

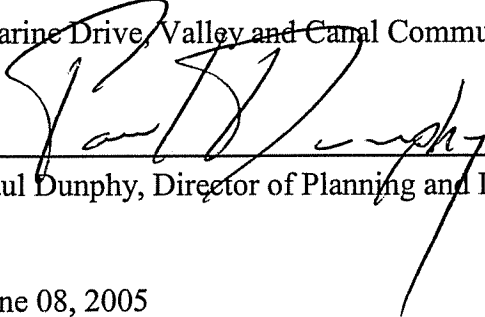
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PO Box 1749
Halifax, Nova Scotia
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Marine Drive, Valley and Canal Community Council
June 28, 2005

TO: Marine Drive, Valley and Canal Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Planning and Development Services

DATE: June 08, 2005

SUBJECT: Case 00768 - Rezoning Application - Lot 4, Old Guysborough Road.

ORIGIN

Application by Fruit and Vegetable Cart Incorporated to rezone Lot 4 (PID 41031691), Old Guysborough Road, from R-1B (Suburban Residential) Zone to C-2 (Community Commercial) Zone to permit a country style farm market.

RECOMMENDATION

It is recommended that Marine Drive, Valley and Canal Community Council:

- (1) Give Notice of Motion to consider an application by Fruit and Vegetable Cart Incorporated to rezone Lot 4 PID #41031691, Old Guysborough Road, from R-1b (Suburban Residential) Zone to C-2 (Community Commercial) Zone and schedule a public hearing.
- (2) Approve the rezoning of Lot 4 PID #41031691, Old Guysborough Road from R-1b (Suburban Residential) Zone to C-2 (Community Commercial) Zone, as illustrated on Map 2.

BACKGROUND:***Site, Location, Surrounding Land Uses, and Proposal:***

Fruit and Vegetable Cart Incorporated have submitted an application to rezone Lot 4 PID #41031691, Old Guysborough Road, to permit a Community Commercial use, specifically a food store. Currently, the property has a temporary structure which is used as a green house. The subject property is situated between Copperhead Road and Highway 2, Fall River (Map 1).

The proposed rezoning would facilitate the development of a country style farm market. Although the proposed use is a food store, a rezoning would enable any of the permitted uses within the C-2 zone provided the requirements of all applicable by-laws (land use by-law, and provincial by-laws) are met. Permitted uses in the C-2 Zone (Attachment C) include retail uses, offices, residential uses and community uses.

The major elements for this proposal are:

- Provision for off street parking and a commercial access onto Highway 2 along the eastern property boundary.
- Properties located to the north are zoned C-4 (Highway Commercial) and are under use as a single unit dwelling and service station (Petro Canada). The adjacent lot to the north is zoned C-2 (Community Commercial) and is developed as a single unit dwelling. The properties located to the west are zoned R-1B (Suburban Residential) and under use a single unit dwelling with a home business and a motor service and sale centre. Properties to the east, on Cooperhead Road are zoned R-1B with one residential single unit dwelling located adjacent to the subject property (Map 2). Located in close proximity are Inn on the Lake, Farmer Clems, and the Highway Ramp.

Land Use, Designation and Enabling Policy

The subject area falls within the Municipal Planning Strategy and Land Use Bylaw for Planning Districts 14 and 17 and is designated Community Centre and zoned R-1B (Suburban Residential) as illustrated on Maps 1 and 2. Permitted uses in the R-1B zone (Attachment C) include residential uses, home occupations, and institutional uses.

The MPS recognizes the transitional nature of lands included within the Community Centre Designation and as such, not all lands within the designation were pre-zoned for commercial purposes. Many of the properties maintained residential zoning, however, Policy P-99 provides for application of C-2 zoning provided the defined criteria is met.

Public Information Meeting

A Public Information Meeting was held April 27, 2005 to hear public comments on this proposal. The minutes from this meeting are included as Attachment A. A mailout to individual property

owners situated in proximity to the proposed development was undertaken. The notification area is shown on Map 3.

DISCUSSION:

In considering this amendment, relevant policies from the Municipal Planning Strategy should be considered. Policies P-99 and P-155 are relevant to this application and are attached for the information of Council. In evaluating this application, staff identified the following salient matters:

Site Analysis

Traffic

Plan policy provides access for a community commercial use be limited to roads which are identified in the land use bylaw. Highway 2 is identified within the land use bylaw as a permitted road. Also, the impact of additional traffic should be considered. The development engineer has reviewed this proposal and determined there would be limited impact on the existing road network as a result of the proposal.

