



PART 7

# Mixed Use Zones

# PART 7: MIXED USE ZONES

## 7.1. Mixed Use Zones Permitted Uses

The table below summarizes the uses permitted in all Mixed Use Development Zones. For conditions associated with the uses, see the specific section referencing that zone.

- R2-T - Townhouse
- R3 - Multiple Unit Residential
- MC - Mixed Use Centre
- VC - Village Core
- WCDD - Walkable Comprehensive District Development

Uses	R2-T	R3	MC	VC	WCDD
Accommodations, Bed & Breakfast	-	P	P	SP	-
Accommodations, Employee	-	-	SP	-	-
Accommodations, General	-	-	SP	SP	-
Animal Hospitals & Veterinary Offices	-	-	SP	SP	-
Automobile Dealers & Rentals	-	-	-	-	-
Automobile Service Station	-	-	SP	DA	-
Automobile Vehicle Repair & Maintenance	-	-	SP	-	-
Bank & Financial Institutions	-	-	SP	SP	-
Brewery, Distillery & Winery	-	-	SP	SP	-
Business Support Services & Printing	C	C	SP	SP	-
Car Wash	-	-	-	-	-
Commercial Club	-	-	SP	-	-
Couriers & Messengers	-	-	SP	SP	-
Daycare, General	-	C	SP	SP	-
Daycare, Home-Based	C	C	SP	SP	-
Drinking Establishment open after 1 am	-	-	DA	DA	-
Drinking Establishment open until 1 am	-	-	SP	SP	-
Dwelling, Multiplex (Large)	-	SP	SP	-	-
Dwelling, Multiplex (Small)	C	SP	SP	-	-
Dwelling, Single Unit	-	-	-	C	-
Dwelling, Townhouse (Cluster)	SP	C	SP	-	-
Dwelling, Townhouse (On-Street)	SP	C	SP	-	-
Dwelling, Townhouse (Stacked)	SP	C	SP	-	-
Dwelling, Two Unit	C	C	-	C	-
Educational Services	-	-	SP	SP	-
Funeral Services	-	-	SP	SP	-
Gambling Industries	-	-	SP	-	-
Government Offices & Facilities	-	-	SP	SP	-
Health Care Services	SP	SP	SP	SP	-
Home-Based Business	C	C	C	C	-
Movie Theatre	-	-	SP	-	-

LAND USE BYLAW - EAST HANTS OFFICIAL COMMUNITY PLAN

Uses	R2-T	R3	MC	VC	WCDD
Office & Professional Services	C	C	SP	SP	-
Personal Care Services	C	C	SP	SP	-
Recreation Facility, Indoor	C	C	SP	-	-
Repair & Maintenance	-	-	SP	-	-
Restaurant, Drive-Thru	-	-	DA	DA	-
Restaurant, Full & Limited Service	-	-	SP	SP	-
Restaurant, Take-Out	-	-	SP	SP	-
Retailers & Rental Services	-	C	SP	SP	-
Shopping Centre	-	-	SP	-	-
Social Enterprise	-	-	SP	SP	-
Special Care (Nursing Home)	SP	SP	SP	SP	-
Special Care (Residential Care Facility, Home for Special Care or Group Home)	SP	SP	SP	SP	-
Tradesperson & Craftsperson Businesses & Offices	-	-	SP	SP	-
Urban Cottage Developments	SP	C	C	-	-
Institutional (IU) Zone Uses	-	-	DA	SP	-
Public buildings and places of worship that do not meet form-based zone requirements.	-	-	-	DA	-
Open Space (OS) Zone Uses subject to the requirements of that zone.	P	P	P	SP	-
Conversion of existing buildings into multiple unit residential buildings with 10 units or less.	-	-	-	SP	-
Multiplex with a minimum of 8 dwelling units to a maximum of 12 dwelling units subject to the Form-Based Zone Requirements for the Village Core (VC) Zone.	-	-	-	SP	-
Automobile detailing as a secondary use to the primary commercial or residential use of the property.	-	-	-	SP	-
Mixed use buildings with commercial on the ground floor and up to a maximum of 12 dwelling units above the commercial use.	-	-	-	SP	-
Conversion of a commercial building to a single or two unit residential dwelling in a structure that was originally constructed as a residential building.	-	-	-	P	-
Lawfully Existing Uses	P	P	P	P	-
P - Permitted as-of-right through a development permit. SP - Permitted by site plan approval. DA - Permitted to apply to Council for a development agreement: note that other restrictions may apply. C - Conditionally permitted: discretionary approval may apply, view zone requirements.					

## 7.2. General Provisions for Mixed Use Zones (Excluding Village Cores)

### 7.2.1. Amenity Area Requirements

a) Amenity areas shall be provided for residential uses in accordance with the table below:

	Minimum Private <i>Outdoor</i> Amenity Area Requirements	Private <i>Outdoor</i> Amenity Area Layout	Minimum Common Amenity Area Requirements	Common <i>Outdoor</i> Amenity Area Layout
Townhouse dwelling unit (grade-level unit)	40 m <sup>2</sup> per unit	<ul style="list-style-type: none"> <li>Minimum depth of 1.8 m</li> </ul>	<p><b>Developments with 8 units or more:</b> Greater of 100 m<sup>2</sup> or 10 m<sup>2</sup> per unit</p> <p>Common outdoor amenity area is not required for on-street townhouses.</p>	Common outdoor amenity areas shall not be divided into more than two pieces, and each area shall have a minimum width of 6 m.
Townhouse dwelling unit (above-grade unit)	40 m <sup>2</sup> per unit	<ul style="list-style-type: none"> <li>Minimum depth of 1.8 m</li> </ul>	<p><b>Developments with 12 units or more:</b> 10 m<sup>2</sup> per unit</p>	Common outdoor amenity areas shall not be divided into more than two pieces, and each area shall have a minimum width of 6 m.
Multiplex dwelling unit	<p><b>Required only for developments above 16 units:</b> an average of 2 m<sup>2</sup> per unit which is not required to be evenly distributed between units.</p>	<ul style="list-style-type: none"> <li>Minimum depth of 1.8 m</li> </ul>	<p><b>Developments between 3-8 units:</b> Greater of 50 m<sup>2</sup> or 10 m<sup>2</sup> per unit of common outdoor amenity area</p> <p><b>Developments of 9 units or more:</b> 10 m<sup>2</sup> of common outdoor amenity area per unit,</p> <p><b>Developments with 24 units or more:</b> 50 m<sup>2</sup> of common indoor amenity area is required.</p>	<p>Common outdoor amenity areas shall not be divided into more than two pieces, and each area shall have a minimum width of 6 m.</p> <p>Common outdoor amenity areas shall not be located in the front yard.</p>
Cottage Housing Development dwelling unit	-	-	Greater of 150m <sup>2</sup> total or 25m <sup>2</sup> per unit of common outdoor amenity area.	<p>Common outdoor amenity areas shall not be divided into more than two pieces.</p> <p>Each common outdoor amenity area shall have minimum size of 150 m<sup>2</sup></p>
Special Care Home rooming unit	-	-	Greater of 65 m <sup>2</sup> or 8 m <sup>2</sup> per rooming unit	Common outdoor amenity areas shall not be divided into more than two pieces.

