

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE

14.1 PERMITTED RESIDENTIAL USES

- one dwelling unit in a storey above the first storey or within the rear of a non-residential building other than a mechanical garage

14.2 PERMITTED NON-RESIDENTIAL USES

- bakery or bakeshop
- bank
- bowling alley
- business or professional office
- (500-2007-0003) - catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- dry cleaning establishment
- funeral home
- garage, mechanical
- garden centre
- hawker or pedlar use
- hotel
- (2015-0057) - kennel, pursuant to the provisions of Section 2.105 and 5.21(A) of this By-law
- laundromat
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment, automobile
- motel or motor hotel
- parking lot, commercial
- place of amusement
- (500-98-003) - police station
- printing shop
- refreshment vehicle, bicycle unit or cart
- restaurant
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- taxi stand
- theatre
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- accessory buildings, structures and uses to any permitted use

14.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the provisions of Section 6 hereof.

14.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

MOTOR VEHICLE FUEL BAR, MECHANICAL GARAGE, HOTEL, MOTEL OR MOTOR HOTEL

In accordance with the provisions of Section 13 hereof.

OTHER USES

- (a) **LOT FRONTAGE (MINIMUM)** Not required
 - except that in the case of a lot fronting on Highway 48, the minimum frontage shall be 45 metres.
- (b) **LOT AREA (MINIMUM)** 4000 sq metres
 - provided that where served by sanitary sewers, no minimum area is required.
- (c) **FRONT YARD (MINIMUM)** 12 metres
 - except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 metres.
- (d) **EXTERIOR SIDE YARD (MINIMUM)** 12 metres
 - except that in the case of a lot flanking on Highway 48, the minimum exterior side yard shall be 14 metres.
- (e) **REAR YARD (MINIMUM)** 8 metres

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

(f) INTERIOR SIDE YARD (MINIMUM) 1.5 metres

- this yard may be reduced to NIL provided that the zero side yard becomes a maximum as well as a minimum for that part of the building less than 1.5 metres from the lot line.
- except that where the interior side yard abuts a Residential or a Transitional Zone, its minimum shall be 6 metres.

(g) LOT COVERAGE (MAXIMUM) 50%

(h) HEIGHT OF BUILDING (MAXIMUM) 11 metres

(i) OPEN STORAGE

The storage of goods or materials shall not be permitted other than in a wholly enclosed building.

**ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING,
PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER
GENERAL PROVISIONS**

In accordance with the provisions of Section 5 hereof.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

14.5 SPECIAL PROVISIONS

**14.5.1 EXCEPTIONS IN RESPECT TO 'C1-1', 'C1-2'
DRIVEWAYS AND YARDS; (Maps 2, 3, 6, 7 and 10)**

Notwithstanding the provisions of Sections 5.28 (e) and (i), 13.2 (c), (d) and (f), 14.4 (c) and (d) hereof, the areas which are designated 'C1-1', 'C1-2', 'C1-4' and 'C1-20' in Schedule 'A' hereto are subject to the following:

- (a) When a building or structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur where the effect of such addition or change of use would be to increase that deficiency.
- (b) The minimum distance between a driveway and the intersection of street lines, measured along the street line intersected by said driveway, shall be 9 metres.
- (c) FRONT YARD (MINIMUM) nil
- (d) EXTERIOR SIDE YARD (MINIMUM) nil
 - except that where the adjacent street is less than 15 metres wide there shall be a minimum setback from the centre line of the street of 8 metres
- (e) INTERIOR SIDE YARD (MINIMUM) in respect to a Hotel, Motel or Motor Hotel where no habitable room windows abut the yard, the yard may be reduced to 1.5 metres.
 - this yard may be further reduced to NIL provided that the zero side yard becomes a maximum as well as a minimum for that part of the building less than 1.5 metres from the lot line.

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- units
- business or professional office
 - retail store
 - studio
 - accessory buildings, structures and uses to any permitted use

Any combination of the above uses shall be permitted.

ZONE REQUIREMENTS

LOT FRONTAGE (MINIMUM) 15 metres

LOT AREA (MINIMUM) 464 sq metres

OFF-STREET PARKING:

Commercial uses NIL

Residential uses

- 4 spaces on site, or alternatively, 4 spaces located on another property zoned General Commercial (C1) where such property is purchased for such use.

FRONT YARD (MINIMUM) NIL

REAR YARD (MINIMUM) 8 metres

INTERIOR SIDE YARD (MINIMUM) 1.5 metres

- this yard may be reduced to NIL provided that the zero side yard becomes a maximum as well as a minimum for that part of the building less than 1.5 metres from the lot line.

LOT COVERAGE (MAXIMUM) 50%

HEIGHT (MAXIMUM) 11 metres

OPEN STORAGE

- the storage of goods or materials shall not be

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

permitted except in a wholly enclosed building.

RESIDENTIAL FLOOR AREA (MINIMUM) 60 sq metres

**14.5.9 PART OF LOT 21, BLOCK 60, PLAN 69; 'C1-10'
(Map 6)**

Notwithstanding Section 14.4 (f) the existing commercial/residential building on the land designated 'C1-10' in Schedule 'A' hereto may be used in such manner as is permitted in Section 14.1 and 14.2 of this by-law.

**14.5.10 PART OF LOT 1, BLOCK 11, PLAN 69; 'C1-11'
(Map 7)**

Notwithstanding Sections 5.25, 5.28, 14.4 (c), (d) and (f), the existing two-storey building on the land designated 'C1-11' in Schedule 'A' hereto may be used in such manner as is permitted in Sections 14.1 and 14.2 of this by-law.

Further, notwithstanding Sections 14.4 (c), (d), (e) and (f), the existing frame shed located behind the two-storey building on the land designated 'C1-11' in Schedule 'A' may be used as an accessory building to those uses permitted in Sections 14.1 and 14.2.

**14.5.11 LOT 8, BLOCK 5, REGISTERED PLAN 69; 'C1-12'
(Map 7)**

Notwithstanding Sections 14.1 and 14.2, in the area designated 'C1-12' in Schedule 'A' hereto, only the following uses shall be permitted:

- one single family dwelling
- motor vehicle sales and/or rental establishment
- accessory buildings, structures and uses to any permitted use

Further, notwithstanding Sections 14.4 (e) and (f), the following zone provisions shall apply for the above mentioned uses:

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

REAR YARD (MINIMUM) 6 metres

INTERIOR SIDE YARD (MINIMUM) 4 metres

**14.5.12 PART OF LOTS 1 & 2 AND LOTS 4 & 5, 'C1-13'
BLOCK 8, PLAN 69; (Map 7)**

Notwithstanding Section 6.9 (h), in the area designated 'C1-13' in Schedule 'A' hereto, a maximum of 16 dwelling units shall be permitted on the second and third floors above permitted commercial uses.

