

## 2.4 COMMERCIAL POLICIES

The major goal of the commercial sector is to create a distinct and viable commercial district that will provide a variety of commercial services to meet the needs of both the local and regional market.

Extending from the western boundary near the Kentville-New Minas Boundary easterly to Granite Drive Council shall designate lands as Business District. Within this District a Major Commercial (C1) Zone shall be established which will allow for a broad range of commercial uses

In recognition of potential land use conflict, beverage rooms, lounges and cabarets are only permitted to develop in the designated business district by development agreement. The use of development agreements allows Council to consider the merits of each proposed development in relation to the policies contained in the New Minas Sector Plan. These policies allow Council to negotiate various site characteristics with the purpose of minimizing any negative effects of the proposed use such as appearance, noise, and on-site activity that may disrupt the residential character of adjacent residential districts.

In 1992, Council instituted a special land use along the segment of Commercial Street between Cornwallis Avenue and the Evangeline Middle School thus creating a Business Expansion District. As the eastern entrance to the New Minas Business District, Council's objective was to acknowledge the businesses interspersed along the highway and manage the orderly transition from residential to commercial. The Commercial Gateway (CG) Zone of this District provides for a limited range of commercial uses and imposes restrictions on the size and scale of development. Existing residential uses and existing institutional uses shall also be permitted in the New Minas Commercial Gateway Zone. Special provisions include requirements for landscaping. These provisions are intended to enhance the attractiveness of the development and to provide a buffer between new commercial uses and abutting residential uses. It is not intended that the scale of development be limited entirely to that permitted in the Gateway Zone. Larger proposals will be subjected to individual review through the development agreement process. Uses such as beverage rooms will not be permitted in either the zone or by development agreement in the area zoned Commercial Gateway. The special provisions for fringe areas are intended to provide protection for the existing residential uses and future residential neighbourhoods as well as promote attractive development.

To provide more opportunities for commercial uses oriented to the travelling public in proximity to the interchange located along Highway # 101, a Highway Commercial Designation has been established. Highway Commercial Uses within the Highway Commercial (C6) Zone are intended to draw the travelling public off the major highway and into the Village of New Minas, 'The shopping Capital of the Valley'. The Highway Commercial Designation for this area is larger than the current Zone boundaries in order to allow for future expansion of this zone without requiring an amendment to the Sector Plan.

Occasionally certain areas of land will be identified which have unique attributes due to natural or human factors. Such an example would be the former Horton District High School. In order to

develop such unique sites in New Minas, Council established a Commercial Comprehensive Development (CCD) District.

## POLICIES

1. *It shall be the policy of Council to designate a Business District on the Future Land Use Map. Within the Business District, commercial uses, institutional uses and existing residential uses will be permitted.*
2. *It shall be the policy of Council to zone the lands within the Business District designation to a Major Commercial Zone that will permit a wide range of commercial uses, existing residential dwellings, and new residential units attached to a commercial building and accessory to the commercial use.*
3. *It shall be the policy of Council that the following provisions shall apply to all future commercial development within the Business District designation:*
  - i. *Adequate parking shall be provided.*
  - ii. *Open storage and outdoor display shall be strictly controlled.*
  - iii. *Access points to arterial and collector roads shall be controlled.*
4. *It shall be the policy of Council to limit the number of service stations, fast food outlets, and other similar traffic generators at any intersection to locating on two corners only.*
5. *Notwithstanding Policy 2 above, it shall be the policy of Council to consider permitting the development of beverage rooms, lounges and cabarets in the business district by development agreement. A site plan showing the proposed development including the building, parking area, location of driveways and accesses, buffers and landscaping must be submitted for Council's consideration. The site plan shall form a part of the development agreement and the development of the proposed use shall be in accordance with the site plan as approved by Council.*
6. *In consideration of such development agreements, it is the policy of Council to have regard for the following matters:*
  - i. *The location of driveways providing access to an egress from the site with regard to sighting distances and location of other accesses.*
  - ii. *The impact of the proposed use on the street network in terms of traffic volumes and traffic circulation.*
  - iii. *Provision of an on-site parking area of adequate size and design to accommodate the users.*

