

**DRAFT VILLAGE CENTRE ZONES
PROPOSED FOR FALL RIVER CPG REVIEW
FEBRUARY 5, 2010**

- (1) For the purposes of this By-law Fall River Village Centre as defined by the map contained in Schedule I is divided into the following zones the boundaries of which are shown on Schedule I. Such Zones may be referred to by the appropriate symbols:

Canal Court Zone	CC	
Village Core Zone	VC	
Village Mainstreet Zone	VM	
Village Gateway Zone	VG	(In progress/not included)

PART 14A: CC (CANAL COURT) ZONE

14A.1 USES PERMITTED

No development permit shall be issued in any CC (Canal Court) Zone except for the following:

Commercial Uses

Retail Stores
Convenience stores
Service and Personal Service Shops
Offices
Banks and Financial Institutions
Restaurants (no drive thru) and outdoor cafes,
Craft Shops
Flower Shops,
Art Galleries
Museums
Laundromat

Residential and Commercial Uses

Single unit dwellings
Two unit dwellings
Second floor flat
Bed and Breakfast Establishments
Home Businesses

Community Uses

Open space uses

Uses Considered through Site Plan Approval:

Larger scale commercial uses permitted as commercial uses under this Zone

14A.2 ZONE REQUIREMENTS: RESIDENTIAL USES

In any CC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	6,000 square feet (m ²)
Minimum Frontage:	60 feet (m)
Minimum Front or Flankage Yard	20 feet (6.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14A.3 ZONE REQUIREMENTS: COMMERCIAL USES

In any CC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	10,000 square feet (m ²)
Minimum Frontage:	80 feet (m) if parking is provided in a side yard 60 feet if parking is provided off-site
Minimum Front or Flankage Yard:	0 feet (6.1 m)
Minimum Rear or Side Yard:	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14A.4 SPECIAL REQUIREMENTS: COMMERCIAL USES

No commercial building within any CC Zone shall exceed two thousand (2,000) square feet (m^2) of gross floor area.

14A.5 SPECIAL REQUIREMENTS - HOME BUSINESSES

The following requirements shall apply for all home businesses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the operator of the business. No more than one employee not living in the dwelling shall be permitted.
- (b) No more than twenty-five (25) per cent of the gross floor area of the dwelling or accessory building shall be devoted to any business use, and in no case shall any business use occupy more than three hundred (300) square feet (27.9 m^2) of gross floor area.
- (c) Notwithstanding sections (a) and (b) pertaining to home businesses, day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which does not create a nuisance by virtue of noise, vibration, glare, odour or dust or which is obnoxious.
- (e) No outdoor storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed two (2) square feet (0.2 m^2) in area. Only exterior illumination of a low-wattage, shielded design shall be permitted.
- (g) No exterior alterations to the dwelling related to the business use shall be permitted except to meet fire safety, structural safety, or health regulations.
- (h) No retail operation shall be permitted except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service.
- (i) Adult entertainment uses or massage parlours shall not be considered a permitted business use.
- (j) Where parking is required in the rear yard abutting a residential use, an opaque fence of an adequate height to screen the obscure the view from the adjacent residential property shall be constructed along all property boundaries abutting the residential use and a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property.
- (k) No more than one commercial vehicle is permitted to park on a lot in a CC Zone and no such commercial vehicle shall exceed a registered vehicle weight of five (5) tons (4.5 tonnes) nor be kept less than ten (10) feet (3 m) from any front lot line.

14A.6 SPECIAL REQUIREMENTS - BED AND BREAKFAST USES

The following requirements shall apply for all bed and breakfast uses:

- (a) Not more than four (4) rooms may be let;
- (l) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area. Only exterior illumination of a low-wattage, shielded design shall be permitted;
- (c) One (1) off-street parking space in addition to that required for the dwelling shall be provided for each of the first two rooms to be let; with an additional space for the third and fourth rooms;
- (m) where parking is required is the rear yard abutting a residential use, an opaque fence of an adequate height to screen the view from the adjacent residential property shall be constructed along all property boundaries abutting the residential use and a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property.
- (n) The operator of the bed and breakfast shall reside in the dwelling where the use is carried out.

