible with existing dwellings on adjacent properties;
- b) That the proposed development can be integrated into and accommodated within the adjacent road network;
- c) The ground floor commercial shall front on all public streets.**
- d) Parking shall not front on Commercial Street. Underground parking is encouraged.**
- e) Council may consider waiving commercial parking requirements if it determined there is adequate street parking or off site parking is provided.**
- f) Commercial buildings shall help create a positive and pedestrian scale street wall**
- g) A Level 1 Groundwater Assessment prepared by a qualified hydrogeologist identifying potential risk and mitigation options for the protection of quality and quantity of groundwater resources.

Building Height

Mixed Use

Policy 4-48 It shall be the intention of Council to consider the development of new multiple-unit residential development containing more than ten (10) units within the Commercial General (C1) Zone only by Development Agreement. In addition to criteria contained in Policy 5-22, Council shall consider the following:

- a) The minimum number of dwelling units to be ten (10) **and not more than 5 stories;**
- b) The provision of reduced on-site parking; **which shall not be located along Commercial street.**
- c) **The ground floor shall be able to be converted to Commercial uses**
- d) A Level 1 Groundwater Assessment prepared by a qualified hydrogeologist identifying potential risk and mitigation options for the protection of quality and quantity of groundwater resources.

Reduce Parking

Options:

1. **No Change:** Keep the minimum parking requirement the same as the current bylaw. With this option, staff recommend that Council conduct a parking utilization study to determine the usage of parking in Berwick.
2. **Reduce parking requirements** in the **C-1** zone by 50%.
3. **No minimum:** Remove parking requirements for the C1 zone. The market will determine the required amount of parking.

Reduce Parking

Council Motion :

Council directs staff to **amend the MPS and LUB** to reduced parking in the **Core area** as follows:

- Residential uses: 1.0 parking spaces per unit.
- Reduce commercial parking requirement in the C-1 by 50%.

Building Height

Options:

1. Allow 5 storey buildings.
2. Allow 4 storey buildings.

Council Motion:

- Direct staff to amend the MPS and LUB to permit **five** stories in the C1 zone.



Transportation

Transportation

- Introduce a Street Classification system
- Plan for future streets and trail networks
- Improve traffic safety and efficiency
- Connect to where more density can be encouraged