Notwithstanding Sections 5.25 (a), 5.28 (a), (b), (c), (d), (e), and (h), 6.9 (f) and (k), the following special provisions shall apply to those lands designated 'C1-13' in addition to the other respective zone requirements:

- (a) One loading space with direct access to Regional Road No. 9 (High Street) shall be provided.
- (b) A minimum of 68 parking spaces shall be provided which may include three uncovered parking spaces having a minimum area of 21 square metres (3 m x 7 m). Such parking spaces may be located a minimum distance of NIL from the interior side lot line.
- (c) The residential floor area shall not exceed 1.7 times the non-residential floor area.
- (d) The minimum distance of 3 metres shall be required between walls with or without habitable room windows of the second or third storey of a building on these lands and the walls containing habitable room windows of buildings on adjacent lands.

**14.5.13 LOTS 381 AND 382, PLAN 231; 'C1-15'
(Map 2)**

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

Notwithstanding Section 14.2, in the area designated 'C1-18' in Schedule 'A' hereto, a bicycle sales and repair shop shall be the only permitted use.

Further, in addition to the uses permitted in Section 14.1, an existing second residential dwelling unit separate from the commercial building shall be permitted in the area designated 'C1-18' on Schedule 'A' hereto.

Further, notwithstanding Sections 14.4 (c) and (f), and 5.31, the following special provisions shall apply:

- (a) the minimum front yard and northerly interior side yard for the commercial use shall be 40 metres and 5.2 metres respectively; and,
- (b) the planting strip along the north lot line shall be replaced by a 2 metre privacy fence, and the planting strip along the south lot line shall be interrupted to allow the existing second residential dwelling to remain in its present location.

14.5.16

LOTS 7 AND 8, BLOCK 8, PLAN 69;

**'C1-19'
(Map 7)**

Notwithstanding Section 14.1, the existing single family dwelling shall be a permitted use.

The provisions of Section 14.5.1 of this by-law will also apply to the area designated 'C1-19' herein.

In addition, notwithstanding Sections 14.4 (e) and (f), a professional and business office and a personal service shop shall be permitted in the existing residential building. All other uses as permitted in Section 14.2 shall comply with applicable Rear Yard and Interior Side Yard requirements of this by-law.

Further, notwithstanding Section 5.31, a planting

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

strip along the northwest property line shall not be required for a professional and business office and a personal service shop in the existing residential building.

14.5.17 LOTS 3 AND 8, BLOCK 10, PLAN 69; 'C1-20'
(Map 7)

In that area designated 'C1-20' in Schedule 'A' attached hereto, a maximum of five (5) billiard tables may be permitted within a place of amusement.

The provisions of Section 14.5.1 of this by-law will also apply to the area designated 'C1-20' herein.

14.5.18 LOTS 27 & 28, AND PART BLOCK 'B', 'C1-21'
PLAN 397; (Map 2)

Notwithstanding Sections 6.9 (h) and 14.1, a maximum of fourteen (14) dwelling units on the second and third storeys above non-residential uses shall be permitted at such time as municipal water and sewer servicing allocation is available and a by-law allocating same is passed by Council.

Further, notwithstanding Sections 2.227 and 14.2, the following non-residential uses shall not be permitted in the area designated 'C1-21':

- garage, mechanical
- wholesale establishment

Further, notwithstanding Section 5.31, a required planting strip along the south lot line may be reduced to a minimum width of 0.5 metres in the front yard of a commercial/residential building.

14.5.19 PART LOT 10, CONCESSION 3 (NG); 'C1-22'
(Map 2)

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

Notwithstanding Section 14.2, in the area designated 'C1-22' on Schedule 'A' hereto a business or professional office shall be the only permitted use.

Further, notwithstanding Section 14.4 (f), the following setbacks shall apply to the existing one storey dwelling to be converted for business or professional office use:

- the minimum northerly interior side yard and southerly interior side yard shall be 1.8 metres and 3 metres respectively.

Finally, notwithstanding Section 5.31, planting strips shall not be required.

14.5.20

PART LOT 14, CONCESSION 3 (NG);

**'C1-23'
(Map 3)**

Notwithstanding Section 14.2, in the area designated 'C1-23' in Schedule 'A' hereto, a business or professional office, including a health care clinic shall be the only permitted non-residential uses and further, these uses shall only be permitted within the existing building as shown on Plan 65R-14269.

In addition, notwithstanding Sections 5.31 (a) and 5.28 (h), the following provisions shall apply:

- a) minimum width of southerly planting strip of NIL;
- b) minimum width of northerly and easterly planting strips of 1.2 metres;
- c) minimum southerly parking area setback of 0.8 metres.

Finally, a health care clinic use shall be limited to the first floor of the existing building.

14.5.21

PART OF LOT 26, REGISTERED PLAN 248;

**'C1-24'
(Map 6)**

Notwithstanding Sections 5.31 (a), 14.2, 14.4 (c)

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

and (d), in the area zoned 'C1-24' in Schedule 'A' attached hereto, a business or professional office and an accessory building, structure or use shall be the only permitted uses and the following provisions shall also apply:

PLANTING STRIPS (MINIMUM)

- 1.5 metres along north lot line
- 2.0 metres along south lot line
- 1.5 metres along east limit of zone boundary

FRONT YARD (MINIMUM) 6 metres

**14.5.22 PART OF LOT 10, CONCESSION 3 (NG); 'C1-25'
(Map 2)**

Notwithstanding Section 14.2 the following uses shall be the only permitted non-residential uses:

- antique or craft shop
- bakery or bakeshop
- bank
- business or professional office
- clinic - veterinary (animal hospital)
- club, commercial or private
- commercial school
- dry cleaning outlet
- funeral home
- garden centre
- laundromat
- motor vehicle sales and/or rental establishment
- retail store, including a fruit market
- service shop, light or personal
- studio
- taxi stand
- theatre
- accessory buildings, structures and uses to any permitted use

Further, notwithstanding Section 5.31 a planting strip, along the southerly property line, shall not

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

INTERIOR SIDE YARD (MINIMUM) 2.2 metres

HEIGHT (MAXIMUM) 6 metres

Further, notwithstanding Section 5.28 (h), parking shall only be permitted in the front yard.

For the purposes of this by-law, an accessory dwelling unit is subject to the following provisions:

- (a) members of the family residing in the accessory dwelling unit operate a permitted non-residential use within the building,
- (b) no more than 50% of the gross floor area of the building is used for the purpose of the dwelling unit.

Notwithstanding Section 5.31, a planting strip is not required along the southern interior side lot line of Lot 16, Plan 198.

Road access shall only be permitted from The Queensway (Regional Road No. 12) road frontage.

**14.5.25 PART LOT 2, BLOCK 53, PLAN 69, 'C1-28'
PARTS 1, 2 & 3, PLAN 65R-9717; (Map 7)**

Notwithstanding Section 14.2, a motor vehicle rental establishment and a motor vehicle cleaning establishment shall be permitted non-residential uses.

Notwithstanding Section 5.31, the southerly and northerly planting strip may be reduced to 1.5 metres for a motor vehicle rental establishment parking area.

