

4.8 DISTRICT COMMERCIAL

The District Commercial designation recognizes existing or recommended commercial areas which are oriented to high vehicular traffic movements, are generally not appropriate within a pedestrian shopping area, and require large blocks of land for parking and the construction of its buildings. Typically, District Commercial uses take advantage of high visibility and require good access from a major road, and therefore shall be sited on a major roadway at the gateways (i.e. areas of high traffic, arterial roads and on the edge of the existing urban area) to the Brighton Urban Area. Such commercial areas shall be located so as to be providing sufficient business opportunity without undermining the primary function and viability of the Core. In addition, the District Commercial designation recognises those commercial uses which primarily serve or are related to water traffic and waterfront uses and are associated with the shoreline of Lake Ontario and Presqu'île Bay. All development proposed within the District Commercial designation shall take place on full piped services provided by the Municipality or its Agents.

4.8.1 Permitted Uses

Permitted uses within the District Commercial designation include vehicle oriented uses including goods and services for the vehicle or those items which cannot be hand carried such as automobile, trailer sales and recreational vehicle sales and service, a building supply centre or lumber yard, and a farm implement dealer are permitted within the District Commercial designation. Motels, amusement, entertainment and recreation facilities, fast food outlets, bulk purchasing establishments, power centres and large format retail shopping areas in excess of 370 square metres gross floor area are also permitted within the District Commercial designation.

Waterfront development associated with the Shoreline of Lake Ontario and Presqu'île Bay shall be considered in accordance with the policies of Section 4.8.6 of this Plan.

4.8.2 Policies

It shall be a policy of this Plan that commercial uses permitted within this designation shall not weaken or be developed in such a fashion that it undermines the Core Area of the urban area of Brighton. It is recognized that the Core Area is the primary commercial area within the Municipality of Brighton.

4.8.3 Policies for Development, Redevelopment and Intensification

The design and layout of District Commercial uses shall optimize their frontage onto arterial roads and the exposure afforded by such a location.

District Commercial developments shall have high regard for and follow proper design, location and performance concerns such as:

- i) Open storage of goods and materials shall be restricted to a maximum of 5% of the lot area. In all cases the open storage areas shall be screened from the adjacent road network and residential areas;
- ii) Architecturally designed buildings with attractive exteriors and sensitive selection of exterior materials will be encouraged by Council;
- iii) Substantial landscaping is provided throughout the site to soften the appearance of extensive off-street parking areas and large footprint buildings. The design of the landscaping shall create a park-like setting when viewed from the adjacent road network or residential areas;
- iv) The number, location, spacing and design of vehicular access points from the adjacent road network into District Commercial sites shall be regulated and subject to the approval of the authorities having jurisdiction;
- v) The type, design and function of signage related to the District Commercial uses will be strictly controlled and should be incorporated into the overall landscaping plan for the development;
- vi) All parking, loading and service areas shall be provided on-site. The layout of these facilities shall ensure full site accessibility at all times and shall be designed to properly integrate with points of ingress/egress;
- vii) Appropriate building setback and buffering for off-street parking areas will be required when such activities are proposed adjacent residential uses.

4.8.3.1 *Transportation Impact Study*

When considering the development or redevelopment of a District Commercial use, Council may request that the Owner or Applicant undertake a Transportation Impact Study. This Report

shall assess the traffic implications of the proposed development upon adjacent roads and detail any design measures required to resolve any potential vehicular or pedestrian traffic problems.

4.8.3.2 Retail Market Analysis

The preparation of a comprehensive retail market analysis by the proponent of a development will be required for:

- i) A new District Commercial area which would result in an additional 1,400 sq. metres or more of gross floor area; or
- ii) The expansion of an existing District Commercial use or area by an additional 1,400 sq. metres or more of gross floor area.

The retail analysis shall assess the impact of the proposed development on the viability of established commercial areas within the community, and in particular the Core Area. The retail market analysis shall be carried out based on the terms of reference approved by the Municipality after consultation with the Applicant, by a qualified market consultant, as the cost of the Applicant. The matters to be addressed under the retail market analysis shall include:

- i) An assessment of the present and future population to be served by the proposed development including a detailed explanation of the sources, techniques and assumptions used in arriving at any population projections;
- ii) An evaluation of the primary and secondary trade areas to be served by the proposed development, including any assumptions used and an explanation of the characteristics of the population to be served, as may be relevant to the proposal;
- iii) A review and analysis of the existing level of retail commercial space within the community and the basis of justification of additional floor space in the context of either a new District Commercial node or the expansion of an existing facility.
- iv) The amount, mix, location and phasing of the proposed retail floor space;
- v) Verification through such studies that the proposal will not jeopardize the viability of the Core Area and thus undermine the intent of this Plan.