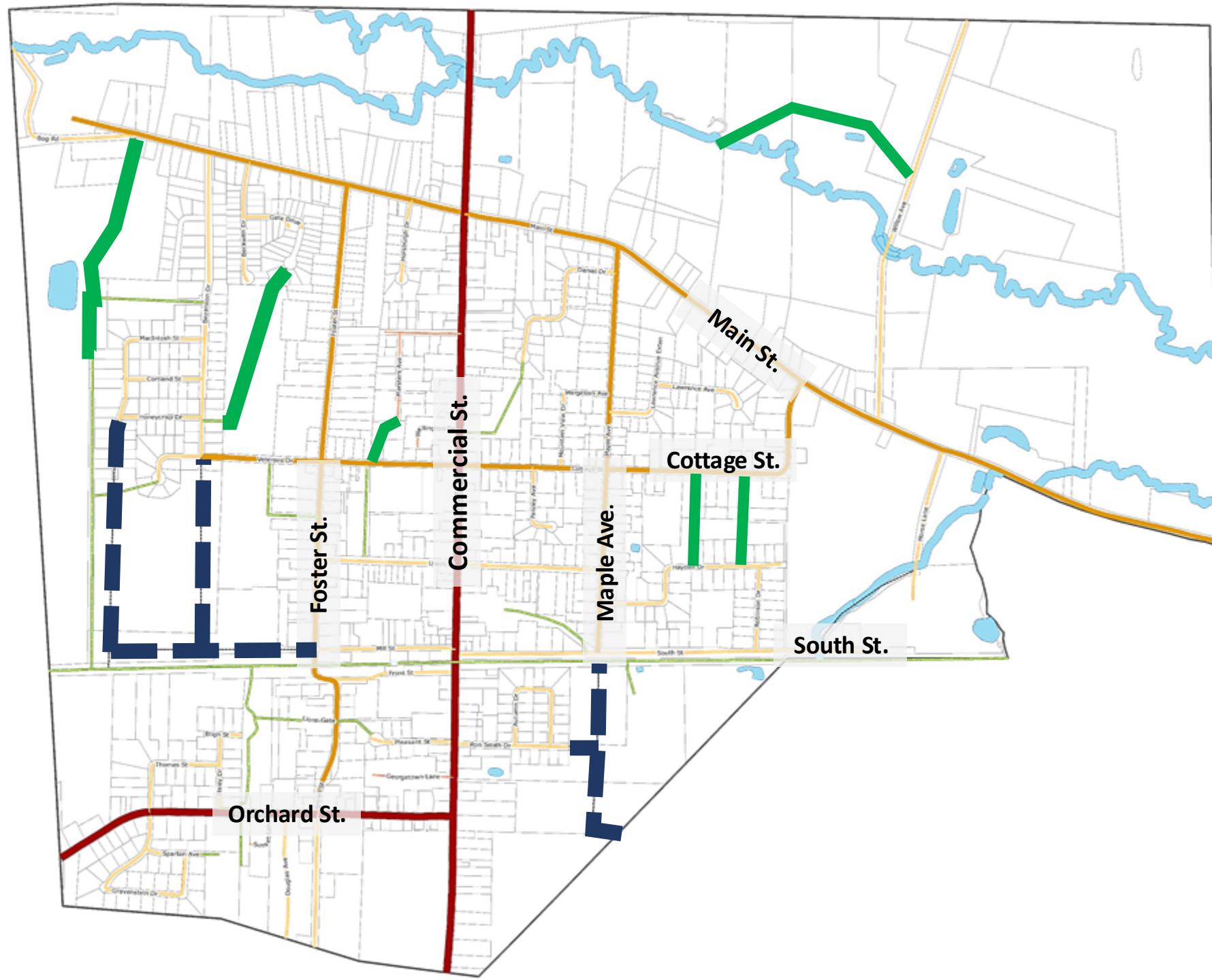


Transportation

Policy 3-24 Council shall adopt the following **street classification system**

- a) Collector Street – A public street that collects traffic from other streets and discharges it onto other collectors or highways, such as Highway 101 or Highway 1. Collector Streets include a wide range of uses, such as commercial, higher density residential, institutional and mixed use. These streets may have on street parking that service adjacent commercial or residential uses.
- b) Major Local Street– A public street that often includes sidewalks on one side that feeds traffic to the collector system. Major Local Streets may contain bus routes and connects to Collector Streets. Major Collector Streets do not accommodate the same level of traffic as Collector Streets but may include higher density residential uses or connect to industrial areas.
- c) Local Street – A public street that provides access from properties and directs traffic to Major Local Streets and usually have low traffic. Buses and heavy vehicles are less expected on Local Streets.
- d) Private Lane – A privately owned lane services groups of buildings or dwellings that are often on the same property. Buildings on Private Lanes often have their own civic numbers but the Lane is not publicly owned and typically no municipal services are provided to the Lane. Although these lanes have a have a “street name”, usually for 911 purposes, they are not public streets.

- Collector
- Major Street
- Local Street
- Private Driveway
- Future streets
- Trail
- Future Trail