b) A Common outdoor amenity area shall conform with the following:

- i) Shall be available to all residents of the development, including being barrier free;

- ii) Shall have no dimension less than 6.0 m and no slope greater than 5%;
- iii) Be designed and located so that the length does not exceed 4 times the width;
- iv) Shall have access to sunlight and shade;
- v) Seating shall be provided;
- vi) Walkways from the main entrance of the building(s) to the outdoor amenity space shall be provided;
- vii) A landscape plan shall be prepared for approval by the Development Officer;
- viii) Shall be located a minimum of 5 m from adjoining residential uses;
- ix) Outdoor common amenity space may be located on a rooftop terrace where the outside perimeter of the terrace is located a minimum of 3 m from the edge of the building; and
- x) For larger developments consisting of multiple buildings, one central common outdoor amenity space may be designed for the use of all residents.

### **7.2.2. Landscaping Requirements**





All properties shall be landscaped according to the following requirements:

- i) The landscape requirements of the table below shall be met:
  - ii) Parking lots shall be landscaped in accordance with the general requirements section of this Bylaw.
- a) Required landscaping shall comply with the following perennial planting requirements
- i) Large (over 10 m) maturing deciduous trees minimum size shall be 50 mm caliper measured at 1.5 m from ground level with a minimum 3.5 m height at time of planting.
  - ii) Evergreen trees shall be a minimum of 1.5 m height measured from ground level at time of planting.
  - iii) Twigged deciduous and evergreen shrubs and hedges shall be a minimum 11 L container with a height of 0.6 m measured from ground level at time of planting.

### **7.2.3. General & Vegetated Buffer Requirements**

a) Vegetated buffers shall comply with the following requirements:

- i) Shall be designed to provide a continuous screen within 3 years of its initial installation that is equally effective during all seasons.
  - ii) Shall be well maintained so that it provides adequate screening, and does not pose a threat to public safety or become unsightly over time.
  - iii) Shall consist of existing trees and vegetation, where possible.
  - iv) May incorporate additional landscaping features and fencing, in addition to vegetation, where necessary, to provide appropriate screening.
- b) Where a property abuts a Residential Neighborhood Zone, Residential Neighborhood Zone use, institutional use, or agricultural use, the requirements of one of the options of the table below shall be met for the portion of the property which is being used for commercial or multiple unit residential purposes including any structures, parking, display, loading docks, utility structures or storage areas:

Buffer Option	Option Requirements	Example Diagram
Option 1	<p>A solid wall or opaque wooden fence no less than 1.8 m in height; or with the finished side of the fence facing the abutting property.</p> <p>Fences longer than 8 m shall be landscaped at the base with trees or shrubs planted in a minimum 1.5 m wide planting area spaced no further than 3 m apart with the planted area facing the public right-of-way or abutting properties.</p>	
Option 2	A continuous opaque hedge of evergreen and/or densely twigged deciduous shrubs, planted in a minimum 1.5 m wide strip spaced a maximum of 1.5 m apart.	
Option 3	A row of alternating evergreen trees and evergreen and/or densely twigged deciduous shrubs, planted no more than 3 m apart, or the retention of a well-vegetated span of vegetation at least 6 m wide.	
Option 4	Any combination of options 1, 2, or 3.	
Option 5	A turfed berm of not less than 1 m in height planted on the crest with a continuous opaque hedge of evergreen and/or densely twigged deciduous shrubs, planted in a minimum 0.5 m wide strip.	

The diagrams above are for illustrative purposes only.

### 7.2.4. Outdoor Lighting

Driveways, walkways, parking areas, circulation roads, and service areas shall be clearly delineated by lighting fixtures that shall be installed so as to reflect light away from adjacent streets and residential areas.

### 7.2.5. Outdoor Storage & Display Buffer Requirements

- a) Outdoor storage of goods and materials shall be subject to the following requirements:
  - i) Open storage shall be permitted in the rear yard only.
  - ii) Open storage that abuts a public right-of-way shall be buffered along the abutting property line corresponding to the extent of the storage area with an opaque fence a minimum of 1.8 m in height or a vegetated buffer sufficient to screen the storage area.
- b) Outdoor display areas shall be permitted in a side yard or a yard abutting a right-of-way provided the following requirements are met:
  - i) Outdoor display areas shall be buffered from abutting yards.
  - ii) Outdoor display areas shall be located on the same lot as the primary building.
  - iii) Outdoor display areas shall not exceed 25% of the gross floor area of the primary building.
  - iv) Outdoor display areas shall be landscaped and maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

### 7.2.6. Automobile Service Station, Automobile Vehicle Repair & Maintenance, and Car Wash Requirements

- a) The following requirements shall apply to Automobile Service Station, Automobile Vehicle Repair & Maintenance, and Car Wash:
  - i) The minimum distance between ramps and driveways shall not be less than 9 m.
  - ii) The minimum distance from a ramp or driveway to a street intersection shall not be less than 15 m.
  - iii) The minimum angle of an intersection or a ramp to a street line shall be 45 degrees.
  - iv) Generic terms which are applied as facial wall signs on buildings and indicate the services provided are not included in the calculation of the number of signs per business premise. Without limiting the generality of the foregoing, such terms may include gas, food, brakes, wheel alignment, mufflers and car wash.
- b) The following requirements shall apply to automobile service stations:
  - i) No portion of any pump island shall be located closer than 6m from any street line, except an overhead canopy.
- c) The following requirements shall apply to Automobile Vehicle Repair & Maintenance:
  - i) All Automobile Vehicle Repair & Maintenance uses must occur within a fully enclosed building.
- d) The following requirements shall apply to car washes:
  - i) The car wash shall be located in a partially enclosed, or fully enclosed permanent structure.
  - ii) Dedicated bays, separate from service bays, shall be provided for any car wash facilities.
  - iii) All car wash bays or automated car washes shall include an oil/water separator.

