

SECTION 16 - VILLAGE COMMERCIAL "C1" ZONE

16.1 GENERAL PROHIBITION

Within the General Commercial "C1" Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in subsection 2 of this Section and also in accordance with the regulations contained or referred to in subsections 3 and 4 of this Section.

16.2 USES PERMITTED

Antique Shop
Automobile sales and service establishment
Automobile, service station
Automobile washing establishment
Business or professional office
Clinic
Commercial garage
Commercial school
Craft shop
Club
Day Care Facility
Dwelling units, Accessory
Financial Institution
Funeral home
Garden Centre
Hotel
Laundromat
Motel
Parking lot
Personal service shop
Place of entertainment
Post office
Public use
Restaurant
Retail store
Tavern
Veterinary establishment

16.3 ZONE REGULATIONS

16.3.1 Minimum Lot Area 930 square metres

16.3.2 Minimum Lot Frontage 25 metres

16.3.3 Minimum Required Yards

- (i) Front 0 metres
- (ii) Rear 0 metres
4.5 metres if abutting a Residential Zone, of which 1.5 metres shall be maintained in an open space condition.
- (iii) Exterior Side 0 metres
- (iv) Interior Side 0 metres
4.5 metres if abutting a Residential Zone, of which 1.5 metres, shall be maintained in an open space condition.

16.3.4 Maximum Building Height 11 metres

16.3.5 Planting Strip

The parking of cars or the siting of a parking area shall not be permitted in any yard in a General Commercial "C1" Zone which abuts a Residential Zone without the provision of a planting strip in accordance with the requirements of Section 4.21.

16.3.6 Provisions for Accessory Dwelling Units

- (a) Minimum Floor Area 50 m²
- (b) In no case shall the amount of Commercial Floor Space be less than 60% of ground floor area.

16.3.7 Provisions for Automobile Service Stations/Commercial Garages

Notwithstanding any other provisions where any land, building or structure is altered, erected or used for an automobile service station and/or commercial garage, the following provisions shall apply:

- (a) Gasoline pump islands shall not be located within five (5) metres of any street line, six (6) metres of any interior lot line or fifteen (15) metres of the intersection of any two streets.
- (b) Access ramps shall not exceed eight (8) metres in width or be located within ten (10) metres of any other access ramp, within fifteen (15) metres of the intersection of two streets or within three (3) metres of any interior lot line.

- (c) The minimum interior approach angle of an access ramp to a street line shall be sixty (60) degrees and the maximum interior approach angle shall be ninety (90) degrees.
- (d) All petroleum products shall be stored, handled and dispensed in accordance with the provisions of The Gasoline Handling Act, R.S.O. 1990 as amended, and any regulations made thereunder.

16.4 ZONE EXCEPTIONS

16.4.1 C1-1 Zone

Notwithstanding any other provisions in this By-law, lands zoned "C1-1" may in addition to the uses presently existing be used for two additional dwelling units located in the basement.

16.4.2 C1-2 Zone

In addition to Section 16.2, Uses Permitted, the following uses shall also be permitted on those lands zoned "C1-2":

Existing Automobile body shop
Sale of motor vehicles accessory to the auto body repair shop.

16.4.3 C1-3 Zone

In addition to Section 16.2, Uses Permitted, the following uses shall also be permitted on those lands zoned "C1-3":

Convenience Store

16.4.4 C1-4

Notwithstanding any other provisions of this By-law to the contrary, those lands zoned "C1-4", described as Lot 82, Registered Plan 533 and known municipally as 731 Fourth Avenue, may be used for two (residential) units in total as well as an existing office in one of the dwelling units.

16.4.5 C1-5

In addition to the permitted uses of Subsection 16.2 and in addition to the zone regulations of Subsection 16.3 "Village Commercial" "C1" Zone, on lands zoned "C1-5" the following applies:

- (a) Permitted Uses:
 - (i) Bed and breakfast establishment
 - (ii) Existing single detached dwelling

- (iii) Existing dwelling units
- (iv) Home occupation

(b) Zone Regulations:

- (i) Where a residential use and a commercial use co-exist on a lot, the location of at least a portion of the commercial use must be occupied within space that abuts the front wall of the building.
- (ii) Subsection 16.3.6(b) shall not apply;
- (iii) Should the main floor commercial area be less than 60%, the maximum number of accessory dwelling units shall be two (2).
- (iv) Commercial uses shall not be permitted above a dwelling unit except above existing dwelling units located in the basement;
- (v) The first 56 square metres of antique shop, bank, business and professional office, clinic, commercial school, craft shop, club, day nursery, financial institution, laundromat, personal service shop, restaurant or eating establishment, retail store and/or veterinary establishment shall be exempt from providing any additional parking, and;
- (vi) Any of the aforementioned uses having a floor area over 56 square metres shall comply with the parking provisions of Section 5 of this By-law.

