

5. Commercial

Goals – Commercial Designations

In encouraging and directing commercial development through its Municipal Planning Strategy and Land Use By-law, Council seeks to achieve the following goals:

- (1) To assist and support commercial developments and ensure they remain viable and to clearly establish the role and function of commercial districts within the Town.**
- (2) To clearly identify the location and boundaries of commercial areas and to prevent their undue encroachment on residential areas;**
- (3) To keep development control provisions to a minimum in order to encourage the development of new commercial activity;**
- (4) To promote the development of new commercial activity as well as the enhancement of existing commercial activity; and,**
- (5) To encourage the infilling and redevelopment of designated commercial areas which are already serviced with municipal infrastructure.**

Although it is difficult to quantify due to the lack of accurate statistics, commercial development has helped solidify the Town as the commercial center of South Western Nova Scotia. The presence of major retail and commercial service facilities as well as national and international transportation links helps support the Town's role as a regional center. The Town's primary trade area for the most part consists of Yarmouth County (Town of Yarmouth, the Municipality of the District of Yarmouth and the Municipality of the District of Argyle), servicing a population of roughly 25,100 (Statistics Canada, 2011). Meanwhile the Town's secondary trade area, commonly understood to include Yarmouth County as well as Digby and Shelburne Counties, contains a population of roughly 59,000 (Statistics Canada, 2011). Clearly, the Town's planning policies must address the demands of the population outside its boundaries.

The Town of Yarmouth has four identifiable commercial areas: the Downtown core; the Starrs's Road area; the Vancouver, Main and Water Street intersection in Milton; and the Main and Argyle Street intersection.

*The Main Street commercial area is said to extend
“from fountain to fountain”*



Vancouver Street fountain



Argyle Street fountain

Policies for the Main and Vancouver Street area and the Main and Argyle Street area have been combined because of their similarities.

Three (3) Generalized Future Land Use Map (Map 1) designations are identified herein:

- Central Business District (C-1)
- General Commercial District (C-2)
- Secondary Commercial District (C-2M)

It is intended to allow the widest possible range of commercial uses within the Central Business District designation. The General Commercial designation with a more limited range of permitted uses serves a broad regional market. Lastly, the Secondary Commercial designation is intended to support the Central Business District and the General Commercial designation with an even more restricted range of commercial activities. This is mainly due to its close proximity to residential areas and traditional small lot sizes. Though the range of commercial activity is limited, Council intends to support commercial activities, in particular those located within the South End Secondary Commercial designation, in an attempt to help revitalize the south end area of town.

General Provisions for Commercial Developments

Certain provisions are general in nature and apply to all designated areas. Therefore, they are classified as general provisions for commercial development. These regulations are intended to apply uniformly across the three (3) designated areas: the Central Business District, the General Commercial District and the Secondary Commercial District.

The following policy outlines these general provisions:

Policy 5.1 It shall be the intention of Council to include in the Land Use By-law general provisions regulating development within the Downtown Commercial (C-1) Zone, the General Commercial (C-2) Zone, the General Commercial Main Street (C-2M) zone and the Secondary Commercial (C-3) Zone with respect to yard requirements for commercial uses abutting non- commercial uses located within the Residential designation, restrictions on open storage or outdoor displays, standards for automobile service stations, the number, siting, height and use of accessory buildings, main buildings and multiple main buildings on a lot and standards for drive-thru services.

Central Business District Designation

The following goals have been identified with respect to development activity within the Central Business District designation and serves as the basis for the development of more detailed policy objectives and statements.

Goals - Central Business District Designation

The goal is to ensure that the Central Business District remains physically attractive and economically vibrant by:

- (1) Limiting the establishment of new business and professional offices to the Downtown area, in particular, the Downtown Commercial (C-1) Zone and the Waterfront Commercial Industrial (WCI-5) Zone;**
- (2) Promoting the efficient use of existing public parking facilities and the development of new parking facilities in order to support existing and new commercial activities; and,**
- (3) Promoting medium and high density residential development in the Central Business District.**

The Central Business District (CBD) is that area commonly referred to as "downtown". Downtown has historically experienced development on Main

Street and along several blocks between Main and Water Streets. Additional commercial development has also located east of Main Street but not with the same intensity as developments fronting on Main Street. The CBD designation has had and should continue to have the broadest range of commercial activities. It is intended by limiting all new business and professional offices to the downtown area (C-1 and WCI-5 zones), except home based business offices and accessory business offices, that this traditional area will remain the “heart” of Yarmouth.

As one component in the larger commercial fabric of the Town, downtown has a significant role to play in the general well-being of the entire Town.

It is recognized that a healthy downtown requires a significant residential component in order to maintain the downtown’s vitality. For this reason, the Residential designation boundary adjacent to the CBD will be “soft” to allow for rezoning to Medium Density Residential (R-2) except on Water Street. Residential developments up to a maximum of eight (8) dwelling units will be permitted as-of-right in the Downtown Commercial (C-1) Zone except for lots fronting on Water Street where new residential buildings will not be permitted.

In order to maintain a coherent, uniform and consistent commercial environment, residential dwelling units will not be permitted at street level in the central core of the Central Business District. However, as the district transcends into the Residential designation, medium and high density residential developments, even at street level, will be encouraged to increase the residential occupancy of the downtown area. Residential developments (eight (8) dwelling units or less per lot) located within the Central Business District and zoned Downtown Commercial (C-1) south of Forest Street and north of Grand/South Street will be permitted at street level as-of-right.

Developments consisting of more than eight (8) units per lot shall only be considered through the Development Agreement process. Development Agreements, considering more than eight (8) dwelling units per lot in the Central Business District, may establish residential units at street level south of Forest Street and north of Grand/South Street. Developments greater than eight (8) dwelling units per lot in the Central Business District directly abutting the soft line boundary of the Residential Designation may also consider the establishment of residential dwelling units at street level through the Development Agreement process.

The Generalized Future Land Use Map has identified the limits of the CBD

designation by the placement of a “hard” line boundary which can only be amended by amendment to this Strategy. It is anticipated that the CBD will expand east of Main Street between Parade and Cliff Streets. However, it is the intention of Council to limit commercial development to the western side of Thurston Street by the eventual placement of a "hard" line CBD boundary along the western side of Thurston Street, down the southern side of Alma Street and down the northern side of Cliff Street. The eventual placement of the CBD “hard” line boundary, as described above, shall not be expanded in order to protect the residential areas to the east from further commercial encroachment. There is also a significant opportunity to expand the CBD in a southerly direction to Haskell Street between Main and Water Streets by amendment to this Strategy. The expansion of the Downtown Commercial (C-1) Zone will only be considered on a lot by lot basis and such lots shall be adjacent to or across the street from the Downtown Commercial (C-1) Zone. Leap frogging or spot zoning shall be strictly prohibited for commercial uses when considering the expansion of the CBD.

