

Site Development and Building Standards

Schedule “B” to the Agreement of Purchase and Sale

Between:

and

Halifax Regional Municipality

FOR

Lot

**BURNSIDE BUSINESS PARK
DARTMOUTH, NOVA SCOTIA**

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1. Executive Summary

- 1.1 The **Burnside Site Development and Building Standards** set out the basic requirements for building construction and development within the Park. As such, they also set out the requirements for completion of the **Site Development Proposal** which forms part of the **Agreement of Purchase and Sale**.
- 1.2 **Burnside Park** is a mixed-use industrial and business park development centrally located within three thousand (3,000) acres of land owned by Halifax Regional Municipality, hereinafter referred to as the “Municipality”. Development and management of the Park is the responsibility of the Municipality’s Business Parks Office.
- 1.3 Development control for the **Burnside Park** is carried out by two separate and distinct mechanisms. One is legislated controls administered by the Municipality through its Community Planning and Development Control Staff. The other is the **Burnside Business Park Site Development and Building Standards**. The Business Parks Office of the Municipality which is responsible for the management and development of the Park. Purchasers of land or individuals and companies leasing land within the Park are required to comply with the legislated controls and the **Standards**.
- 1.4 These **Standards** set out various controls, procedures, and policies to ensure that the **Burnside Park** continues to be a unique and distinctive setting for business. In addition, the **Standards** are intended to ensure that the **Burnside Park** continues to be developed in a manner consistent with superior aesthetic and environmental protection standards and with the declared intention of creating a pleasant and harmonious environment for the Park’s residents. Specifically, the objectives of these **Standards** are:
 - a) to protect property values and enhance the investment of businesses located in the Park by providing a well planned and maintained development;
 - b) to create an attractive and efficient business environment through sound land use, planning, and environmental management standards; and
 - c) to ensure harmonious relationships among uses, including architecture, landscaping and signage.

2. Site Development Proposal and Compliance with Site Development and Building Standards

- 2.1 Sites are sold for immediate and full development purposes only on approval of a **Site Development Proposal** and terms and conditions of sale as approved by the Regional Council of the Municipality or its designate. To promote efficient management and use of the region’s industrial land supply, lots are sold for immediate development purposes only with the timelines as stipulated in the Agreement of Purchase and Sale. The Site Development Proposal shall demonstrate the full development and utilization of the entire

Property for the immediate operational needs of the Purchaser's primary use which shall be identified in the Site Development Proposal.

- 2.2 The Purchaser agrees to complete and submit, at least thirty (30) days prior to the Closing Date, for the Municipality's approval, the final Site Development Proposal for the Property, in conformity with the *Site Development and Building Standards* for the Park, in the form attached as Schedule "C", which upon completion by the Purchaser shall be incorporated in and form part of this Agreement. The permanent building which comprises part of the Development must cover at least ten percent (10%) of the total area of the Property.
- 2.3 The Site Development Proposal shall include at a minimum:
- a) Completion of the form entitled "Site Development Proposal" as Schedule C to the Agreement of Purchase and Sale;
 - b) the complete building elevation plans clearly delineating construction materials and treatments to be applied;
 - c) the Site Development and Landscaping Plan showing the building outline and location, parking and road layouts, storage yards, drainage features, truck turning radii, watercourses and buffers, wetlands, natural features to be preserved, stormwater features and outfalls, ditches, garbage enclosure location and signage locations; and,
 - d) Plans must be stamped by either an Association of Professional Engineers of Nova Scotia (APENS) or Atlantic Provinces Association of Landscape Architects (APALA) member in good standing.
- 2.4 The **Site Development Proposal** which is **Schedule "C" to the Agreement of Purchase and Sale** for a lot in the Park must comply with the **Standards** that are set out below.

3. Compliance with Municipal, Provincial, and Federal building and Site Development Laws and Regulations

- 3.1 The **Site Development and Building Standards** for the Park include and require compliance with all applicable municipal, provincial and federal building and site development laws and regulations. These include, but are not necessarily limited to, municipal planning strategies, land use bylaws and regulations, provincial and national building codes and provincial environmental law and regulations.