14A.7 SITE PLAN APPROVAL

Notwithstanding section 14A .4, larger commercial developments, up to forty-eight (4800) hundred square feet (m), may be permitted in the CC Zone where the Development Officer grants Site Plan Approval. Applications for Site Plan Approval shall be in the form specified in Appendix B. The Development Officer shall approve a site plan where the following matters have been addressed:

- (a) All parking for Block B, as shown on Schedule J, shall be provided in the side or the rear yard of each lot or located off site within 300 feet of the development.
- (b) No outdoor storage or display shall be permitted.
- (c) Service areas, parking lots, loading zones, HVAC equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence, berm and/or landscaping that creates a visual barrier.
- (d) Buildings should be located at the front property line and be oriented toward the courtyard and the roadway with a prominent entrance to the front entrance and walkways leading to the rear a entrance of the buildings.
- (e) The courtyard should be designed with an interconnected system of pedestrian walkways leading to benches, cafes and other outdoor spaces that are shaded with trees, umbrellas, trellises or other devices to encourage pedestrian use. The courtyard should be separated from the canal by a stonewall no higher that 2.5 feet to serve as a potential seating area along the water's edge. The wall may have

periodic openings to provide access to the water. Public art should be incorporated within the courtyard to enhance the appearance of buildings and outdoor spaces.

- (f) A Landscaping Plan shall be prepared by a Professional Landscape Architect for the front yard and the court yard to reinforce circulation routes, create pleasant pedestrian conditions, maximize shade and stormwater benefits, and accentuate buildings. The landscaping plan should incorporate the following elements:
- (i) use of decorative paving for sitting areas, pedestrian walkways and building entrances;
 - (ii) landscaping, walkways and art that is coordinated with the architecture of the buildings and reflective of the historical aspects of Shubenacadie Canal and Waterway;
 - (iii) retention of existing trees, vegetation, natural slopes and native soils where possible;
 - (iv) use of native species, where possible, to reduce the need for fertilizers;
 - (v) use of species that are hardy, drought- and salt-tolerant, and resistant to the stresses of compacted soils and weather exposure;
 - (vi) consideration of the sun, shade and irrigation requirements when planting;
 - (vii) a variety of deciduous and coniferous trees and shrubs for year-round interest, texture, shape and color; and
 - (viii) interconnected internal walkway system that is a minimum of 1.7 m (5.5 feet) wide to allow two people to pass comfortably or wider depending on the function of the walkway with landscaping along one or both sides to provide visual relief, bio-retention, shade, and scale to the pedestrian.
- (g) A Stormwater Management Plan has been prepared by a Professional Engineer to minimize storm water flows, treat storm water and prevent the adverse effects of erosion and sedimentation on receiving waters through low impact development approaches. The stormwater management system should be designed to allow groundwater infiltration or subsurface storage to manage storm water effectively on-site. These systems may include but shall not be limited to the following devices:
- (i) conveyance (roof-top and other hard surfaces) to bio-retention areas such as rain gardens (bioretention cell), filter strips, vegetated swales and/or other treatment devices;
 - (ii) plantation of wetland edge plants in bioretention areas to enhance nutrient and pollution removal;
 - (iii) collection of rainwater from rooftops and other surfaces for irrigation of landscaped areas where possible.
 - (iv) one bioretention area for a maximum of five (5) acres of drainage area;
 - (v) permeable surfaces (stone pavers) to allow for infiltration;
 - (vi) retention of native soils where possible to facilitate groundwater infiltration;
 - (viii) placement of nursery grade soil to a minimum depth of three feet (0.9 m)

