

STANDARDS, REGULATIONS AND RESTRICTIVE COVENANTS

POOLES CORNER BUSINESS PARK

1. 1.1 Permitted Uses

Uses in the Business Park shall be restricted to the following:

- (a) Any manufacturing, processing or industrial undertaking that is conducted and wholly contained within an enclosed building and is not considered obnoxious by reason of sound, odour, dust fumes or smoke. The use, moreover, should not be a detriment either in appearance or effect to the surrounding uses.
- (b) Any commercial or service sector industries which in the opinion of PEI Business Development Inc. creates significant employment.
- (c) Commercial Research and Development facilities.

1.2 Uses not Permitted include:

- Automobile sales and service
- Banks or other financial institutions
- Golf course, Driving range
- Hotel/Motel
- Personal services shop
- Place of Amusement
- Asphalt Plants
- Bulk Fuel station
- Junk Yard
- Waste Disposal facility
- Uses normally categorized as institutional
- Abattoir or Meat Processing
- Recycling depot which is not fully enclosed within a permanent weather-tight structure
- Beer, Wine or Liquor store
- Funeral establishment
- Place of worship
- Any business which is considered retail in nature

2. Lot Standards

2.1 All buildings erected on a lot in the Business Park shall conform to the following standards unless otherwise approved by PEI Business Development Inc.

(a) Coverage

All buildings shall be subject to the approval of PEI Business Development Inc. and no building shall be constructed or commenced until such approval has been granted. PEI Business Development Inc. may determine the minimum and maximum area of a lot which may be covered by a building and in the process of such determination may exercise its discretion and without limiting the bounds of its discretion may take into consideration the size of the building, number of employees, parking facilities, storage facilities, manoeuvrability requirements and type of operation.

(b) Height

The height of the main building shall not exceed 40 feet and the height of any accessory building shall not exceed 15 feet.

(c) Setback

(1) Front Yard - There shall be a front yard of 40 feet in depth where the lot fronts on a street.

(2) Side Yard - There shall be a side yard of not less than 15 feet in depth where the lot abuts a neighbouring lot. Where the lot abuts a street, there shall be a side yard of not less than 40 feet in depth.

(3) Rear Yard - There shall be a rear yard of not less than 15 feet in depth.

(4) Where lots abut the Route 4, there shall be a rear yard of not less than 50 feet. (Provincial Standard)

2.2 No building or part of a building shall be permitted in the required yard.

3. Outside Storage

3.1 The storage of materials, equipment and vehicles shall not be permitted in any part of a front yard which abuts a public street. Permission to exhibit finished products in the front yard must be obtained from PEI Business Development Inc. Where storage is permitted it shall be surrounded on all sides by a fence or wall that is:

- 8 feet in height,
- constructed of permanent opaque materials that provide a visual barrier.

4. Loading Spaces

4.1 Off-street loading spaces shall be provided for every building in excess of 5,000

square feet and shall be provided at the ratio of one off-street loading space for every 30,000 square feet or fraction thereof up to a maximum of six loading spaces. Such loading space shall be large enough to accommodate trucks or vehicles without obstructing street traffic.

4.2 Where a loading space is provided:

- (a) The yard in which the loading space is located shall be no less than 20 feet.
- (b) Sufficient driveway space shall be provided to permit the manoeuvring of vehicles on the lot so that they do not cause an obstruction or a hazardous condition on adjacent streets.

4.3 Any exceptions to 4.1 and or 4.2 must receive prior approval from PEI Business Development Inc.

5. Parking Spaces (Unless specified otherwise)

5.1 For every building erected on a lot, off-street space shall be provided and maintained on the same lot at the larger of the following ratios:

- One parking space for each 300 square feet of building floor space:
- One parking space for each employee at optimum requirements.

5.2 The location of parking spaces shall not be permitted in the front yard of any lot or the side yard when such yard abuts a public street.

5.3 The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles.

5.4 Entrance and exit ramps to each lot from the street shall not exceed two in number.

5.5 The approaches of driveways to any parking area shall be defined by a curb of concrete or rolled asphalt and the limits of the parking area shall be defined by a fence, curb, or other suitable obstruction designed to provide a neat appearance.

5.6 Lights used for the illumination of a parking area shall be so arranged to divert light away from adjacent lots.

6. Billboards and Signs

6.1 No billboard or advertising signs shall be permitted except:

- (a) Signs identifying a business or service conducted or the product manufactured or sold on the premises.
- (b) Information signs indicating "No Trespassing", safety or caution, or identifying entrances, exits or parking areas or giving direction.

6.2 Advertising signs shall:

- (a) Be limited to two to each lot provided only one is a ground sign and one is either a wall sign or a free standing sign flush with the building.
- (b) Not exceed 40 square feet in area and 20 feet in height above the adjoining ground in the case of ground signs, and not exceed 100 square feet in the case

of wall signs. (Free-standing signs shall not exceed 100 square feet in the area contained by a line drawn around the space in which the lettering is contained).

- (c) Be so constructed and lighted as to reflect or deflect away from adjacent property.

6.3 Information signs shall:

- (a) Not be illuminated,
- (b) Not be larger than 2 square feet.