### **7.2.7. Site Plan Criteria**

The Development Officer shall approve a site plan application where the following matters have been addressed by the applicant:

- a) The location of structures on the lot:
  - i) All proposed and existing structures and areas for outdoor storage & display are identified on the site plan.
- b) The location of off-street loading and automotive parking facilities:
  - i) All proposed and existing automotive parking is identified on the site plan; and
  - ii) All proposed automotive parking is located in a manner which allows for the effective circulation of vehicles within the site and for the safety of pedestrians within the parking area.
  - iii) Requirements of the Land Use Bylaw dealing with off-street loading and parking facilities may be varied by a site-plan approval.
- c) The location of bicycle parking facilities:
  - i) All proposed and existing bicycle parking is identified on the site plan; and
  - ii) All proposed bicycle parking is located in a manner which allows for the effective circulation of vehicles within the site and for the safety of pedestrians within the parking area.
  - iii) Requirements of the Land Use Bylaw dealing with bicycle parking facilities may be varied by a site-plan approval.
- d) The location, number and width of driveway accesses to streets:
  - i) All proposed and existing driveway accesses are identified on the site plan; and
  - ii) All proposed driveway accesses are of a sufficient width to allow for the safe and efficient movement of vehicles to and from the site.
- e) The type, location, and height of walls, fences, hedges, trees, shrubs, ground cover, or other landscaping necessary to protect and minimize the land use impact on adjoining lands:
  - i) All requirements under the Land Use Bylaw for landscaping and hedges or fencing used for buffering

- are identified on the site plan including proposed landscaping for yard setbacks, parking areas, and property lines;
- ii) All open storage including refuse containers are buffered with an opaque fence or hedge sufficient to screen the storage area from adjacent properties and the street; and
  - iii) Sufficient landscaping including trees, shrubs, grass, and other ground cover shall be provided around any structures on the site and any parking areas to minimize the visual and environmental impact of the use on the surrounding area.
- f) The retention of existing vegetation:
- i) All retained vegetation including trees, shrubs, and ground cover is identified on the site plan.
- g) The location of walkways, the type of surfacing material, and all other means of pedestrian access:
- i) All proposed walkways are identified on the site plan and are located to provide safe and accessible pedestrian access to the commercial entrance from the parking area and from the street; and
  - ii) All walkways are surfaced with a paving material such as brick, cobblestone, concrete, or any other suitable material to clearly delineate pedestrian walkways from vehicle circulation areas.
- h) The type and location of outdoor lighting:
- i) Exterior lighting used to illuminate any area within the site is located in a manner which would not reflect onto adjacent properties or the street; and
  - ii) Lighting is sufficient to provide safety and convenience for both pedestrians and vehicles accessing all public areas of the site.
- i) The location of facilities for the storage of solid waste:
- i) All facilities for the storage of solid waste are identified on the site plan; and
  - ii) All solid waste storage is located so that such waste is not openly visible from the immediate area surrounding the commercial use, any surrounding properties, or the street.
  - iii) All solid waste storage shall be located a minimum setback of 2 m from adjoining property lines of lots containing residential uses.
- j) The grading or alteration in elevation or contour of land and provision for the management of storm and surface water:
- i) All development within the site is undertaken to not alter the elevation or contour of the land including the excessive removal of topsoil beyond that required for basic lot grading necessary to locate any structures, roads, parking, or driveways;
  - ii) Any alteration of land including the removal of topsoil shall be undertaken in a manner which does not impact negatively on the natural function of any watercourse abutting the property or located on the property including runoff and erosion; and
  - iii) A stormwater management plan shall be prepared in accordance with the Municipal standards.
- k) All matters considered by site plan approval shall be adequately maintained.

### **7.2.8. Additional Evaluation Materials for Site Plan Approval Uses**

Before a development permit is issued, the Development Officer shall be provided with the following information when considering a site plan approval use:

- a) Building elevations to scale showing the front, side and rear elevations of the proposed development including all existing and proposed building elements.
- b) A site plan meeting the requirements of this section.
- c) A letter provided by the applicant indicating that the applicant and/or owner agrees to carry out the terms of the site plan.
- d) Any other information the Development Officer deems necessary to properly evaluate the proposal.



### **7.2.9. Exemptions from Site Plan Approval**

The following matters do not require site plan approval, however all other requirements of this Bylaw shall be met before a development permit is issued:

- a) Temporary Construction Uses
- b) The addition of vegetation on the property.
- c) Building repairs.
- d) Signage on a property where no site plan approval is currently applicable, or where signage is not indicated on an existing site plan.
- e) Accessory structures on a property where no site plan approval is currently applicable.
- f) Installation, replacement or repair of minor building features, including a change in size of windows and doors that do not face streetlines.
- g) Assuming adequate parking is provided according to the general provisions section:
  - i) Change of use or tenancy.
  - ii) Interior renovations.
  - iii) Additions having a gross floor area of 75 m<sup>2</sup> or less provided floor area maximums are met, and street-facing facades are not changed.

### **7.2.10. Subdivision of R1 and R2 Uses in Mixed Use Zones**

- a) For an Established Residential Neighbourhood (R1) Zone use building or a Two Dwelling Unit Residential (R2) Zone use building existing on the date of adoption of this bylaw, the property may be subdivided so that each primary building is on it's own lot, provided that the minimum requirements of that zone are met.

### **7.2.11. Criteria for Home-Based Businesses**

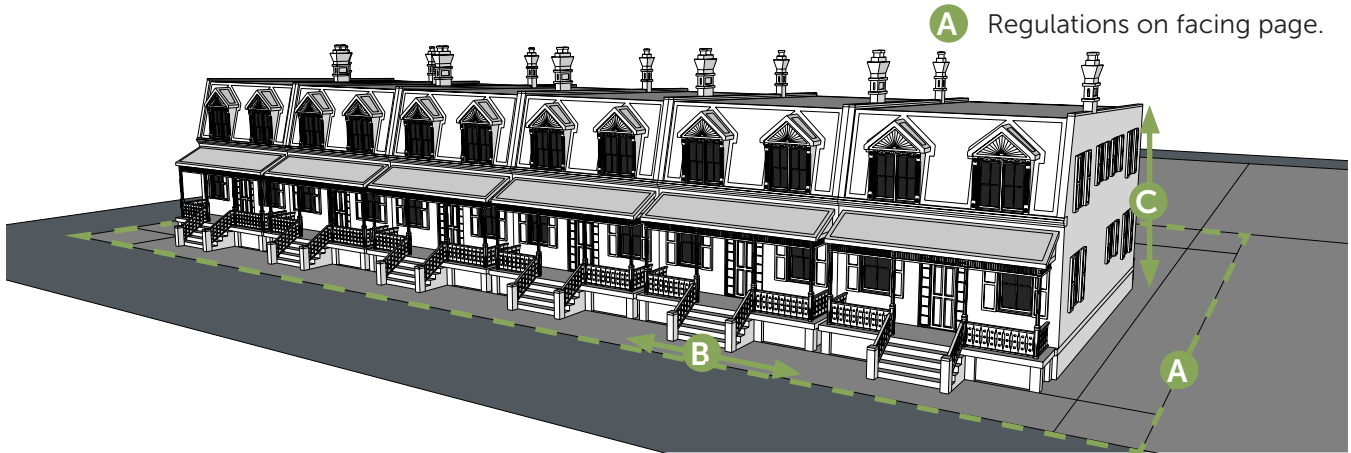
An accessory building, or a combination of an accessory building and a main building may be used for a home-based business provided that:

- a) The dwelling is occupied as a residence by the operator of the business;
- b) Not more than 50% of the floor area of the dwelling, or a maximum of 60 m<sup>2</sup> of commercial floor area, whichever is less, is devoted to the business use;
- c) A minimum of 1 off-street parking space is required in addition to that required for the dwelling. The number of off-street parking spaces provided must be the greater of 1 space:
  - i) For every 35 m<sup>2</sup> of floor space occupied by the business;
  - ii) For a related use to a personal or professional service home-based business use: every on-site client that can be serviced simultaneously.
  - iii) For every employee who are not residents in the dwelling.
- d) No open storage or outdoor display associated with the business shall be permitted.
- e) The external appearance of the dwelling is consistent with a residential use.
- f) Signage advertising the business shall comply with the requirements set out in Part 4 of this Bylaw.
- g) The business use may not employ employees who are not residents in the dwelling.
- h) No home-based business may have mechanical or electrical equipment that creates external noise or interferes with electronic equipment in adjacent dwellings.
- i) A maximum of 3 client visits at a time is permitted for a personal or professional service home-based business use.
- j) Site plan approval shall only be required for home-based businesses where there is a change to the original site plan or to the subject property.

**7.2.12. Home-Based Business Uses Permitted in Mixed Use Zones**

- a) Office and Professional uses permitted as a home-based business shall include, but not be limited to:
  - i) Professional office services, health care services, administrative and consulting services, administrative offices for businesses conducted off-site, technology or arts professionals and insurance or property appraisal practitioners.
  - ii) Business representatives managing a direct sales organization for product distribution, but not regular direct sales of product from residence.
- b) Goods and Service uses permitted as a home-based business shall include, but not be limited to:
  - i) Personal services, private instruction or tutoring in the arts, sciences or technologies, and the making and selling of crafts.
- c) Uses prohibited as a home-based business shall include, but not be limited to:
  - i) Retail & Rental Services
  - ii) Automobile Vehicle Repair & Maintenance, Automobile Dealers & Rentals, or welding shops;
  - iii) Abattoirs, butchers, and the cutting & wrapping of meat;
  - iv) Gun shops;
  - v) Special Care Centres.
- d) Where a business use is not listed above, and the business is similar in nature to an above use, the permission of the use shall be at the discretion of the Development Officer, provided all other provisions of this Bylaw are met.

### 7.3. R2-T: Townhouse Zone



The diagram and photographs above are for illustrative purposes only.

#### Intent

To provide flexible zoning to allow for infill development within urban growth areas without adversely affecting existing neighborhoods.

This zone also provides a scale transition from Core Village or Mixed Use Centre Zones to established residential communities.

Attached buildings
Medium footprint
1½ - 2½ storeys
Buildings near the front lot line
Private amenity space for each unit
No side setback on interior units



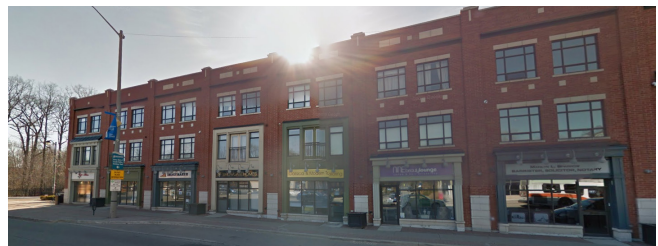
On-Street Townhouse



Stacked Townhouse



Cluster Townhouse



Live/Work Townhouse

#### R2-T Zone: Conditional Uses by Development Agreement

- Townhouse developments larger than zone limits.
- Institutional (IU) Zone Uses that do not meet zone requirements.

**R2-T Zone: Conditional Uses by Site Plan Approval**

- **Multiplex, Small** developments subject to the requirements of the R3 Zone limited to one building per lot.
- **Cluster Townhouse**
- **On-Street Townhouse**
- **Stacked Townhouse**
- **Urban Cottage Developments**

**7.3.1. General Zone Requirements**

In the R2-T Zone, no development permits shall be issued except in conformity with the following requirements:

**7.3.2. Requirements for Townhouse Developments**

A site plan approval application may be considered for the following uses listed on the table below, provided the following requirements, and all other requirements of this Bylaw are met:

	Cluster Townhouse	On-Street Townhouse	Stacked Townhouse
<b>A</b> Minimum Lot Area	800 m <sup>2</sup>	800 m <sup>2</sup>	1,000 m <sup>2</sup>
Minimum Lot area per dwelling unit	270 m <sup>2</sup>	150 m <sup>2</sup>	180 m <sup>2</sup>
<b>B</b> Minimum Lot Frontage	Interior lot: 18 m	Interior lot: 6 m per unit	Interior lot: 9 m per ground floor unit
	Corner lot: 20 m	Corner lot: 9 m per unit	Corner lot: 11 m per unit
Minimum Front Yard	Provincial Street: 5 m	Provincial Street: 5 m	Provincial Street: 6 m
	Municipal Street: 4.5 m	Municipal Street: 3.5 m	Municipal Street: 6 m
Minimum Flankage Yard	5 m	5 m	5 m
Minimum Side Yard	Common Wall: 0 m	Common Wall: 0 m	Common Wall: 0 m
	Detached: 3 m	Detached: 3 m	Detached: 3 m
<b>C</b> Minimum Rear Yard	6 m	6 m	6 m
Maximum Building Height	11 m	11 m	11 m
Minimum Street-Facing Facade Transparency	Grade: 30% Above Grade: 10%	Grade: 30% Above Grade: 10%	Grade: 30% Above Grade: 10%
Maximum Number of Joined Dwelling Units	6	6	8

**7.3.3. On-Street Live/Work Townhouse Requirements**

On-street townhouse developments may be developed with additional commercial ground floor area beyond that normally permitted for a home-based business.

a) The following requirements must be met:

- These provisions are only permitted for new construction.
- The property's primary street-facing facade shall front on a collector road.
- Each townhouse unit shall have a maximum commercial ground floor area of 120 m<sup>2</sup>.

b) There must still be a dwelling unit which is joined to the commercial use, and at least one person shall reside in the dwelling unit joined to the space where the commercial use is carried out.

- c) No more than 3 people may be engaged in any of the following uses: General Retailers & Rental Services; Office & Professional Services, Personal Care Services, the making, processing, and assembly of products on a small scale.
- d) The site shall have adequate parking subject to the requirements of the General Provisions to service both the residential dwelling unit, and the commercial use.