The Central Business District merchants and property owners will be responsible for the continued provision of parking for existing development. The Land Use By-law will require on-site parking or a transfer to the Town of cash-in-lieu thereof, for major new commercial development in excess of 929.5m² (10,000 ft²). Any cash-in-lieu of parking received by the Town will be directed towards development of new parking facilities as well as upgrading existing parking facilities within the downtown area.

Council will use Development Agreements for major new commercial development in excess of 1393.5m² (15,000 ft²) to ensure that such developments do not place undue strain on existing road, sewer, water, parking and community facilities. This requirement shall apply to any new commercial development in excess of 1393.5m² (15,000 ft²) of commercial floor area or where an addition to an existing building creates more than 1393.5m² (15,000 ft²) of commercial floor area. The alteration of, renovation to or change of use within any existing building shall be exempt from this requirement. While the Town encourages and welcomes commercial development in the CBD, efforts must be made to ensure it is compatible with existing developments and that it addresses the difficulties posed by redevelopment.

In an effort to provide a fair advantage to all property owners within the Central Business District with respect to views of Yarmouth’s harbour, it is

the intent of this Strategy to limit the height of all buildings and structures to a maximum of 15.24m (50 ft) This maximum height shall not be exceeded by variance, Development Agreement or any other means without an amendment to this Strategy.

Downtown Commercial (C-1) Zone

The following are Council's policies with respect to development in the Central Business District:

Policy 5.2 It shall be the intention of Council to designate those lands generally recognized as the Town's traditional commercial core which are bounded on the north by the center of Fifth street on the west side of Main and King Street on the East; bounded on the south by the center of Haskell Street and lands north of Albert Street; bounded on the east by the west side of Thurston Street; and, bounded on the west by the center of Water Street as "CBD" on the Generalized Future Land Use Map.

Policy 5.3 It shall be the intention of Council to establish all boundaries for the CBD Generalized Future Land Use Map designation as "hard" pursuant to Implementation Policy 10.5.

Policy 5.4 It shall be the intention of Council to amend the boundaries of the CBD Generalized Future Land Use Map designation only by amendment to the Municipal Planning Strategy.

Policy 5.5 It shall be the intention of Council to include in the Land Use By-law a Downtown Commercial (C-1) Zone, which shall include the following types of uses permitted as-of-right: art galleries; cultivation and processing within wholly enclosed buildings, excluding the cultivation of marijuana; retail shops; community markets; convenience and grocery stores; wholesale shops; light service shops; personal service shops; business offices; professional offices; internet web site development; municipal, provincial and federal government offices; public parks; call centers; banks and financial institutions; hotels, motels and hostels; institutional uses; medical clinic; parking lots and parking structures; places of entertainment, recreation, fitness and assembly within wholly enclosed buildings; taxi and bus stations; taverns, lounges and cabaret; broadcasting stations; restaurants; light service industries within wholly enclosed buildings; live-in art gallery studios; laundromats and residential uses pursuant to

Policy 5.7(A) and Policy 5.7(B) and Policy 5.7(c).

Policy 5.6 It shall be the intention of Council to zone all existing commercial uses within the CBD Generalized Future Land Use Map designation as Downtown Commercial (C-1). All other lands within the designation shall be zoned according to their use.

Policy 5.7 (A) It shall be the intention of Council to allow up to a maximum of eight (8) residential dwelling units per lot in the Downtown Commercial (C-1) Zone provided the residential use does not locate at street level. Notwithstanding, residential dwelling units may be developed at street level on lots south of Forest Street and north of Grand/South Street.

Policy 5.7 (B) It shall be the intention of Council to allow up to a maximum of eight (8) residential dwelling units per lot in the Downtown Commercial (C-1) Zone provided the residential use does not locate at street level. Notwithstanding, residential dwelling units may be developed at street level on lots that directly abut the soft line boundary of the Residential designation.

Policy 5.7 (C) It shall be the intention of Council to not permit new residential buildings on Water Street in the C-1 Zone.

Policy 5.8 Notwithstanding Policy 5.7, it shall be the intention of Council to allow the development of Live-in Art Gallery Studios at street level within the Downtown Commercial (C-1) Zone subject to the following:

(1) That the commercial component of the Gallery shall be anterior in respect to the residential component of the Live-in Art Gallery Studio; and,

(2) That all other requirements of this plan are satisfied.

Policy 5.9 It shall be the intention of Council to consider commercial development proposals which do not exceed 1394.3m² (15,000 ft²) in floor area on lands designated CBD but not zoned Downtown Commercial (C-1) by amendment to the Land Use By-law subject to Implementation Policy 10.7.

Policy 5.10 It shall be the intention of Council to consider Medium Density Residential (R-2) developments within the CBD designation by amendment to the Land Use By-law pursuant to Implementation Policy 10.6 and subject to the following:

(1) That the lot directly abuts the residential designation;

(2) That the minimum on-site parking requirements can be met

- or cash-in-lieu of parking has been paid; and,
- (3) That the proposal conforms to criteria contained in Implementation Policy 10.7.

Policy 5.11 It shall be the intention of Council to enable the development of more than eight (8) residential units per lot in the Downtown Commercial (C-1) Zone by Development Agreement pursuant to Section 225 of the *Municipal Government Act* and subject to the following:

- (1) That the residential units are not located at street level; or otherwise located directly abutting the soft line boundary of the Residential Designation in which case residential units may be permitted at street level; or otherwise located south of Forest Street or north of Grand/South Street in which case residential units may be permitted at street level;
- (2) That the minimum on-site parking requirements can be met or cash-in-lieu of parking has been paid; and,
- (3) That the proposal conforms to criteria contained in Implementation Policy 10.8.

Policy 5.12 It shall be the intention of Council to consider the development of any new commercial activities within the (C-1) Zone which exceed 1393.5m² (15,000 ft²) of gross commercial floor area or where an addition to an existing building creates more than 1393.5m² (15,000 ft²) in gross commercial floor area by Development Agreement pursuant to Section 225 of the *Municipal Government Act* and subject to general conformity with criteria contained in implementation Policy 10.8. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement.

Policy 5.13 It shall be the intention of Council to consider proposals for kennel facilities within the (C-1) Zone for day-boarding and training of dogs by Development Agreement pursuant to Section 225 of the *Municipal Government Act* and subject to conformity with criteria contained in implementation Policy 10.8 provided:

- (1) The property does not directly abut the residential designation.