4. Municipal Land Use Regulation

- 4.1 Building construction, site improvements, the operation of facilities, and the use of land must comply with the Municipal Planning Strategy Land Use Bylaws and the Building Bylaws of the Municipality.
- 4.2 Building intended for obnoxious uses and uses creating a hazard to the public are **not** permitted in the I-2 Zone.
- 4.3 The Municipality requires that no use is to be made of any lot or portion thereof or any building or structure situated on a lot in the Park which, in the opinion of the Municipality, would constitute a violation of Municipal Bylaws or provincial or federal government legislation and regulations.
- 4.4 No operation or uses shall be permitted or maintained which causes or produce any of the following effects discernible outside any building or structure or affecting any adjacent property:
 - ☐ Obnoxious uses as defined by the Dartmouth Land-Use By-Law;
 - ☐ Unusual fire or explosive hazards; and
 - ☐ Excavation: Only excavation made in connection with construction of an improvement shall be made, and then only when proper protection is afforded adjacent property; and upon completion thereof, exposed openings shall be backfilled and disturbed grounds shall be graded, stabilized, and restored as close to their original condition as is practicable.

5. Soils Examination – Purchaser Responsibility

- 5.1 The Municipality does not guarantee that individual building sites have been prepared with the appropriate bearing capacity for a proposed building. The Purchaser is responsible for carrying out a detailed soils examination of the proposed site prior to planning the positioning of a building on the site. This will determine whether or not the site being considered has sufficient bearing capacity for the size and type of building being considered.

6. Soils Examination–Indemnification of Municipality

- 6.1 The Purchaser acknowledges, with submission of the **Site Development Proposal**, that it has conducted a soils examination of the proposed site and that the Purchaser is satisfied the site has the appropriate bearing capacity for the proposed building and other proposed site improvements as specified in the **Site Development Proposal**. It is further acknowledged, by the Purchaser, that the Municipality does not have, nor does it accept, responsibility for the composition, bearing capacity, or related characteristics of the site.

7. Site Excavation

- 7.1 The Purchaser is responsible for the removal of all surplus material resulting from the excavation of a site.

8. Sanitary Services

- 8.1 The central sanitary system in the **Burnside Park** is designed to convey waste water from the source to the point of disposal. Waste water includes domestic wastes and water used in cooling and industrial processes. Industries with process water unacceptable to the Municipality's sanitary system, such as waste which creates a fire or explosion hazard to people, property, and the sewage system, are required to pre-treat the water on site to remove the harmful elements.
- 8.2 For ease of maintenance and inspection, inspection chambers, master water installations and wastewater traps for special contaminants shall be provided and installed by the Purchaser adjacent to the street line.
- 8.3 In planning a facility, the Purchaser is required to advise the Municipality of the waste water by-products anticipated for disposal. The Purchaser is required to obtain approval from the Municipality and the Nova Scotia Department of the Environment for acceptable on-site treatment or other disposal methods for any waste unacceptable to the Municipality's sanitary system.
- 8.4 In instances where a proposed facility will have its discharge connected to the Municipality's sewer system, the Purchaser must have the anticipated process effluents approved by the Nova Scotia Department of the Environment prior to connection.

9. Storm Water Services

- 9.1 Storm water services are designed to channel storm and surface water from buildings, parking lots, road surfaces, and footing drains to an acceptable discharge point within **Burnside Park**. The system is to be used to carry only storm drainage water and not industrial waste water.
- 9.2 During any period of construction on the lot which disturbs the surface of the lot, the Purchaser shall direct all drainage from the disturbed area through temporary ponds and barriers placed within the boundaries of the lot in order to prevent the passage of silt and other deleterious materials into watercourses through or adjacent to the lot. Such facilities shall be kept in place and maintained until all surfaced areas in the Development have been finally graded and surfaced. The Municipality reserves the right to stop all construction on a lot, if in the opinion of the Municipality, insufficient precautions are being taken by the Purchaser.

10. Water, Sanitary, and Storm Water Service Connections

- 10.1 Companies locating in the **Burnside Park** are responsible for sanitary sewer, stormwater, and water line lateral connections. Regulations have been established for the construction of sewer and water service laterals to be connected to sewer and water systems owned by the Municipality. The regulations are a supplement to the National Building Code of Canada, and its latest revisions and addenda and to other specifications subsequently approved by the Municipality.