Notwithstanding Section 14.4 (c) and 5.14, the minimum front yard setback for a gasoline pump island canopy shall be 1 metre.

Notwithstanding Section 14.4 (f), the minimum northerly interior side yard setback for a motor vehicle cleaning establishment shall be 1.5 metres and the minimum interior side yard setback for a

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

vacuum cleaning unit shall be 1 metre.

Notwithstanding Section 14.4 (e), the minimum rear yard setback for a motor vehicle cleaning establishment and a vacuum unit shall be 1.5 metres and 1 metre respectively.

**14.5.26 PART LOT 21, CONCESSION 1 (G), 'C1-29'
PART 2, PLAN 65R-1484; (Map 11)**

Notwithstanding Section 14.2, in the area designated 'C1-29' the following shall be the only permitted non-residential uses:

- antique or craft shop
- bakery or bakeshop
- bank
- business or professional office
- restaurant
- retail store (not including a convenience retail store)
- school, commercial
- service shop, personal
- studio
- theatre
- accessory buildings, structures and uses to any permitted use

Furthermore, notwithstanding Sections 5.17 and 6.9 (h), a second dwelling unit may be permitted in the second or third storey of the grist mill, subject to the approval of the Director, Part 8 of the Environmental Protection Act.

**14.5.27 PART OF LOT 23, CONCESSION 5 (G), 'C1-30'
PART 1, REF. PLAN 65R-3240; (Map 10)**

Notwithstanding Section 14.2, in the area designated 'C1-30' in Schedule 'A' hereto, a commercial greenhouse shall be a permitted use.

**14.5.28 LOTS 2, 3 AND 4, REGISTERED PLAN 301; 'C1-31'
(500-95-027) (Map 2)
(500-97-059)**

Notwithstanding Section 14.2, the only permitted

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

use on lands zoned 'C1-31' shall be a commercial parking lot, accessory to the marina use on Lots 1, 2, 3 and 4, Registered Plan 170.

Further, notwithstanding Sections 5.28 (a), (b), (c), (g) (h) and (i) in the area designated 'C1-31' in Schedule 'A' hereto, the following parking standards shall apply:

PARKING SPACE SIZE

- where angle to aisle is not parallel 2.5m x 5.5m
- parallel to aisle 3.0m x 7.0m

NUMBER OF PARKING SPACES (MINIMUM)

- 104 parking spaces (minimum) are required in conjunction with the marina use on Lots 1, 2, 3 and 4 on Registered Plan 170.

HANDICAP PARKING

- none required

LOCATION

The required parking for the marina use on Lots 1, 2, 3 and 4, Registered Plan 170 may be located, in part, on Lots 2, 3 and 4, Registered Plan 301.

Further, a mutual driveway shall be permitted between Lots 1 and 2, Registered Plan 301.

YARDS

Parking is permitted in all yards, provided that no part of any parking area, other than a driveway, is located 1.5 metres from the south lot line, 3.0 metres from the west and north lot lines, and Nil from the east lot line.

ACCESS

The minimum aisle width for two-way 90° parking

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

shall be 6.7 metres. In all other respects, the provisions of Section 5.28 (i) shall apply."

14.5.29
(500-95-027)

LOTS 1 AND 15, REGISTERED PLAN 301: 'C1-32'
(Map 2)

Notwithstanding Sections 14.1 and 14.2, in the area designated 'C1-32' in Schedule 'A' hereto, only the following uses shall be permitted:

PERMITTED RESIDENTIAL USES

- six dwelling units in a storey above the first storey or within the rear of a non-residential building

PERMITTED NON-RESIDENTIAL USES

- bank
- bowling alley
- building supply and equipment establishment
- business or professional office
- dry cleaning outlet
- equipment sales establishment
- leisure vehicle sales establishment
- motor vehicle sales and/or rental establishment
- automobile, and/or recreational vehicles
- retail store, convenience
- retail store, marine, not exceeding 190 sq. metres of floor area
- service shop, personal or light
- studio
- taxi stand
- tourist information centre
- accessory buildings, structures and uses to any permitted use

Notwithstanding Section 5.28 (b), the number of parking spaces required for a marina retail store, not exceeding 190 square metres of floor area, and a leisure vehicle sales establishment, shall be 3.5 per 95 square metres of non-residential floor area.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

Notwithstanding Section 5.28 (g), a mutual driveway shall be permitted between Lots 1 and 2, Registered Plan 301. In all other respects, the provisions of Section 5.28 (g) shall apply.

Notwithstanding Section 6.9 (h), the maximum number of dwelling units on land designated 'C1-32' shall be six.

14.5.30
(500-95-33)

PART OF LOT 6, CONCESSION 3 (NG)

'C1-33'
(Map 2)

Notwithstanding Section 14.2 **PERMITTED NON-RESIDENTIAL USES**, in the area designated 'C1-33' in Schedule 'A' hereto, only the following uses shall be permitted:

- bank
- business or professional office
- clinic, health care
- club, commercial or private
- dry cleaning establishment
- funeral home
- hotel
- laundromat
- restaurant
- one or more retail stores, having a combined total floor area not exceeding 1,000 m²
- school, private or commercial
- service shop, personal or light
- taxi stand
- tourist information centre
- accessory buildings, structures and uses to any permitted use

14.5.31
(500-96-036)

PART OF LOT 7, CONCESSION 3 (NG)

'C1-34'
(Map 2)

Notwithstanding Sections 14.1 and 14.2, in that area designated 'C1-34' in Schedule 'A' hereto, a

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

bank shall be the only permitted use.

14.5.32
(500-97-049)

PART OF LOT 7, BLOCK 60, PLAN 69

'C1-35'
(Map 6)

Notwithstanding Section 14.1 and 14.2, in that area designated 'C1-35' in Schedule 'A' hereto, a restaurant shall be the only permitted use. Further, accessory buildings, structures and uses to any permitted use shall be permitted.

Further, notwithstanding Section 5.28 (h), a 3.5 metre stacking lane for the purpose of a drive-thru shall be permitted to abut the southerly property line with a nil setback from the south lot line.

Further, in the area designated 'C1-35', a minimum 1.5 metre planting strip shall be located along the northerly interior side lot line.

14.5.33
(500-98-034)

LOT 1, REGISTERED PLAN 440

'C1-36'
(Map 6)

- (a) Notwithstanding Section 2.82, as it pertains to exclusions from the calculation of non-residential floor area, in addition to the exclusions listed, the area devoted to the loading area receiving vestibule and staff lunch room shall also be excluded from the calculation of non-residential floor area.
- (b) Notwithstanding Section 5.25 (a), 1 (one) loading space shall be required for a building not exceeding 900 square metres.
- (c) Notwithstanding Section 5.25 (c), the loading space may be located within the easterly exterior side yard with a minimum setback of 5 metres from the easterly lot line (South River Road).
- (d) Notwithstanding Section 5.28 (b), the required number of parking spaces for a retail store having a maximum non-residential floor area of

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830 square metres shall be 46. Further, notwithstanding the required number of parking spaces, at such time as a driveway is extended from the subject parking area to the future parking area to be located on the adjacent property to the north, resulting in the removal of two parking spaces, the two parking spaces shall not be required to be provided elsewhere on the site.

