

SECTION 17 – COMMERCIAL GENERAL ZONE (C6) REGULATIONS

17.1 General Use Regulations

No person shall within the C6 Zone use any lot or erect, alter or use any building or structure except in accordance with the following regulations:

17.1.1 Permitted Uses

- a) Retail stores;
- b) grocery stores;
- c) offices including professional and medical offices, greater than 3,000 square feet;
- d) personal and other service uses;
- e) automotive and home supply stores;
- f) gas bars and service stations;
- g) convenience stores;
- h) restaurants including drive-through, fast-food, take-out and full service;
- i) places of amusement, entertainment and recreation;
- j) bakeries;
- k) assembly halls and clubs;
- l) communication facilities;
- m) clinics;
- n) taverns;
- o) taxi services, subject to providing on-site parking;
- p) funeral homes;
- q) existing residential uses, residential uses in buildings designed and constructed as single unit detached dwellings and one additional dwelling unit in any existing residential building subject to complying with the parking requirements of this By-law, and dwelling units above a

- commercial use other than an automobile use;
- r) parking lots;
- s) motels and hotels;
- t) accessory uses including outside display and sale of goods and materials but not outside storage, in accordance with Section 4.37.

17.1.2 Permitted Buildings and Other Structures

- a) Buildings and structures for the permitted uses;
- b) dwelling units in the second storey or above and existing dwellings including any alterations thereto made after the date of passing of this By-law in accordance with the requirements of subsection 6.1.3 of this By-law;
- c) accessory buildings and structures for the permitted uses.

17.1.3 Zone Provisions

Zone Provision	Requirement
Minimum Lot Area	465 m ² (5,005.38 ft ²)
Minimum Lot Frontage	15 m (49.21 ft)
Maximum Lot Coverage	35 %(includes accessory buildings and structures)
Minimum Landscaped Open Space	30 %
Maximum Building Height	10 m (32.80 ft)
Minimum Front Yard	6 m (19.68 ft)
Minimum Interior Side Yard	1.5 m (4.92 ft)
Minimum Exterior Side Yard	4.5 m (14.79 ft)
Minimum Rear Yard	6 m (19.68 ft)

17.2 Exceptions

The special regulations contained in subsection 17.2 shall apply to the area or areas defined below.

17.2.1 Defined Area C6-1 as shown on Schedule "A", Map 39 to this By-law

- a) **Permitted Uses**
A gas bar in addition to the uses permitted in subsection 17.1.1 of this By-law.
- b) **Permitted Buildings and Other Structures**
Buildings and structures for the gas bar in addition to the buildings and structures permitted

in subsection 17.1.2 of this By-law.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 17.1.3 of this By-law.

d) Other

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-1.

17.2.2 Defined Area C6-2 as shown on Schedule "A", Map 39 to this By-law

a) Permitted Uses

- i) retail stores;
- ii) grocery stores;
- iii) restaurants;
- iv) clinics;
- v) offices;
- vi) financial institutions;
- vii) personal service shops;
- viii) commercial recreational facilities;
- ix) private clubs or halls;
- x) a recreational/health centre, which may consist of the uses stated in paragraphs i) to ix), inclusive, above;
- xi) uses set out in minor variance application A/74/03;
- xii) uses accessory to the foregoing permitted uses.

b) Permitted Buildings and Other Structures

Buildings and structures for the permitted uses.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures in the C6-2 Zone shall be in accordance with the following requirements:

- i) Minimum Lot Area 362 m² (3,896.66 ft²);
- ii) Minimum Lot Frontage 48.5 m (159.12 ft);
- iii) Maximum Lot Coverage 50 %;
- iv) Landscaped Open Space in accordance with the corresponding site plan;
- v) Maximum Building Height 1 storey above grade;
- vi) Minimum Front Yard 5 m (16.40 ft);
- vii) Minimum North Interior Side Yard 1.5 m (4.92 ft);
- viii) Minimum South Interior Side Yard 1.5 m (4.92 ft);
- ix) Minimum Rear Yard 3 m (9.84 ft) from the centreline of the sewer.

d) Parking Requirement

Notwithstanding any other provisions of this By-law to the contrary, a minimum of 3.8 parking spaces per 93 m² (1001.07 ft²) of gross leasable floor area shall be provided in the C6-2

Zone. All other matters relating to parking areas shall be in accordance with the site plan agreement and not the requirements of this By-law.

e) Other

Notwithstanding any other provisions of this By-law to the contrary, all matters relating to buffering and other amenity area shall be in accordance with the site plan agreement and not the requirements of this By-law. All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-2.