Services

MPS policy requires the property to be capable of being serviced with central or on-site sewerage and water services. The Nova Scotia Department of Environment and Labour has reviewed the proposal and advised that the subject property has been granted approval for an on-site septic system for a residential development. Conceivably, the proposed use would generate less affluent and as such, it is anticipated that approval for this proposed use would be granted. However, a more detailed review will be undertaken at the building permit stage.

It should be noted these reviews were based on the proposed use of a country style farm market. Should Council rezone the subject property and an alternate land use be proposed than a detailed review by Department of Environment and the Development Engineer would be required.

Impact On Existing Neighbourhood

The surrounding area is unique in that there are residential and commercial properties located in close proximity to the subject property. The commercial uses on the western side of subject properties are intensive in nature as is Inn on the Lake and the service station. Farmer Clems is a similar land use, but is a temporary use. The proposed rezoning would not impact these existing uses.

The residential properties which would be most affected are those located adjacent to the subject property and are under use as single unit dwellings. However, the land use bylaw provides minimum requirements for development. Based on these requirements, the proposed rezoning would have a limited impact on the existing residential uses.

Summary

Staff reviewed this application and concluded that it is consistent with the intent of the Municipal Planning Strategy based on the following rationale:

- The lands are located within the Community Commercial Designation, however, were zoned residential based on the existing land uses for the area. There has been significant commercial development on the surrounding properties within the community commercial designation.
- The proposed rezoning implements MPS policy which permits consideration of further commercial land uses.
- There is limited impact on existing land uses and the site is capable of being developed for commercial purposes.

It is therefore recommended that Community Council approve a rezoning of the subject property from R-1B to C-2.

BUDGET IMPLICATIONS

No Budget Implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Approve the re-zoning of the subject property as proposed. This is the recommended option as the proposed rezoning meets the requirements specified in the Municipal Planning Strategy for Districts 14 and 17.
2. Refuse the proposed re-zoning of the subject property. Pursuant to Section 230(6) of the Municipal Government Act, Council is required to provide reasons justifying this refusal, based on policies of the MPS for Planning District 14 and 17. This alternative is not recommended, as the proposed rezoning complies with the intent of the MPS for Planning Districts 14 and 17.

ATTACHMENTS

- Map 1- Generalized Future Land Use Map
- Map 2- Zoning Map

Map 3- Notification Area

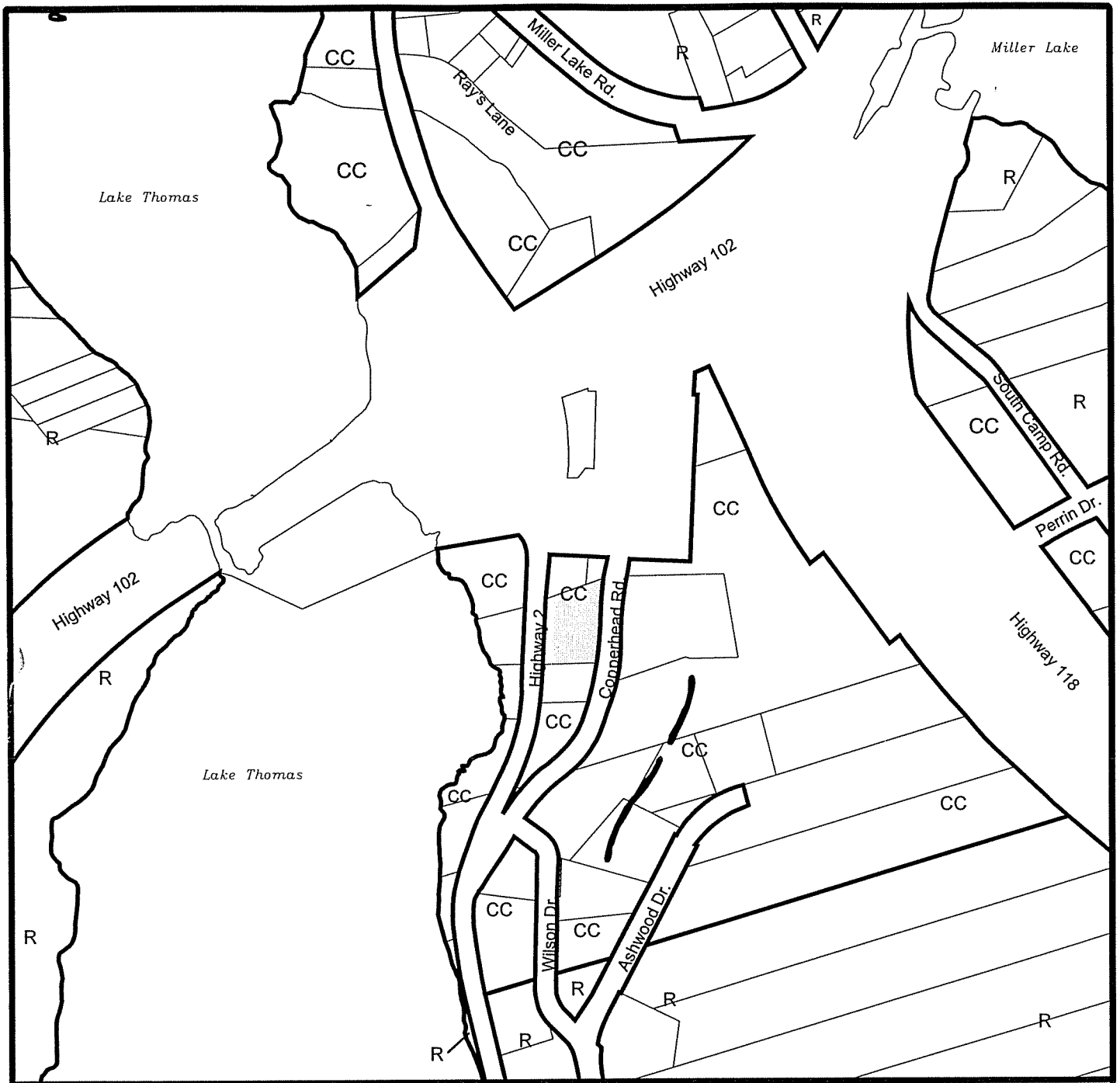
Attachment A: Minutes from Public Information Meeting