11. Fire Insurance Underwriter's Requirements

- 11.1 The water distribution system and the number of and location of fire hydrants have been established in accordance with the fire fighting and suppression policies of insurance underwriters. In certain areas of the Park, however, companies may require pressure boosters for their water system in order to meet underwriter's requirements.
- 11.2 The Purchaser of a building site is responsible for determining the water pressure requirements of the proposed building and ensuring that they can be satisfied from the location of their choice within the Park. This should be done as one of the first steps in designing a building and selecting a site.

12. Site Coverage

- 12.1 The size of a proposed Development shall have a Minimum Completed Building Area of no less than 10% of the size of the site unless otherwise specified in the Buy Back Agreement (Schedule "D") to the Agreement of Purchase and Sale, and a building footprint of no more than 50% of the size of the site unless otherwise approved by the Municipality in writing. This standard shall be used as a supplement to the National Building Code of Canada, its latest amendments and addenda; and to other specifications approved by the Municipality. In calculating the Minimum Completed Building Area for the Development the following provisions shall apply:
- (a) for all single-storey buildings, the **gross floor area** of the building shall conclusively determine the completed building area of the single-story building and there shall be no calculation of any mezzanine or basement space in any single-storey building;
 - (b) for all multiple-storey buildings, the **gross main floor area** of each usable floor, excluding basements and deck areas, shall conclusively establish the completed building area of any multiple-storey buildings;

- (c) outside storage areas, partially enclosed areas, basements, mezzanines and deck areas shall not be included in any calculation to determine the completed building area of any building; and,
- (d) in the event of any dispute in the determination of the completed building area of any building, the above provisions and the standards of BOMA (Building Owners and Managers Association) shall conclusively determine such calculation.

13. Building Construction – Permitted Materials, Exterior Construction

- 13.1 In addition to provisions of the Building By-law, any building constructed in the **Burnside Park** shall be finished on the exterior with one or more of the following:
- (a) architectural masonry units (excluding concrete block and cinder block);
 - (b) natural stone;
 - (c) precast concrete;
 - (d) steel panels, glass wall panels, or a combination thereof;
- 13.2 For buildings clad with steel panelling, the front exposed to the street must be further “dressed” with an application of finish brick covering no less than 30% of the frontage area.

14. Building Construction – Setback Requirements

- 14.1 As measured from the front property line, the minimum setback requirement for building in the Park is forty (40) feet, except for sites located at the intersection of two streets where the setback from the side street shall be a minimum of twenty (20) feet.

15. Building Construction – Side Yard Requirements

- 15.1 Side yard requirements, are specified in the Municipality’s Building By-law; with the requirements varying depending upon the method of construction and the type of construction materials.

16. Building Construction – Temporary Improvements

- 16.1 Without the approval of the Municipality, no temporary building or other improvements of a temporary nature, including trailers, incomplete buildings, tents, or shacks shall be permitted on sites within the Park. Temporary improvements used solely in connection with the construction of permanent approved improvements and buildings may be

permitted provided they are located as inconspicuously as possible and removed immediately after the completion of construction.

17. Site Improvements – On-Site Parking

- 17.1 Parking facilities shall be provided for all employees and visitor vehicles and for trucks and other equipment related to the business enterprises operating on the site. The Parking Standards are mandatory under provisions of the Municipal Land Use By-law. On-street parking within the Park is strictly prohibited.

18. Building Size to Parking Space Ratios

- 18.1 On-site parking space ratios are required to ensure that sufficient, non-congestive, safe parking is provided for those who work and do business within the Park.
- a) **Industrial, Warehousing, and Manufacturing Enterprises** require one parking space for every two thousand (2,000) square feet (186.05 square metres) of floor area. Also, if a warehouse or manufacturing plant contains office space, parking for the office space area shall be provided at the rate of one parking space per two hundred (200) square feet (16.6 square metres) of floor area.
 - b) **Business and Professional Offices, Banks, Medical Clinics, Governmental Buildings, and Building of a Similar Nature** shall provide one parking space per six hundred (600) square feet (55.8 square metres) of floor area.
 - c) **Clubs, Lounges, Beverage Rooms, Taverns, Restaurants, and Other Eating Establishments and Buildings of a Similar Nature** shall provide one parking space per one hundred (100) square feet (9.35 square metres) of floor space.
 - d) **Hotels, Tourist Homes, and Building of a Similar Nature** shall provide one (1) parking space for each of the first twenty (20) rooms; one (1) parking space for every four (4) rooms over twenty (20) and one (1) parking space for each one hundred (100) square feet (9.3 m) of floor area of any restaurant within.
 - e) **Motels** shall provide one (1) parking space for each unit and one (1) parking space for each one hundred (100) square feet (9.3 square metres) of floor for any restaurant therein.
 - f) **General Retail, Trade and Services, Food Store Service, Commercial and Shopping Centres**, and the like, shall provide one parking space for every three hundred (300) square feet (27.9 square metres) of floor area.