Reference to minor variance application A/11/96 is required.

17.2.3 Defined Area C6-3 as shown on Schedule "A", Map 40 to this By-law

a) Permitted Uses

The commercial uses permitted in subsection 17.1.1 of this By-law with residential uses above and accessory uses.

b) Permitted Buildings and Other Structures

One building with not more than 295 m² (3,175.45 ft²) of commercial floor space on the first storey and not more than four dwelling units on the second floor and accessory buildings and structures.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with the following:

i)	Minimum Lot Area	1,100 m ² (11,840.68 ft ²);
ii)	Minimum Lot Frontage	20 m (65.61 ft);
iii)	Maximum Building Height	2 storeys;
iv)	Minimum Front Yard	15 m (49.21 ft);
v)	Minimum Interior Side Yard	4.5 m (14.76 ft);
vi)	Minimum Exterior Side Yard	3 m (9.84 ft);
vii)	Minimum Rear Yard	12 m (39.37 ft).

d) Parking Requirements

Notwithstanding any other requirements of this By-law to the contrary, a minimum of 8 parking spaces shall be provided for the permitted retail store and a minimum of 6 parking spaces shall be provided for the permitted residential uses. Access to parking areas shall be permitted from the alley.

e) Other

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-3.

17.2.4 Defined Area C6-4 as shown on Schedule "A", Map 40 to this By-law

a) Permitted Uses

The uses permitted in subsection 17.1.1 of this By-law.

b) **Permitted Buildings and Other Structures**

Buildings and structures permitted in subsection 17.1.2 of this By-law.

c) **Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in accordance with the following:

- | | | |
|------|----------------------------|--------------------|
| i) | Minimum Front Yard | 4.5 m (14.76 ft); |
| ii) | Minimum Interior Side Yard | 4 m (13.12 ft); |
| iii) | Minimum Exterior Side Yard | 4.5 m (14.76 ft); |
| iv) | Minimum Rear Yard | 10.5 m (34.44 ft); |
| v) | Maximum Lot Coverage | 35 %. |

d) **Parking Requirements**

Notwithstanding any other provisions of this By-law to the contrary, the minimum required parking for lands zoned C6-4 shall be 3.4 spaces per 90 m² (968.78 ft²) of floor area.

e) **Other**

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-4.

17.2.5 Defined Area C6-5 as shown on Schedule "A", Map 40 to this By-law

a) **Permitted Uses**

A manual automobile washing establishment with not more than 6 bays and accessory uses, in addition to the uses permitted in subsection 17.1.1 of this By-law.

b) **Permitted Buildings and Other Structures**

Buildings and structures for the automobile washing establishment and the buildings and structures permitted in subsection 17.1.2 of this By-law.

c) **Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in accordance with the corresponding site plan agreement.

e) **Other**

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-5.

17.2.6 Defined Area C6-6 as shown on Schedule "A", Map 44 to this By-law

a) **Permitted Uses**

Retail store, convenience store, personal service establishments, service shops, accessory uses including outside display and sale of goods and material but not outside storage.

b) **Permitted Buildings and Other Structures**

Buildings and structures for the permitted uses.

c) **Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in

accordance with subsection 17.1.3 of this By-law except that the maximum lot coverage shall be 40 %.

d) Parking Requirements

Notwithstanding any other requirements of this By-law to the contrary, a minimum of 24 parking spaces shall be provided in the C6-6 Zone and such spaces shall be a minimum size of 2.6 m (8.53 ft) by 6 m (19.68 ft)

e) Other

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-6.