Attachment B: MPS Policies -


Attachment C: LUB Requirements

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jill Justason, Planner I, Planning and Development Services, 869-4747



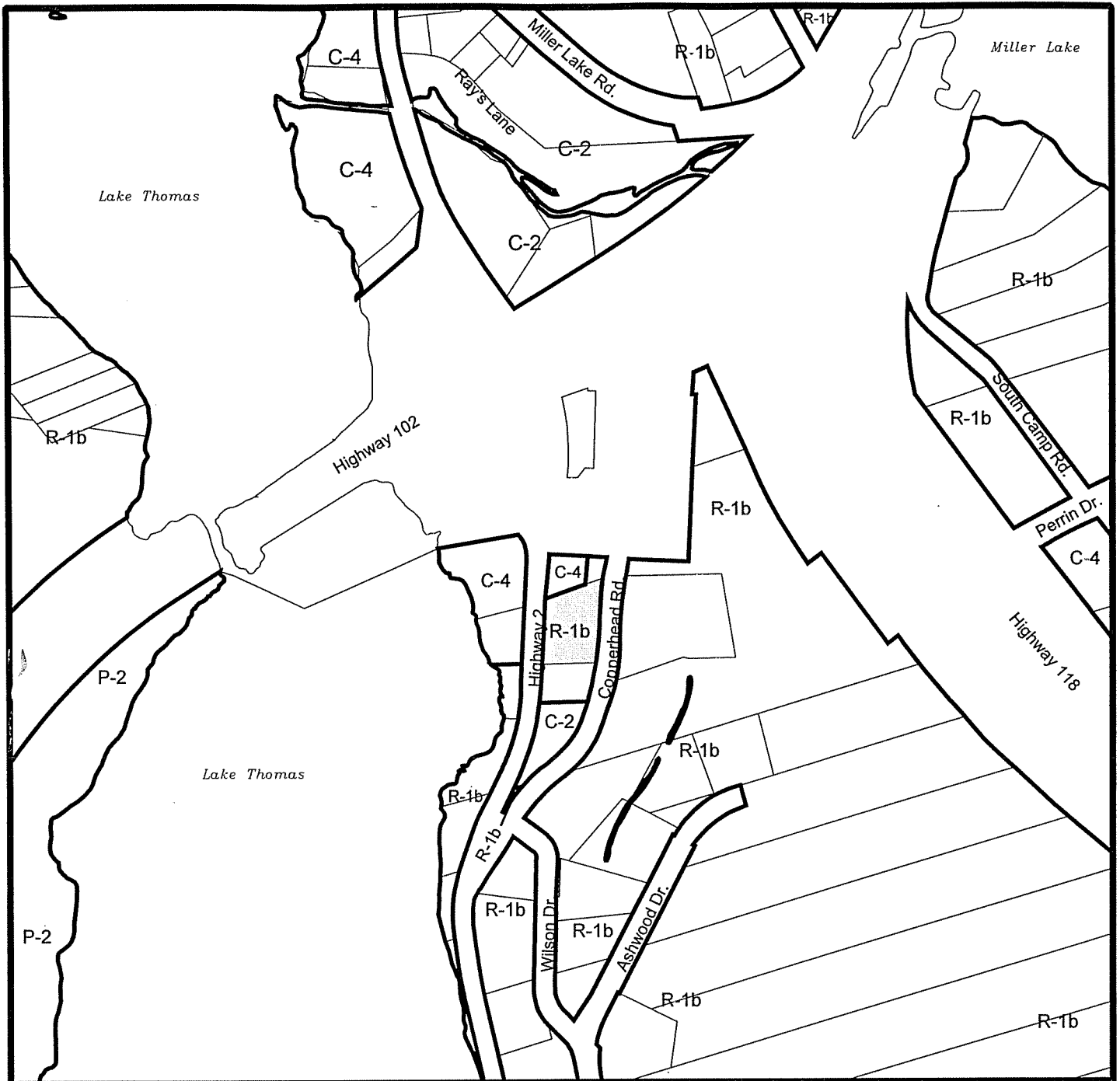
Map 1
Generalized Future Land Use

 Area to be Rezoned from R-1b to C-2




R Residential Designation
 CC Community Centre Designation





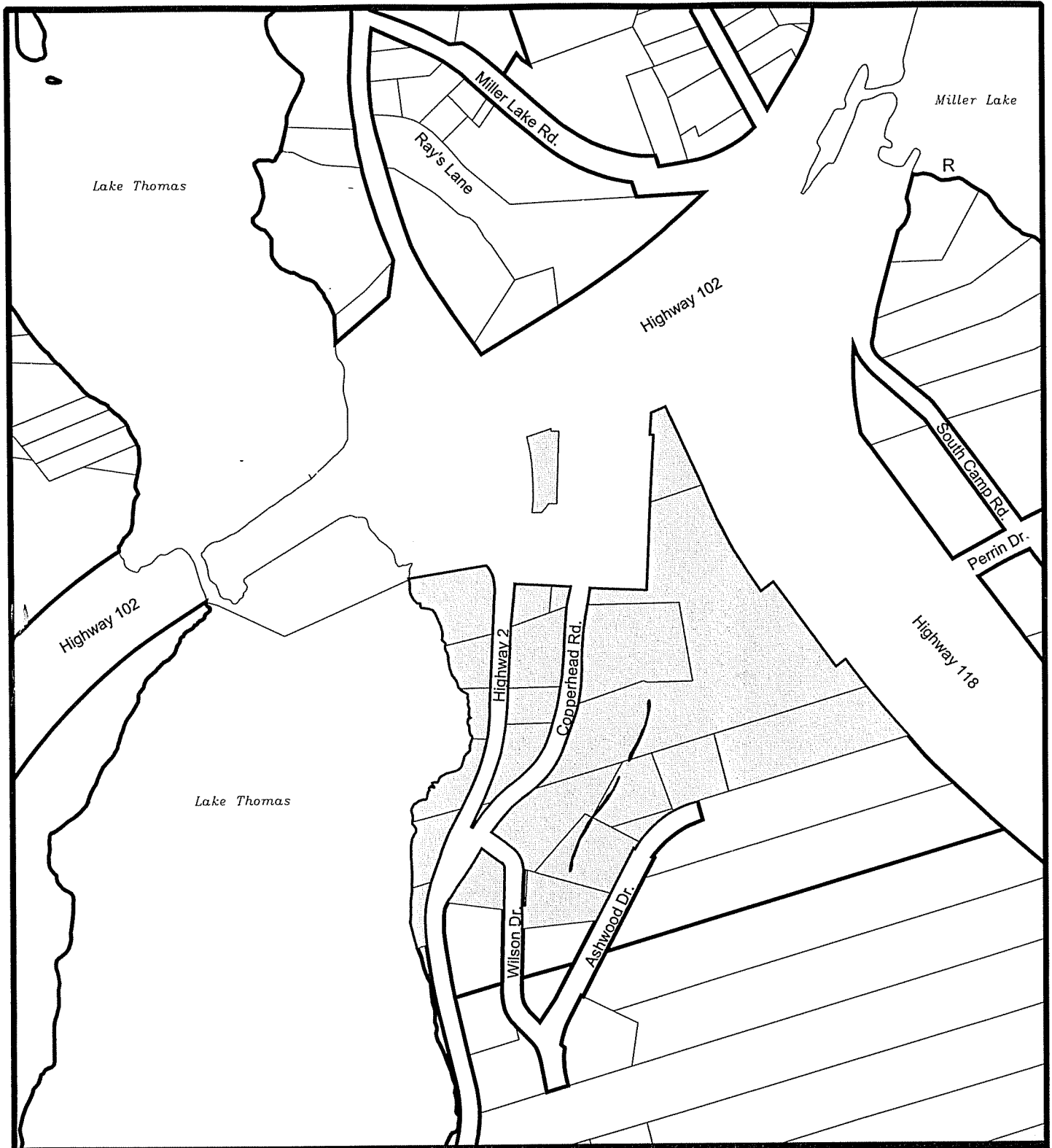
**Map 2
Zoning**

 Area to be Rezoned
from R-1b to C-2



- R-1b Suburban Residential Zone
- C-2 Community Commercial Zone
- C-4 Highway Commercial
- P-2 Community Facility





Map 3
Notification



Notification Area



HALIFAX
REGIONAL MUNICIPALITY
Planning Services



Attachment A**HALIFAX REGIONAL MUNICIPALITY
PLANNING SERVICES - SACKVILLE OFFICE
PUBLIC INFORMATION MEETING
CASE NO. 00768**

7:00 p.m.
Wednesday, April 27, 2005
Waverley Fire Hall

STAFF: Jill Justason, Planner
Cara McFarlane, Administrative Support

APPLICANT: Jason & Maria Simpson

OTHER: Councillor Krista Snow, District 2

**MEMBERS OF
THE PUBLIC:** 14

The meeting commenced at approximately 7:05 p.m.

1. INTRODUCTIONS AND PRESENTATION - Jill Justason, Planning Services

Ms. Justason welcomed everyone to the meeting and introduced herself as the Planner assigned to this application; Jason and Maria Simpson, the applicants; Krista Snow, Councillor for District 2, sent her regrets for this evening's meeting; and Cara McFarlane, recording secretary.

The application is regarding a piece of property located on Copperhead Road (shown on overhead). The property is currently zoned R-1b and is designated Community Centre. There are various uses permitted in the R-1b Zone. Ms. Justason went over those uses.