- (e) In the area zoned 'C1-36', commercial motor vehicles involved in the loading or unloading of merchandise or materials shall be prohibited from utilizing the access to the parking area from South River Road.
- (f) Notwithstanding Sections 14.4 (c) and (d), in the area zoned 'C1-36', the following shall apply:

FRONT YARD (MINIMUM) (Black River Road)	1.5 metres
EASTERLY EXTERIOR SIDE YARD (MINIMUM) (South River Road)	5 metres
WESTERLY EXTERIOR SIDE YARD (MINIMUM) (Dalton Road)	12 metres

Except that the minimum setback for any building or structure to the sight triangle at the intersection of Black Road and South River Road shall be 3 metres.

14.5.34 **PART OF LOT 20, CONCESSION 9, (NG)** **'C1-37'**
(500-2000-0009) **BLOCK 64, LOTS 29 AND 30, PLAN 69** **(Map 7)**

Notwithstanding Sections 13.1 (c) and (f) and 14.4 (c) and (f), on lands shown in heavy outline and designated 'C1-37', the following shall apply:

FRONT YARD (MINIMUM)	11 metres
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SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

NORTHERLY INTERIOR SIDE YARD (MINIMUM) 7.5 metres

Furthermore, notwithstanding Section 5.31, a planting strip shall not be required along the northerly boundary of the 'C1-37' zone.

14.5.35
(500-2003-0003)

LOTS 167 AND 168, REGISTERED PLAN 329 'C1-38'
(Map 2)

Notwithstanding Sections 5.1 (d), 5.25, 5.28 (b), 5.45 (a), 5.45 (f), 6.9 (h), 6.9 (j), 14.1, 14.2, 14.4 (c), 14.4 (d), 14.4 (e) and 14.4 (f) on those lands zoned 'C1-38' in Schedule 'A' hereto the following provisions shall apply:

- i) The minimum interior side and rear yards for a building accessory to the permitted residential units shall be 3 metres.
- ii) A loading space shall not be required.
- iii) Notwithstanding the minimum number of parking spaces required for non-residential floor area, a maximum of two required parking spaces may be eliminated for the purpose of creating a vehicle connection to Lot 166, Plan 329, or part thereof.
- iv) The minimum number of parking spaces required for non-residential uses shall be calculated at 5.5 spaces per 95 square metres of non-residential floor area where the building contains more than one commercial unit.
- v) An eave, roof projection or drop awning may extend a maximum of 1.2 metres into a required front or exterior side yard.
- vi) The maximum number of apartment units permitted shall be five. Each apartment unit shall have a maximum of two bedrooms and shall only be permitted in a second storey of a building.
- vii) The minimum residential landscaped open space area shall be 80 square metres.

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viii) Only the following **NON-RESIDENTIAL USES** shall be permitted:

- bakery or bakeshop
- bank
- business or professional office
- clinic, health care
- clinic veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private (the total floor area devoted to a commercial or private club use within the 'C1-38' zone shall not exceed 100 square metres)
- dry cleaning establishment
- Laundromat
- printing shop
- restaurant (the total floor area devoted to a restaurant use within the 'C1-38' zone shall not exceed 100 square metres)
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures and uses to any permitted use.

ix) A drive-through facility in association with any use shall not be permitted. A drive-through facility on those lands zoned 'C1-38' shall mean the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane.

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- x) The minimum front and exterior side yards shall be 1.5 metres.

Further, notwithstanding Sections 2.44 and 2.45, on those lands zoned 'C1-38', a Commercial or Private Club shall exclude a discotheque, dinner theatre, night club, or entertainment lounge.

Further, notwithstanding Section 2.168, on those lands zoned 'C1-38' in Schedule 'A' hereto, Restaurant shall mean a building or part thereof having as its purpose, at all times, the preparation and sale of food to the public for consumption on the premises or for take-out but does not contain therein a dance floor or stage and does not include a dance hall, discotheque, dinner theatre, night club, or entertainment lounge.

14.5.36
(500-2003-0010)

PART OF LOT 9, CONCESSION 3 (NG)

'C1-39'
(Map 2)

Notwithstanding Sections 2.44, 2.45, 2.168, 5.28 (g), 5.28 (h), 14.2 and 14.4 (c), (e), (f) and (h), on those lands zoned 'C1-39' in Schedule 'A' hereto, the following provisions shall apply:

- i) Access to the subject lands from a municipally assumed road allowance may be provided by way of a driveway over an abutting property subject to a permanent access easement.
- ii) Parking shall be permitted within the interior side and rear yards only.
- iii) Only the following **NON-RESIDENTIAL USES** shall be permitted:
- bakery or bakeshop
 - bank
 - bowling alley
 - business or professional office
 - clinic, health care
 - clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- club, commercial or private¹
- funeral home
- garden centre
- hotel
- Laundromat
- motel or motor hotel
- parking lot, commercial
- police station
- restaurant²
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25 percent is used for retail sales
- accessory buildings, structures and uses to any permitted use

¹ *On those lands zoned 'C1-39' in Schedule 'A' hereto, a Commercial or Private Club shall not include a discotheque, dinner theatre, night club, or entertainment lounge.*

² *On those lands zoned 'C1-39' in Schedule 'A' hereto, Restaurant shall mean a building or part thereof having as its purpose, at all times, the preparation and sale of food to the public for consumption on the premises or for take-out but does not contain therein a dance floor or stage and does not include a dance hall, discotheque, dinner theatre, night club, or entertainment lounge.*

- iv) The minimum front yard setback shall be 4.0 metres.
- v) The minimum rear yard setback shall be 20 metres.
- vi) The minimum easterly interior side yard setback shall be 20 metres.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

vii) Buildings shall be a maximum of two stories and have a maximum height of 10 metres.

14.5.37 **PART OF BLOCK B, REGISTERED PLAN M-1557** **'C1-40'**
 (500-2010-0008) **PART 3, 4 AND 5 PLAN 65R-6642** **(Map 2)**
 WEST SIDE OF THE QUEENSWAY SOUTH

a) Notwithstanding Sections 2.44, 2.45, 2.168, 14.1 and 14.2, on those lands zoned 'C1-40' in Schedule 'A' hereto, only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- business or professional office
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private (the total combined non-residential floor area shall not exceed 800 square metres)¹
- dry cleaning establishment
- laundromat
- printing shop
- restaurant (the maximum floor area devoted to restaurant uses within the 'C1-40' zone shall be 700 square metres and no more than one restaurant shall be permitted to have a floor area greater than 280 square metres)²
- retail store (one of which may have a maximum floor area of 1,300 square metres, one of which may have a maximum floor area of 965 square metres with retail units of not more than 465 square metres each, and all others having a maximum floor area of not more than 465 square metres)
- service shop, personal or light
- school, private or commercial
- studio
- tourist information centre

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures and uses to any permitted use.³

¹ A 'Club, Commercial or Private' shall exclude a discotheque, dinner theatre, nightclub, or entertainment lounge.