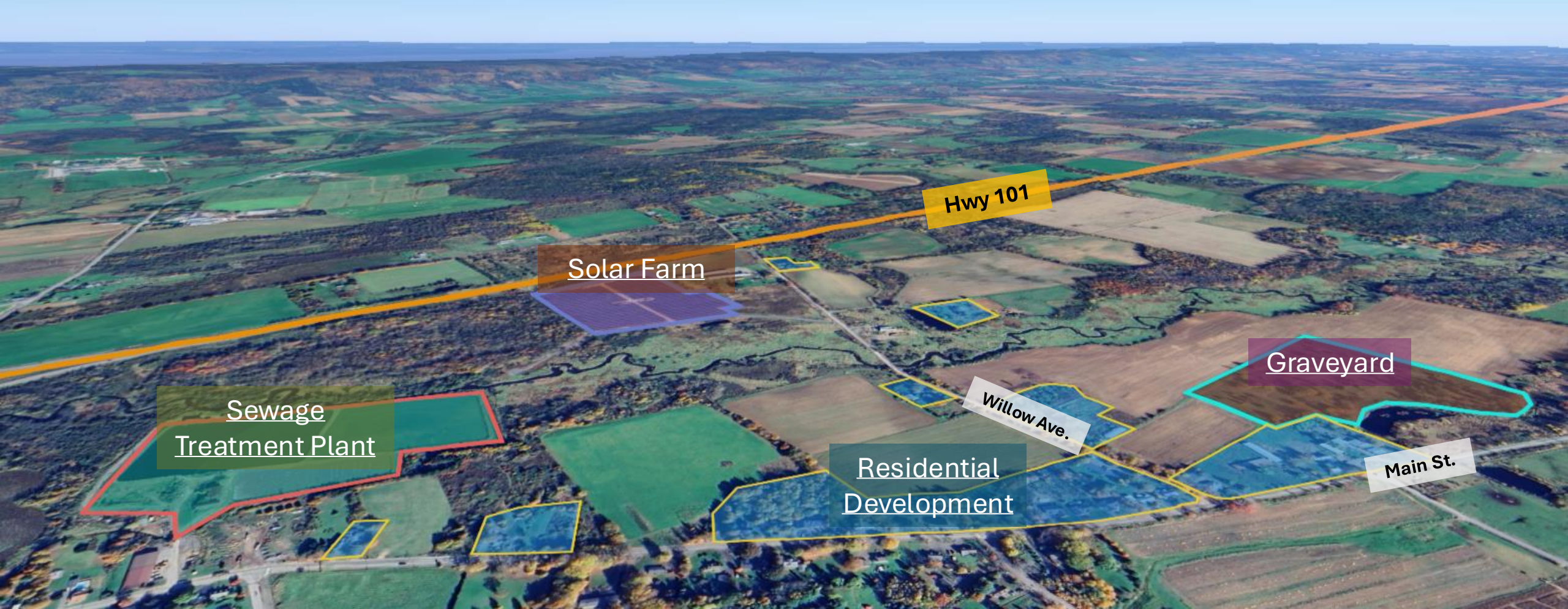


Agricultural Land Policies

Subdivisions on Willow Ave.

- Multiple subdivision requests along Willow Ave.
- Provincial Interest: agricultural land preservation
- Berwick's status as a regional centre
- Land use conflicts around agricultural lands