- iv. *Provision of buffers in the form of setbacks, landscaping, screening and/or fencing to mitigate any objectionable aspects of the proposed use such as noise, headlight glare, appearance and on-site activity that may detrimentally affect uses in an adjacent residential district.*
  - v. *The location and screening of outdoor storage areas for refuse, fuel storage tanks, electrical transformers, and other similar facilities in relation to uses in an adjacent residential district so to minimize their impact.*
  - vi. *The positioning of outdoor lighting and ventilation systems in relation to uses in an adjacent residential district so to minimize their impact.*
  - vii. *The location of doorways, windows and outdoor patios in relation to uses in an adjacent residential district so to minimize their impact.*
7. *It shall be the policy of Council that the terms of the agreement may regulate the following and any other conditions enabled by the Municipal Government Act Council may deem necessary:*
- i. *Landscaping.*
  - ii. *Architectural design of the building.*
  - iii. *Access, traffic circulation and parking.*
  - iv. *Minimum lot size.*
  - v. *Location, height, number of stories, area and bulk of buildings.*
  - vi. *Percentage of land that may be built upon, and the size of yards, courts and other open space.*
  - vii. *Hours of operation.*
  - viii. *Maintenance of the development.*
8. *It shall be the policy of Council to permit the development of shopping centres by an amendment to the Land Use Bylaw within the Business District provided that:*
- i. *Where demonstrated by the developer that additional floor space is required.*
  - ii. *Adequate parking can be provided.*
  - iii. *Municipal services and facilities are capable of supporting the development.*

9. *It shall be the policy of Council to establish a Highway Commercial District (Hc) designation on the Future Land Use Map and a Highway Commercial Zone in the Land Use Bylaw. This designation and zone are intended primarily to provide for uses serving the travelling public at convenient locations in proximity to Highway # 101 interchanges.*

*The following provisions shall apply:*

- a. *The Land Use Bylaw will permit uses primarily serving the travelling public such as, but not limited to, service stations, hotels, motels, and restaurants.*
- b. *The Land Use Bylaw shall regulate the commercial development by addressing the following to ensure the traffic impacts are minimized and the concentration of commercial development is limited:*
  - i. *a minimum lot size and frontage shall apply to encourage a low density of commercial development*
  - ii. *a maximum number of accesses, and separation requirements between access locations shall apply*
  - iii. *parking standards for adequate on-site parking shall apply*
  - iv. *deep set backs for buildings from the street shall be provided*
- c. *Council may consider amendments to the Land Use Bylaw to allow additional uses to those specified in (a) above having regard to the following:*
  - i. *The new use is a use serving the travelling public that is in keeping with the intent of this Highway Commercial Policy, but not originally anticipated and permitted by the Land Use Bylaw.*
  - ii. *Other commercial uses may be permitted provided:*
    - *The intent of the Highway Commercial District designation with respect to reserving land for uses serving the travelling public is reasonably achieved.*
    - *The regulations for the Highway Commercial (C6) Zone, which require a 2 acre lot size with a 200 foot minimum frontage and deep set-backs for structures apply in every respect possible to ensure the District remains low density in character.*
    - *The new uses are not expected to result in undue restrictions on traffic flow or result in strip commercial development along the street.*

- *Retail uses, which are not intended to primarily serve the travelling public, shall be limited in size to 5,000 square feet.*
- iii. *In considering any change to the Highway Commercial District and Zone, Council shall have regard to all other policies of the Plan and consider the effect of any change on other commercial goals, objectives and policies.*
  - iv. *In considering changes to the Land Use Bylaw to allow additional commercial uses, Council shall have regard to the potential for any negative impact or conflict with existing and permitted uses.*
10. *Council shall recognize those lands between Milne and Cornwallis Avenue and the Ken Wo Golf Course and the Lockhart and Ryan Memorial Park as a "Commercial Gateway Area" in which special land use controls shall apply that is designed to achieve a pleasant transition between the Business District and other Districts.*
  11. *Council shall establish a New Minas Commercial Gateway (CG) Zone in the Land Use Bylaw. This Zone shall be applied to areas identified in policy 10, above. The CG Zone will include provisions designed to achieve an attractive transition area between lands zoned Major Commercial (C1) or Commercial Shopping Centre (C3) and the surrounding area.*
  12. *The New Minas Commercial Gateway (CG) Zone will only be permitted within the Business District Expansion designation. However, Policy 3.9.14 of Part 3, Implementation, shall apply to lands adjacent to the Business District portion described in Policy 10 above and shall also apply to Development Agreements, subject to the following:*
    - a. *In the case of lands designated Parks and Open Space a survey plan prepared by a Nova Scotia Land Surveyor must confirm that at least a 15 foot setback (or greater if recommended by the Nova Scotia Department of Environment and Labour) will be retained from the top of the bank of any stream.*
    - b. *In the case of residentially designated lands to the north of the commercial designation on the north side of Commercial Street the commercial zone will not be extended nor will a Development Agreement be considered beyond any lot boundary as existing on the effective date of this section.*
  13. *The following provisions shall apply to new development within any area zoned New Minas Commercial Gateway (CG):*
    - a. *The range of commercial uses will be limited to those commercial uses that are not expected to involve extensive outdoor storage or outdoor display.*
    - b. *Land uses which are generally expected to be high traffic generators will not be permitted.*