19. Parking Requirements – Mandatory Asphalt Paving and Curbing

- 19.1 All parking areas, including driveways and manoeuvring areas, shall be asphalt paved and edged with concrete curbs. The location of driveway curb cuts is subject to the Municipality's building and development bylaws.

20. Parking Requirements – Special Provisions for Persons with Disabilities

- 20.1 Every building shall have at least one (1) space for persons with disabilities. A minimum of two (2) spaces per one hundred (100) required spaces for general office or commercial developments shall be designated for the use of persons with disabilities. (Refer to National Building Code)
- 20.2 These spaces shall be placed as close as possible to the major entrance of the building, and preferably at a distance not greater than one hundred (100) feet. To provide access along side the vehicle, parking spaces designed for use by persons with handicaps are to be a minimum twelve (12) feet, six (6) inches (3.8 m) wide by twenty (20) feet (6.1m) long. Also, a minimum four (4) feet (1.2m) wide clear aisle should be provided between rows of cars with recessed curb or curb ramp access to sidewalks.

21. Parking Requirements – Parking Identification

- 21.1 All parking areas including visitor and service areas shall be clearly marked.

22. Parking Requirements – Individual Parking Space Dimensions

- 22.1 Individual parking spaces shall be eight (8) feet by twenty (20) feet.

23. Parking Requirements and Vehicular Movement

- 23.1 All parking areas shall make provisions for adequate driveway and manoeuvring of vehicles within the parking area. Driveways, entrances, and exit locations shall be clearly shown and subject to the approval of the Municipality. All parking areas shall be so arranged as to cause the least amount of interference with through traffic. All manoeuvring of vehicles shall be provided for such that vehicles within the lot areas leave the property

in a forward motion. Finally, the parking layout shall make adequate provisions for a stock piling of snow in a manner which will not reduce the amount of required parking space available.

24. Parking Requirements – Pedestrian Safety and Curbing Requirements

- 24.1 Curbs shall be provided to ensure safety between vehicular movements and pedestrian movements. No parking spaces shall be immediately adjacent to doors or passageways from buildings.

25. Site Improvements – Loading and Unloading Areas

- 25.1 Areas for off-street loading and unloading including vehicle servicing and other overhead doors shall be provided at the sides and rear of the building. Exceptions may be considered, at the Municipality's sole discretion, for large scale logistics or manufacturing/fabrication operations where the operational requirement cannot be otherwise reasonably met. Exceptions may also be considered on corner lots. Selecting a lot too small in size or dimensions to accommodate rear or side loading shall not be a consideration. In considering exceptions, the Purchaser would need to satisfy that the loading doors are oriented as such to not allow for backing up or maneuvering of vehicles in the street in order to access the loading doors. Additional requirements for screening, paving, curbing or landscaping may be required as part of the Municipality's approval.

26. Outside Storage – Fencing and Screening Requirement

- 26.1 Unless specifically approved by the Municipality, no materials, supplies, equipment, or company owned or operated vehicles, shall be stored in any area on a site except inside a closed building or behind a visual barrier that screens such areas from the view of adjoining properties and public streets.
- 26.2 Materials, products, and equipment shall be stored in a neat and orderly manner on-site and within well defined storage areas. Freightage, trucking and storage yards shall be enclosed by chain link, steel privacy fencing with the surface area covered by plastic slats. The fence shall be a minimum of six (6) feet in height.
- 26.3 A fence which abuts a street shall maintain a setback from the property line equal to, or greater, than that of any required landscape treatment to ensure that landscape installations are to the visual benefit of the public realm. If the elevation of the storage yard is higher or lower than that of the street elevation, fencing which abuts a street shall be

located at the top of the slope to ensure that landscape installations are to the visual benefit of the public realm.