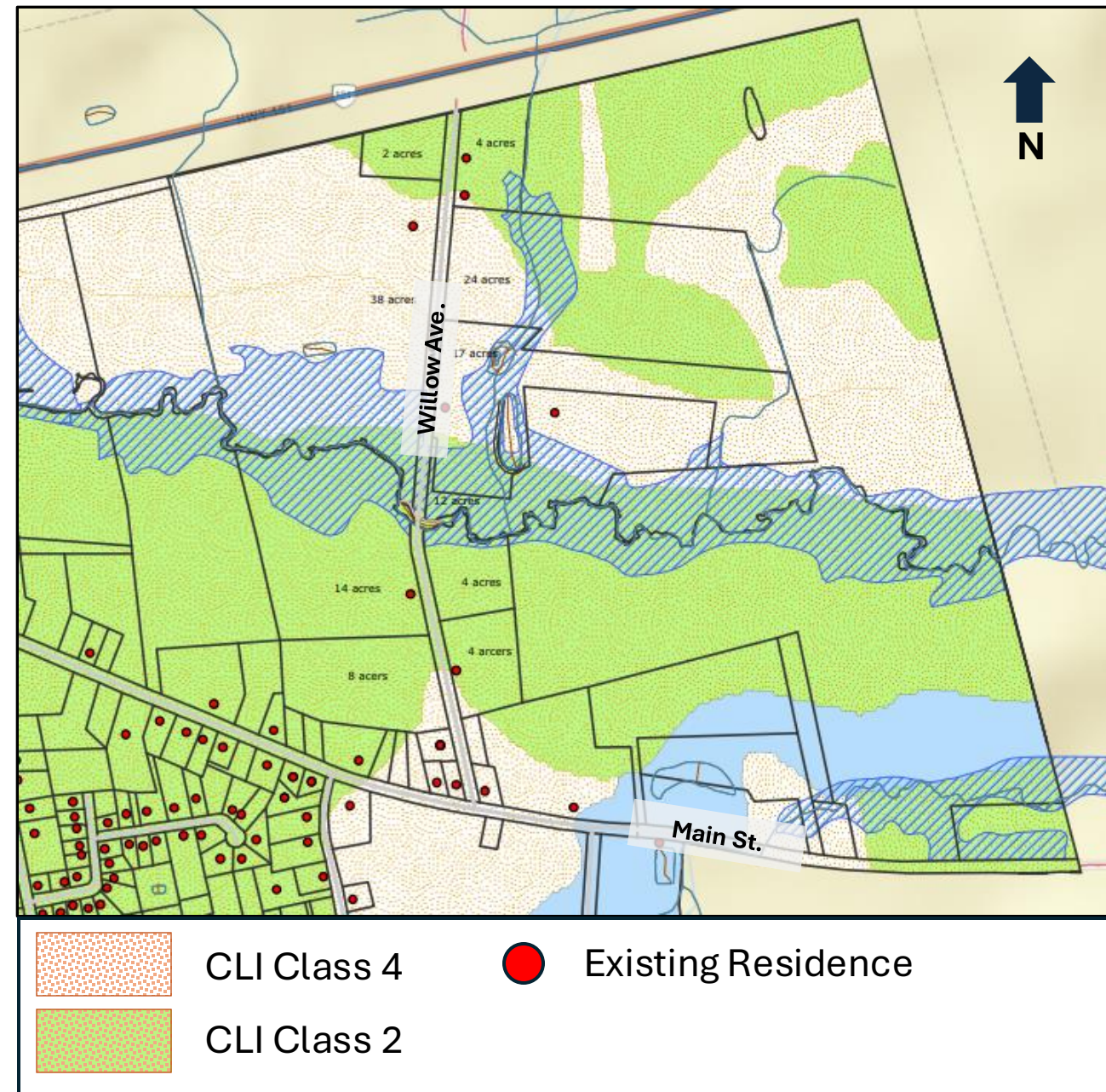




- Land-use conflicts around agricultural lands

Subdivision on Willow Ave.

- Only one active farmer
- Difficulties of farming:
 - Proximity of housing
 - Cornwallis River
 - The urbanized surrounding
- Soil Condition:
 - Class 2: Moderate Limitation
 - Class 4: Severe Limitation
- May allow 10-12 Units by estimation





Subdivisions on Willow Ave.

Options:

- Make no change to the policy, which would mean that those who have requested subdivision would not be able to do so.