Policy 5.14 It shall be the intention of Council that any Development Agreement entered into pursuant to Commercial

Policy 5.11, Policy 5.12, and Policy 5.13 shall contain such terms and conditions necessary to implement the agreement pursuant to Implementation Policy 10.9.

Policy 5.15 It shall be the intention of Council to include in the Land Use By-law minimum development standards in the Downtown Commercial (C-1) Zone with respect to building height.

Policy 5.16 It shall be the intention of Council with respect to the provision of parking facilities in the CBD to:

- (1) Bear the responsibility of providing and maintaining adequate parking facilities for existing commercial uses;**
- (2) Require that where any addition to an existing structure or the erection of a new structure creates a dwelling unit, the developer provides and maintains one (1) parking space for each newly constructed dwelling unit or otherwise pay the cash-in-lieu equivalent. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement;**
- (3) Work with residential developers within the Downtown Commercial (C-1) Zone by considering on a case by case nature the feasibility of offering residential developers off-site parking in the form of either on-street designated residential parking along side streets, excluding Main Street, Water Street and John Street, or by designating residential parking spaces in public parking lots for the residential dwelling use; and,**
- (4) Prohibit the development of any parking space or loading space within any front yard or flanking yard of any lot abutting Main Street, Water Street or John Street in the Downtown Commercial (C-1) Zone. This provision shall only apply when a new “main” building is being developed. The alteration of, addition to, renovation to or change in use to any existing “main” building; the construction of a new “accessory” building or the alteration of, addition to, or renovation to any existing “accessory” building; or, any change to the use of land shall be exempted from this requirement.**

Policy 5.17 It shall be the intention of Council to include in the Land Use By-law a provision that enables developers the option of providing cash in lieu of required residential parking where proposals are unable to meet the parking requirements on-site. Further, it shall be the intention of Council to utilize cash-in-lieu for the maintenance and expansion of parking facilities.

Policy 5.18 It shall be the intention of Council to include in the Land Use By-law a formula for the calculation of cash-in-lieu of parking contributions.

Policy 5.19 It shall be the intention of Council to consider the development of Waterfront Commercial Industrial (WCI-5) uses (except fish and food processing) within the CBD designation by amendment to the Land Use By-law pursuant to Waterfront Commercial Industrial Policy 6.14 and Implementation Policy 10.6 and subject to the following:

- (1) That the lot directly abuts Water Street; and,
- (2) That the proposal conforms to criteria contained in Implementation Policy 10.7.

Policy 5.20 It shall be the intention of Council to limit the establishment of business and professional offices to the Downtown area, in particular, the Downtown Commercial (C-1) Zone and the Waterfront Commercial Industrial (WCI-5) Zone.

Policy 5.21 It shall be the intention of Council to limit the height of any building within the Downtown Commercial (C-1) Zone to a maximum of 15.24m (50 ft.) to provide a fair advantage to all property owners within the zone with respect to views of Yarmouth's harbour.

Urban Design Standards for the Central Business District

The Central Business District is the hub of Yarmouth. Council recognizes the importance of downtown as the cultural and business centre for commerce and service. Its historical built form, close knit streets and visual ambience provides for a friendly pedestrian experience that appeals to social interactions and helps to solidify the notion that yes, this is downtown. Council recognizes that the downtown area is the "heart" of the community and has invested significantly to preserve and enhance the area as the prime business and commercial centre of Yarmouth. The Yarmouth Downtown Blueprint reflects on the importance of downtowns as outlined

in the following excerpt:

“As the symbolic and functional nucleus of every community, downtowns reflect the well-being, vitality and prosperity of its residents and business community. A vibrant and robust downtown is important to the economic health and civic pride of a community; it stimulates cultural activities, incubates creativity, preserves and showcases cultural history, stimulates economic development, fosters diversity, and provides for the varied needs of its residents and visitors. (Yarmouth Downtown Blueprint)”

The automobile has transformed cities and introduced urban sprawl, spreading development over the landscape, extending services such as roads, sewer, water, police, fire, emergency response and postal services to such an extent that most people now recognize such a land use pattern is unsustainable. Downtowns were not spared from the effects of the automobile. They were negatively affected as people drove to malls and big box stores with plenty of free parking. Unfortunately, such expansion came with a price, with the side effect of initiating the decay of our downtowns. Planners and politicians have tried to introduce legislation to minimize the effects of urban sprawl; however, it seems that we are finally getting support from an unlikely source, the high cost of fossil fuels. Cities and communities around the world are reinvesting into their downtowns as a means of sustaining their economic well-being. Downtowns are now considered the means of providing a sustainable built form by helping to sustain vibrant, compact, mixed use, walkable town centres – which in turn are essential to reducing sprawl, automobile use, habitat loss, and air and water pollution. Downtowns also provide a higher rate of tax revenue return with minimal public investment compared to automobile dependent strip developments. In continuing their support for Yarmouth’s Downtown, Council wishes to introduce urban design standards (form based planning codes) to help maintain the area as a compact mixed use pedestrian friendly urban form.

Council recognizes the importance of maintaining a healthy and vibrant downtown as a means of sustaining the community but they also recognize the importance of preserving its historical built environment as a cultural and tourism focal point of the region. The uniqueness of downtown centres and their attributes are tourism drawing cards that people visit in order to experience the “soul” of the place. Box stores and strip developments do not offer the same ambiance as there is no uniqueness or special relationship between them and the “place” they are located. Downtowns

are rich in history and culture and have a true connection to the “place” that they are located as they offer the traditional “local” experience as an attraction in addition to the business and services that they provide. Council also recognizes the importance of maintaining an aesthetical pleasing downtown core. Appropriate materials and combination of materials on building facades have a substantial impact on the aesthetic quality, value, durability and maintenance of a building. Materials used for building facades should be sympathetic to the adjacent context and enhance the overall character of the area. To this end, Council intends to limit the type of exterior facade materials in the Urban Design Area.

The following are Council’s policies with respect to Urban Design Standards - Form Based Planning Codes for a portion of Downtown Main Street:

Policy 5.22 It shall be the intention of Council to include in the Land Use By-law an Urban Design Form Based Code Map, Schedule “F”, which identifies the boundaries of the “Urban Design Area” as well as the boundaries of the “Urban Renewal Area” those boundaries may be amended by amendment to the Land Use By-law.

Policy 5.23 It shall be the intention of Council to support the redevelopment of the exterior facades of those buildings located within the Urban Design Area as identified on the Urban Design Form Based Code Map, Schedule “F”, and to consider financial assistance through a facade improvement program with particular attention to those properties located within the Urban Renewal Area as identified on the Urban Design Form Based Code Map, Schedule “F”, provided that they meet the Urban Design Standards (Form Based Planning Codes) as identified in the Land Use By-law.