- in landscaped areas to facilitate optimal growth and groundwater infiltration; and
- (ix) minimum disturbance of slopes and installation of appropriate erosion and sedimentation control devices in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by the Nova Scotia Environment;
- (h) A Comprehensive Exterior Lighting Plan prepared by a Landscape Architect or Electrical Engineer to create an identity for the development and reduce the effects of light spillover on the Village Centre and adjacent properties while addressing any concerns related to safety. The Lighting Plan shall be designed to achieve the following:
 - (i) direct light to driveways, parking areas, loading area, building entrances and walkways and arranged the overall lighting system to divert the light away from streets, adjacent lots and buildings;
 - (ii) select different luminaries to provide a coordinated appearance to light pedestrian pathways, parking spaces, driving aisles, building and site entrances and other relevant site features;
 - (iii) minimize the intensity and spillover effect of lighting through the use of lighting equipment and fixtures that are properly shielded and downward directed so that lighting sources are not visible from adjacent properties;
 - (iv) provision of ground-oriented, pedestrian scale lighting along pathways and walkways is encouraged; and
 - (v) provision of lighting that allows for reduction in illumination during the off peak hours of operation is desired
- (i) All of the items required by this policy shall be adequately maintained.

14A.8 COMMUNITY USES - ZONE REQUIREMENTS

In any CC Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conforming with Part 22.

14A.8 EXEMPTIONS

Notwithstanding Section 14A.7, Site Plan Approval shall not be required for a change in use or occupancy within an existing building, internal renovations with no external renovation or modifications to an existing building, or any signage associated with a change in use or occupancy.

PART 14B: VC (VILLAGE CORE) ZONE

14B.1 USES PERMITTED

No development permit shall be issued in any VC (Village Core) Zone except for the following:

Commercial Uses

Retail Stores,
Food stores,
Service and Personal Service Shops,
Offices,
Wellness Centres,
Banks and Financial Institutions,
Restaurants (no drive thru) and outdoor cafes,
Funeral Establishments,
Craft Shops,
Greenhouses and Nurseries,
Art Galleries,
Museums,
Medical, Dental and Vet Clinics
Existing Service Stations
Market Garden
Pubs and Lounges

Residential Uses

Single unit
Townhouses
Bed and Breakfast Establishments
Home Business

Community Uses
Open space uses
Institutional uses

Commercial Uses Considered Through Site Plan Approval:

Shopping centres and expansions on the lands of Sobeys Development Limited (PID 41037714)

14B.2 ZONE REQUIREMENTS: RESIDENTIAL USES

In any VC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	6000 square feet where sewer is provided 40,000 square feet (m ²)
Minimum Frontage:	60 feet where sewer is provided 100 feet (m)
Minimum Front or Flankage Yard	30 feet (m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14B.3 ZONE REQUIREMENTS: COMMERCIAL USES

In any VC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	40,000 square feet (m ²)
Minimum Frontage:	100 feet (m)
Minimum Front or Flankage Yard:	30 feet (m)
Minimum Rear or Side Yard:	8 feet (2.4 m)

Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14A.4 SPECIAL REQUIREMENTS: COMMERCIAL USES

No commercial building within any CC Zone shall exceed forty-eight hundred (4,800) square feet (m²) of gross floor area.

14A.5 SPECIAL REQUIREMENTS - HOME BUSINESSES

The following requirements shall apply for all home businesses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the operator of the business. No more than one employee not living in the dwelling shall be permitted.
- (b) No more than twenty-five (25) per cent of the gross floor area of the dwelling or accessory building shall be devoted to any business use, and in no case shall any business use occupy more than three hundred (300) square feet (27.9 m²) of gross floor area.
- (c) Notwithstanding sections (a) and (b) pertaining to home businesses, day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which does not create a nuisance by virtue of noise, vibration, glare, odour or dust or which is obnoxious.
- (e) No outdoor storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed two (2) square feet (0.2 m²) in area. Only exterior illumination of a low-wattage, shielded design shall be permitted.
- (g) No exterior alterations to the dwelling related to the business use shall be permitted except to meet fire safety, structural safety, or health regulations.
- (h) No retail operation shall be permitted except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service.
- (i) Adult entertainment uses or massage parlours shall not be considered a permitted business use.
- (j) Where parking is required in the rear yard abutting a residential use, an opaque fence of an adequate height to screen the obscure the view from the adjacent residential property shall be constructed along all property boundaries abutting the residential use and a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property.