16.4.6 C1-6 Zone

In addition to the permitted uses of Subsection 16.2 and in addition to the zone regulations of Subsection 16.3 and notwithstanding the zone regulations of Subsections 16.3.1, 16.3.2 and 16.3.3(ii) within the "Village Commercial "C1" Zone, on lands zoned "C1-6" the following applies:

(a) Permitted Uses:

- (i) Bed and breakfast establishment
- (ii) Single detached dwelling
- (iii) Home occupation

(b) Zone Regulations:

- (i) Minimum lot area: 470 square metres serviced by municipal water and sewer
930 square metres not serviced by municipal water and sewer;
- (ii) Minimum lot frontage: 18 metres
- (iii) Minimum rear yard: 5 metres

- 7.5 metres if abutting a Residential Zone, of which 1.5 metres shall be maintained in an open space condition;
- (iv) Minimum number of storeys for a single detached dwelling shall be (2) two;
 - (v) Where a residential use and a commercial use co-exist on a lot, the location of at least a portion of the commercial use must be occupied within space that abuts the front wall of the building.
 - (vi) Subsection 16.3.6(b) shall not apply;
 - (vii) Should the main floor commercial area be less than 60%, the maximum number of accessory dwelling units shall be two (2).
 - (viii) Commercial uses shall not be permitted above a dwelling unit except above existing dwelling units located in the basement;
 - (ix) The first 56 square metres of antique shop, bank, business and professional office, clinic, commercial school, craft shop, club, day nursery, financial institution, laundromat, personal service shop, restaurant or eating establishment, retail store and/or veterinary establishment shall be exempt from providing any additional parking, and;
 - (x) Any of the aforementioned uses having a floor area over 56 square metres shall comply with the parking provisions of Section 5 of this By-law.

16.4.7 C1-7 Zone

In addition to the permitted uses of Subsection 16.2 “Village Commercial “C1” Zone” a bed and breakfast establishment, single detached dwelling, existing dwelling units and a home occupation may be permitted.

16.4.8 C1-8 Zone

- 16.4.8.1 Notwithstanding anything to the contrary, no dry land boat storage and no pumps or similar structures for the sale of marine fuels or boat repair shall be permitted in the C1-8 Zone.
- 16.4.8.2 Notwithstanding subsection 5.2.3 “Specific Parking Regulations”, parking spaces are permitted in a location more than 150 metres from the said lot but not more than 200 metres.
- 16.4.8.3 Notwithstanding subsection 16.3.3 (ii) “Minimum Required Yards”, and subsection 4.31 “Waterfront lots” a principle building may be constructed a minimum of 5.0 metres from the rear lot line and accessory buildings including the deck of a principle building may be constructed a minimum of 1.0 metre from the rear lot line. Rear lot line for the purpose of the “C1-8”

Zone shall be the lot line deemed to be adjacent to the waterfront pedestrian path.

16.4.8.4 Notwithstanding subsection 16.3.3(iv) “Minimum Required Yards”, the interior side yard setback shall be a minimum of 1.5 metres, and shall be maintained in an open space condition.

16.4.8.5 Notwithstanding subsection 4.22.1(g) “Prohibited Uses” with respect to rail cars only, that a maximum of four disused railroad cars may be used for a permitted use within the C1-8 Zone, however, the rail cars shall not be stored on the property.

Notwithstanding subsection 16.4.8.5 in regard to storage of railcars, for those lands zoned C1-8 and known municipally as 311 Talbot Street, a maximum of four rail cars may be permitted to be stored on the property for a period of eighteen (18) months from the date of passage of this By-law in accordance with the provisions of Section 39 of the Planning Act.

16.4.9 C1-9 Zone

All of the provisions of the Village Commercial Exception Five “C1-5” Zone shall apply to the “C-19” Zone with the exception of Article 16.4.5(b)(iii), and the following provision shall apply:

- a) In no case shall the main floor commercial area shall be no less than 50%; and,
- b) Where the main floor commercial area is less than 60%, the maximum number of accessory dwelling units shall be three (3).

16.4.10 C1-10 Zone

Notwithstanding the provisions of Section 16.2 the following permitted use is permitted:

- a) A service repair shop.