Policy 5.24 It shall be the intention of Council to establish Urban Design Standards (Form Based Planning Codes) within the Urban Design Area as identified on the Urban Design Form Based Code Map, Schedule “F”.

Policy 5.25 It shall be the intention of Council to enable developments that do not meet the Urban Design Standards (Form Based Planning Codes) pursuant to Policy 5.24 to be considered by Development Agreement pursuant to Section 225 of the *Municipal Government Act* and subject to the following:

- (1) That Council considers the development’s compatibility with the streetscape in terms of its architectural design, its**

height, its bulk and its scale;

- (2) That Council considers the development's ability to impact negatively on the streetscape's architecture and how the existing built form interacts with the street;
- (3) That Council considers the location of any proposed parking areas and how well they are integrated with the streetscape and how well they are screened from neighbouring properties and from the street;
- (4) That Council considers the suitability of any signage, lighting, fencing, or landscaping elements in terms of its impact on neighbouring properties and the streetscape;
- (5) That Council considers the development's incorporation of sustainable "green" community facilities such as, but not limited to, solar heat gain; green roofs; green parking areas; gardens and other landscaping elements; rain water retention/recycling facilities; public amenity space; active transportation facilities; transit facilities; plug- ins for electric cars; public facilities such as, but not limited to, public washroom facilities; and, other similar "green" community facilities;
- (6) That the minimum on-site parking requirements can be met or cash-in-lieu of parking has been paid; and,
- (7) That the proposal conforms to criteria contained in Implementation Policy 10.8.

Policy 5.26 It shall be the intention of Council to, in addition to the standard applications, require a Municipal Development Permit for any change or alteration in the exterior appearance, including but not limited to, the change in exterior siding material of any existing main building located within the Urban Design Area as identified on the Urban Design Form Based Code Map, Schedule "F".

General Commercial - Designation

The General Commercial designation primarily encompasses commercial developments along Starrs Road. During the 1980's and 1990's, the two malls, Yarmouth Mall and the Tri-County Mall, acted as commercial magnets by generating traffic and acting as a catalyst, transforming Starrs Road into a prime commercial location. The "commercial highway" nature of the area quickly became balanced with a variety of commercial and retail

shops. By the mid 1990's the Tri-County Mall could no longer compete with the Yarmouth Mall and was further hindered when K-mart closed its doors. The turn of the century saw the redevelopment of the Tri-County Mall into a new Canadian Tire store, Empire Theatre and a strip mall. Across the street, the Municipality and the Town developed the Mariner's Centre, a multi-purpose two (2) ice surface facility which hosts tournaments, trade shows, exhibitions and conferences. The development of the Canadian Tire store and the Mariner's Centre together provided substantial anchors for the eastern end of Starrs Road, balancing its importance with the remaining commercial area of Starrs Road, in particular, the Yarmouth Mall.

The Town began installing sewer and water services along Starrs Road in 1987 and by 1994 services had been extended past the Starrs/Haley Road intersection. Commercial development continued along this corridor into the County along Highway 3, known as the Airport Stretch. Undeveloped land along Starrs Road is becoming limited as new commercial development proceeds along the Airport Stretch and out towards the 103 along Hardscratch Road.

In an effort to accommodate traffic to and from Starrs Road, Council opened Brooklyn Street as a "collector" street and subsequently renamed it Charles Crosby Drive. Council intends to open Charles Crosby Drive on the south side of Starrs Road with a connection onto Clements Avenue. It is the intention of Council to consider opening Clements Avenue as a "collector" street from Starrs Road to Parade Street in an incremental manner.

It is the intention of Council to adopt a Statement of Community Interest for these lands which introduces the concept of a mixed use (residential/commercial) development in this area. The unserviced James and Beacon Street rights of way east of Pleasant Street will be developed as warranted. These rights of way will provide access to future development lands and will also be used to develop additional active transportation corridors; however they will not provide vehicular connectivity between Pleasant Street and Clements Avenue.

The development of these lands and rights of way will depend largely on the availability of capital funds and market demand.

Goals – General Commercial Area

The goal is to ensure that the General Commercial area in the vicinity of Starrs Road becomes more physically attractive and economically vibrant by:

- (1) Allowing greater intensity of use in established areas;
- (2) Promoting beautification programs; and,
- (3) Instituting new zoning requirements that reduce lot sizes and smaller setbacks for secondary retail uses, and encouraging the creation of a more walkable area.

General Provisions for the General Commercial Designation

The boundaries of the General Commercial designation shall be identified as "hard" and shall only be altered by amendment to the Municipal Planning Strategy. Three zones have been identified within the General Commercial designation:

- General Commercial (C-2)
- General Commercial Main Street (C-2M)
- Commercial Holding (C-H)

All existing non-commercial, residential or institutional uses within the General Commercial designation shall be zoned according to their use.

The following are Council's policies with respect to the General Commercial Designation:

Policy 5.27 It shall be the intention of Council to designate those lands which generally abut Starrs Road between Main Street and Jody Shelley Drive including certain lands which front on Main Street and lands generally located between Starrs Road and Parade Street east of Pleasant Street as "General Commercial" on the Generalized Future Land Use Map.

Policy 5.28 It shall be the intention of Council to establish all boundaries for the General Commercial designation pursuant to Implementation Policy 10.5 and to consider amending the boundaries only through amendment to the Municipal Planning Strategy.

Policy 5.29 It shall be the intention of Council to zone all existing commercial uses and any vacant serviced lots which conform to the minimum lot frontage and lot area requirements within the General Commercial designation as either General Commercial (C-2) if located east of Brunswick Street or General Commercial Main street (C-2M) if located west of Brunswick Street. Vacant unserviced lands within this designation shall be zoned in accordance with Commercial Policy 5.42. All other lands shall be

zoned according to their use. Vacant serviced undersized lots which do not conform to the minimum lot frontage or area requirement shall be zoned Low Density Residential (R-1).

Policy 5.30 It shall be the intention of Council to consider proposals for General Commercial (C-2) uses east of Brunswick Street or General Commercial Main Street (C-2M) uses west of Brunswick Street on lands designated General Commercial and zoned Low Density Residential (R-1), Medium Density Residential (R-2) or Institutional (I-1) by amendment to the Land Use By-law provided:

- (1) The lot meets the minimum lot area and frontage requirements of the C-2 Zone or the C-2M Zone or is otherwise an existing undersized C-2 zoned or C-2M zoned property which is increased in area or frontage or both as a result of subdivision but still remains undersized;
- (2) The proposed rezoning is immediately abutting the same zone to prevent leap-frogging or spot zoning;
- (3) All other suitably zoned and serviced properties were considered for the proposed development; and
- (4) The proposal conforms with criteria contained in Implementation Policy 10.7.