The proposal is to rezone the property to C-2 Zone to allow for a country farmer's market style business. It should be noted that if the property were to be rezoned, all the permitted C-2 Zone uses would be considered. However, there are requirements in the land use by-law that have to be met for buildings and structures. All development on the site would have to have approval from Department of Environment (DOE) as it has on-site septic and water. Ms. Justason read the uses permitted in a C-2 Zone.

The Municipal Planning Strategy (MPS) contains policies that council and staff have to adhere to when considering a proposal. There is a policy within the MPS for Districts 14/17 which would allow council and staff to consider this application. Ms. Justason went through the criteria that has to be met (Policy P-99 and P-155).

This proposal did go through a pre-application where a meeting was held with the HRM Development Engineer as well as Department of Transportation (DOT). Traffic will be reviewed by both of these agents. DOT is involved because of the large ramp in close proximity to the subject property.

Ms. Justason explained the rezoning process.

2. PRESENTATION - Jason and Maria Simpson

Mr. Simpson explained that he would like to build a farm style market specifically tied into a Fall River atmosphere. The Simpsons run a seasonal business in the area. They would like to keep the business open year round. They don't own the land and their structure is not winterized.

The intent is to keep a low scale country style market. The hours of business would be 8:30 a.m. to 9:00 p.m. There would not be any after hour activities. Mr. Simpson showed the site plan on overhead. The Copperhead Road section would remain the same. They would like to have access from Highway 102. There are some maple trees around the border of the property that will be kept if possible. The property next to theirs is residential; therefore, a fence will be constructed inside the property line for privacy. The septic system is presently approved for a three bedroom home. DOE has informed them that there would be less water usage with a farmer's market than a home. Therefore, DOE have no concerns with the on-site septic. Mr. Simpson handed out a picture of what the farm market will look like. It is similar to a bungalow style home (not sure what kind of siding will be used).

With this type of business, people do not stay long; therefore, the parking lot flows very nicely. There is a set of traffic lights there now. HRM has looked at different traffic issues and presently they do not see a problem.

As far as the environmental friendliness of the store, the biggest generation is cardboard. There is a cardboard bin that is covered by fencing, then the cardboard will go for recycling. Anything organic would be trucked back to the country.

There will be very little water consumption (one bathroom facility).

All the windows will be in the front of the building. The building would have an overhang and a side entrance.

3. QUESTIONS AND COMMENTS

One resident asked where the proposed well and septic system is on the property. Mr. Simpson showed the location on overhead.