- c. *Limited intensification of existing residential structures will be permitted provided no alterations to the height or lot coverage of the building occurs.*
- d. *New residential units shall be permitted as uses accessory to commercial uses, units above or behind commercial uses and/or those within existing residential structures by conversion except for in lots that contain a Gas Bar.*
- e. *Gas Bars will be permitted provided they are accessory to a permitted use.*
- f. *The CG Zone will permit only small development proposals (those which are contained within structures of 5,000 square feet or less of floor area).*
- g. *Mass, bulk and height of buildings will be limited.*
- h. *Lot coverage and the size and number of signs will be less than that permitted in the General Commercial (C1) Zone.*
- i. *Expansions of existing structures will be required to be architecturally compatible with the original building.*
- j. *Adequate parking and loading areas to accommodate the proposed development shall be required.*
- k. *Parking areas will be required to be paved and show clearly defined marked parking spots with at least one, the most accessible parking spot, made available for wheelchair customers or those otherwise physically challenged. A reduction in the size of some of the required parking may be permitted to accommodate small cars.*
- l. *Accesses, parking areas and landscaped areas shall be clearly defined by curbing.*
- m. *Outdoor commercial storage shall be prohibited and outdoor commercial display will be limited and strictly controlled. Outdoor storage areas for refuse, fuel storage tanks, and other similar facilities shall be screened from view.*
- n. *Lighting shall be directed away from streets as well as adjacent lots and buildings.*
- o. *Landscaping consisting of vegetation in raised, curbed areas will be required within the front yards, although driveway sight lines will be maintained at access points.*
- p. *A landscaped buffer will be required between new commercial uses and any abutting residential yards in a residential zone or designation.*
- q. *Buildings, structures and parking areas shall be required to be set back from the top of the bank of any stream.*

14. *Within areas zoned New Minas Commercial Gateway (CG), Council may consider proposals for commercial development of a size beyond that which is permitted in the CG Zone by Development Agreement. Such agreements shall be in accordance with the provisions of the Municipal Government Act.*

*The uses that may be considered are those uses permitted in the CG Zone or uses such as, but not limited to, indoor commercial recreation facilities, funeral homes, hotels and motels, group commercial facilities and existing outdoor commercial display. Entertainment uses, uses involving extensive outdoor storage and automotive sales and service, including farm equipment sales uses, will be prohibited.*

*The provisions of the CG Zone outlined in 13 e, 13 j and 13 q shall apply to the Development Agreement in addition to policies 15, 16 and 17. The landscaping provisions of the Commercial Gateway Zone outlined in policy 13 l, 13 o, and 13 p shall be used as a guide for development by agreement.*

15. *In considering entering a development agreement, Council shall ensure that the following conditions are met:*
- a. *An on-site parking area of adequate size and design to accommodate the users is provided and regulated, and designed as a minimum in accordance with the Commercial Gateway Zone requirements mentioned in 13 k above. The requirements of the Major Commercial (C1) Zone shall be used as a guide to determine the number of parking spaces to be provided.*
  - b. *The anticipated traffic volumes generated by the proposal can be accommodated and the proposal will not have a significant negative impact on traffic circulation.*
  - c. *The inclusion of site plans which show building location and elevations, architectural details, paved parking areas, location and size of signs, proposed landscaping and vegetative buffering, as well as loading areas, garbage locations, lighting, and other utility areas.*
  - d. *Signs will be controlled and will be in keeping with the size limitation outlined for the CG Zone.*
16. *In addition to the above, in considering proposals by Development Agreement, Council shall have regard to the following:*
- a. *Parking areas for more than 25 cars will contain:*
    - i. *landscaping features within the parking area equivalent to at least 10% of the overall parking area excluding driveways; and*
    - ii. *a site layout that includes walkways or other suitable right-of-ways to promote safety between pedestrian and vehicular movements between the*