- (k) No more than one commercial vehicle is permitted to park on a lot in a CC Zone and no such commercial vehicle shall exceed a registered vehicle weight of five (5) tons (4.5 tonnes) nor be kept less than ten (10) feet (3 m) from any front lot line.

14B.6 SPECIAL REQUIREMENTS - BED AND BREAKFAST USES

The following requirements shall apply for all bed and breakfast uses:

- (a) Not more than four (4) rooms may be let;
- (b) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area. Only exterior illumination of a low-wattage, shielded design shall be permitted;
- (c) One (1) off-street parking space in addition to that required for the dwelling shall be provided for each of the first two rooms to be let; with an additional space for the third and fourth rooms;
- (d) The operator of the bed and breakfast shall reside in the dwelling where the use is carried out.

14B.7 SPECIAL REQUIREMENT: COMMERCIAL PARKING

Within the Village Core Zone, parking lots may be situated in the side or to the rear of the building. Where parking lots are located next to residential uses, a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property. The landscaped buffer may contain evergreen trees, earth berms, fences, or shrubs provided it provided an effective screen of the parking lot from the abutting residential property.

14B.8 SPECIAL REQUIREMENT: LANDSCAPING

Within the Village Core Zone, no permit for a commercial use shall be issued unless landscaping is provided throughout the front yard, except for that area required for stairs or wheelchair ramps and driving aisle. Where possible, the applicant shall retain and protect existing trees, vegetation, natural slopes and native soils and integrate these features into the overall landscape plan.

14B.9 SITE PLAN APPROVAL

No development permit shall be issued for any development on the Sobeys Shopping Centre Site (PID 41037714) in the VC Zone prior to the Development Officer granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix B. The Development Officer shall approve a site plan where the following matters have been addressed:

- (a) Notwithstanding section 14B.4, the gross floor area of all buildings on-site shall not exceed one-hundred and ten thousand square feet and shall be located along the western and southern sides of the site in the areas as generally illustrated on Schedule K.
- (b) Buildings along the rear and south lot lines shall be oriented toward the parking lot with clearly defined walkways leading to the entrance of each building.
- (c) Service areas, parking lots, loading zones, HVAC equipment and other rooftop mechanical equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence, berm and/or landscaping that creates a visual barrier.
- (d) Barriers that serve to reduce noise levels associated with the operation of HVAC equipment and other rooftop mechanical equipment shall be installed on all units. The design shall be prepared by a professional engineer.
- (e) Barriers that serve to reduce noise levels associated with the operation of HVAC equipment and other rooftop mechanical equipment shall be installed on all units. The design shall be prepared by a professional engineer.
- (f) Front yard parking may be provided where the requirements of this section and subsection 4.26 (3) and (4) have been met.
- (g) A promenade of at least twenty (20) feet (6m) in width shall be developed along the entire front of the property. The promenade shall be landscaped with soft landscaping features including trees, shrubs, perennials, grass and/or groundcover and hard landscaping features including decorative pavers. One tree shall be required for every 20 feet (6m) of frontage and may be evenly spaced along the front of the property or planted in clusters to soften the appearance of the parking lot and to provide shade. Benches should be incorporated in the landscaped area and spaced at 100 foot (30m) intervals for the entire length of the parking lot edge or provided at a rate of one bench per landscaped cluster. The promenade may be developed in phases as the development of the site progresses.
- (h) Establish continuous internal pedestrian linkage to allow safe connection between customer entrance(s), parking spaces, public sidewalks, transit system and to the north and the south of the plaza. Where the property abuts Highway 2 the internal walkways must also connect with the sidewalk. The pedestrian linkages may be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited. Internal walkways should be a minimum of 1.7 m (5.5 feet) wide to allow two people to pass comfortably or wider depending on the function of the walkway. Walkways shall avoid drive-through lanes.
- (i) At intersections, crosswalks and main building entries, a change in sidewalk color, texture, pattern, or raised material shall be utilized. Paint striping to accentuate these areas shall be prohibited;
- (j) Paved surfaces of parking lots should be separated from buildings by a minimum of five feet of landscaping and/or a walkway paved with textured or stone materials.
- (k) A Landscaping Plan shall be prepared by a Professional Landscape Architect for the promenade, parking lot and site to reinforce circulation routes, create pleasant