27. Commercial Refuse Containers – Screening Required

- 27.1 Garbage and refuse containers shall be concealed from the view of adjoining properties and public streets by means of a screening wall of material similar to and compatible with that of the building. These screening elements shall be integrated with the concept of the site and building plan; be designed so as not to attract attention; and shall be located in the most inconspicuous manner possible.

28. Site Development Design Standards

- 28.1 Site development shall include a detailed survey, inventory, and analysis of existing site conditions prepared under the direction of professional consultants. Site development is to provide for the retention and preservation of existing features of the Property. For ungraded lots, site development shall include a topographical features and other characteristics of the Property such as existing vegetation, water courses, rock outcrops, views, and vistas.
- 28.2 Site development is to take full advantage of the natural assets of the Property, in functional and aesthetic terms, in order to enhance the public presentation of the Development, to accommodate on-site outdoor amenities of a leisure and recreational nature for employees and visitors; and to satisfy screening, shade, shelter, definition, transition and other similar features of a high quality development.
- 28.3 Site development shall preserve natural, continuous, and complimentary relationships between adjacent properties such that development activity does not draw undue or arbitrary attention to legal Property lines. Abutting sites shall not be adversely affected through the creation of difficult, awkward or unattractive development conditions with respect to drainage characteristics, erosion, unnatural elevational disparities, unbuffered exposure to undesirable views (service facilities, parking and loading areas, storage yards) and so on.
- 28.4 Development shall be of a scale appropriate to the Property, and to adjacent projects such that, regardless of compliance with minimum setback and coverage requirements stipulated in the Land Use By-law, the Development must not appear to be forced or cramped, ill-placed in its setting or otherwise mismatched to its locale. Setbacks from the streets and adjacent property lines shall be appropriate to the height, mass, and scale of the building, as well as the circumstance of adjacent projects.

- 28.5 Site development shall maintain a good balance of “soft” landscaped territory and asphalt paving, well distributed over the entire Property.
- 28.6 Setbacks from the streets and adjacent property lines shall be undisturbed by development activity, except for approved driveways, and parking areas and authorized accessory entrance installations (entrance signage, lighting), in addition to landscaping programs designed to upgrade and augment the existing vegetation.
- 28.7 Site development shall take into account the visibility of the Development from all public approaches and major vantage points, both on and off-site.
- 28.8 Site development shall provide for logical, intelligent, and safe relationships and connections with adjacent streets; an orderly flow of traffic on and off the Property; effective separation of service/delivery, employee, and public traffic; and appropriate access circumstances for each traffic category.
- 28.9 Site development shall provide for parking capacity compatible with the full needs of the Development, given the absence of on-street parking or private lots. Parking capacity shall be distributed on the Property in a manner which diminishes the overall prominence and visibility of the total parking complement to public view from adjacent streets.
- 28.10 Site development shall ensure that service, delivery, loading, storage, and parking areas and facilities are oriented away from public streets and approaches or are otherwise effectively screened from public view.
- 28.11 Site development shall provide for future expansion and development in a manner which maintains and enhances the essential integrity of the original Development.

29. Natural and Enhanced Watercourses

- 29.1 Watercourses in the Park include all natural and enhanced streams, lakes, wetlands, and drainage ditches. They are to be protected by the Purchaser of a Property from disturbance resulting from construction and operational activities. No deleterious substance is to be allowed to enter a watercourse. No alteration to a watercourse, either temporary or permanent is permitted except with the expressed approval of the Municipality and with the appropriate permits as required by the **Nova Scotia Water Act**. Construction equipment is not permitted to operate within a watercourse. Buffer zones of undisturbed habitat, or suitable areas of green space are required for around all watercourses. It is not permitted to lead drains or wastewater pipes into watercourses, nor is it permitted to draw water from watercourses.