Mark Steele, Fall River, asked what the building dimensions are. Mr. Simpson said the building will be 40 feet in length and 28 feet in width. There will be a basement for supply purposes. The building will be set up a little for wheelchair accessibility.

Mr. Steele wondered what will happen if the farmer's market is not a success and the property is sold. Ms. Justason explained that if the property should be rezoned to C-2, any of the land uses (described earlier) would be considered but the land use by-law requirements have to be met. DOE would also have to approve anything on the property that would require more water usage. Mr. Simpson said winter time could be a risk, but does not foresee any problems.

Mr. Steele asked if there is a provision that the farm market could be built through a special permit in a high residential area. Ms. Justason said in some plan areas there is a development agreement provision which basically states that council would consider a use by way of a development agreement. In this case, there is no development agreement provision, but there is a rezoning provision. There is no mechanism for council to say the only use on a C-2 property can be a fruit and vegetable stand.

John Coakley, Fall River, asked if the city has a copy of the business plan for the farm market. Ms. Justason explained that the Municipality has a plan policy in place. Council follows those policies when considering a rezoning. Therefore, the city would not ask for a business plan.

Mr. Coakley wondered if the Simpsons plan to build a house beside the building on the same lot. Mr. Simpson said that is not their intention. Ms. Justason will check with the Development Officer, but believes the land use by-law for this plan area only allows one building per lot. Mr. Coakley said the lot is very large and could be subdivided. He wonders why the building is situated so close to one side of the lot. Ms. Justason said it is largely due to no central services. Ms. Justason explained that an unserviced lot must be 40,000 square feet. Mr. Simpson said the lot size is just under an acre.

Mr. Coakley asked what the address on the property is. Ms. Justason checked with Civic Addressing who informed her the property is on Copperhead Road. She will check how this is determined.

Frank White, Windsor Junction, said the intersection there is very bad and the property is very close to that intersection. Although patrons won't be staying long at the market, a lot of traffic will still be generated.

Elaine Coakley, Fall River, is concerned about cars turning in her driveway. Mr. Simpson said the weekend will be the busiest time. If traffic does increase it will be reduced to a couple of hours a day. Ms. Justason explained that the access ramp is so many feet from the subject property that the applicants will have to have their access outside of the centre line of the ramp. DOT has been involved and will continue to do so. Traffic volumes will probably increase and will be considered by HRM Development Engineer Services. A preliminary study has been done, but a response has yet to come back.

Jaime Steele, Fall River, is concerned about traffic now and in the future, especially if something else is built on that property. Copperhead Road is very poorly kept. Ms. Justason is doubtful that access to the property will be off of Copperhead Road, but she will check into it with the development engineer.

Mr. Coakley is also concerned about the resale value of the residential house on the corner as it will be isolated from the rest of the homes. Ms. Justason explained that zoning in itself is exclusionary and it is a mechanism to control land use and density. The impact on surrounding residential properties is certainly taken into account by HRM.

Mr. White wondered about larger trucks coming in and generators running. Mr. Simpson mentioned that there is a noise by-law that they have to adhere to and he doesn't foresee the need for large trucks coming to his business. Ms. Justason explained that the land use by-law usually addresses whether or not you can have an 18 wheeler or other commercial vehicles parked on the property. Additionally, there is a noise by-law that is implemented by the Halifax Regional Police. Frank Steele, Waverley, said he has complained about noise on the property adjacent to his and no one responds.

Mr. Steele said that a lot of the properties used to be zoned residential and some time ago they were rezoned to commercial without the public's input. He is a real estate agent and has some interest in the area in question. He has no interest in having a commercial business on that particular piece of property as it affects his business. The proposal sounds fine, but it will affect the residential homes on either side of it. Ms. Simpson explained that they did look for a lot in the general vicinity and this is the only lot that was available and there are other commercial property in the area. Mr. Steele mentioned that on the mountainside the properties are all residential but the commercial are on the lakeside. The subject property is on the mountainside. Ms. Justason said the plan for this district was done in 1987/89. There was a public participation committee formed. Properties, at that time, were zoned General. The committee created the MPS and LUB for Planning Districts 14/17 that are still used today. The MPS contains policy to allow council to consider the rezoning application that was brought forward.

Ms. Coakley would like to see all the commercial properties remain on one side of the road.

Ms. Steele resides across the street from this property and their lot was zoned residential when they bought it. Her concern is what could be built on the property in the future if the farm market is not successful.

Linda Diczku, Fall River, supports the business and has used it in the past. She does have some concerns about the traffic though. The stop lights help a bit, but not enough. The property values concerns her as well. She doesn't hold much credit in the by-laws.