### 7.3.4. Site Design Requirements

- a) Townhouse units facing a street shall meet the following requirements:
  - i) Each ground-level townhouse unit shall have a walkway directly connected to a sidewalk where practical.
  - ii) Driveways and front yards of abutting units shall be twinned in order to provide larger front yard areas suitable for planting.
  - iii) Attached garages shall be an integral part of the building. If provided, an attached garage must not be wider than half of the townhouse unit's width and must not project more than 1 m in front of the building face.
  - iv) The front face of an attached garage shall integrate glass panels, smaller divisions and architectural details to present an attractive public appearance.
- b) Townhouse buildings must incorporate at least one of the following on each of the front elevations, and rear elevations which back onto the Established Residential Neighbourhood (R1) Zone:
  - i) A change in plane of at least 0.9 m projecting or setback from the adjacent facade at least 3.5 m in width along the wall shall be placed at a minimum of every two units on all walls. No wall shall be without a change of plane.
  - ii) At least one architectural projection per unit that shall project at least 0.6 m from the wall plane, such as covered porches, bay windows, and the like. Such projections should be significant architectural features, spanning the full height of a one story building, and a minimum of one half of the height of a two story or taller building.



### 7.3.5. Townhouse Subdivision Requirements

- a) Townhouse units located on a lot serviced by municipal water and wastewater services may be subdivided into individual lots provided:
  - i) Each lot to be created contains no more than one dwelling unit;
  - ii) Each dwelling unit has separate service connections;
  - iii) All applicable provisions of the East Hants Municipal Subdivision Bylaw are satisfied.
- b) Individual Townhouse units contained in the same structure shall maintain a front yard setback that is equal to the front yard setback of the adjacent unit(s) or varies no more than 1 m from the front yard setback of adjacent unit(s).

### 7.3.6. Requirements for Urban Cottage Developments

A site plan approval application may be considered for urban cottage developments provided the following requirements, and all other requirements of this Bylaw are met:

	Urban Cottage Development (Sewer and Water or Sewer Only)
Minimum Lot Area	1,080 m <sup>2</sup> per cluster, with a maximum of two clusters per lot
Minimum Lot Frontage	Interior lot: 18 m Corner lot: 20 m
Minimum Front Yard	5 m
Minimum Flankage Yard	5 m
Minimum Side Yard	3 m
Minimum Rear Yard	6 m
Maximum Building Height	8 m
Minimum Number of Dwelling Units	4
Maximum Number of Dwelling Units	1 unit per 270 m <sup>2</sup> of lot area, to a maximum of 14 units per cluster, or 24 units per lot

- a) Urban cottage developments are only permitted where a property has sidewalk access along the lot frontage or on the opposite side of the street.

### 7.3.7. Urban Cottage Development Site Design Space Requirements

- Each cluster of cottages shall have a contiguous common outdoor amenity space to provide a sense of openness and community for residents.
- At least two sides of the common outdoor amenity area shall have cottages fronting along its perimeter.
- Each cottage unit shall be located within 10 m of a common amenity space.
- A system of interior walkways shall connect each cottage to each other and to the parking area, to the sidewalks abutting any public streets bordering the cottage housing development.
- Each unit shall connect via continuous walkways with a minimum 1.2 m width to shared open space areas.
- No part of any building in the development can be more than 45 m from fire department vehicle access, as measured by a clear path along the ground.
- All dwellings in the cottage housing development shall be at least 3 m apart.

### 7.3.8. Urban Cottage Development Architectural Requirements

- Units will be designed to have a cottage-like appearance:
  - Each urban cottage must have a different appearance than abutting units.
  - Urban cottage units must not exceed a 1:4 width to length ratio. Tall, skinny houses shall be avoided.
  - Urban cottage units shall have a maximum roof pitch between 8:12 to 16:12.
  - Urban cottage units shall have covered front porches at least 6 m<sup>2</sup> in area oriented toward the common open space. This required covered front porch does not contribute to the maximum ground floor area of the unit.
- Each dwelling unit shall be clustered around a common open space, with the building's primary entry and covered porch oriented to the common open space.

- c) Each unit abutting a public street (not including alleys) shall have a facade, secondary entrance, porch, bay window or other architectural enhancement oriented to the public street.

### **7.3.9. Existing Detached Single Unit Dwellings Permitted**

- a) An existing detached single unit dwelling that is incorporated into a cottage housing development as a residence shall be permitted to remain on a site used for a cottage housing development. It shall count as one cottage unit unless the existing dwelling exceeds a ground floor area of 120 m<sup>2</sup> then it shall count as two cottage units.

### **7.3.10. Garage & Parking Design Requirements**

- a) Attached garages are not permitted attached to an urban cottage.
- b) Parking stalls should be clustered in parking lot(s) of no more than 5 contiguous stalls and hidden from street facing facades.
- c) If detached garages are provided they must have a design similar to or compatible with cottages.

### **7.3.11. Community Amenity Buildings Permitted**

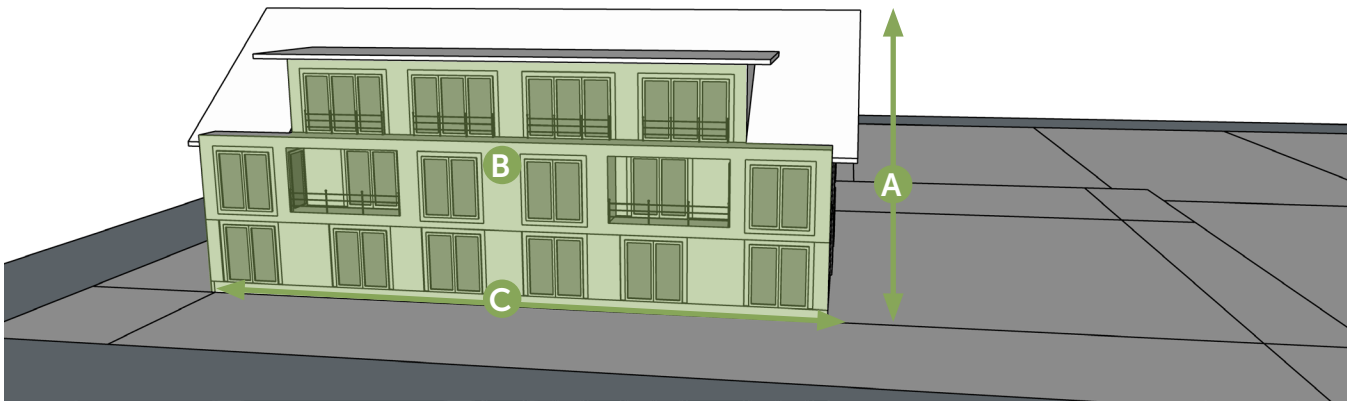
- a) Community amenity buildings are permitted in cottage housing developments to serve the needs of residents and their guests.
- b) Community amenity buildings shall be clearly incidental in use and size to dwelling units.
- c) Community amenity buildings shall be no more than 6 m in height.

### **7.3.12. No Subdivision within a Cluster Permitted**

- a) A cluster in a cottage housing development may not be subdivided.

## 7.4. R3: Multiple Unit Residential Zone

**A** Regulations on facing page.



The diagram and photographs above are for illustrative purposes only.

### Intent

To provide for multiplexes, with some permitted commercial uses.