Policy 5.31 It shall be the intention of Council to consider proposals for down-zoning lands designated General Commercial (C-2) to Low Density Residential (R-1), Medium Density Residential (R-2) or Institutional (I-1) by amendment to the Land Use By-law subject to the following:

- (1) That the lot meets the minimum lot frontage and area requirements for the use as identified in the Land Use By-law;
- (2) That in the case of rezoning to R-1 or R-2, the proposed rezoning is immediately abutting a residential (R-1 or R-2) zoned property or in the case of rezoning to Institutional, the proposed rezoning is immediately abutting an Institutional (I-1) zoned property so as to prevent leap-frogging or spot zoning; and
- (3) That the proposal conforms to criteria contained in Implementation Policy 10.7.

Policy 5.32 It shall be the intention of Council when considering proposals for General Commercial (C-2) development exceeding

4645m² (50,000 ft²) or more in gross commercial floor area by Development Agreement pursuant to Policy 10.8, to require a 3.0m (10ft) wide landscaped strip abutting any street or public right-of-way.

Policy 5.33 It shall be the intention of Council to include in the Land Use By-law minimum requirements for lot frontage and lot area, building setbacks, height, side yards on corner lots, visibility at street intersection standards, screening requirements, alignment of driveways and entranceway requirements and standards for the placement of multiple buildings and accessory buildings on a lot in the General Commercial (C-2) Zone and the General Commercial Main Street (C-2M) Zone.

Policy 5.34 It shall be the intention of Council to include in the Land Use By-law requirements for the erection of opaque fencing at least 1.8m (6ft.) in height or a 3.0m (10 ft.) wide landscaped strip with growth and/or landscaping not less than 1.8m (6 ft.) in height along the entire length of any abutting lot line for any General Commercial (C-2) Zone yard or General Commercial Main Street (C-2M) Zone yard which abuts a residential, institutional or open space zone within the Residential designation.

Policy 5.35 It shall be the intention of Council to consider proposals for up-zoning lands zoned Low Density Residential (R-1), Medium Density Residential (R-2) or Institutional (I-1) which are designated General Commercial for rezoning to General Commercial (C-2) east of Brunswick Street or General Commercial Main Street (C-2M) west of Brunswick Street by amendment to the Land Use By-law provided:

- (1) That the lot was down zoned pursuant to Policy 5.30;
- (2) That the lot is deemed to be an existing lot or otherwise has not had its frontage or area reduced;
- (3) That the proposed rezoning is immediately abutting a General Commercial (C-2) or General Commercial Main Street (C-2M) zoned property so as to prevent leap-frogging or spot-zoning; and
- (4) That the proposal conforms with criteria contained in Implementation Policy 10.7.

General Commercial (C-2) Zone

The General Commercial (C-2) Zone will allow a broad range of commercial

uses. In order to control larger developments in the General Commercial (C-2) Zone, uses in excess of 4645m² (50,000 ft²) will only be considered by Development Agreement.

Starrs Road is one of the principal entrances to the Town and it does not present an appealing first impression. There is a lack of pedestrian infrastructure and the broad expanses of asphalt, along with very limited vegetation, which makes the area less than visually appealing. Town Council recognizes that some current planning regulations, particularly its mandatory parking requirements, work against growth and improvement in the Starrs Road area. In response to these concerns, and consistent with the Statement of Community Interest for the Starrs Road Area, Council intends to:

- Remove all parking requirements for any existing and proposed commercial development in the C-2 Zone;
- Remove the setback requirements for main buildings facing Starrs Road and streets intersecting with Starrs Road;
- Permit, by site plan approval, the erection of secondary buildings on existing lots for commercial uses. Criteria to be employed in the site plan approval process will include:
 - New buildings are located no farther than 10 metres (30 feet) from the main street right of way;
 - New buildings have entrances facing the street and are connected to the sidewalk as well as to the parking lot;
 - They include visually appealing and environmentally appropriate landscaping;
 - They provide bicycle parking visible from inside the building;
 - They have no new driveway access on Starrs Road; and,
 - They include no driveway between sidewalk and front door.

Council is concerned that live adult entertainment uses will have a negative impact on certain areas of the Town, particularly the downtown and residential areas. Allowing such uses as-of-right would be counterproductive to attempts by Council to market its downtown commercial area as an inviting setting for local residents, potential shoppers, visitors and tourists. To that end, such uses whether as a main use or as an accessory use shall be prohibited in all zones with the exception of the General Commercial (C-2) Zone by Development Agreement. In considering any application, Council shall consider the potential impacts on adjacent and nearby properties with respect to noise, traffic and hours of operation. Live adult entertainment uses will not be

permitted in the General Commercial (C-2M) Zone due to smaller lot sizes; more intense compact development pattern; and, proximity to residential developments.

Business and professional office uses will not be permitted in the General Commercial (C-2) Zone as these uses are strictly limited to the downtown area. Banks and financial institutions with 18.58 m² (200 ft²) or less in commercial floor area per lot will be permitted in the General Commercial (C-2) Zone; however, those banks and financial institution uses greater than 18.58m² (200 ft²) will be limited to the downtown area. Existing uses will be regulated pursuant to Schedule “C” of the Land Use By-law in order to clearly define their legal status.

Though a veterinarian clinic could be classified as a business or professional office use, they are recognized as a use permitted within the General Commercial (C-2) Zone provided they are wholly enclosed within a single-occupancy building.

The following are Council’s policies with respect to the General Commercial (C-2) Zone:

Policy 5.36 It shall be the intention of Council to include in the Land Use By-law a General Commercial (C-2) Zone. This zone shall include the following and other similar types of uses permitted as-of-right: retail shops; community markets; convenience and grocery stores; light service industry within wholly enclosed buildings; light service shops; personal service shops; internet web site development; heavy service shops; restaurants (eat-in, drive-in or drive- thru); taverns, lounges and cabarets; hotels, motels and hostels; wholesale, distribution and warehousing; automobile sales establishments; automobile service stations; car wash facilities; cable television studios; parking lots and parking structures; places of entertainment, recreation, fitness and assembly within wholly enclosed buildings; veterinarian clinics within wholly enclosed single-occupancy buildings; taxi and bus stations; emergency response centers; public utility offices and work yards; private utility offices and work yards; laundromats and banks and financial institutions with 18.58m² (200ft²) or less in commercial floor area per lot; cultivating and processing including value added production for the wholesale and retail market provided operations are conducted and contained within a wholly enclosed building and are not obnoxious by reason of sound, dust,

fumes, smoke or other emissions, refuse matters or water carried wastes and the property does not front on Starrs Road and is located more than one hundred metres (100m) from a residential zone.