6.4 Ground signs shall not be electrically or mechanically animated and shall be stationary.

6.5 Wall signs shall not project above the level of the roof of the building or beyond the end of the wall to which they are attached.

6.6 Roof signs shall not be permitted.

7. Landscaping

7.1 Where feasible, all areas free of buildings or structures should be suitably landscaped to enhance the appearance of the site. Landscaping shall be commenced immediately upon completion of the building and shall be carried out in a manner which will blend with the overall concept provided for the Park by PEI Business Development Inc.

8. Building Design

8.1 All buildings in the Pooles Corner Business Park must comply with these Standards, Regulations and Restrictive Covenants and with the applicable municipal, provincial, and federal laws and regulations. These include, but are not limited to Municipal Bylaws, subdivision standards/restrictions imposed by the Department of Community and Cultural Affairs, entranceway standards imposed by the Department of Transportation and Public Works planning and environmental laws and regulations including the National Building Code of Canada, most recent edition.

8.2 Preliminary plans are to be submitted in triplicate showing the building layout on the site with dimensions, proposed use of the remaining parts of the property, materials used in construction, the four elevations and a perspective. (The perspective drawing required is sometimes referred to as an artist's conception as to how the front and side of a building would appear to someone at a distance).

8.3 Building materials for the main building should consist of one of the following:

- (a) Coloured pre-engineering metal structure;
- (b) Load-bearing concrete masonry units;
- (c) Profile concrete masonry units;
- (d) Aluminum and glass curtain wall;
- (e) Precast concrete units;
- (f) In situ architectural concrete;

- (g) Other materials satisfactory to PEI Business Development Inc.
- 8.4 For those buildings incorporating pre-engineering metal structures or load-bearing concrete block masonry, the front should be faced with one of the following:
 - (a) Profile concrete masonry units;
 - (b) Face brick;
 - (c) Stone;
 - (d) Aluminum and glass curtain wall;
 - (e) Precast concrete units;
 - (f) In situ architectural concrete;
 - (g) Other materials satisfactory to PEI Business Development Inc.
- 8.5 All buildings shall be equipped with an automatic fire alarm system complete with heat or smoke detectors. This system to be monitored by a ULC approved service centre. The building location relative to other buildings, type of construction material, etc. must comply with the fire regulations of Municipal, Provincial and Federal Departments.

9. Performance

- 9.1 Uses which are obnoxious because emissions of sound, odour, dust, fumes or smoke will not be permitted.
- 9.2 Those uses which can cause discomfort to persons, can cause loss of enjoyment of normal conduct of business or can cause damage to property will not be accepted.
- 9.3 Uses which require quantities of water greater than 30 gallons per day per person employed or 30 gallons per minute per acre, whichever is greater will not be accepted. Uses which discharge effluent requiring excessive treatment will not be accepted.
- 9.4 It is a requirement that pollution abatement facilities for this project be incorporated and utilized which meet the specifications set by appropriate Municipal, Provincial and Federal regulatory bodies.
- 9.5 All industries must comply with all Municipal, Provincial and Federal statutory laws applicable to the operations being carried on at the plant situated on the lands and premises.
- 9.6 A surface water management plan prepared by a qualified engineer must be implemented for each development (buildings, parking areas, storage areas etc.)
- 9.7 The occupant shall be responsible for their own garbage storage and disposal, which must comply with all local authorities.
- 9.8 Underground Wiring
All forms of exterior utility wires within any lot in the subdivision shall be installed and maintained underground only and shall not be installed or maintained overhead for any purpose or over any part of the premises exterior of the building thereon whatsoever.

10. Sanitary Sewer

10.1 No person shall discharge or permit or cause to be discharged directly or indirectly into any sanitary sewer any of the following:

- (a) Matter having a temperature more than 150°F.
- (b) Matter which may contain any volatile oils or more than one hundred (100) parts per million by weight, of fat, oil or grease of animal or vegetable origin or fifteen (15) parts per million of oil or grease or mineral origin.
- (c) Gasoline, benzene, naphtha, fuel oil, acetone, solvents or other flammable or explosive matter.
- (d) Ashes, cinders, garbage, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, cellulose, paunch manure or other solids of a type or quantity capable of causing obstruction to the flow in the sewers or other interference with the proper operation of pumping facilities or sewage treatment equipment.
- (e) Matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.
- (f) Any liquid matter containing suspended solids exceeding three hundred and fifty (350) parts per million by weight.
- (g) Matter that may cause the death of or injury to any person or capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (h) Hydrogen sulphide, carbon bisulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine or any other matter that has or may cause an offensive odour or is capable of creating a public nuisance.
- (i) Any matter in which the BOD exceeds three hundred (300) parts per million.
- (j) Animal wastes such as hair, wool or fur, feather, intestines or stomach castings, paunch manure or intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and fleshings.
- (k) Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or constitutes a hazard to humans or animals. Included in this category are waters or wastes containing metals or chemicals such as cyanide, hexavalent chromium, phenols, copper whose concentrations are more than:
 - (i) Chromium as CR (hexavalent) 3ppm
 - (ii) Cyanide as HCN 2ppm
 - (iii) Phenol equivalents (primary treatment) 50ppm
 - (iv) Phenol equivalents (secondary treatment) 100ppm
 - (v) Copper as Cu 1ppm