Attached buildings
Small to medium footprint
1 - 3 storeys
Buildings near the front lot line
Private amenity space for each unit
No side setback on interior units
Concealed or screened parking
No accessory dwellings



Small Multiplex



Large Multiplex

### R3 Zone: Conditional Uses by Development Agreement

- Developments having more than the maximum number of buildings permitted.
- Large Multiplex Developments having more than the maximum number of dwelling units permitted up to a maximum ratio of 24 dwelling units per 0.3 hectares.



**R3 Zone: Conditional Uses by Site Plan Approval**

- **Small Multiplexes**
- **Large Multiplexes**
- **Accessory commercial uses to large multiplexes as described in 7.4.9**
- **Accessory commercial uses to small multiplexes as described in 7.4.10**
- **Townhouse (R2-T) Zone uses, subject to the zone requirements of the R2-T Zone.**

**7.4.1. General Zone Requirements**

In the R3 Zone, no development permit shall be issued except in conformity with the following requirements:

**7.4.2. Requirements for Multiplex Developments**

In the R3 Zone, no development permit shall be issued except in conformity with the following requirements:

	<b>Small Multiplex (Serviced by Sewer Only)</b>	<b>Small Multiplex (Serviced by Sewer &amp; Water)</b>	<b>Large Multiplex (Serviced by Sewer &amp; Water)</b>
Minimum Lot Area per primary building	900 m <sup>2</sup>	750 m <sup>2</sup>	3,000 m <sup>2</sup>
Minimum Lot Frontage	30 m	22 m	30 m
Minimum Front Yard	7 m	5 m	7 m
Minimum Side Yard	4 m	One side: 4 m	One side: 7 m
		Other sides: 4 m	Other sides: 7 m
Minimum Rear Yard	10 m	6 m	10m
Minimum Flankage Yard	6 m	5 m	6 m
Maximum Building Height	10 m	10 m	11 m
<b>A</b> Maximum primary building size	8 dwelling units and 375 m <sup>2</sup> of ground area	8 dwelling units and 375 m <sup>2</sup> of ground area	24 dwelling units and 1,250 m <sup>2</sup> of ground area
Maximum number of primary buildings	2	3	1
Maximum Lot Coverage	40%	40%	40%
Maximum Ground Floor Finish Level	0.5 m	0.5 m	0.5 m
Maximum Street-Facing Building Length	32 m	32 m	50 m
<b>C</b> <b>B</b> Minimum Street-Facing Facade Transparency	At Grade: 30% Above Grade: 10%	At Grade: 30% Above Grade: 10%	At Grade: 30% Above Grade: 10%

**7.4.3. Angular Setback Planes**

- a) For buildings greater than 1 storey and 375 m<sup>2</sup> in ground floor area, where a property abuts a Residential Neighbourhood Zone, a 3 m stepback is required from the building’s 3<sup>rd</sup> and higher storeys.

#### 7.4.4. Design Requirements

#### 7.4.5. Articulation Requirements

- a) Where frontage permits, multi-family residential buildings should have their primary entryway and orientation facing the street.
- b) Long buildings over 16 m must be visually broken into smaller architectural parts using building modules, changes in roof styles and changes in colour.
- c) Mitigate the actual and perceived bulk of buildings over 16m by utilizing appropriate massing, including the use of:
  - i) Architectural elements such as balconies, bay windows, cantilevered floors, cupolas, and dormers.
  - ii) Visually-interesting rooflines such as variations in cornice lines, roof slopes and the use of dormers.
  - iii) Detailing that creates a rhythm and visual interest along the line of the building through the use of varied architectural treatments.
  - iv) Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- d) Design buildings over 2½ storeys with an identifiable base, middle, and top through a change in setbacks, projections, textures, materials, detailing, or other architectural features.
- e) Incorporate distinctive massing articulation and architectural treatments for corner sites, highly visible building sites, or buildings/portions of buildings that terminate important view corridors (i.e. varying building heights, change facade planes, pedestrian spaces, large windows, awnings, canopies, or archways). A consistent level of architectural detail should be incorporated into both street-facing facades.
- f) All building elevations that face streets, mews, parks, public buildings, and open spaces shall appear and function as front elevation/s, complete with porches/stoops, and front doors and windows to activate the public realm.
- g) The maximum ground floor finish level shall be 0.5 m above the established grade.

#### 7.4.6. Screening Requirements

- a) Utilities such as vents, mechanical rooms/equipment, and elevator penthouses should be integrated with the architectural treatment of the roof, or be screened with materials and finishes compatible with the building's design.
- b) Piping/vents for functional services (i.e. plumbing and heating) should be located or screened from streets, abutting properties zoned Open Space (OS) Zone or other public areas.

#### 7.4.7. Access

- a) The main front entrances should face the street or be clearly visible from the street and should be emphasized by special architectural elements (e.g. porches).

#### 7.4.8. Parking

- a) Entryways to below-grade parking should be an integral and consistent part of the building mass. Integrate the garage with the building by topping it with a habitable second storey, or recessing it into the structure.
- b) On-site parking is permitted below grade, or to the rear or side of the primary building where at grade.
- c) Loading docks, overhead doors, and other service entries shall be screened and shall not be located on primary street facades.

#### 7.4.9. Large Multiplex Limited Commercial Uses Permitted

- a) Large Multiplex buildings are permitted to include one or more of the following commercial uses subject to the requirements of this section:

- i) Business Support Services & Printing
  - ii) Daycares
  - iii) Dog Grooming
  - iv) Indoor Recreation Facilities
  - v) Retailers & Rental Services (convenience stores)
  - vi) Office & Professional Services
  - vii) Personal Care Services
- b) Each Large Multiplex building is permitted to have either:
- i) A total commercial floor area in the primary building's ground or sub-ground floor that does not exceed 1/3 of the gross floor area of the building; or
  - ii) An accessory commercial building up to 75m<sup>2</sup> in commercial ground floor area. The commercial building shall have a similar and compatible architectural form to that of the primary building.
- c) Parking shall be provided for both the residential and business uses in accordance with the general requirements of this Bylaw.

#### **7.4.10. Small Multiplex Limited Commercial Uses Permitted**

- a) Small Multiplex buildings may have incorporated in the structure on the ground or sub-ground floor, one or more of the following commercial uses:
- i) Daycares
  - ii) Retailers & Rental Services (convenience stores)
  - iii) Office & Professional Services
  - iv) Personal Care Services
- b) Each Small Multiplex building is permitted to have a total commercial floor area in the primary building's ground or sub-ground floor that does not exceed one-third of the gross floor area of the building.
- c) Parking shall be provided for both the residential and business uses in accordance with the general requirements of this Bylaw.