30. Landscaping Standards

30.1 Burnside Park has earned an international reputation as an attractive, full service, professionally developed industrial and business facility. A key element in **Burnside's** success is the quality of landscaping that has been carried out by the Municipality and resident companies of the Park. The high standards of landscaping throughout the Park enhance the value of each company's investment. Any company locating within the Park is required to comply with the standards for high quality landscaping set out in the following clauses:

- a) 30.02 As part of the **Site Development Proposal** a **Site Development and Landscaping Plan** showing completed landscaping details shall be submitted to the Municipality. Landscaping shall include all areas to the curb of the street(s) on which the building(s) have frontage and shall include all areas of the site which are not covered by buildings, paving, or gravelled areas at the rear of the building(s). Specifically, the Purchaser shall landscape and maintain unpaved areas between the edge of the street pavement (curb) and the street/site property line and between the site property lines and the building. The area between the edge of street pavement (curb) and the property line shall be used exclusively for landscaping.
- b) Consideration is to be given to environmental factors as they relate to sun/shade and wind to create a pleasing work environment. Landscaping areas should provide a visual and physical connection between the building(s) and outdoor spaces.
- c) The **Site Development and Landscaping Plan** shall show all physical features, both existing and proposed, including berms, slopes, walls, shrubs, and trees labelled by name and size. The Plan must clearly distinguish between existing plant material which is retained, material to be removed, and material which is to be added.
- d) Front and side slopes of sites shall be landscaped. Landscaping shall include a combination of: sodding, trees, hedges, and flower beds and selective cutting and pruning of any natural topography of the site. Sodding by itself shall not be acceptable as a minimum level of landscaping treatment.
- e) Driveways, parking areas, storage areas, and loading and unloading areas shall be separated from landscaped areas by continuous concrete curbing.
- f) Landscaping is to be treated as an integral, "structural" component of Development design and construction, rather than as a superficial "cosmetic" addition to the Property.
- g) Landscape development shall incorporate conservationist principles, generally emphasizing the preservation and upgrading of existing topography, vegetation, and cover, in conjunction with supplementary plantings and treatments of a consistent and compatible nature. Interesting, distinctive, and unique site features and relationships in the existing environment shall be incorporated into the Site Development and Landscaping Plan as organizing elements. These elements are

to be highlighted and accentuated by complementary landscape installations and treatments where appropriate.

- h) Landscape development shall exhibit a high degree of technical respect for the natural environment and feature sensitive handling of essential performance issues such as surface drainage, erosion control, and maintenance in an efficient, functional, and appealing manner.
- i) Wherever possible, the existing natural drainage patterns shall remain undisturbed, and any alterations required in the surface drainage due to site development are to be integrated into the existing drainage network with minimal environmental and visual impact. Drainage features such as ditches, culverts, head-walls, and outfalls shall be sensitively designed, constructed of natural materials, and carefully landscaped to blend in with the surrounding environment.
- j) Landscape development shall effectively avoid or minimize the requirement for, and the visual impact of, severe and abrupt grade changes which are unnatural to or uncharacteristic of the prevailing landform, and which imply major disturbance to the Property. Slopes shall be no steeper than three (3) horizontal to one (1) vertical, except in bedrock.
- k) Landscape development shall feature the retention, preservation, and improvement of the existing environment. Proposed treatments shall emphasize continuity and integration with adjacent properties, and with the existing streetscape. This will generally involve the selective pruning and thinning of existing trees to remove diseased plants and dead wood, augmented by the supplementary planting of native species.
- l) Where existing vegetation is not-existent, or of such poor quality that preservation is not warranted, infill planting shall be used to reinstate connections and continuity with more established growth on nearby and neighbouring properties. Such infill planting shall be intensive in nature.
- m) The development of driveways, parking areas, and other paved expanses shall provide for actively landscaped boulevards, medians and borders. Parking areas shall be subdivided into blocks not to exceed twenty thousand (20,000) square feet in paved area. Such subdivision shall be achieved using islands and medians of sufficient width to sustain existing or new tree and shrub plantings as a strong visual border and screen.
- n) All areas of a Property subject to construction and development disturbance, directly or indirectly, shall be restored to good visual quality via attractive landscape treatment.
- o) Landscape development shall be considered as a companion element to all constructed settings, including prominent freestanding sign installations, and outdoor recreational amenities.

- p) All driveways, parking areas, delivery areas, service bays, and other areas subject to vehicular traffic shall be surfaced with asphalt or concrete. All such areas shall likewise be provided with curbing except for service areas which are not exposed to public view, or areas where it can be shown that drainage requirements would be better served through the deletion or interruption of the curb system.
- q) Walkways serving major building entrances and parking lots, or other amenities exposed to public contract and view, shall be surfaced with concrete or otherwise executed in an ornamental unit paver of suitable texture and durability.
- r) Landscape development shall exemplify the latest standards and practices with respect to barrier-free accessibility, in terms of curb cuts, non-slip surface treatments, gradients and ramps, and so on.
- s) The value of the landscaping treatment, excluding paving, shall be no less than 2% of the developed value of the site. For example, if the value of the site, complete with finished buildings, paved driveway and parking areas, and fenced storage, is \$2,000,000 the value of the landscaping treatment shall be no less than \$40,000.