17.2.7 Defined Area C6-7 as shown on Schedule "A", Map 44 to this By-law

a) Permitted Uses

- i) clinics including animal clinics in wholly enclosed buildings but excluding any animal clinic that includes the boarding of animals;
- ii) financial institutions;
- iii) retail stores but excluding convenience store as defined herein and excluding any retail store that sells food;
- iv) music studios or any type of teaching or training studio;
- v) general or professional offices;
- vi) uses accessory to the foregoing permitted uses.

b) Permitted Buildings and Other Structures

One building with not more than 400 m² (4,305.70 ft²) of floor area. Permitted structures shall include parking, loading and garbage receptacle facilities as outlined in the corresponding site plan agreement.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with the following:

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|-------------------------------|--|
| i) Minimum Lot Area | 1,019.57 m ² (10,975 ft ²); |
| ii) Minimum Lot Frontage | 38 m (124.67 ft); |
| iii) Maximum Building Height | 1 storey and 5 m (16.40 ft); |
| iv) Minimum Front Yard | 12 m (39.37 ft); |
| v) Minimum Interior Side Yard | 1 m (3.28 ft); |
| vi) Minimum Rear Yard | 1 m (3.28 ft). |

d) Parking Requirements

Notwithstanding any other requirements of this By-law to the contrary, a minimum of one parking space for every 32 m² (345 ft²) of floor area shall be provided.

e) Other

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-7.

17.2.8 Defined Area C6-8 as shown on Schedule "A", Map 59 to this By-law

- a) **Permitted Uses**
Boat and recreational vehicle sales, service and storage, commercial recreation and entertainment establishments, hotels, motels, taverns, residential dwelling units in a mixed use building with any one or more of the foregoing uses, provided that all dwelling units, not including entrances, are located entirely above the non-residential uses in addition to the uses permitted in subsection 17.1.1 of this By-law.
- b) **Permitted Buildings and Other Structures**
Buildings and structures for the permitted uses.
- c) **Zone Provisions**
All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 17.1.3 of this By-law except that the minimum landscaped open space shall be 10 %, the interior side yard shall be the greater of 4.5 m (14.76 ft) or one-half the height of the building, the exterior side yard shall be the greater of 7.5 m (24.60 ft) or one-half the height of the building and there shall be no restriction on building height. The residential density for development in the C6-8 Zone shall be 40 dwelling units per gross acre.
- d) **Other**
All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-8.

17.2.9 Defined Area C6-9 as shown on Schedule "A", Map 59 to this By-law

- a) **Permitted Uses**
A restaurant and not more than 8 dwelling units in the existing building only, and accessory uses, in addition to the uses permitted in subsection 17.1.1 of this By-law.
- b) **Permitted Buildings and Other Structures**
The existing building and structures only. Notwithstanding the foregoing sentence, the following additions to the existing building shall also be permitted:
 - i) the addition of not more than 5.2 m² (55.97 ft²) of floor area to the first storey of the existing building;
 - ii) an addition of not more than two second storey balconies to the south side of the existing building, each with an area not exceeding 12 m² (129.17 ft²); and
 - iii) an addition of not more than one second storey balcony to the east side of the existing building provided no part of the balcony is situated closer to the front lot line than the existing building nor closer than 1.5 m (4.92 ft) to any other lot line.
- c) **Zone Provisions**
All lot and building requirements shall be as they existed on the date of adoption of this By-law, except as outlined below:
 - i) not more than 2 balconies may encroach into the existing south side yard up to a maximum of 2.5 m (8.20 ft) from the main wall of the existing building;
 - ii) the minimum front yard shall be 4.5 m (14.76 ft); and

- iii) one balcony may encroach into the existing south eastern side yard provided no part of the balcony is situated closer to the front lot line than the existing building nor closer than 1.5 (4.92 ft) to any other lot line.
- d) Other
All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-9.