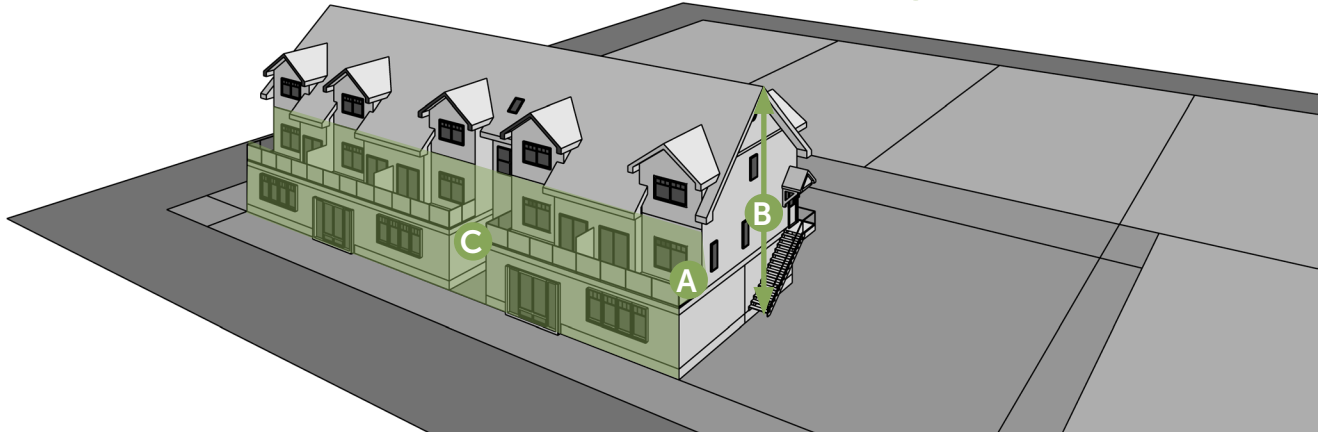
#### **7.4.11. Multiple Buildings Per Lot**

A development with multiple buildings per lot shall be designed in accordance with the following provisions:

- d) One driveway access shall be shared between the buildings on a lot.
- e) Buildings shall have a minimum 6 m separation between small multiplexes and accessory structures.
- f) Buildings shall have a minimum of 10 m separation between each small multiplex.
- g) Buildings shall be designed such that there is a sense of architectural unity or cohesiveness.
- h) Any accessory structures shall have a compatible shape and exterior finish as the small-scale multiplexes.

## 7.5. MC: Mixed Use Centre

**A** Regulations on facing page.



The diagram and photographs above are for illustrative purposes only.

### Intent

To provide flexible zoning to allow for infill development within urban growth areas without adversely affecting the existing neighbourhood. While this zone is primarily for residential uses, expanded home-based business uses are also encouraged in this zone.

Attached buildings
Small to medium footprint
1½ - 2½ storeys
Buildings near the front lot line
Private amenity space for each unit
No side setback on interior units
Concealed or screened parking
No accessory dwellings



### MC Zone: Conditional Uses by Development Agreement

- Developments having more than the maximum number of primary buildings permitted.
- Drinking Establishment, Major (Cabaret or Lounge)
- Drive-Thru Restaurants
- Institutional uses that do not meet the form-based zone requirements but will contribute to the vitality and overall goal of (MC) Zone
- Drinking Establishment open after 1 am

**MC Zone: Conditional Uses by Site Plan Approval**

- **Commercial uses as described in table 7.1**
- **Mixed use capable buildings**
- **Townhouse (R2-T) Zone uses**, subject to the zone requirements of the R2-T Zone.

### 7.5.1. General Zone Requirements

In the MC Zone, no development permit shall be issued except in conformity with the following requirements:

### 7.5.2. Zone Requirements

- a) This Zone regulates development based on allowed building types. The names of the building types are not intended to limit uses within a building type.
- b) In the MC Zone, no development permit shall be issued except in conformity with the following requirements:

	Mixed Use Building	General Commercial
Minimum Lot Area	900 m <sup>2</sup>	500 m <sup>2</sup>
Minimum Lot Frontage	30 m	25 m
Build-to-Area (Measured from the front lot line)	A minimum of 5 m, with a maximum up to the distance equal to the front yard setback of a building on an abutting lot that faces the same street	A minimum of 5 m, with a maximum up to the distance equal to the front yard setback of a building on an abutting lot that faces the same street
Required Stepback	Three storey buildings: 2 m street-wall stepback from the building's second storey streetwall  Four storey buildings: 2 m streetwall stepback from the building's second storey or third storey streetwall	Three storey buildings: 2 m street-wall stepback from the building's second storey streetwall
Minimum Side Yard	One side: 4 m	One side: 4 m
	Other sides: 2 m	Other sides: 2 m
Minimum Rear Yard	6 m	6 m
Minimum Flankage Yard	5 m	5 m
Maximum number of primary buildings	3	

A

<b>B</b> Maximum Building Height	Primary buildings:	
	<ul style="list-style-type: none"> <li>Where the building abuts a Residential Neighbourhood Zone: 3 storeys or 12.2 m.</li> <li>Where the building does not abut a Residential Neighbourhood Zone: Four storeys or 15 m.</li> </ul>	Primary buildings: 3 storeys or 12.2 m
	Within the area shown in Appendix F, the height of new buildings is limited to 12.2 m and 3 storeys	Within the area shown in Appendix F, the height of new buildings is limited to 12.2 m and 3 storeys
	Accessory buildings: lesser of 11 m or equal to the height of the primary building	Accessory buildings: lesser of 11 m or equal to the height of the primary building
<b>C</b> Minimum Street-Facing Facade Transparency	At grade: 30% Above grade: 10%	At grade: 30% Above grade: 10%
Maximum Number of Dwelling Units per Building <sup>i</sup>	42	24
Maximum Ground Floor Finish Level	0.5 m	0.5 m
Maximum Street-Facing Building Length	50 m	50 m
Maximum building size	1,250 m <sup>2</sup> of ground area	1,250 m <sup>2</sup> of ground area
Minimum commercial ground floor area	50% of ground floor area	-
Maximum Lot Coverage	50%	50%
<b>Conditions</b>		
<sup>i</sup> More than one primary building type is allowed on a lot if the submitted site plan application includes a plan with potential lot lines that meet all the requirements of this Bylaw, excluding frontage requirements for primary buildings located behind a street-facing building.		

### 7.5.3. Design Requirements

- a) The requirements of this subsection may be varied by site plan in order to meet challenging site conditions, or achieve architectural excellence.
- b) Building Form
  - i) Buildings should feature a well-designed based, middle and top through architectural expression including the use of setbacks, recesses, extrusions, textures, materials, or detailing.
  - ii) Where neighbouring structures are two or more storeys in height, a new building shall continue and reflect abutting building's established patterns relating to height, floor elevation, and window placement.
  - iii) Where a new building exceeds the height of abutting two storey structures, architectural details shall be incorporated into the building's facade to reinforce abutting building heights. Architectural elements may include setbacks, recesses, extrusions, textures, materials, or detailing such as a cornice.
- c) Articulation Requirements for Long Buildings
  - i) Buildings with continuous street-facing facades of 20m or greater in length shall be vertically

articulated with projecting or recessed offsets not less than 1.25m deep, and at intervals of not greater than 15m to break up the apparent mass of the building and to add visual interest.