² 'Restaurant' shall mean a building or structure, including an outdoor patio, or parts thereof, having as its purpose, at all times, the preparation and sale of food to the public for consumption on the premises or for take-out but does not contain therein a dance floor or stage and does not include a dance hall, discotheque, dinner theatre, night club, or entertainment lounge.

³ The provision of a drive-through facility shall be restricted to one (1) on lands designated 'C1-40' and , further, the location of any portion of the drive-through lane and associated stacking spaces shall have a minimum setback of 50 metres from the southerly interior side lot line and 50 metres from the northerly lot line abutting McMillan Drive.

b) Notwithstanding Sections 14.4 (b), (c), (d), and (f), on those lands zoned 'C1-40' in Schedule 'A' hereto, the following provisions shall apply:

Lot Area (minimum)	12,500 sq. metres
Easterly Exterior Side Yard (minimum)	3 metres
Westerly Interior Side Yard (minimum)	3 metres
Northerly Front Yard (minimum)	3 metres
Southerly Rear Yard (minimum)	8 metres

The minimum setback from the hypotenuse of a sight triangle shall be 3 metres.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- c) Notwithstanding 2.82, 5.25, 5.28 (b) & (i), 5.31, and 5.45 (a), on those lands zoned 'C1-40' in Schedule 'A' hereto, the following provisions shall apply:
- (i) Any area within a building, which is designed and used for the storage of waste/garbage, shall also be excluded from the calculation of non-residential floor area.
 - (ii) A minimum of one loading space for each building containing non-residential floor area exceeding 185 square metres shall be provided.
 - (iii) The minimum number of parking spaces required for non-residential uses shall be calculated at 5.5 spaces per 95 square metres of non-residential floor area.
 - (iv) The maximum width of a driveway entrance shall be determined by the appropriate road authority through the site plan approval process.
 - (v) Along the northerly lot line a planting strip having a minimum width of 3 metres shall be required with interruptions for pedestrian access permitted. Concrete pads required to access the rear of the commercial building shall be permitted to encroach a maximum of 1.5 metres into the planting strip.
 - (vi) An eave shall be permitted with a minimum setback of nil from the easterly exterior side lot line.
- d) Notwithstanding Section 5.36, a minimum of 12 stacking spaces shall be required for a drive-through facility.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

S/S BASELINE ROAD

Notwithstanding Sections 2.76, 5.25 (a), 5.28 (a), (b), (h) and (i), 5.35 (b), and 14.4 (d) and (f), on those lands zoned 'C1-41' in Schedule 'A' attached hereto, the following provisions shall apply:

- i) For the purpose of this by-law, 'existing' shall be defined as "a building, structure or use existing as of June 27, 2005 and which has continued to exist to present".
- ii) A minimum of one loading space shall be provided for each existing building up to 900 square metres in non-residential floor area.
- iii) The minimum size of existing parking spaces where the angle to aisle is not parallel shall be 2.5 metres x 5.5 metres.
- iv) A minimum of 36 parking spaces shall be provided for existing buildings and permitted non-residential uses, save and except for the following uses which shall comply with Section 5.28 (b) of the Zoning By-law: restaurant, private or commercial club, theatre, hotel, motel or motor hotel.
- v) A minimum setback of nil from any lot line shall be permitted for an existing parking area in the front yard.
- vi) A minimum width of 6.7 metres shall be permitted for an existing aisle in the front yard.
- vii) Parking shall be permitted within a sight triangle until such time as the Town or Region requires these lands for the purpose of road improvements.
- viii) A minimum exterior side yard of nil shall be permitted for an existing building.
- ix) A minimum interior side yard of 1 metre shall be permitted for an existing building.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

public uses, excluding hotel suites.

- (viii) Required number of parking spaces per hotel unit/suite shall be 0.5 spaces.
- (ix) Parking areas may be permitted in all yards in accordance with an approved site plan.
- (x) Required parking spaces shall only be provided within the "Buildable Land Area" as indicated on Schedule 'B-55' except where a cash-in-lieu of parking agreement has been executed.
- (xi) Maximum floor area of a restaurant use shall not exceed 40% of all non-residential floor area, excluding hotel units/suites.
- (xii) The required lot frontage, lot area, lot coverage, yard, and landscaped open space provisions shall be in accordance with an approved site plan. Notwithstanding the foregoing, a parking garage shall have a minimum setback from a public street of 3 metres, and that portion of the hotel containing a portion of the parking garage in excess of 18 metres in height shall have a minimum setback of 20 metres from a public street.
- (xiii) Floor Area (minimum) for hotel unit/suite
.....18 sq. metres
- (xiv) Floor Area (minimum) for a dwelling unit in a commercial building:
 - one bedroom unit.....55 sq. metres
 - two bedroom unit.....65 sq. metres
 - three bedroom unit.....75 sq. metres
- (xv) Height (maximum) for a commercial building (excl. hotel), and including a parking garage with or without a rooftop terrace, shall be,
.....18 metres
- (xvi) Height (maximum) for hotel.....24 metres

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

(xvii) The minimum floor area for retail and service commercial uses located at-grade and at the podium level shall be a total of 1,400 sq. metres. Further, an outdoor patio, accessory to the restaurant use, shall be provided at-grade and another at the podium level, each patio having a minimum area of 100 sq. metres.

(xviii) Notwithstanding the permitted uses of the 'C1-42(H)' zone, where a Holding (H) symbol is used in conjunction with the 'C1-42(H)' zone in Schedule 'A' for those lands located in Part of Lot 9, Concession 3 (NG), the lands may only be used for a parking area and those uses which legally existed prior to November 10, 2008, being the date of approval of this by-law by Town Council. The Holding (H) symbol shall not be removed until:

- (i) written confirmation from the Town's Director of Engineering and Public Works that site plan approval has been issued;
- (ii) written confirmation from the Town's Director of Engineering and Public Works that the Region of York will permit the installation of traffic signals at the intersection of the south leg of Cameron Crescent and The Queensway South; and
- (iii) written confirmation from the Town's Director of Engineering and Public Works that arrangements have been made to the satisfaction of the Director regarding the reconstruction of the south leg of Cameron Crescent.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

Notwithstanding Section 2.82, on land shown in heavy outline and designated 'C1-44' in Schedule 'A' attached hereto, "*floor area, non-residential*" shall be defined as "means the total floor area of a non-residential building, including any outdoor garden centre, basement, or cellar area designed or used for non-residential purposes, but excluding any utility room, washroom, janitorial closet, stairwell, hallway, permanent stock room, staff lunch room, indoor loading area receiving vestibule, indoor garbage storage vestibule, and accessory office space", for the purpose of calculating parking requirements.

Further, notwithstanding Section 5.25 (a), a minimum of one loading space shall be required for a one-unit commercial building containing up to 1800 square metres of non-residential floor area.