*street, the parking lots and the commercial use entrance, and as a minimum arranged to give direct and unobstructed access for wheelchair or otherwise physically challenged customers. Such walkways will be wide enough and sufficiently separated from parking space to ensure that car overhang will not result in obstruction.*

- b. The provision of a suitable snow stockpiling area that will not interfere with the accessibility to the on-site parking areas will be encouraged.*
- c. The timing of proposed paving, curbing, screening and landscaping.*
- d. The location of driveways and the relation of street access points to landscaping to ensure safe sight lines are maintained for driveway egress.*
- e. In the case of expansions architectural consistency will be achieved. Architectural consistency shall mean that either the expansion will be compatible with the existing structure or the existing structure will be modified to be consistent with the proposed expansion, conversion or renovation.*
- f. Provision of buffering in the form of deep setbacks and berms and/or vegetation, landscaping, and/or fencing to mitigate any objectionable aspects of the proposed use such as noise, headlight glare, appearance and on-site activity that may detrimentally affect uses in an adjacent residential district. The buffering provisions of the CG Zone shall be used as a guide for the provisions of the development agreement.*
- g. The front yard landscaping provisions of the CG Zone shall be used as a guide for the provisions of the development agreement.*
- h. The location and screening of outdoor storage areas for refuse, fuel storage tanks, electrical transformers, and other similar facilities in relation to uses in an adjacent residential district so to minimize their impact.*
- i. The positioning of outdoor lighting and ventilation systems in relation to uses in an adjacent residential district so to minimize their impact.*
- j. Where practical, the possibility of linking parking areas between commercial uses to reduce the number of turns on to and off the arterial streets. Where a linked arrangement is available, commercial accesses may be limited to only one access per commercial use.*
- k. The height, scale and bulk of the building does not interfere with the sunlight received by adjacent single detached dwellings in a residential zone.*



17. *The terms of the agreement mentioned in Policies 17, 18 and 19 may regulate the following and any other conditions Council may deem necessary and enabled by the Municipal Government Act:*
- a. *Landscaping of front yards and parking areas as well as vegetative buffering from abutting uses and timing of such matters.*
  - b. *Architectural design of the building(s) to ensure consistency in design where buildings are being expanded and general compatibility of new structures with surrounding land uses.*
  - c. *Access, traffic circulation, parking and access point sight lines.*
  - d. *Minimum lot size.*
  - e. *Location, height, number of stories, area and bulk of buildings.*
  - f. *Percentage of land that may be built upon, and the size of yards, landscaped areas and other open space.*
  - g. *Hours of operation.*
  - h. *Maintenance and timing of the development, paving, curbing, screening, landscaping and vegetative buffering.*
  - i. *Location of building access points in relation to street and parking areas.*
  - j. *Size, type and maintenance of signs.*
  - k. *Permitted outdoor display and/or storage areas.*
18. *Occasionally certain areas of land will be identified which have unique attributes due to natural or human factors. Such areas should be a minimum of five (5) acres in size and may be visually prominent, strategically located, environmentally sensitive, and historically significant or contain existing development, which makes them unique. These areas may benefit from detailed planning and may be designated in the New Minas Sector Plan - Municipal Planning Strategy and Land Use Bylaw as Commercial Comprehensive Development (CCD) Districts under the provisions of the Municipal Government Act.*

*In both commercial and residential development contexts, those sites referred to above may require innovative design solutions to develop them effectively. Therefore, Council may consider proposals with alternative development standards. The development agreement will specify these standards.*