pedestrian conditions, maximize shade and stormwater benefits, and accentuate buildings. The landscaping plan should incorporate the following elements:

- (i) use of decorative paving for sitting areas, pedestrian walkways and building entrances;
 - (ii) landscaping, walkways and art that is coordinated with the architecture of the buildings and reflective of the historical aspects of Shubenacadie Canal and Waterway;
 - (iii) retention of existing trees, vegetation, natural slopes and native soils where possible;
 - (iv) use of native species, where possible, to reduce the need for fertilizers;
 - (v) use of species that are hardy, drought- and salt-tolerant, and resistant to the stresses of compacted soils and weather exposure;
 - (vi) consideration of the sun, shade and irrigation requirements when planting;
 - (vii) a variety of deciduous and coniferous trees and shrubs for year-round interest, texture, shape and color; and
 - (viii) interconnected internal walkway system that is a minimum of 5.5 feet (1.7 m) wide to allow two people to pass comfortably or wider depending on the function of the walkway with landscaping along one or both sides to provide visual relief, bio-retention, shade, and scale to the pedestrian.
- (l) A Stormwater Management Plan has been prepared by a Professional Engineer to minimize storm water flows, treat storm water and prevent the adverse effects of erosion and sedimentation on receiving waters through low impact development approaches. The stormwater management system should be designed to allow groundwater infiltration or subsurface storage to manage storm water effectively on-site. These systems may include but shall not be limited to the following devices:
- (i) conveyance (roof-top and other hard surfaces) to bio-retention areas such as rain gardens (bioretention cell), filter strips, vegetated swales and/or other treatment devices;
 - (ii) plantation of wetland edge plants in bioretention areas to enhance nutrient and pollution removal;
 - (iii) collection of rainwater from rooftops and other surfaces for irrigation of landscaped areas where possible.
 - (iv) one bioretention area for a maximum of five (5) acres of drainage area;
 - (v) permeable surfaces (stone pavers) to allow for infiltration;
 - (vi) retention of native soils where possible to facilitate groundwater infiltration;
 - (viii) placement of nursery grade soil to a minimum depth of three feet (0.9 m) in landscaped areas to facilitate optimal growth and groundwater infiltration; and
 - (ix) minimum disturbance of slopes and installation of appropriate erosion and sedimentation control devices in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by the Nova Scotia Environment;

- (m) A Comprehensive Exterior Lighting Plan prepared by a Landscape Architect or Electrical Engineer to create an identity for the development and reduce the effects of light spillover on the Village Centre and adjacent properties while addressing any concerns related to safety. The Lighting Plan shall be designed to achieve the following:
 - (i) direct light to driveways, parking areas, loading area, building entrances and walkways and arranged the overall lighting system to divert the light away from streets, adjacent lots and buildings;
 - (ii) select different luminaries to provide a coordinated appearance to light pedestrian pathways, parking spaces, driving aisles, building and site entrances and other relevant site features;
 - (iii) minimize the intensity and spillover effect of lighting through the use of lighting equipment and fixtures that are properly shielded and downward directed so that lighting sources are not visible from adjacent properties;
 - (iv) provision of ground-oriented, pedestrian scale lighting along pathways and walkways is encouraged; and
 - (v) provision of lighting that allows for reduction in illumination during the off peak hours of operation is desired
- (n) All of the items required by this policy shall be adequately maintained.