Policy 5.37 (A) It shall be the intention of Council to consider the development of any new commercial activities within the C-2 Zone which exceed 4645m² (50,000 ft²) of gross commercial floor area or where an addition to an existing building creates more than 4645m² (50,000 ft²) in gross commercial floor area by Development Agreement pursuant to Section 225 of the *Municipal Government Act* subject to a traffic study and subject to general conformity with criteria contained in Implementation Policies 10.8 and 10.9. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement.

Policy 5.37 (B) It shall be the intention of Council to consider the development of live adult entertainment uses within the General Commercial (C-2) Zone by Development Agreement pursuant to Section 225 of the *Municipal Government Act* subject to Council's consideration with regards to the following matters:

- (1) That the proposed development is contained and conducted within a wholly enclosed building;
- (2) That the proposed development has adequate set-backs or other mitigating factors that would reduce or minimize its potential impacts upon adjacent and nearby playgrounds, schools, youth centres, day care and/or child care uses, churches, other places of worship, cultural uses, institutional uses and residentially zoned areas;
- (3) That adequate provisions are made for the control of noise, traffic and hours of operation; and,
- (4) That the proposal conforms to criteria contained in Implementation Policies 10.8 and 10.9.

General Commercial Main Street (C2-M) Zone

The General Commercial designation includes some residentially zoned lands west of Brunswick Street. This area is included in the General Commercial designation on the Generalized Future Land Use Map to enable lands to be rezoned for commercial purposes. Commercial redevelopment of this area will only be considered upon conformity with the minimum lot area and frontage requirements. It is Council's intent that these lands will

be developed incrementally to prevent leap-frogging or spot rezoning as the commercial development expands up from Main Street or down from Brunswick Street. The Main Street / Starrs Road area will be zoned differently than the remaining section of Starrs Road east of Brunswick Street and have smaller minimum lot area and frontage requirements.

Due to the area's physical characteristics, uses in excess of 2322.5m² (25,000 ft²) will only be considered by Development Agreement. Medium Density Residential (R-2) uses up to six (6) units will be permitted on any level (storey) as-of-right in the General Commercial (C-2M) Zone. High Density Residential (R-3) uses will be permitted on properties designated General Commercial and zoned General Commercial Main Street (C-2M) by Development Agreement. General Commercial Main Street (C-2M) uses will be allowed to intermix with High Density Residential (R-3) uses on the same property on any level (storey) through the Development Agreement process.

The following are Council's policies with respect to the General Commercial Main Street (C-2M) Zone:

Policy 5.38 It shall be the intention of Council to include in the Land Use By-law a General Commercial Main Street (C-2M) Zone. This zone shall include all General Commercial (C-2) uses and residential dwelling units up to a maximum of four (4) units per lot.

Policy 5.39 It shall be the intention of Council to consider the development of any new commercial activities within the (C-2M) Zone which exceed 2322.5m² (25,000 ft²) of gross commercial floor area or where an addition to an existing building creates more than 2322.5m² (25,000 ft²) in gross commercial floor area by Development Agreement pursuant to Section 225 of the *Municipal Government Act* subject to a traffic study and subject to general conformity with criteria contained in Implementation Policies 10.8 and 10.9. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement.

Policy 5.40 It shall be the intention of Council to consider High Density Residential (R-3) uses (more than six (6) units) on any storey on any property designated General Commercial and zoned General Commercial Main Street (C-2M) enabling them to intermix with General Commercial Main Street (C-2M) uses by Development Agreement pursuant to Section 225 of the *Municipal*

Government Act subject to the following:

- (1) That the lot meets the minimum lot area and minimum lot frontage requirements for the General Commercial (C-2M) Zone and the minimum lot area and minimum lot frontage requirements for the High Density Residential (R-3) use as specified in the High Density Residential (R-3) Zone in the Land Use By-law;**
- (2) That the Development Agreement contain such terms and conditions necessary to implement the agreement pursuant to Implementation Policy 10.9; and,**
- (3) That the proposal conforms to criteria contained in Implementation Policy 10.8.**

Commercial Holding (C-H) Zone

The General Commercial designation also includes a large area east of Pleasant Street between Starrs Road and Parade Street. This area remains unserviced and has limited access to road, sewer and water services. It is intended that this area be put into a Commercial Holding (C-H) Zone. As a holding zone, development will be strictly limited. It is intended that the Town will consider applications to develop lands in the Commercial Holding (C-H) Zone using a Site Plan Approval approach following Council's Statement of Community interest for Large Mixed-Use Developments.

The land would be zoned according to its use.

The following are Council's policies with respect to the Commercial Holding (C-H) Zone:

Policy 5.41 It shall be the intention of Council to include in the Land Use By-law a Commercial Holding (C-H) Zone in which no commercial development of any type shall take place, except for the alteration of land levels for the preparation of land for development, and existing residential uses due to lack of municipal services.

Policy 5.42 It shall be the intention of Council to zone all lands designated General Commercial and which are not serviced with Town approved road, sewer and water services as Commercial Holding (C-H).

Secondary Commercial Designation

There are two traditional commercial areas on Main Street outside the CBD:

- the intersection of Vancouver Street and Main Street and
- the intersection of Argyle Street and Main Street.

These two areas have been included in the Secondary Commercial Generalized Future Land Use Map designation. Although records indicate that the entire length of Main Street may have included commercial development at various times during the past, these two areas are distinct and have easily identifiable boundaries. These boundaries will be established as "hard" and may only be amended by amendment to the Municipal Planning Strategy.

The Municipal Planning Strategy contains policies enabling the creation of a Secondary Commercial (C-3) Zone. Commercial uses located within the Secondary Commercial designation will be zoned Secondary Commercial (C-3). All other uses in this designation will be zoned according to their use. The Secondary Commercial (C-3) Zone will permit a broad range of commercial uses including, but not restricted to the following: retail shops; wholesale shops; convenience and grocery stores; restaurants; institutional uses; medical clinics; light service shops; light service industries within wholly enclosed buildings; personal service shops; places of recreation, fitness and assembly within wholly enclosed buildings; public parks; hotels, motels and hostels; automobile service stations; taxi and bus stations; parking lots and parking structures; residential dwelling units up to a maximum of four (4) units per lot; laundromats and accessory uses excluding taverns, lounges and cabarets. The development of new business and professional offices and financial institutions will not be permitted in this zone as these uses are restricted to the Downtown Commercial (C-1) Zone and the Waterfront Commercial Industrial (WCI-5) Zone. Warehousing will also not be permitted due to small lot size and frontage constraints but existing warehousing uses will be permitted to continue.