4.8.4 Location

District Commercial uses should generally be located adjacent to County or Arterial Roads, and shall be in accordance with Schedule “A”, the Land Use Plan.

4.8.5 Establishment of New District Commercial Areas

The establishment of new District Commercial areas (i.e., lands that are not currently designated as District Commercial) may only be permitted upon lands which benefit from full municipal servicing.

4.8.6 Marine Commercial Areas

The District Commercial designation includes those marine commercial areas wherein the predominant use of the land in the areas so designated shall be for commercial uses which serve the needs of marine traffic by retailing or by providing repair or service facilities. The uses may include retail stores, boat sales and service establishments, eating establishments, motels or hotels, marinas, or places of entertainment. In addition, limited residential uses, open space, and institutional uses may be permitted. Development in Marine Commercial areas shall take place on lands that are fully serviced. Such development shall not take place until the authorities responsible are satisfied that the capacities of the servicing systems are adequate to accommodate the proposed development.

Marine Commercial development will be governed by the following criteria:

- i) Adequate off-street parking shall be provided with access points designed to minimize the danger to vehicular and pedestrian traffic;
- ii) Adequate buffer planting shall be provided adjacent to any residential area;
- iii) Prior to the commencement of any dredging or construction work on the bed of a navigable body of water, approval must with few exceptions be obtained from the Federal Department of Transport under the provisions of the Navigable Waters Protection Act and the MNR under the provisions of the Public Lands Act. These types of projects may also be subject to the provisions of the Federal Fisheries Act which is administered by the MNR;

- iv) All structures in or over any navigable body of water shall be designed and located so as not to cause any hazard to boat traffic;
- v) Development along the waters' edge shall be completed in harmony with surrounding uses and the natural environment. Where possible, open space corridors or buffers should be developed and maintained in a natural state along the shoreline. These natural corridors will assist in improving water quality by controlling erosion, prevent nutrient overloading and by cooling water temperatures;
- vi) Marine commercial uses may be placed in one or more separate zoning categories in the implementing Zoning By-law.

4.8.7 Parking

Adequate off-street parking facilities shall be provided for all permitted uses and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Adequate off-street loading and unloading facilities shall be provided.

4.8.8 Buffer Planting

Adequate buffer planting shall be provided between the District Commercial uses and any adjacent residential uses; such buffer planting shall include the provisions of grass strips, berms, screening and the appropriate planting of trees and shrubs.

4.8.9 Zoning By-law Provisions

District Commercial uses may be included in separate zoning classifications in the implementing Comprehensive Zoning By-law.

4.8.10 Special District Commercial Areas

4.8.10.1 Special District Commercial Area (Craft Developments)

In addition to the policies of Section 4.8.3, for the lands having an area of approximately 18.4 acres (7.5 hectares) and a frontage of 260 metres (860 feet) along the south side of Elizabeth Street, described as Part of Lot 33, Concession B, Part 1 of Registered Plan 39R-8499, former Town of Brighton, County of Northumberland, and municipally addressed as 129 Elizabeth Street, the following shall apply:

- i) That the development shall include an anchor tenant with a minimum gross floor area of 2,320 square metres up to a maximum 4,350 square metres as part of the first phase of the development or if the development is to be constructed in one phase, then as part of the development.
- ii) That a maximum of two drive-through facilities, accessory to any permitted use in the zoning by-law shall be permitted on the subject lands. In addition, a free standing bank drive-through kiosk not connected to a building but only as an accessory use to a bank also located on the subject lands will also be permitted but only in Phase 2 of the development. The developers will file with the Municipality an addendum to the Transportation report which shows that both internal and external (Elizabeth Street) traffic will remain acceptable with the addition of the bank kiosk drive-through. The transportation report addendum should also include recommendations as to acceptable locations on the site for the bank kiosk drive-through.
- iii) That all development will be subject to site plan control with particular regard to the matters set out in Section 3.3.4.3 c. of the Official Plan, in order to achieve high standards of urban design recognizing the “gateway location” of this site. The site plan agreement shall include a phasing and construction schedule which shall include timing for the construction of the anchor tenant building, all off-site improvements, and on-site servicing, all to the satisfaction of the Municipality acting reasonably.

4.9 RESOURCE-BASED RECREATION DEVELOPMENT

The Resource-based Recreation designation is generally intended to apply to commercial lands directly associated with recreational resources, and on lands connected to the shoreline of Lake Ontario. Residential development directly related to resource-based recreational activities may be permitted where it can be demonstrated that such development is appropriate to the infrastructure which is planned or available, is compatible with the rural landscape, and can be sustained by rural service levels.

4.9.1 Permitted Uses

The predominant use of lands in the Resource-Based Recreational designation shall be for commercial recreational development directly related to the resource, including seasonal trailer and camping parks, restaurants, and retail stores together with accessory uses which may