- ii) Any buildings with continuous street-facing facades larger than 45m shall be designed to appear as a series of two or more separate buildings through articulation and differences in cladding materials and/or colour.

d) Roofs

- i) Three storey and lower buildings shall have pitched roof designs. Most of the traditional housing forms in East Hants incorporate peaked roofs with a minimum 8:12 pitch.
- ii) Large buildings with a footprint greater than 370 m<sup>2</sup> shall have flat roofs or variations in pitched roofs to prevent uninterrupted, warehouse-like silhouettes. Required variations in the roof line may be satisfied using gables, turrets, roof projections or similar architectural features.

e) Siding & Windows

- i) The following materials shall not be permitted on street-facing facades as siding: corrugated fiberglass or plastic, asphalt shingles, plywood, unprotected wood, concrete block, metal siding utilizing exposed fasteners, EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation) and concrete without decorative finishes.
- ii) Darkly tinted or mirrored glass shall not be permitted.

f) Pedestrian Comfort & Access

- i) Bicycle parking shall be provided in visible at-grade locations, and be weather-protected.
- ii) The main entrance(s) of ground floor units of any building located within 20 m of a street shall face the front lot line. Main entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies.
- iii) It is recommended that main building entrances are covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.

g) Screening Requirements

- i) Utilities such as vents, mechanical rooms/equipment, and elevator penthouses should be integrated with the architectural treatment of the roof, or be screened with materials and finishes compatible with the building's design.
- ii) Piping/vents for functional services (i.e. plumbing and heating) should be located or screened from streets, abutting properties zoned Open Space (OS) Zone or other public areas.

h) Parking

- i) Entryways to below-grade parking should be an integral and consistent part of the building mass. Garages should be integrated within the building by topping it with a habitable second storey, or recessing it into the structure.

### 7.5.4. Mixed Use Capable Building Requirements

- a) The ground floor of a mixed use capable building, excluding a parking garage, shall have a floor-to-floor height of no less than 3.05 m.
- b) Ground floor entryways must be designed to face a street-facing facade.

### 7.5.5. Multiple Buildings Per Lot Permitted

Multiple multiplex, mixed use capable, or commercial buildings on a lot are permitted in the Mixed Use Centre (MC) Zone. Except for existing non-conforming uses, all buildings are considered "primary" uses.

- a) One driveway access shall be shared between the buildings.

- b) Buildings shall have:
  - i) A minimum 11 m separation between the main wall (long side) of mixed-use capable buildings, general commercial buildings, and large multiplex buildings and any other building on the lot.
  - ii) A minimum 7.5 m separation between the auxiliary wall (short side) of mixed-use capable buildings, general commercial buildings, and large multiplex buildings and any other building on the lot.
- c) Developments with multiple buildings shall be constructed such that there is a sense of architectural unity or cohesiveness. This shall be accomplished by ensuring that individual buildings are of similar finished floor levels, height, masses, and exterior finishes.

### **7.5.6. Design Requirement Intent**

The Municipal Development Officer may vary the requirements of Section 7.5.3 and Section 7.5.4 of the Land Use Bylaw if the intent of the design requirement is being achieved in a manner that results in a better design of the site and a better design of how the site works in regards to the surrounding community.



## 7.6. Village Core (VC) Zone

Section 7.2 General Provisions for All Mixed Use Zones is not applicable to the Village Core (VC) Zone.

### 7.6.1. Zone Requirements

In a VC Zone, no development permit shall be issued except in conformity with the following requirements:

	Sewer and Water or Sewer Only	On Site <sup>i</sup>
Minimum Lot Area	700 m <sup>2</sup>	3,716 m <sup>2</sup>
Minimum Lot Frontage	15 m	30 m
Minimum Side Yard	-	2 m
Minimum Rear Yard	-	6 m
Minimum Flankage Yard	5 m	6 m
Maximum Building Height	2.5 stories (3 stories are permitted if the third story is integrated into the roof design)	2.5 stories (3 stories are permitted if the third story is integrated into the roof design)
Maximum Commercial Floor Area for Single Use Commercial Building	400 m <sup>2</sup>	400 m <sup>2</sup>
Maximum Gross Floor Area	835 m <sup>2</sup>	835 m <sup>2</sup>
Bonus Zoning	Form-based Zone Requirements	-
Maximum Ground Floor Finish Level	0.3 m	0.3 m
<b>Conditions</b>		
<sup>i</sup> Nova Scotia Environment approval for on-site sewage disposal system is required.		

### 7.6.2. Flag Lots

New single unit dwellings or two unit dwellings are permitted to be constructed on a flag lot to the rear yard of an existing structure facing the "main" street.

### 7.6.3. Historical Preservation Incentive

If the Heritage Coordinator determines that the existing building on the subject lands has historical importance, the gross floor area of the building deemed to have historical importance shall not be counted towards the total gross floor area or commercial floor area of the site.

### 7.6.4. Development Agreements

The following uses shall be considered by development agreement in a VC Zone:

- VC uses beyond 400 m<sup>2</sup> of commercial floor area for single use commercial buildings.
- VC uses beyond 835 m<sup>2</sup> gross floor area.
- Multiplex uses beyond 12 dwelling units and up to a maximum of 20 dwelling units per 0.5 hectares.
- Automobile service stations and drive-thru restaurants are required to conform with the Village Core Design Requirements for automobile service stations and drive-thru restaurant design.
- Places of worship and public buildings that include, but are not limited to, hospitals, art galleries, libraries,

and government offices, which do not meet the form-based code requirements but will contribute to the vitality and goal of VC Zone.

- f) Drinking Establishment open after 1 am.

### **7.6.5. Form-based Zone Requirements for the Village Core (VC) Zone**

No development permit shall be issued unless all applicable requirements under Form-based Zone Requirements for the Village Core (VC) Zone of this Bylaw are met, or unless otherwise stated in the Requirements.

### **7.6.6. Site Plans and Site Plan Approval**

- a) Site plans shall be required for all development in a VC Zone pursuant to site plan provisions under the *Municipal Government Act*, with the exception of single or two unit dwellings.
- b) No development permit shall be issued in a VC Zone unless a site plan has been approved, pursuant to the Form-based Code Requirements for the Village Core (VC) Zone of this Bylaw, and provided the applicant agrees in writing to carry out the terms of the site plan.

## 7.7. WCDD: Walkable Comprehensive Development District

### Intent

To provide for planned communities which incorporate a mix of residentially-compatible uses in a walkable, compact form permitted through a development agreement process. This zone is established because Council deems that these goals could not be adequately controlled through the establishment of a conventional mixed use zone.

District development
Innovative road layout techniques
Provisions for active transportation

### 7.7.1. Development only Permitted by Development Agreement

No development permit shall be issued in any (WCDD) Zone except in accordance with a development agreement approved pursuant to policies contained in the MPS.

Regulation	Amendment Date	Description