Mr. White asked about the structure on the property now. Mr. Simpson explained that will be taken down. It was an attempt to build a greenhouse. Mr. Coakley asked about the pumpkins on the property. Ms. Simpson said they were composting the pumpkins near the trees so they wouldn't be seen from the road.

Cathy Bradley-Thibodeau, Wellington, supports the proposal. She is concerned about the area on the other side of the lights and was wondering if something could be forwarded to council concerning that issue. Ms. Justason said this application will be forwarded with the staff report with a recommendation to council. Council will either adhere to that recommendation or not.

Philip Spencer, Fall River, said there was no notification about properties being rezoned in the past. He is concerned about the creeping commercialization in Fall River. It is starting to resemble Sackville Drive. He realizes the business owners do not have control over garbage disposal, but the garbage will accumulate on the properties. Ms. Simpson assured him that they don't intend to sell anything but market type products and maybe some ice cream in the summer time. Mr. Spencer suggested a high chain link fence surrounding the property so it would help stop some of the garbage. Ms. Justason said she would check the land use by-law to see if there are any requirements for this district.

Mr. Spencer is also concerned about the high volume of traffic that will be generated and in turn more noise.

Ms. Justason explained that there is a Municipal Government Act (MGA) (15/20 years ago would have been the Planning Act) which governs the way in which Municipalities have to plan. Generally, any notifications received by residents is something HRM has adopted and goes above and beyond the MGA.

Keith Neily, Fall River, asked if the lot and driveway are going to be paved. Mr. Simpson said it will be paved to keep the dust down and have exit/entrance signs.

Mr. Coakley asked if the property is purchased in the company name. Ms. Simpson replied, yes.

Barbara Spencer, Fall River, asked if there have been any complaints to HRM about the property. Ms. Simpson said there hasn't been. Mr. Simpson said the property will be landscaped with sods and flowers.

4. ADJOURNMENT

The meeting adjourned at approximately 8:15 p.m.

Attachment B**Relevant Municipal Planning Strategies**

P-99 In recognition of the transitional nature of lands included within the Community Centre Designation, it shall be the intention of Council not to pre-zone all lands within the Designation for commercial purposes but, rather, to maintain residential zoning (Policy P-66, Policy P-73 and Policy P-86) on many properties. Council may consider permitting new community commercial uses within the residentially zoned portions of the Community Centre Designation by amendment to the land use bylaw. In considering such an amendment Council shall have regard for:

- (a) the contribution of the proposed use towards the development of a "village" atmosphere;
- (b) the proximity of other community commercial uses;
- (c) the proximity of adjacent residential uses;
- (d) the impact of any additional traffic created by the proposed use and that access only be to a street specifically identified in the land use by-law; and
- (e) the provisions of Policy P-155.

P-155 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of central or on-site sewerage and water services;
 - (iii) the adequacy or proximity of school, recreation or other community facilities;
 - (iv) the adequacy of road networks leading or adjacent to or within the development; and
 - (v) potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;

- (v) signs; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility or flooding.
- (e) **Within any designation, where a holding zone has been established pursuant to “Infrastructure Charges - Policy P-64F”, Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the “Infrastructure Charges” Policies of this MPS. (RC-July 2/02; Effective-Aug 17/02)**

Attachment C**Relevant Land Use Bylaw Requirements****PART 7: R-1B (SUBURBAN RESIDENTIAL) ZONE****7.1 R-1B USES PERMITTED**

No development permit shall be issued in any R-1B (Suburban Residential) Zone except for the following:

Residential Uses

Single unit dwellings

Two unit dwellings

Offices in conjunction with permitted dwellings

Bed and Breakfasts (C-May 27, 1997 / July 2, 1997)

Day care facilities for not more than fourteen (14) children in conjunction with permitted dwellings

Community Uses

Parks and open space uses except cemeteries

Recreation uses

Denominational institutions

Educational institutions and uses

Nursing homes

Residential care facilities

Government offices

7.2 R-1B ZONE REQUIREMENTS

In any R-1B Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:

Central water and sewer services	10,000 square feet (929 m ²) per dwelling unit
Other	40,000 square feet (3716 m ²) per dwelling unit

Minimum Frontage:

Central water and sewer services	75 feet (22.9 m)
Other	100 feet (30.5 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Rear or Side Yard	8 feet (2.4 m)

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

7.3 OTHER REQUIREMENTS: OFFICE AND DAY CARE USES

Where offices and day care facilities are permitted in any R-1B Zone, the following shall apply:

- (a) Any office or daycare facility, with the exception of outdoor play space, shall be wholly contained within the dwelling which is the principal residence of the operator of the office or facility.
- (b) No more than thirty-three (33) per cent of the floor area shall be devoted to any office and in no case shall any office occupy more than three hundred (300) square feet (27.9 m²).
- (c) No open storage or outdoor display shall be permitted.
- (d) No more than one (1) non self-illuminated sign shall be permitted for any office or day care facility and no such sign shall exceed four (4) square feet (.37 m²) in area.
- (e) Three (3) off-street parking spaces, other than that required for the dwelling, shall be provided.
- (f) No office use shall involve the direct sale of goods stored on the premises.