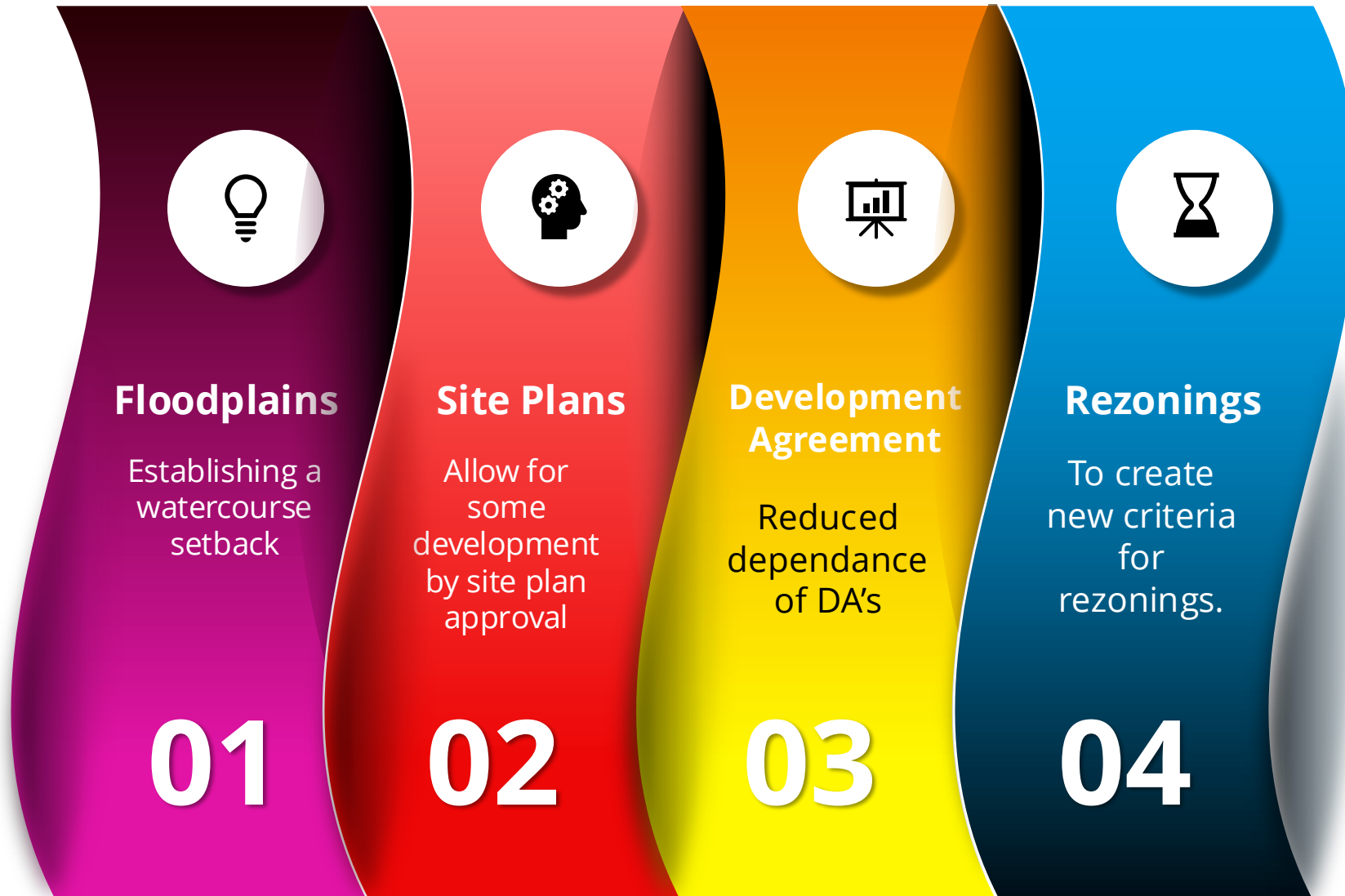
Council Motion:

- Direct staff to **amend the MPS and LUB** to **permit subdivision** on Willow Avenue on lots with 30 meter (100 ft) frontage and made residential dwellings and reduce lot frontage requirements for agricultural uses to 60 meters (196 feet).



Other changes

Other changes



01 Flood Plains

MPS 3.2.5 Conservation Policy

Policy 3-47 The Town will undertake a floodplain mapping exercise, either individually or in cooperation with other provincial or regional studies, to identify at-risk areas within the Town of Berwick. Until this study is completed, all new residential, commercial or industrial development within the Environmental Designation may require a flood risk assessment study, which shall be completed by a qualified person.

02 Site Plan

MPS 5.4 Site Plan Approval: useful for **approvals that might require an additional level of oversight or flexibility** in the ways impacts on neighbours are reduced, but that do **not necessarily need to go through** the complex and time-consuming process required for **a development agreement**.

