Zone Amendment - Case 1064

To permit gas bar use at
3425 Emerald Street, New Waterford
(PIDS 15477656 and 15477649)
WSP Canada Inc. on behalf of Millennium Contracting Ltd.
Why is an Amendment Necessary?

• Both properties currently zoned Residential Urban D (RUD)
  • None of the proposed uses permitted

• Optional conversion uses
  • Identifies existing commercial developments along higher-traffic streets in predominantly residential neighbourhoods
  • Emerald Street corridor identified in MPS Part 2, Policy 5
  • PID 15477656 listed under Part 51 of the LUB
Why is an Amendment Necessary?

• Expansion of convenience store and restaurant permitted as-of-right by site plan approval
• Motor vehicle fuel service and accessory uses not currently listed as optional conversion use

Any sales/service development not identified in the list of similar or more compatible uses, or any sales/service development proposed to be located elsewhere along these designated corridors shall be by zoning amendment. (MPS Part 2, Policy 5)
Evaluation: Landscaping and screening

The development proposal must include a landscaping plan to buffer and screen low density residential uses from the starker ancillary components of the site (e.g. parking spaces, driveways, utility facilities, etc.) (MPS Part 2, Policy 5)

• Undeveloped, exposed surfaces to meet definition of landscaped open space
• Landscaping to be added to Emerald frontage and to north along proposed revised residential lot
• However, current site plan does not indicate any screening measures
Evaluation: Traffic impacts

The development proposal must include a traffic plan (both on-site and along the public street/road accessing it) implementing improvements that compensate for the increase in traffic expected. A traffic impact analysis report financed by the developer may be requested by Council, or the planner responsible for reporting to Council in consultation with the Traffic Authority, to support the development proposal and to ensure this criteria is adhered. (MPS Part 2, Policy 5)

- Applicant provided a Traffic Impact Statement
- CBRM Engineering & Public Works Department indicated no concerns about the proposed Larch Street access
- No comments received from Department of Transportation to date
Evaluation: Adverse effects

The development proposal must respect the potential adverse effects any significant buildings will have on much smaller scale low density residential buildings. (MPS Part 2, Policy 5)

- Building will be relocated with a larger footprint but with no change in height
- With exception of any traffic or visual impact, proposed development is not expected to produce significant impacts on neighbouring properties
Next Steps

• Schedule a Public Hearing
• Publish required notice in the Cape Breton Post
• Send notice to assessed property owners within 100m (300ft) of the site
Recommendation

Based on the MPS Part 2, Policy 5, it is reasonable that Council at least consider the proposed amendment. I recommend that General Committee of Council request that Council pass a motion to schedule a Public Hearing to consider this amendment application.