31. Security for Completion of Landscaping and Other Site Improvements

- 31.1 A certified cheque or guaranteed unconditional line of credit in the amount of 50% of the developed value of the landscaping, fencing, curbing and asphaltting shall be required to provide a guarantee for completion of this work. This is to be provided to the Municipality on or before the closing date for the purchase of the Property.
- 31.2 If the landscaping, fencing, curbing or asphalt paving is not completed according to the **Site Development and Landscaping Plan** within the time frame set out in the **Site Development Proposal**, the Purchaser acknowledges the right of the Municipality to cash the cheque or draw upon the guaranteed unconditional line of bank credit and use the proceeds towards completion of the landscaping, fencing, asphalt paving and curbing as provided for in the **Site Development Proposal**

32. Landscape Maintenance

- 32.1 The Purchaser of a Property in the **Burnside Park** shall at all times keep the landscaping in good order and condition. Each Purchaser shall maintain the landscaping and trees to the curb of the street(s) bordering the Property.

33. Signage Standards

- 33.1 Sign Standards have been prepared to help individual businesses and building owners create effective exterior identification signs which portray a suitable image for their organizations and which help visitors find them easily. At the same time, the Municipality intends to maintain a high standard of quality so that the signage of Park residents creates a positive image for the whole Park and makes it easy for visitors to navigate and find intended destinations in the Park.
- 33.2 The **Burnside Park's** own signage program presents a high profile to vehicular traffic arriving at major entrances and also offers comprehensive directional information about the Park. The main objective for individual building signs should be to make the Property easily recognizable to approaching vehicles.
- 33.3 Signage is to be designed to conform to the particulars of each building site and the building's architecture. The signage design should achieve the following objectives:
- identify the business name on the building/site from direct vehicular approaches;
 - create easy-to-find vehicular access to the parking and loading area; and
 - create easy-to-find pedestrian access to the building.

Whenever possible, signage should be integrated with the building itself to keep the number of signs to a minimum and to maintain as clean and natural an environment as possible.

- 33.4 Plans and specifications for the construction, installation, or alterations of all outdoor signs, including traffic or directional signs, shall be first submitted to and have the prior written approval of the Municipality.
- 33.5 For a Property in the **Burnside Park** the minimum setback required for signs and any part of a sign including the foundation is fifteen (15) feet from the property line. In addition, the minimum setback for signage that will front on provincial highways shall be one hundred and fifty (150) feet from the centre line of the travelled portion of the highway.
- 33.6 **Wall Mounted Identifications Signs** are permitted and can be fabricated from any material compatible with the building facade. No part of any sign should project beyond the perimeter of any wall in such a way as to alter the profile of the building. Where larger signs are required to aid readability for long distance vehicular approaches, or on large scale architecture, individually formed letters are recommended using the wall itself as a sign backdrop.
- 33.7 In multi-unit buildings, wall mounted, flat fixed exterior tenant identification signs, and tenant directories may be installed in addition to the building identification sign. Wall mounted projecting signs may be used to identify doors and entrance ways if the view plane from pedestrian approaches (i.e. from parking area to entry) does not provide a good view of the wall surface.

- 33.8 Civic number signs should be wall mounted and located in close proximity to the main entrance if this faces vehicular access, otherwise they should be located on a highly visible section of wall in the approach view plane.
- 33.9 **Freestanding Identification Signs** should be designed and built in a style and materials compatible with architectural elements of the building, so that there is a visual connection between the building and the sign. Freestanding Identification Signs must be set back at least fifteen (15) feet from the property line.
- 33.10 **Freestanding Identification Signs** should be situated for viewing from vehicular approaches only. Low profile freestanding signs are permitted. The maximum height of freestanding signs is restricted to the highest roof line of the building. Exceptions may be allowed where landscape features or extremely long approaches makes it otherwise impossible to see the building from a direct vehicular approach.
- 33.11 **Freestanding Identification Signs** for multi-unit buildings may include tenant directories.
- 33.12 **Freestanding Identification Signs** include the civic number instead of or in addition to an address on a wall mounted sign.
- 33.13 All building and property signage must comply with the Municipality's signage bylaws and regulations.
- 33.14 Signs are to be properly maintained in good condition at all times including operational lighting; repainting and refinishing due to weathering, or wear and tear; and keeping sign structures and sign faces clean and legible. Damaged signs must be repaired or removed within a reasonable time frame.