Taverns, lounges and cabaret uses with a maximum area of 92.9m² (1,000 ft²) will only be considered in the south end Secondary Commercial (C-3) Zone (Argyle-Main Street intersection) by Development Agreement. The size limitation is to ensure that the area is not strained by the influx of additional traffic. Taverns, lounges and cabarets will not be permitted in the north end Secondary Commercial (C-3) Zone (Vancouver-Main Streets intersection) due to lot size and frontage constraints as well as issues with respect to traffic patterns.

The redevelopment of non-commercial properties to Secondary Commercial (C-3) uses within the Secondary Commercial Designation, with less than 371.8m² (4,000 ft²) of commercial floor area, will be considered by amendment to the Land Use By-law. A majority of existing commercial developments in the Secondary Commercial designation are less than 371.8m² (4,000 ft²) and are consistent with the scale and character of the areas. Proposals for Secondary Commercial (C-3) developments of more than 371.8m² (4,000 ft²) in floor area will only be considered by Development Agreement. This requirement shall apply to any new commercial development in excess of 371.6m² (4,000 ft²) of gross commercial floor area or where an addition to an existing building creates more than 371.6m² (4,000 ft²) of gross commercial floor area. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement. Detailed site planning considerations afforded by the Development Agreement will assist in integrating large scale commercial developments into the areas.

While new commercial development is permitted in these areas, it is intended that it should remain secondary to both the Central Business District and the General Commercial District. The Town has made commitments to ensure that these two districts remain the primary commercial areas through the provision of public facilities and infrastructure.

Goals – Secondary Commercial Designation

The goal is to ensure that the Secondary Commercial areas continue to fulfill their role as vital community economic centres by:

- (1) Allowing a reasonably wide range of uses;**
- (2) Limiting the scale of any use so as to minimize its impact on surrounding uses; and,**
- (3) Promoting beautification programs.**

General Provisions for the Secondary Commercial Designation

The following are Council's policies with respect to development in the Secondary Commercial (C-3) designation:

Policy 5.43 It shall be the intention of Council to designate those lands generally located at the intersection of Main and Vancouver Streets and at the intersection of Main and Argyle Streets as "Secondary Commercial" on the Generalized Future Land Use Map.

Policy 5.44 It shall be the intention of Council to establish all boundaries of the Secondary Commercial designation as "hard" pursuant to Implementation Policy 10.5 and to amend the boundaries only by amendment to the Municipal Planning Strategy.

Policy 5.45 It shall be the intention of Council to include in the Land Use By-law a Secondary Commercial (C-3) Zone. This zone shall include the following and similar types of uses permitted as-of-right: retail shops; community markets; cultivation and processing within wholly enclosed buildings, excluding the cultivation of marijuana; wholesale shops; convenience and grocery stores; restaurants (eat-in, drive-in or drive-thru); institutional uses; medical clinics; light service shops; light service industries within wholly enclosed buildings, personal service shops; internet web site development; places of recreation, fitness and assembly within wholly enclosed buildings; public parks; hotels, motels and hostels; automobile service stations; taxi and bus stations; parking lots and parking structures; laundromats and accessory uses excluding taverns, lounges and cabarets. Residential dwelling units up to a maximum of four (4) units per lot are also permitted, subject to the following.

- (1) That the developer provides and maintains one (1) parking space for each newly constructed dwelling unit or otherwise pays the cash-in-lieu equivalent. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement.

Policy 5.46 It shall be the intention of Council to zone all existing commercial uses within the Secondary Commercial Generalized Future Land Use Map designation as Secondary Commercial (C-3). Other lands in the Secondary Commercial designation shall be zoned according to their use.

Policy 5.47 It shall be the intention of Council to consider proposals for commercial development not exceeding 371.8m² (4,000 ft²) in gross commercial floor area on lands designated Secondary Commercial but not zoned Secondary Commercial (C-3) by amendment to the Land Use By-law subject to criteria in Implementation Policy 10.7.

Policy 5.48 It shall be the intention of Council to consider the

development of any new commercial activity within the C-3 Zone which exceeds 371.8m² (4,000 ft²) of gross commercial floor area or where an addition to an existing building creates more than 371.8m² (4,000 ft²) in gross commercial floor area by Development Agreement pursuant to Section 225 of the *Municipal Government Act* and subject to general conformity with criteria contained in Implementation Policies 10.8 and 10.9. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement.

Policy 5.49 It shall be the intention of Council to consider proposals for taverns, lounges and cabaret uses in the south end Secondary Commercial (C-3) Zone (Argyle-Main Streets intersection) by Development Agreement pursuant to Section 225 of the *Municipal Government Act* provided:

- (1) the maximum area for a tavern, lounge or cabaret shall not exceed 92.9m² (1000 ft²);
- (2) one (1) on-site parking space is provided for each 9.3m² (100 ft²) or fraction thereof of gross tavern, lounge or cabaret area excluding vestibules, washrooms and storage; and,
- (3) the proposal conforms with criteria contained in Implementation Policies 10.8 and 10.9.

Policy 5.50 It shall be the intention of Council to consider proposals for kennel facilities within the Secondary Commercial (C-3) Zone for the day-boarding and training of dogs by Development Agreement pursuant to Section 225 of the *Municipal Government Act* provided:

- (1) the proposal conforms with criteria contained in Implementation Policies 10.8 and 10.9.

Policy 5.51 It shall be the intention of Council to include in the Land Use By-law minimum requirements for lot frontage, lot area, setbacks, building height, side yards on corner lots, visibility at street intersection standards and on-site parking and loading facilities in the Secondary Commercial (C-3) Zone.

Policy 5.52 It shall be the intention of Council to exempt the requirements for on-site commercial parking and loading facilities for any alteration of, renovation to or change in use within any existing building in the Secondary Commercial (C-3) Zone.

Policy 5.53 It shall be the intention of Council to consider proposals

for down zoning lands designated Secondary Commercial to Low Density Residential (R-1) or Medium Density Residential (R-2) by amendment to the Land Use By-law subject to the following:

- (1) that the lot meets the minimum lot frontage and lot area requirements for the use as identified in the Land Use By-law;
- (2) that the proposed rezoning is immediately abutting an existing residential (R-1 or R-2) zoned property so as to prevent leap-frogging or spot zoning; and,
- (3) that the proposal conforms with criteria contained in Implementation Policy 10.7.

