

To: **Baddeck Area Advisory Committee
Victoria County Council**

From: **Planning Staff (EDPC)**

Date: **August 10, 2021**

Reference: **Amendment request to the Baddeck *Land-Use By-law* to add Churches as a permitted use within the General Commercial (C-2) Zone.**

Recommendation:

That Council approve the amendment to the Baddeck Land-Use By-law to allow Churches as a permitted use within the General Commercial (C-2) Zone.

Background:

District Planning received an application on June 3, 2021 from Phil McCormick requesting an amendment to the Baddeck *Land Use By-Law* to allow Churches as a permitted use within the General Commercial (C-2) Zone. The applicant is in an agreement to purchase the lands identified as PID 85152957 for the construction of a church; however, the current C-2 zoning on the property does not allow churches as a permitted use.

A site visit was conducted on June 24, 2021 at which time the areas zoned as General Commercial (C-2) within the Baddeck Plan Area were visited and walked. The surrounding properties were also walked to ensure that churches would be a compatible use with abutting properties. Much of the surrounding properties of the C-2 Zone were single detached residential units and a Nova Scotia Department of Natural Resources building.



Figure 1: View of a General Commercial (C-2) zoned property in Baddeck.

Analysis:

Staff reviewed the Baddeck Municipal Planning Strategy and Land Use By-law to determine the permitted uses within the General Commercial (C-2) Zone and to examine in which zones churches are currently permitted as of right. Churches are permitted as of right within the Commercial Business District (C-1) Zone and the Residential Urban (R-1) Zone. Additionally,

private clubs are a permitted use within the C-2 Zone, which are defined in the Land-Use By-Law as *“building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity, or sorority house, and a labour union hall”*, which from this definition, private clubs can be deemed of a similar use to a church. Planning staff are under the opinion that the addition of churches to the C-2 Zone should not cause disturbances to the surrounding areas given that churches are similar by nature to existing uses within this zone.

Conclusion:

Analysis of the zone, conducted through a review of both the Baddeck Municipal Planning Strategy and Land Use Bylaw, show that the addition of Churches to the General Commercial (C-2) Zone complies with the policy set by the Village of Baddeck.

Additionally, given that private clubs are currently a permitted use within the General Commercial (C-2) Zone and churches are permitted in the Commercial Business District (C-1) and the Residential Urban (R-1) Zones of the Baddeck Land-Use By-law, it is being recommended to Council to allow Churches as a permitted use within the General Commercial (C-2) Zone.

A BY-LAW TO AMEND THE LAND-USE BY-LAW FOR THE VILLAGE OF BADDECK

1. Adding, immediately the following text in bold to the General Commercial (C-2) Zone.

C-2 Uses Permitted

No development permit shall be issued in a General Commercial (C-2) Zone except for one or more of the following uses:

- Retail Stores
- Restaurants or Take-out Restaurants
- Professional Offices
- Automobile Service Stations including a Car Wash and/or Convenience Stores
- Display courts featuring uses similar to the following: swimming pools, prefabricated cottages, mobile homes, boats, etc.
- Private Clubs
- Garden Nursery Sales and Supplies
- Grocery Stores
- Indoor/outdoor Commercial Recreational Establishments
- Laundromats
- Animal Hospitals and Veterinary facilities
- Funeral Homes
- Recreational Facilities
- Repair Shop
- **Churches**