34. Exterior Lighting Standards

- 34.1 The following standards for exterior lighting are not mandatory. However, they represent considerable research into how exterior lighting can contribute to the visual appearance and safety and security of a Development.
- 34.2 All lighting installations which are visible to the exterior of the Development ought to be designed for calculated aesthetic effect, to enhance the appearance and presentation of both building and property.
- 34.3 Special attention should be given to walkway and landscape lighting of the Development, as well as accent lighting of the building. Whenever possible, concealed light sources should be considered for use.
- 34.4 Exterior lighting applications should be systematized by colour source. High-pressure sodium colour sources should be used for area lighting of roadways and parking areas as well as for general security lighting functions. A white source such as metal halide or deluxe white mercury should be utilized for externally illuminated signage feature

landscape lighting, and avert lighting in general. Signage that is internally lit should utilize conventional fluorescent signage lighting.

- 34.5 Driveways should be designed to meet the following recommended illumination criteria:

Average Luminance	0.8 cd/sq.m.
Average to Minimum Luminance Uniformity	3 to 1
Maximum to Minimum Luminance Uniformity	5 to 1
Veiling to Average Luminance Ratio	0.4 to 1
Average Illumination	10 lux
Average to Minimum Illumination Uniformity	4 to 1

- 34.6 The lighting for parking areas should be designed in accordance with the Illuminating Society of North America Standard RP-20, with particular reference to the following minimum requirements:

Average Illumination	6 lux
Average to Minimum Illumination Ratio	4 to 1

- 34.7 Luminaries employed for traffic areas should be of the “decorative” classification. Only fixtures which provide absolute cut-off (vertical cut-off at 90 degrees above nadir) should be utilized.

- 34.8 Poles and luminaries should be of matching finish, proportions, and profile such that the final assembly gives the impression of an integrated product with high design merit. Poles and fixtures should be of natural aluminum finish, anodized aluminum finish, or durandoic paint finish. Neutral finishes which integrate well with the natural environment are generally to be preferred. Fixtures employed in parking areas should be identical to, or natural variants of, those installed to illuminate driveways.

- 34.9 A careful balance should be maintained between the various lighting functions and sources employed on-site. To this end the design of feature landscape, artifact, monument, or similar lighting should be in the order of five (5) to ten (10) times the luminance of the surrounding area and shall be restricted to 10% of the field of view.

- 34.10 The lighting of signage should be designed in conformance with Illuminating Engineering Society of North America Standard RP-19. With respect to internally-lit installations this would include observance of the following minimum criterion:

Average Luminance	515 cd/sq. m.
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- 34.11 With reference to externally illuminated signage, the following minimum criteria would apply:

Average Illuminance	200 to 400 lux
Average Luminance	44 to 89 cd/sq. m.

- 34.12 Luminance selection and placement of externally illuminated signage should take into consideration the physical size and location of the sign and related environmental factors. Control of glare and spill light should be given high priority.
- 34.13 All light sources shall be located and shielded to minimize light trespass to abutting properties. In this regard, significant attention should be paid to avoiding luminous sources visible to adjoining roadways or tenants, including building fenestration which will emit internal building illumination at night. In addition to the discomfort glare associated with light trespass, closed circuit television security systems of neighbouring tenants may be compromised.

35. Development Permit and Building Permit Requirements

- 35.1 Once a **Site Development Proposal** has been approved for a building site in the Park, the Purchaser is required to make a “bona fide” application with HRM Community Development for and be granted a **Development Permit** and a **Building Permit** prior to the commencement of construction.

36. Reservation of Right to Modify Standards

- 36.1 The foregoing Site Development and Building Standards may be waived, modified, rescinded or replaced as the Municipality in its sole discretion deems advisable from time to time without requiring the consent of the Purchaser or the owners of other lots in the Park.