Policy 5.54 It shall be the intention of Council to consider the development of High Density Residential (R-3) developments (more than four (4) residential dwelling units per lot) in the Secondary Commercial Designation by Development Agreement pursuant to Section 225 of the *Municipal Government Act* subject to the following:

- (1) that the lot meets the minimum lot frontage and minimum lot area as specified by the use pursuant to the High Density Residential (R-3) Zone as identified in the Land Use By-law;
- (2) that the lot meets the minimum residential parking requirements as specified by the use pursuant to the High Density Residential (R-3) Zone as identified in the Land Use By-law in addition to the minimum commercial parking requirements for any Secondary Commercial (C-3) use pursuant to the Secondary Commercial (C-3) Zone requirements as identified in the Land Use By-law; and,
- (3) that the proposal conforms with criteria contained in Implementation Policies 10.8 and 10.9.

Local Commercial Zone in the Residential Designation

As outlined in the residential development chapter, Council does not intend to permit a broad range of commercial uses within the Residential designation. However, Council recognizes existing commercial developments within the Residential designation by enabling the establishment of a Local Commercial (C-4) Zone pursuant Policy 4.24.

This zone will enable the establishment of residential uses as well as convenience stores and personal service shops up to a maximum of

46.45m² (500 ft²) of gross commercial floor area. It is intended that the commercial uses be limited in area to minimize any potential land use conflict with adjacent residential uses due to use, traffic and other potential nuisance factors. However, as outlined in the implementation chapter, Council intends to enable convenience stores, personal service shops and restaurant uses (eat-in only) up to a maximum combined area of 278.7m² (3,000 ft²) within any designation by Development Agreement. These developments will be limited to those locations that have direct access and egress onto “collector” or “arterial” classified streets.

In this fashion, the potential traffic impacts on local streets will be minimized. Through the Development Agreement process, Council has the ability to address potential impacts on the surrounding areas on a case by case nature.

The following are Council’s policies with respect to development in the Local Commercial (C-4) Zone:

Policy 5.55 It shall be the intention of Council to include in the Land Use By-law a Local Commercial (C-4) Zone. This will include the following uses as-of-right: residential dwelling units up to a maximum of two (2) units per lot, convenience stores up to 46.45m² (500 ft²) of gross commercial floor area and personal service shops up to 46.45m² (500 ft²) of gross commercial floor area.

Policy 5.56 It shall be the intention of Council to include in the Land Use By-law minimum lot frontage, minimum lot area, minimum front, side and rear yard set-backs, maximum building height, the number, siting and use of accessory buildings and on-site parking requirements for the Local Commercial (C-4) Zone.

Policy 5.57 It shall be the intention of Council to zone existing convenience stores within the Residential Generalized Future Land Use Map designation as Local Commercial (C-4) subject to the following.

(1) that the proposal conforms to criteria contained in Implementation Policy 10.42.

Downtown Transition (DTZ) Zone

Notwithstanding the limitations restricting business and professional offices to the Downtown Commercial (C-1) Zone and the Waterfront Commercial Industrial (WCI-5) Zone as outlined in various text and policy provisions of

this Municipal Planning Strategy, Council has created a Downtown Transition (DTZ) Zone in the Residential Designation immediately abutting the Central Business District Designation where certain commercial uses, including business and professional offices, can locate. While it is expected that these uses will occur in existing buildings, new construction will also be permitted, subject to the policies set out below and to relevant portions of the Land Use By-law. Parking will not be required. The Downtown Transition (DTZ) Zone shall be limited to the area defined as the Downtown Transition (DTZ) Zone shown on the Zoning Map and excerpted below, to ensure that it does not further encroach into the Residential Designation and remains in close proximity to the Central Business District Designation. This is a “hard” boundary.

Implementation of the Downtown Transition (DTZ) Zone will be subject to conformity with criteria contained in Implementation Policy 10.7 and will be subject to site plan approval.

The following are Council’s policies with respect to development in the Downtown Transition (DTZ) Zone:

Policy 5.58 Notwithstanding the limitations restricting business offices and professional offices to the Downtown Commercial (C-1) Zone and the Waterfront Commercial Industrial (WCI-5) Zone as outlined in various text and policy provisions of this Municipal Planning Strategy, it shall be the intention of Council to enable the establishment of business offices and professional offices in the Downtown Transition (DTZ) Zone pursuant to Policy 5.59.

Policy 5.59 It shall be the intention of Council to include in the Land Use By-law a Downtown Transition (DTZ) Zone. This zone will include the following uses as-of-right: residential dwelling units up to a maximum of four (4) units per lot; personal service shops; internet web site development; business offices; professional offices; municipal, provincial and federal government offices; public parks; institutional uses; child or adult nurseries; medical clinic; guest homes; coffee and tea shops; antique shops; art galleries; inns with function rooms; convention centers and restaurants.

Policy 5.60 It shall be the intention of Council to include in the Land Use By-law minimum lot frontage, minimum lot area, minimum front, side and rear yard set-backs, maximum building height, the number, siting and use of accessory buildings; visibility

at street intersection standards, for the Downtown Transition (DTZ) Zone.

Policy 5.61 It shall be the intention of Council to include in the Land Use By-law provisions requiring the screening of parking spaces; utility structures; garbage/recycling receptacles and compost receptacles from public view in the Downtown Transition (DTZ) Zone.

Policy 5.62 It shall be the intention of Council to include in the Land Use By-law provisions regulating outdoor storage and prohibiting outdoor displays in the Downtown Transition (DTZ) Zone.

Policy 5.63 It shall be the intention of Council to include in the Land Use By-law provisions regarding the architectural appearance of main buildings and accessory buildings in the Downtown Transition (DTZ) Zone.

Policy 5.64 It shall be the intention of Council to include in the Land Use By-law provisions prohibiting the use of transportation vehicles and shipping containers in the Downtown Transition (DTZ) Zone.

Policy 5.65 It shall be the intention of Council to include in the Land Use By-law provisions prohibiting the parking of commercial motor vehicles in the Downtown Transition (DTZ) Zone.

Policy 5.66 It shall be the intention of Council to include in the Land Use By-law provisions prohibiting the development of drive-thru restaurants in the Downtown Transition (DTZ) Zone.

Policy 5.67 It shall be the intention of Council to include in the Land Use By-law provisions clarifying that where there is a conflict between the Architecturally Sensitive (A-S) Area provisions and the provisions of the Downtown Transition (DTZ) Zone that the higher or more stringent regulations shall prevail.

Policy 5.68 It shall be the intention of Council to include in the Land Use By-law provisions regulating signage in the Downtown Transition (DTZ) Zone.

Policy 5.69 It shall be the intention of Council to include in the Land Use By-law provisions regulating more than one main building on the lot with respect to set-backs between buildings in the Downtown Transition (DTZ) Zone.