Policy 5-21 It shall be the policy of Council to, through the Land Use By-law, use site plan approval as the tool for reviewing developments that require some additional oversight or where there is a benefit to providing flexibility in the ways land use controls are implemented.

Policy 5-22 It shall be the policy of Council to, through the Land Use By-law, establish a notification area of 30 metres for the approval of site plan agreements on lots one (1) hectare or less in area and 100 metres for the approval of site plan agreements on lots greater than 1 hectare in area.

02 Site Plan

Example Policy

Policy 4-9 It shall be the intention of Council to permit the following uses by Site Plan Approval in the Residential Low Density (R2) Zone, as outlined in the Land Use By-law:

- a) Expansion of a non-conforming use
- b) Grouped Dwellings – 4 or Fewer Dwelling Units on a Lot
- c) Fourplex Dwelling – 4 or Fewer Dwelling Units on a Lot
- d) Townhouse Dwelling – 4 or Fewer Dwelling Units on a Lot

03 Development Agreement

MPS 5.3 Development Agreement: Development agreements are typically enabled for **unique situations** that would be **difficult to regulate with other tools**, or where public input during the approval process is especially useful.

Policy 5-14 It shall be the policy of Council to consider entering into a new development agreement where such an agreement is enabled by policies elsewhere in this Plan.

Policy 5-15 Where Council approves a development agreement, the development agreement shall:

- a) specify the development, expansion, alteration, or change permitted;
- b) specify the conditions under which the development may occur; and
- c) set terms by which Council may amend or terminate and discharge the agreement.

03 Development Agreement

Example Policy:

Policy 4-13 It shall be the intention of Council to use Development Agreements in the Residential Medium Density (R3) Zone: for new two (2) and/or three (3) unit residential dwellings on lots which **do not meet the minimum lot frontage and/or area requirements** for the Residential Medium Density (R3) Zone; subject to the following criteria:

- a) That separation distances between adjacent single detached and two unit dwellings are sufficient to reduce land use conflicts.
- b) Parking areas are not located in the side yards
- c) The frontage is sufficient to integrate into the existing neighbourhood.
- d) The site plan identifies outside amenity space that is sufficient for the number of expected residents in the buildings.

03 Development Agreement

Example Policy:

Policy 4-16 It shall be the intention of Council to consider the following uses in the Residential Multi-unit (R4) Zone, as outlined in the Land Use By-law on a single lot only by Development Agreement subject to criteria listed in Policy 4-16:

- a) New multiple unit residential dwellings containing more than ten (10) units
- b) Grouped dwellings with more than ten (10) units

03 Development Agreement

MPS 5.3.2 Legacy Development Agreement

Policy 5-18 It shall be the policy of Council to consider **non-substantive amendments** to development agreements **adopted prior to April 1, 2012** subject to the criteria for non-substantive amendments outlined in the particular development agreement and subject to Policy 5-22 of this Plan.

Policy 5-19 It shall be the policy of Council to only consider **substantive amendments** to development agreements **adopted prior to October 1, 2024** if the proposal is specifically enabled by, and is consistent with, a policy of this Plan.

Policy 5-20 It shall be the Policy of Council to consider applications for **development agreements on file on or before the date of First Reading of this MPS** under the Municipal Planning Strategy policies in effect at the time the complete application was received. Where any such application is withdrawn, significantly altered, or refused by Council, any new development proposal shall be subject to all applicable requirements of the current MPS and LUB.

04 Rezoning

MPS 3.2.6 Rezoning within the Environmental Designation

- Not rezone lands within the Environmental Designation without amending this plan

MPS 4.1.2 Rezoning within the Residential Designation

MPS 4.1.7 Rezoning within the Future Residential Designation

MPS 4.2.4 Rezoning (within the Commercial Designation)

04 Rezoning: Residential

MPS 4.1.2 Rezoning within the Residential Designation

- Policy 4-20** It shall be the intention of Council to consider proposals to rezone lands in the Residential Designation to any other zone permitted in that designation, as identified by Policy 4-2. Council shall not approve such a rezoning unless Council is satisfied that:
- a) the proposed change is not prohibited by any other policy of this Plan;
 - b) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristic of the land and with the proposed use of the lands; and
 - c) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 5-21.