- a. *Council shall establish a CCD District to be applied to blocks of land of at least 5 acres in size, with site characteristics or locations that make them unique and warrant careful, detailed site planning. Council may designate lands a CCD District subject to an amendment to this Strategy and the Land Use Bylaw.*
- b. *In considering the establishment of a CCD District Council shall have regard for all applicable policies of this Strategy including the impact on existing commercial, industrial and residential development.*
- c. *Council shall designate a large parcel of land along Highway # 1 at the Former Horton District High School Property, as a CCD District on the Future Land Use Map for New Minas.*
- d. *Council shall establish a Commercial Comprehensive Development (C8) Zone for application to CCD Districts, in the area in New Minas referred to in Section (c) above. To establish the range of business uses that would be eligible for consideration in a particular CCD District, Council will draw from those permitted in the General Commercial (C1) and Light Industrial-Commercial (MI) Zones of the Land Use Bylaw in effect at the time of application. Additionally, Council intends to permit in the Commercial Comprehensive Development (C8) Zone, multiple unit residential uses, boarding houses and residential uses accessory to commercial and industrial uses. Outdoor storage will also be strictly limited. Residential Facilities and Community Facilities (as provided for in Section 2.3 Policy 10 to Policy 20 of this Strategy) may also be permitted. Permitted uses will be subject to the land owner(s) - concerning lands owned by each owner respectively- entering into a Development Agreement with Council.*
- e. *Council shall designate a portion of the area known as the Millet Lands, generally located along Commercial Street, near Granite Drive, as CCD District on the Future Land Use Map. This area shall be developed subject to a development agreement, and the provisions of Section 2.4, Policies 19, 20 and 21 of this Plan.*

*This District shall:*

- i. *be commercial in nature, with the uses permitted taken from the Major Commercial I (C1) and Commercial Shopping Centre (C3) Zones*
- ii. *permit residential uses only as accessory to the main commercial use*
- iii. *permit Big Box Retail subject to Policy 18 f of this Section*
- iv. *require performance bonding or security in the agreement if deemed necessary by Council to ensure that major components of the development, such as but not limited to road construction or maintenance,*

*landscaping or development of amenity areas, are completed in a timely manner*

- f. Big Box Retail shall be permitted, as outlined in Policy 18 e, subject to the following criteria:*
- i. that sidewalk and pedestrian pathways on the site are established to facilitate the safe movement of pedestrians*
  - ii. that Big Box Stores up to 100,000 square feet in commercial floor area shall meet the parking requirements of the C1 Zone*
  - iii. that Big Box Stores over 100,000 square feet in commercial floor area shall meet the parking requirements of the C1 Zone and the following criteria:*
    - parking areas shall be clearly delineated through landscaping or architectural features;*
    - no individual parking area shall be designed to accommodate more than 250 cars; and*
    - each parking area shall be landscaped to provide a visual break and to act as a wind and snow barrier*
  - iv. that all Big Box Stores shall be located within 500 feet of a public transit stop if possible*
  - v. loading facilities shall be adequately screened, either through fencing or landscaping*
- 19. In considering proposals to enter into development agreements with developers in the C8 Zone, Council shall have regard to the following matters:*
- a. The development agreement will outline the phasing of development to ensure that no part of the site will develop in a manner that would prejudice or compromise development of the remainder of the site.*
  - b. The development agreement may provide for a mixed-use development limited to a combination of uses within the scope of the policy and designed to achieve optimum compatibility.*
    - i. Notwithstanding 19(b) above however, Council intends to limit development agreements for primarily commercial development to a combination of commercial and light industrial uses and community facilities, with residential dwelling units as accessory uses only.*

- ii. *Council's policy for Shopping Centres contained in Section 2.4 Policy 8 of the New Minas Sector Plan.*
  - iii. *The policies of this Strategy including those for amending the Land Use Bylaw Under Part 3 and for considering development agreements in the C8 Zone as contained in Section 20 of the New Minas Sector Plan.*
20. *A Development Agreement shall not require an amendment to the Land Use Bylaw but shall be binding upon the property until the agreement, or part thereof, is discharged by the Municipality. In considering Development Agreements under the provisions of the Municipal Government Act, in addition to all other criteria as set out in various policies of this Strategy, Council shall be satisfied:*
- a. *that the proposal is in keeping with the intent of the Municipal Planning Strategy*
  - b. *that the proposal is not premature or inappropriate by reason of:*
    - i. *the financial capability of the Municipality to absorb any costs related to the development of the subject site*
    - ii. *the adequacy of municipal sewer and water services if services are to be provided. Alternatively, the adequacy of the physical site conditions for private on-site sewer and water systems*
    - iii. *the potential for creating, or contributing to, a pollution problem including the contamination of watercourses or the creation of erosion or sedimentation during construction*
    - iv. *the adequacy of storm drainage and the effect of it on adjacent uses*
    - v. *the adequacy of street or road networks in, adjacent to, and leading to, the development*
    - vi. *the adequacy, capacity and proximity of schools, recreation and other community facilities*
    - vii. *adequacy of municipal fire protection services and equipment*
    - viii. *creating extensive intervening parcels of vacant land between the existing developed lands and the proposed site, or a scattered or ribbon development pattern as opposed to compact development*
    - ix. *the suitability of the proposed site in terms of steepness of grades, soil and/or geological conditions, and the relative location of watercourses, marshes, swamps or bogs*