17.2.10 Defined Area C6-10 as shown on Schedule "A", Map 59 to this By-law

a) Permitted Uses

- i) A restaurant including an outdoor seating and serving facility; or
- ii) commercial recreation and entertainment establishments; hotels; motels; taverns and restaurants; retail store and office uses; and residential dwelling units in a mixed use building with any one or more of the foregoing uses, provided that all dwelling units, not including entrances, are located entirely above the non-residential uses; and uses accessory to the foregoing permitted uses in this subparagraph ii).

For lands zoned C6-10, an outdoor seating and serving facility shall mean any area that is not within a building and is used for serving refreshments to customers.

b) Permitted Buildings and Other Structures

- i) That portion of the existing building that is located entirely within the boundaries of the subject property and that is in accordance with the zone provisions, subparagraph c) of this subsection, in addition to an outdoor seating and serving facility; or
- ii) buildings and structures for the uses permitted in subparagraph a) ii) above.

c) Zone Provisions

All lot and building requirements for buildings and structures permitted in subparagraph b) i) above shall be as follows:

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|-------|-------------------------------|--|
| i) | Minimum Lot Area | 3,800 m ² (40,904 ft ²); |
| ii) | Minimum Lot Frontage | 33.8 m (111 ft); |
| iii) | Maximum Lot Coverage | 50 % including the area used as an outdoor seating and serving facility; |
| iv) | Minimum Landscaped Open Space | 10 %; |
| v) | Maximum Building Height | 1 storey; |
| vi) | Minimum Front Yard | no requirement; |
| vii) | Minimum Side Yard | 12 m (39.37 ft) on the east;
0.7 m (2.29 ft) on the west; |
| viii) | Minimum Rear Yard | no requirement for an outdoor seating and serving facility and 15 m (49.21 ft) for all other permitted uses. |

All lot and building requirements for buildings and structures permitted in subparagraph b) ii) above shall be as follows:

i)	Minimum Lot Area	3,800 m ² (40,904 ft ²);
ii)	Minimum Lot Frontage	33.8 m (111 ft);
iii)	Maximum Lot Coverage	50 %;
iv)	Maximum Number of Dwellings	88 units;
v)	Minimum Landscaped Open Space	10 %;
vi)	Maximum Building Height	12 storeys;
vii)	Minimum Front Yard	15 m (49.21 ft);
viii)	Minimum Side Yard	12 m (39.37 ft) on the east; 3 m (9.84 ft) on the west;
viii)	Minimum Rear Yard	15 m (49.21 ft).

d) Other Requirements

Notwithstanding any other provisions of this By-law, the following shall apply to lands zoned C6-10:

- i) **Site Plan Control**
For development where site plan control is required, parking standards, landscaping and buffering requirements shall be in accordance with the site plan agreement. For development where site plan control is not required, compliance with all provisions of this By-law shall be required.
- ii) All other provisions pertaining to lands zoned C6 shall also pertain to lands zoned C6-10.

17.2.11 Defined Area C6-11 as shown on Schedule "A", Map 59 to this By-law

a) Permitted Uses

The uses permitted in subsection 17.2.8 of this By-law except that boat and recreational vehicle sales, service and storage establishments shall not be permitted.

b) Permitted Buildings and Other Structures

Buildings and structures for the permitted uses.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsection 17.2.8 c) of this By-law.

d) Other

All other provisions pertaining to lands zoned C6 shall also apply to lands zoned C6-11.

17.2.12 DEFINED AREA C6-12 as shown on Schedule "A", Map 40 of this By-law

ZBA #19 (By-law #33-10 enacted on April 26, 2010) Proposed B&B located at 88 Erie Street South

a) Permitted Uses

A bed and breakfast establishment, in accordance with the provisions of subsection 4.4 of this by-law, in addition to the uses in the C6 Zone as indicated in subsection 17.1.1 of this by-law with the existing home day care being left as legal non-conforming and having opposite hours of operation than the bed and breakfast establishment.

b) Permitted Buildings and Other Structures

Buildings and structures for the permitted uses in subsection 17.1.2 of this By-law.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 17.1.3 of this By-law.

d) Other

All other provisions of this By-law pertaining to lands zoned C6 shall also pertain to lands zoned C6-12.