04 Rezoning: Residential

MPS 4.1.2 Rezoning within the Residential Designation

Policy 4-21 It shall be the intention of Council to permit rezonings from **R-2 to R-3** subject to the following criteria:

- a) The property shall be located within walking distance of public transit.
- b) The property shall be within 100 meters of a collector or arterial Street
- c) An abutting street shall have sidewalks at least on one side of the Road
- d) That a groundwater assessment has been completed that demonstrates no negative impacts on adjacent property owner potable water supply.
- e) There are a minimum of two methods of egress/exit to two different public streets. One of the methods of egress may be a private emergency exist/access. The two access point of egress or exit may be on the same street if the street to which it access has two point of egress/access.

04 Rezoning: Residential

MPS 4.1.2 Rezoning within the Residential Designation

Policy 4-22 It shall be the policy of Council to **rezone any residential zone to R-4** subject to the following criteria:

- a) The property shall be on or have direct access to a street with public transit.
- b) The property shall be on or have direct access to a Collector or Major Local Street.
- c) Council shall consider potential impacts on the neighbours' potable water supply by requiring a groundwater assessment to understand the potential impacts of the proposal adjacent property(s).
- d) The submission of a Traffic Impact Statement that demonstrates, to Council's satisfaction, that the anticipated traffic will not create a safety concern or that the Level of Service is acceptable.
- e) The location will promote walkability and active transportation goals.
- f) There are adequate parks and open spaces within walking distance.

04 Rezoning: Future Residential

MPS 4.1.7 Rezoning within the Future Residential Designation

Policy 4-33 It shall be the intention of Council to consider proposals to rezone lands in the Future Residential Designation to any other zone permitted in that designation except for A-1, as identified by Policy 4-29, based on the following criteria:

- a) there are not undue negative impacts on active and future agricultural activities;
- b) the proposed change is not prohibited by any other policy of this Plan;
- c) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristic of the land and with the proposed use of the lands; and
- d) the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 5-11.

04 Rezoning: Future Residential

MPS 4.1.7 Rezoning within the Future Residential Designation

Policy 4-34 It shall be the intention of Council to consider a rezoning from **A-1 to any other zone in the residential designation** subject to the following criteria: there are not undue negative impacts on active and future agricultural activities;

- a) The impact on existing and future agricultural activity.
- b) That the lands front on an existing public street
- c) the proposal meets the general criteria for amending the Land Use Bylaw, set out in Policy 5-11.

04 Rezoning: Commercial

MPS 4.2.4 Rezoning (within the Commercial Designation)

Policy 4-53 It shall be the intention of Council to consider proposals to rezone lands in the **Commercial Designation to any other zone** permitted in that designation, as identified by Policy 4-34. Council shall not approve such a rezoning unless Council is satisfied:

- a) the proposed change is not prohibited by any other policy of this Plan;
- b) the purpose of the proposed zone, as described in the respective policy creating that zone, is consistent with the location and characteristic of the land and with the proposed use of the lands;
- c) and the proposal meets the general criteria for amending the Land Use By-law, set out in Policy 5-11.

Next Steps



PAC – April 5th



**Revise
Documents**



**1st Reading –
May 27th**



**Public Hearing/
Second Reading-
July 29th**



**Provincial
Review**

* Subject to Council schedule



Public Hearing

Council Motion :

Council forwards the draft MPS and LUB, as amended to reflect Council's changes, to a **public hearing** on **July 29th, 2024**. Council further directs staff to notify property owners currently zoned **R-1** and all properties that will be **upzoned to R-3 or R-2** by letter of the date of the public hearing.