14B.10 COMMUNITY USES - ZONE REQUIREMENTS

In any VC Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conforming with Part 22.

14B.11 EXEMPTIONS

Notwithstanding Section 14B.9, Site Plan Approval shall not be required for a change in use or occupancy within an existing building, internal renovations with no external renovation or modifications to an existing building, or any signage associated with a change in use or occupancy.

PART 14C: VMS (VILLAGE MAINSTREET) ZONE

14C.1 USES PERMITTED

No development permit shall be issued in any VMS (Village Mainstreet) Zone except for the following:

Commercial Uses

Retail Stores,
Convenience Stores and take-out,
Service and Personal Service Shops,
Offices,
Wellness Centres,
Banks and Financial Institutions,
Restaurants (no drive thru) and outdoor cafes,
Funeral Establishments,
Craft Shops,
Greenhouses and Nurseries,
Art Galleries,
Museums,
Medical, Dental and Vet Clinics
Existing Service Stations

Market Garden
Pubs and Lounges

Residential Uses

Single unit
Townhouses
Second floor flat
Bed and Breakfast Establishments
Home Business

Community Uses

Open space uses
Institutional uses

Commercial Uses Considered Through Site Plan Approval:

Commercial Uses permitted under this Zone up to a maximum gross floor area of ten thousand (10,000) square feet (m).

14C.2 ZONE REQUIREMENTS: RESIDENTIAL USES

In any VMS Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	6000 square feet where sewer is provided 40,000 square feet (m ²)
Minimum Frontage:	60 feet were sewer is provided 100 feet (m)
Minimum Front or Flankage Yard	30 feet (m)
Minimum Rear or Side Yard	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14C.3 ZONE REQUIREMENTS: COMMERCIAL USES

In any VC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	40,000 square feet (m ²)
Minimum Frontage:	100 feet (m)
Minimum Front or Flankage Yard:	30 feet (m)
Minimum Rear or Side Yard:	8 feet (2.4 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14A.4 SPECIAL REQUIREMENTS: COMMERCIAL USES

No commercial building within any VMS Zone shall exceed forty-eight hundred (4,800) square feet (m²) of gross floor area.

14C.5 SPECIAL REQUIREMENTS - HOME BUSINESSES

The following requirements shall apply for all home businesses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the operator of the business. No more than one employee not living in the dwelling shall be permitted.
- (b) No more than twenty-five (25) per cent of the gross floor area of the dwelling or accessory building shall be devoted to any business use, and in no case shall any business use occupy more than three hundred (300) square feet (27.9 m²) of gross floor area.
- (c) Notwithstanding sections (a) and (b) pertaining to home businesses, day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which does not create a nuisance by virtue of noise, vibration, glare, odour or dust or which is obnoxious.
- (e) No outdoor storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed two (2) square feet (0.2 m²) in area. Only exterior illumination of a low-wattage, shielded design shall be permitted.
- (g) No exterior alterations to the dwelling related to the business use shall be permitted except to meet fire safety, structural safety, or health regulations.
- (h) No retail operation shall be permitted except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service.

- (i) Adult entertainment uses or massage parlours shall not be considered a permitted business use.
- (j) Where parking is required in the rear yard abutting a residential use, an opaque fence of an adequate height to screen the obscure the view from the adjacent residential property shall be constructed along all property boundaries abutting the residential use and a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property.
- (k) No more than one commercial vehicle is permitted to park on a lot in a CC Zone and no such commercial vehicle shall exceed a registered vehicle weight of five (5) tons (4.5 tonnes) nor be kept less than ten (10) feet (3 m) from any front lot line.