Further, notwithstanding Section 5.28 (i), the maximum width of an access driveway shall be 11 metres.

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3 metres shall be required along the front lot line.

Further, notwithstanding Section 14.4 (c), the minimum front yard shall be 3 metres.

14.5.41 **PART 425, PART BLOCK A, PLAN 65R-2194,** **'C1-44'**
(500-2008-0010) **PART 3, PART LOT 5, CONCESSION 3 (NG)** **(Map 2)**

Notwithstanding Section 5.31, a minimum planting strip of 1.52 metres shall be permitted along a portion of the rear lot line in the area as shown on Schedule 'B-52' attached hereto.

14.5.42 **PART OF LOT 7, CONCESSION 3 (NG)** **'C1-45'**
(500-2007-0022) **AND BLOCK 76, PLAN 65M-3384** **(Map 2)**

For the purposes of this by-law, the parcel described as Part of Lot 7, Concession 3(NG) and Block 76, Plan 65M-3384 shall be deemed to be one lot and the zoning provisions shall be applied on

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

the basis of all lands zoned 'C1-45'.

a) Notwithstanding Sections 14.1 & 14.2, only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- bowling alley
- business or professional office
- catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- dry cleaning establishment
- funeral home
- hawker or pedlar use
- laundromat
- place of amusement
- printing shop
- restaurant
- retail store
- refreshment vehicle, bicycle unit or cart
- service shop, personal or light
- school, private or commercial
- studio
- theatre
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures and uses to any permitted use

b) Notwithstanding Sections 14.4 (c) & (d) the following shall apply:

FRONT YARD (MINIMUM)	5 metres
EXTERIOR SIDE YARD (MINIMUM)	5 metres

c) Notwithstanding Section 5.28 (i), the maximum

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

width of a driveway entrance shall be determined by the appropriate road authority through the site plan approval process.

14.5.43
(500-2007-0021)

PART OF LOT 10, CONCESSION 3 (NG)

'C1-46'
(Map 2)

a) Notwithstanding Sections 14.1 & 14.2, only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- business or professional office
- catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- day centre, adult
- dry cleaning establishment
- hawker or pedlar use
- laundromat
- place of amusement
- printing shop
- restaurant
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures and uses to any permitted use

For the purposes of this by-law an 'adult day centre' shall be defined as a facility to administer services as provided for under the Developmental Services Act.

b) Notwithstanding Section 14.4 (c) the following

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

shall apply:

FRONT YARD (MINIMUM) 5 metres

- c) Notwithstanding Section 14.4 (f), the following shall apply:

INTERIOR SIDE YARD 1.5 metres

- this yard may be reduced to NIL provided that the zero side yard becomes a maximum as well as a minimum for that part of the building less than 1.5 metres from the lot line.
- except that where the interior side yard abuts a Residential or a Transitional Zone, its minimum shall be 1.5 metres on one side and 6 metres on the other side.

- d) Notwithstanding Section 5.28 (i), the maximum width of a driveway entrance shall be determined by the appropriate road authority through the site plan approval process.

14.5.44 **PART OF LOT 18, CONCESSION 9 (NG)** **'C1-47'**
(500-2008-0003) **N/S BASELINE ROAD** **(Map 7)**
(500-2008-0021)

Notwithstanding Sections 14.1 and 14.2, on lands shown in heavy outline and designated 'C1-47' in Schedule 'A' attached hereto, only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- bowling alley
- business or professional office
- catering establishment
- church
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- day nursery within a church

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- funeral home
- garden centre
- laundromat
- motor vehicle fuel bar
- printing shop
- restaurant
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- theatre
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures, and uses to any permitted use

Further, notwithstanding Sections 14.4 (c), (d), and (e), the minimum front and exterior side yards shall be 3 metres, and the minimum rear yard shall be 12 metres.

Further, notwithstanding Section 5.28 (i), the maximum width of an access driveway shall be in accordance with the requirements and approval of the respective road authority.

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3 metres shall be required along the front, exterior, and rear lot lines.

14.5.45 **PART OF LOT 8, BLOCK 60, PLAN 69** **'C1-48'**
(500-2008-0011) **W/S DALTON ROAD** **(Map 6)**

Notwithstanding Section 5.28 (g), on land shown in heavy outline and designated 'C1-48' in Schedule 'A' attached hereto, vehicular access shall be provided by way of a driveway or aisle on an abutting property, subject to a permanent access easement(s) and in accordance with a site plan approved pursuant to Section 41 of the *Planning Act*, as amended.

Further, notwithstanding Section 5.28 (i), the

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

maximum width of a driveway or aisle shall be in accordance with a site plan approved pursuant to Section 41 of the *Planning Act*, as amended.

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3 metres shall be required along the front lot line.

Further, notwithstanding Section 14.4 (c), the minimum front yard shall be 3 metres.

14.5.46 PART OF LOT 4, CONCESSION 3 (NG) 'C1-49'
(500-2008-0013) E/S THE QUEENSWAY SOUTH (Map 2)

Notwithstanding Section 14.1 and 14.2, on land shown in heavy outline and designated 'C1-49' in Schedule 'A' attached hereto only the following non-residential uses shall be permitted:

- clinic, health care
- accessory buildings, structures and uses to the permitted use.

Further, notwithstanding Section 14.4 (c), the minimum front yard shall be 1.5 metres.

Notwithstanding Section 2.82, on land shown in heavy outline and designated 'C1-49' in Schedule 'A' attached hereto, any furnace or utility room, washroom, change room, janitorial closet, stairwell, hallway, permanent stock room, staff lunch room, indoor loading area/receiving vestibule, indoor garbage storage vestibule, administrative offices, lounge/staff meeting room and kitchen space/servery area up to a maximum of twenty percent (20%) of the gross floor area, shall be excluded from the definition of 'floor area, non-residential', for the purpose of calculating parking space requirements. In addition, the total floor area of a therapy pool and surrounding solarium and a permanent stock room within the basement shall not be considered in the calculation of gross non-residential floor area for the purposes of calculating the on-site parking space requirements.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

Further, notwithstanding Section 5.25 (a), a loading space shall not be required for a one-unit commercial building containing up to 800 square metres of non-residential floor area.

Further, notwithstanding Section 5.28 (c), a minimum of two accessible parking spaces must be provided as part of the required on-site parking.

Further, notwithstanding Section 5.28 (h), uncovered surface parking areas may be permitted a nil setback from any lot line.

Further, notwithstanding Section 5.28 (i), the appropriate road authority through the site plan approval process shall determine the maximum width of a driveway entrance.

Further, notwithstanding Section 5.31, a planting strip located along the north lot line and having a minimum width of 3 metres may be interrupted by a driveway access and required parking spaces.