- x. *traffic generation, access to and egress from the site, and parking*
- xi. *compatibility with adjacent uses*
- c. *The Development Agreement may specify that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:*
  - i. *the type of use*
  - ii. *the location and positioning of outlets for air, water and noise within the context of the Land Use Bylaw.*
  - iii. *the height, bulk and lot coverage of any proposed buildings or structures*
  - iv. *traffic generation*
  - v. *access to and egress from the site and the distance of these from street intersections*
  - vi. *availability, accessibility of on-site parking*
  - vii. *outdoor storage and/or display*
  - viii. *signs and lighting*
  - ix. *the hours of operation*
  - x. *maintenance of the development*
  - xi. *buffering, landscaping, screening and access control*
  - xii. *the suitability of the proposed site in terms of steepness of grades, soil and/or geological conditions, and the relative location of watercourses, marshes, swamps, or bogs*
  - xiii. *the terms of the agreement provide for the discharge of the agreement or parts thereof upon the successful fulfillment of its terms*
  - xiv. *appropriate phasing and stage by stage control*
- d. *Performance bonding or security shall be included in the agreement if deemed necessary by Council to ensure that components of the development, such as but not limited to road construction or maintenance, landscaping or development of amenity areas, are completed in a timely manner.*

21. *Council may require that any or all of the following information be submitted to the Municipality by the Developer with respect to any proposed development which is to be the subject of a Development Agreement under the provisions of the Municipal Government Act namely:*
- a. information as to the physical and environmental characteristics of the proposed site including information regarding topography, contours, elevations, dimensions, natural drainage, soils, existing watercourses, vegetative cover, size and location of the lands*
  - b. information as to the proposed location, height, dimensions and use of all buildings or structures proposed to be built or erected on the lands*
  - c. information on the type and amount of site clearing required, if any*
  - d. information regarding proposed site drainage and servicing with water supply and sewage disposal*
  - e. information on proposed access and egress to and from the lands and estimated traffic flows to be generated*
  - f. information on the intended hours of operation*
  - g. information on the architectural design, including renderings, scaled site plans, profiles, grade elevations and cross sections*
  - h. information regarding the provision and maintenance of appropriate natural screens and landscaping*
  - i. information required to calculate performance bonding and security.*
22. *a. **Background***

*The Highway 101 Exit 12 interchange is the main highway exit used by motorists to enter New Minas and shop on Commercial Street and has always been considered an area of prime importance as the visible introduction to New Minas. Council in the 1990's allowed for a limited range of commercial uses geared to the travelling public in one area near this prominent interchange. The intent, at the time, was to encourage people to leave the highway and enter the Village property.*

*In 2013, Council decided to allow business development on the lands located north-west of the Exit 12 interchange in response to a proposal by Kent Building Supplies to relocate to the area. Council decided to establish a comprehensive development district north of Prospect Road to allow business and residential*

*uses in this area and ensure that a public street is built to provide access to the land-locked properties further north.*

*In addition to creating the comprehensive development district, Council also expanded the Highway Commercial Zone to the area west of the New Minas Connector and south of Prospect Road.*

**b. *Future Use***

*Council shall designate an area of land north-west of the intersection of Prospect Road and the New Minas Connector as Exit 12 Comprehensive Development on the Future Land Use Map of the New Minas Sector Plan.*

**c. *Zone***

*Within the Exit 12 Comprehensive Development designation, Council shall establish a Exit 12 Comprehensive Development (E12CD) Zone.*

**d. *Uses Considered Within the Exit 12 Comprehensive Development (E12CD) Zone***

*Council shall consider, only by development agreement, in the areas designated Exit 12 Comprehensive Development on Map 1, the Future Land Use Map, and zoned Exit 12 Comprehensive Development (E12CD) Zone on Schedule 11g, the Urban Zoning and Wellfield Protection Zones of the New Minas Land Use Bylaw, those uses listed in Section 5.15.1(c) of the New Minas Land Use Bylaw, “Uses Considered by Development Agreement”, in the Exit 12 Comprehensive Development (E12CD) Zone.*