14C.6 SPECIAL REQUIREMENTS - BED AND BREAKFAST USES

The following requirements shall apply for all bed and breakfast uses:

- (a) Not more than four (4) rooms may be let;
- (b) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area. Only exterior illumination of a low-wattage, shielded design shall be permitted;
- (c) One (1) off-street parking space in addition to that required for the dwelling shall be provided for each of the first two rooms to be let; with an additional space for the third and fourth rooms;
- (d) The operator of the bed and breakfast shall reside in the dwelling where the use is carried out.

14C.7 SPECIAL REQUIREMENT: COMMERCIAL PARKING

Within the VMS Zone, parking lots shall be located at the side and/or in the rear of the building. Where parking lots are located next to residential uses, a landscaped buffer strip of a minimum width of three (3) feet shall be provided in these portions of the property. The landscaped buffer may contain evergreen trees, earth berms, fences, or shrubs provided it provided an effective screen of the parking lot from the abutting residential property .

14C.8 SPECIAL REQUIREMENT: LANDSCAPING

Within the VMS Zone, no permit for a commercial use shall be issued unless landscaping is provided throughout the front yard, except for that area required for stairs or wheelchair ramps and driving aisle. Where possible, the applicant shall retain and protect existing trees, vegetation, natural slopes and native soils on the site and integrate these features into the overall landscape plan.

14C.9 SITE PLAN APPROVAL

No development permit shall be issued for any larger scale commercial development in the VMS Zone prior to the Development Officer granting Site Plan Approval.

Applications for site plan approval shall be in the form specified in Appendix B. The Development Officer shall approve a site plan where the following matters have been addressed:

- (a) The gross floor area of all buildings on-site shall not exceed ten thousand square feet and shall be located along the western and southern sides of the site in the areas as generally illustrated on Schedule K.
- (b) Buildings should be set back a maximum of thirty (30) feet (m) from the front property line and oriented toward the road or street.
- (c) Service areas, parking lots, loading zones, HVAC equipment and other rooftop mechanical equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence, berm and/or landscaping that creates a visual barrier.
- (d) Barriers that serve to reduce noise levels associated with the operation of HVAC equipment and other rooftop mechanical equipment shall be installed on all units. The design shall be prepared by a professional engineer.
- (e) Front yard parking may be provided where the requirements of this section and subsection 4.26 (3) and (4) have been met.
- (f) Establish continuous internal pedestrian linkage to allow safe connection between customer entrance(s), parking spaces, public sidewalks, transit system and to the north and the south of the plaza. Where the property abuts Highway 2 the internal walkways must also connect with the sidewalk. The pedestrian linkages may be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited. Internal walkways should be a minimum of 1.7 m (5.5 feet) wide to allow two people to pass comfortably or wider depending on the function of the walkway. Walkways shall avoid drive-through lanes.
- (g) At intersections, crosswalks and main building entries, a change in sidewalk color, texture, pattern, or raised material shall been utilized. Paint striping to accentuate these areas shall be prohibited;
- (h) Paved surfaces of parking lots should be separated from buildings by a minimum of five feet of landscaping and/or a walkway paved with textured or stone materials.
- (i) A Landscaping Plan shall be prepared by a Professional Landscape Architect for the parking lot and site to reinforce circulation routes, create pleasant pedestrian conditions, maximize shade and stormwater benefits, and accentuate buildings. The landscaping plan should incorporate the following elements:
 - (i) use of decorative paving for sitting areas, pedestrian walkways and building entrances;
 - (ii) landscaping, walkways and art that is coordinated with the architecture of the buildings and reflective of the historical aspects of Shubenacadie Canal and Waterway;
 - (iii) retention of existing trees, vegetation, natural slopes and native soils where