14.5.47 (500-2008-0020)	PART OF LOT 1, CONCESSION 8 (G) AND PART OF LOT 21, PLAN 440 E/S DALTON ROAD	'C1-50' (Map 6)
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Notwithstanding Section 14.2, on lands shown in heavy outline and designated 'C1-50' in Schedule 'A' attached hereto, only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- business or professional office
- catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- laundromat
- parking lot, commercial
- police station
- printing shop
- refreshment vehicle, bicycle unit or cart

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- restaurant
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures, and uses to any permitted use

Further, notwithstanding Section 2.82, "*floor area, non-residential*" shall be defined as "means the total floor area of a non-residential building, including any basement, or cellar area designed or used for non-residential purposes, but excluding any utility room, washroom, janitorial closet, stairwell, hallway, permanent stock room, staff lunch room, indoor loading area receiving vestibule, indoor garbage storage vestibule, and accessory office space", for the purpose of calculating parking requirements.

Further, notwithstanding Section 2.168, "*restaurant*" shall be defined as "means a building where food, beverages or refreshments are prepared and offered for sale to the public for consumption, but shall not include a dance hall, discotheque, dinner theatre, night club, or entertainment lounge".

Further, notwithstanding Section 5.25 (a), a minimum of one loading space shall be required for a one-unit commercial building containing up to 1,100 square metres of non-residential floor area.

Further, notwithstanding Section 5.28 (c), a minimum of 2 accessible parking spaces shall be provided and located in accordance with a site plan approved pursuant to Section 41 of the *Planning Act*, as amended.

Further, notwithstanding Section 5.28 (i), the maximum width of an access driveway shall be in accordance with the requirements and approval of the

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

respective road authority.

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3 metres shall be required along the front lot line. Lastly, notwithstanding Section 14.4 (c), the minimum front yard shall be 3 metres.

14.5.48
(500-2010-0003)

PART OF LOTS 1, 2, and 3, PLAN 372

'C1-51'
(Map 2)

Notwithstanding Sections 14.1 and 14.2, in the area designated 'C1-51' on Map 2 in Schedule 'A' hereto, only the following uses shall be permitted:

- a Wholesale/Retail Establishment, Electrical Supplies, Safety Equipment, Tools, and Automotive Parts, as defined herein
- accessory buildings and structures to the above permitted use

For the purpose of this by-law, 'Wholesale/Retail Establishment, Electrical Supplies, Safety Equipment, Tools, and Automotive Parts' shall mean a building used for the purpose of selling only electrical supplies, safety equipment, tools and automotive parts to retailers or other business users, including other wholesalers, or acting as agents or brokers and buying those same items for, or selling of same to, such individuals or businesses. Furthermore, an accessory retail area allowing for retail sales, and accessory office space shall also be permitted.

In addition, notwithstanding Section 14.4 (d), 5.25 (a) and (b), 5.28 (a) and (b), the following provisions shall apply:

- a) the maximum non-residential floor area within the existing building that may be used for the purpose of retail and/or accessory office space shall be restricted to a maximum combined area of 175 square metres;
- b) the minimum exterior side yard shall be 9.2

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

metres;

- c) within the existing building, the access door to the most westerly loading space shall have a minimum height and width of 3.9 metres and 3.7 metres respectively while the access door to the most easterly loading space shall have a minimum height and width of 3.0 metres;
- d) the required access driveway/aisle serving the most westerly loading space within the existing building shall have a minimum width of 3.5 metres; and
- e) the required number of parking spaces for a 'Wholesale/Retail Establishment, Electrical Supplies, Safety Equipment, Tools, and Automotive Parts' in the existing building shall be 15 spaces and the minimum required size for spaces orientated perpendicular to the aisle shall be 2.5 metres wide and 5.5 metres long.

Further, for the purposes of this by-law, 'existing building' shall mean the building as shown in Schedule 'B-26', attached hereto.

14.5.49

(500-2010-0013)

**PART OF LOT 18, CONCESSION 9 (NG)
N/S BASELINE ROAD**

**'C1-52'
(Map 7)**

Notwithstanding Sections 14.1 and 14.2, on lands shown in heavy outline and designated 'C1-52' in Schedule 'A' attached hereto, only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- bowling alley
- business or professional office
- catering establishment
- church
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- club, commercial or private
- day nursery within a church
- funeral home
- garden centre
- laundromat
- printing shop
- restaurant
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- theatre
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures, and uses to any permitted use

Further, notwithstanding Sections 14.4 (c) and (e), the minimum front yard shall be 3.0 metres and the minimum rear yard shall be 12 metres.

Further, notwithstanding Section 5.28 (i), the maximum width of an access driveway shall be in accordance with the requirements and approval of the respective road authority.

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3.0 metres shall be required along the front lot line and rear lot line where it abuts a residential zone.

14.5.50 **LOTS 3 TO 9 INCLUSIVE, PLAN 248** **'C1-53'**
(500-2012-0012) **S/S LAKE DRIVE EAST** **(Map 6)**

On lands shown in heavy outline and designated 'C1-53' on Schedule 'A' attached hereto the following provisions shall apply:

- a) Notwithstanding Sections 14.1 and 14.2, the only permitted uses shall be:
- bakery or bakeshop

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- bank
 - business or professional office
 - catering establishment
 - clinic, health care
 - club, commercial or private
 - dry cleaning outlet
 - printing shop
 - restaurant^{(i) (ii) (iii)}
 - retail store
 - service shop, personal or light
 - school, private or commercial
 - studio
 - tourist information centre
 - accessory buildings, structures and uses
- (i) Notwithstanding Section 2.168, for the purpose of this provision, a 'restaurant' shall only mean a building or portion thereof, including an on-grade outdoor patio, where food, beverages or refreshments are prepared and offered for sale to the public for consumption on the premises or for take-out, but does not include a drive-through component.
- (ii) The maximum floor area devoted to restaurant uses shall not exceed 165 square metres.
- (iii) Further, the maximum floor area devoted to an on-grade outdoor patio shall not exceed 30 square metres.
- b) Notwithstanding the above, the only permitted uses located within the second storey of the commercial building shall be a business or professional office.
- c) Notwithstanding Sections 2.123 and 2.125, or any other provisions in this By-law to the contrary, the lot line abutting Lake Drive East and the hypotenuse of the sight triangle located at the intersection of Lake Drive East and Grew Boulevard shall be deemed to be the exterior side lot line.
- d) Notwithstanding any other provision in this By-law, the following requirements shall apply:

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

Lot Frontage (Min.)	Nil
Lot Area (Min.)	Nil
Front Yard (Min.)	1.5 metres ⁽ⁱ⁾
Exterior Side Yard (Min.)	4.5 metres
Rear Yard (Min.)	Nil
Interior Side Yard (Min.)	Nil
Height of Building (Max.)	11 metres
Lot Coverage (Max.)	N/A

- (i) Notwithstanding this provision, the minimum setback of any building or structure from the hypotenuse of a sight triangle shall be 1 metre. Further, the minimum setback of any accessory building or structure to a sight triangle may be nil.

- e) Notwithstanding Section 2.82, for the purpose of calculating parking requirements, '*floor area, non-residential*' shall mean the total floor area of a non-residential building, including any basement or cellar area designed or used for non-residential purposes, but excluding any utility room, washroom, janitorial closet, stairwell, hallway, permanent stock room, staff lunch room, and indoor garbage room, up to a maximum of ten percent (10%) of the ground floor area.