**e. *Criteria for Uses Considered Within the Exit 12 Comprehensive Development (E12CD) Zone***

*Council shall ensure that the following criteria are met when considering proposals for uses which may be considered by development agreement as noted in Policy 22(d) above:*

- i. within the entirety of the Exit 12 Comprehensive Development (E12CD) Zone, the lands developed for commercial uses are limited to a total of 15 acres. The remaining lands may be developed for the permitted residential land uses; and*
- ii. vegetative screening of commercial development shall be required along the entire common boundary with the Environmental Open Space (O1) Zone or Residential Manufactured Housing (RM) Zone; and*

- iii. *in any location where vegetative screening is required, the vegetative buffer shall be designed, installed and maintained so as to provide an effective visual screen; and*
- iv. *the proposal shall be integrated into the surrounding area by means of good landscaping and sensitive site orientation and screening adequate to eliminate the impact of any objectionable features such as parking or outdoor storage of equipment, parts and waste material; and*
- v. *prior to any development taking place, the old growth hemlock trees located on any lot for which development is proposed are surveyed and as many as Council feels reasonable are identified as needing to remain and be protected; and*
- vi. *sidewalks, trails, and/or pedestrian pathways sufficient to facilitate the safe movement of pedestrians shall be developed on any lot within one year of the occupancy permit being granted for the main building on the lot; and*
- vii. *that one space which meets the requirements of the Kings Transit standards is held in reserve, within the area designated Exit 12 Comprehensive Development, for one Kings Transit Bus Stop and Shelter and developed within three (3) months of initiation of a transit route serving Prospect Road or the New Minas Connector; and*
- viii. *that important or environmentally sensitive spaces within the comprehensive development district are protected, and that open space dedications are sufficient to protect these areas; and*
- ix. *should a public open space dedication be required through the Subdivision Bylaw in association with any development in the Exit 12 Comprehensive Development (E12CD) Zone, land adjacent to or including Ravine land shall be given priority as the public open space dedication and shall have priority over a cash contribution; and*
- x. *the proposed development shall provide adequate off-street parking. Parking need not comply with the requirements of the New Minas Land Use Bylaw, but shall be guided by the requirements for the Major Commercial (C1) Zone; and*
- xi. *the proposal provides adequate emergency vehicle access; and*
- xii. *Residential development shall be accessed from a new public street extending from Prospect Road and designed to enable access to the properties located to the north. Commercial development may be accessed*



*through the new public street, described in the preceding sentence, and/or one driveway access from Prospect Road; and*

- xiii. all structures shall be constructed so that any façade visible from a public street shall have façade finishes and details similar in appearance to the front façade. The appearance of all utility structures and items such as vents shall be minimized; and*
- xiv. sufficient information regarding the phasing of development shall be provided so as to ensure that no part of the area of the development agreement will be developed in a manner that would prejudice or compromise development of the remainder of the area of the development agreement or nearby lots; and*
- xv. lights used to illuminate parking or any other portion of any development shall be arranged so as to reduce glare, light trespass, and skyglow; and*
- xvi. exterior light fixtures shall use only light-emitting diode lamps; and*
- xvii. signs shall meet the requirements of the general sign provisions contained in Part 3 of the New Minas Land Use Bylaw and shall be generally guided by the specific provisions established for the Commercial Gateway (CG) Zone. Signs which serve more than one use or lot shall be permitted within the area of the development agreement; and*
- xviii. that the proposal is not in conflict with Municipal or Provincial programs in effect in the Municipality; and*
- xix. the development agreement and the development are in accordance with Policies 20 and 21 of Part 2.4 of the New Minas Sector Plan.*

PART 2	AMENDED DATE	SECTION
	November 30, 1982	2.4 – 2, 3
	November 25, 1985	2.4 – Preamble
	November 9, 1988	2.4 – 9
	June 11, 1991	2.4 – Preamble / 2.4 – 5, 6, 7, 8, 9
	May 21, 1992	2.4 – Preamble / 2.4 – 10, 11, 12, 13, 14, 15, 16, 17
	August 30, 1996	2.4 – Preamble
	February 26, 1997	2.4 – 9
	September 25, 2001	2.4 – 18, 19, 20, 21
	May 10, 2005	2.4 – Preamble / 2.4 – 7, 9 a, 12 a, 14, 17
	May 3, 2007	2.4 – 14
	May 31, 2007	2.4 – 18 e, f / 20 d / 21 i
	August 1, 2013	2.4 – 22 (File P12-06)