- possible;
 - (iv) use of native species, where possible, to reduce the need for fertilizers;
 - (v) use of species that are hardy, drought- and salt-tolerant, and resistant to the stresses of compacted soils and weather exposure;
 - (vi) consideration of the sun, shade and irrigation requirements when planting;
 - (vii) a variety of deciduous and coniferous trees and shrubs for year-round interest, texture, shape and color; and
 - (vii) interconnected internal walkway system that is a minimum of 1.7 m (5.5 feet) wide to allow two people to pass comfortably or wider depending on the function of the walkway with landscaping along one or both sides to provide visual relief, bio-retention, shade, and scale to the pedestrian.
- (j) A Stormwater Management Plan has been prepared by a Professional Engineer to minimize storm water flows, treat storm water and prevent the adverse effects of erosion and sedimentation on receiving waters through low impact development approaches. The stormwater management system should be designed to allow groundwater infiltration or subsurface storage to manage storm water effectively on-site. These systems may include but shall not be limited to the following devices:
- (i) conveyance (roof-top and other hard surfaces) to bio-retention areas such as rain gardens (bioretention cell), filter strips, vegetated swales and/or other treatment devices;
 - (ii) plantation of wetland edge plants in bioretention areas to enhance nutrient and pollution removal;
 - (iii) collection of rainwater from rooftops and other surfaces for irrigation of landscaped areas where possible.
 - (iv) one bioretention area for a maximum of five (5) acres of drainage area;
 - (v) permeable surfaces (stone pavers) to allow for infiltration;
 - (vi) retention of native soils where possible to facilitate groundwater infiltration;
 - (viii) placement of nursery grade soil to a minimum depth of three feet (0.9 m) in landscaped areas to facilitate optimal growth and groundwater infiltration; and
 - (ix) minimum disturbance of slopes and installation of appropriate erosion and sedimentation control devices in accordance with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by the Nova Scotia Environment;
- (k) A Comprehensive Exterior Lighting Plan prepared by a Landscape Architect or Electrical Engineer to create an identity for the development and reduce the effects of light spillover on the Village Centre and adjacent properties while addressing any concerns related to safety. The Lighting Plan shall be designed to achieve the following:
- (i) direct light to driveways, parking areas, loading area, building entrances and walkways and arranged the overall lighting system to divert the light away from streets, adjacent lots and buildings;

- (ii) select different luminaries to provide a coordinated appearance to light pedestrian pathways, parking spaces, driving aisles, building and site entrances and other relevant site features;
 - (iii) minimize the intensity and spillover effect of lighting through the use of lighting equipment and fixtures that are properly shielded and downward directed so that lighting sources are not visible from adjacent properties;
 - (iv) provision of ground-oriented, pedestrian scale lighting along pathways and walkways is encouraged; and
 - (v) provision of lighting that allows for reduction in illumination during the off peak hours of operation is desired
- (l) All of the items required by this policy shall be adequately maintained.

14C.10 COMMUNITY USES - ZONE REQUIREMENTS

In any CC Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conforming with Part 22.

14C.11 EXEMPTIONS

Notwithstanding Section 14C.9, Site Plan Approval shall not be required for a change in use or occupancy within an existing building, internal renovations with no external renovation or modifications to an existing building, or any signage associated with a change in use or occupancy.

Appendix B
Site Plan Approval Application Requirements
(Section Under Development)

Before a Site Plan Approval Permit is issued, the Development Officer shall be provided with the following information where applicable:

- (a) a site plan, drawn to scale, showing all existing and proposed buildings, all yard setbacks, location and design of parking, driveways and vehicle circulation areas, pedestrian walkways and existing and proposed landscaping;
- (b) site plans presented for a portion of a property, must show how the plan has been designed to accommodate future buildings, access roads, walkways, stonewalls, landscaping, drainage, utilities, signage, and open space in a coordinated fashion; and
- (c) any other information the Development Officer deems necessary to properly evaluate the proposal.