7.4 OTHER REQUIREMENTS: COMMUNITY USES

In any R-1B Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with the provisions of Part 22.

7.5 OTHER REQUIREMENTS: BED AND BREAKFASTS

Where bed and breakfast outlets are permitted in any R-1B Zone, the following shall apply:

- (a) *No dwelling shall be used for the rental of more than three (3) rooms for sleeping accommodation, with or without meals to the travelling public.*
- (b) *No more than one (1) sign shall be permitted for any bed and breakfast and no such sign shall exceed four (4) square feet (.37 m²) in area.*
- (c) *One off-street parking space in addition to that required for the dwelling shall be provided for each room to be let. (C-May 27, 1997 / M-July 2, 1997)*

PART 13: C-2 (COMMUNITY COMMERCIAL) ZONE

13.1 C-2 USES PERMITTED

No development permit shall be issued in any C-2 (Community Commercial) Zone except for the following:

Commercial Uses

- Retail stores
- Food stores
- Service and **Personal Service Uses (RC-June 17/03; E-June 20/03)**
- Offices
- Banks and financial institutions
- Restaurants
- Funeral establishments
- Greenhouses and nurseries
- Guest homes
- Taxi depots
- Medical, dental, and veterinary offices and clinics
- Existing service stations
- Craft shops (MC-JUL26/93, SCC-AUG10/93, E-SEPT4/93)**

Residential Uses

- Single unit dwellings
- Two unit dwellings

Community Uses

- Open space uses
- Institutional uses
- Fraternal centres and halls

13.2 C-2 ZONE REQUIREMENTS: COMMERCIAL USES

In any C-2 Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	
Central water and sewer services	10,000 square feet (929 m ²)
Other	40,000 square feet (3,716 m ²)
Minimum Frontage:	
Central water and sewer services	75 feet (22.9 m)
Other	100 feet 30.5 m)

Minimum Front or Flankage Yard	20 feet (6.1 m) 30 feet (9.1 m) where front or flankage yard is abutting Highway #2
Minimum Rear or Side Yard	
Central water and sewer services	8 feet (2.4 m)
Other	20 feet (6.1 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

13.3 OTHER REQUIREMENTS: COMMERCIAL FLOOR AREA

Notwithstanding the provisions of Part 13.2, no commercial building within any C-2 Zone shall exceed ten thousand (10,000) square feet (930 m²) of gross floor area.

13.4 OTHER REQUIREMENTS: COMMERCIAL USES

Where uses are permitted as Commercial Uses in any C-2 Zone, the following shall apply:

- (a) No open storage or outdoor display other than the display of plants shall be permitted.
- (b) No portion of any lot shall be used for the collection or storage of refuse unless the refuse containers are screened.

13.5 OTHER REQUIREMENTS: ABUTTING YARDS

Where the rear or side yard of any commercial use in any C-2 Zone abuts any Residential or Community Facility Zone, the minimum rear or side yard shall be 30 feet (9.1 m) and no parking, loading or accessory structures shall be permitted within the required yards unless a visual barrier is provided, in which case the minimum rear or side yard shall be 20 feet (6.1 m).

13.6 OTHER REQUIREMENTS: REDUCED FRONT YARD

Notwithstanding the provisions of Part 13.2, the minimum front yard may be reduced to fifteen (15) feet where no parking or loading facilities are located within the required front yard.

13.7 OTHER REQUIREMENTS: REDUCED PARKING REQUIREMENTS

Notwithstanding Part 4.25 where the main building is constructed within fifteen (15) feet of the road right-of-way in accordance with the provisions of Part 13.6, the overall parking requirements for commercial uses within the structure may be reduced by a maximum of fifteen (15) per cent.

13.8 C-2 ZONE REQUIREMENTS: COMMUNITY USES

In any C-2 Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conforming with Part 22.

13.9 C-2 ZONE REQUIREMENTS: RESIDENTIAL USES

In any C-2 Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with Part 7.