- f) Notwithstanding the provisions of Section 5.25, or any other provisions in this By-law to the contrary, one (1) loading space shall be provided on the abutting lands zoned 'C1-54' in accordance with the following requirements:
 - (i) the required loading space shall have minimum dimensions of 11 metres long, 4 metres wide, and a vertical clearance of at least 4.5 metres;

 - (ii) the location of the required loading space shall be determined through the site plan approval process;

 - (iii) the required loading space shall be shared for the use of the condominium

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

apartment dwelling located on the lands zoned 'R3-56' and the commercial building located on lands zoned 'C1-53'. For the purpose of this provision, the owner of the subject lands shall enter into one or more agreements, to be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements.

- g) Notwithstanding Section 5.28 (b), parking for a business or professional office, located within the second storey of a multi-unit commercial centre shall be calculated at 3.5 spaces per 95 square metres of non-residential floor area. Further, the area devoted to an on-grade outdoor patio associated with a restaurant use may be exempt from the minimum parking space requirements of this By-law.
- h) Notwithstanding Section 5.28 (g), the minimum number of required parking spaces shall be located on abutting lands zoned 'C1-54' subject to the execution of a consent agreement granting an easement over the lands zoned 'C1-54' in favour of the lands zoned 'C1-53'.

14.5.51 **LOTS 3 TO 9 INCLUSIVE, PLAN 248** **'C1-54'**
(500-2012-0012) **W/S GREW BOULEVARD** **(Map 6)**

On lands shown in heavy outline and designated 'C1-54' on Schedule 'A' attached hereto, the following provisions shall apply:

- a) Notwithstanding Section 14.1, no residential uses, buildings or structures shall be permitted.
- b) Notwithstanding Section 14.2, the only permitted non-residential use shall be a parking area and accessory uses, buildings, and structures thereto. The parking area may be shared for the use of the condominium apartment dwelling located on lands zoned 'R3-56', the townhouses located on lands zoned 'R3-57', and the commercial building located on lands zoned 'C1-

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

53'. For the purpose of this provision, the owner of the subject lands shall enter into one or more agreements, to be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements.

- c) Notwithstanding the provisions of Section 5.25, or any other provisions in this By-law to the contrary, one (1) loading space shall be required in accordance with the following:
 - i) the required loading space shall have minimum dimensions of 11 metres long, 4 metres wide, and a vertical clearance of at least 4.5 metres;
 - ii) the location of the required loading space shall be determined through the site plan approval process;
 - iii) the required loading space shall be shared for the use of the condominium apartment dwelling located on the lands zoned 'R3-56' and the commercial building located on lands zoned 'C1-53'. For the purpose of this provision, the owner of the subject lands shall enter into one or more agreements, to be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements.

- d) Notwithstanding Section 5.28 (h), the minimum setback of any portion of the parking area abutting a municipal road allowance shall be 1 metre. The minimum setback of any portion of the parking area to all other lot lines shall be nil.

- e) Notwithstanding 5.28 (i), the maximum width of a driveway entrance shall be determined by the Town through the site plan approval process. Further, vehicular access shall not be permitted from Lake Drive East to the parking area.

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

f) The provisions of Section 5.31, respecting planting strips, shall not apply.

14.5.52 **PART OF LOT 9, CONCESSION 3 (NG)** **'C1-55'**
(2013-0066) **PART 1, PLAN 65R-33362** **(Map 2)**

Notwithstanding Sections 14.1 and 14.2, only the following uses may be permitted:

- one residential dwelling unit
- business and professional offices
- local convenience store
- personal service shop
- health care clinic
- veterinary clinic, excluding outdoor canine runs or animal containment areas
- accessory uses, buildings and structures

Further, notwithstanding Section 5.28(h), the commercial parking area may be permitted a nil setback from the front lot line.

Further, notwithstanding Section 5.28 (i), tandem parking spaces for employees shall be permitted in accordance with an approved site plan.

14.5.53 **PART LOTS 25 &26, TOWN PLOT OF KESWICK** **'C1-56'**
(500-2018-0007) **PART LOT 22, CONCESSION 2 (NG)** **(Map 4)**
(500-2020-0004) **75 OSBOURNE STREET**

Notwithstanding Section 14.1 and 14.2, a 'Garden Suite' shall be a permitted as an additional use until February 28, 2038.

Notwithstanding any other provisions of the by-law, the following shall apply to a 'Garden Suite' on the subject property:

- | | |
|---|-------------|
| a) Floor Area (Max.) | 95sq.metres |
| b) Number of Garden Suites(Max.) | 1 |
| c) Height (Maximum) | 4.7 metres |
| d) West Front Yard Setback(Min.) | 2.7 metres |
| e) East Front Yard Setback(Min.) | 55 metres |
| f) South Interior Side Yard Setback(Min.) | 4 metres |

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

g) North Exterior Side Yard Setback (Min.)	3.2 metres
h) Distance to Dwelling (Min.)	2.4 metre
i) Distance to Accessory Structures (Min.)	2.0 metres
j) Number of Parking Spaces (Min.)	1
k) Site Triangle (Min.)	6.0 metres

The 'Garden Suite' may not include a basement or cellar.

14.5.54
(500-2018-0012)

PART LOT 32 AND LOT 33, PLAN 248

'C1-57'
(Map 6)

On lands shown in heavy outline and designated 'C1-57' on Schedule 'A' attached hereto, the following provisions shall apply:

Notwithstanding Sections 14.1 and 14.2, the only permitted uses shall be:

- Motor vehicle fuel bar;
- Retail store; and,
- Restaurant.

Notwithstanding Section 5.25(c), a loading space shall be permitted in the east exterior side yard abutting Grew Boulevard. Said loading space shall be located a minimum of 6 metres from the east exterior property line.

Notwithstanding Section 5.28(b), a minimum of 13 parking spaces shall be required for a motor vehicle fuel bar and non-residential building having a maximum floor area of 250 square metres. Within the non-residential building, a maximum floor area of 85 square metres may be devoted to a restaurant use.

Notwithstanding Section 5.28(h), a parking area shall be permitted to be setback a minimum of 1 metre from the front lot line and 0.1 metre from the west exterior lot line.

Notwithstanding Section 5.28(i), a minimum aisle width of 1.7 metres shall be permitted between a parallel parking space abutting Grew Boulevard and

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

a loading space.

Notwithstanding Sections 13.1(c) and 13.1(d), a motor vehicle fuel bar canopy shall have a minimum front yard setback of 8 metres and minimum exterior side yard setbacks of 12 metres.

Notwithstanding Sections 13.1(d), 14.4(d) and 14.4(e), a non-residential building shall have minimum exterior side yard setbacks of 7 metres and a minimum rear yard setback of 65 metres.

Notwithstanding Section 13.1(g), a maximum lot coverage of 21% shall be permitted.

Further, a drive-thru shall not be permitted.

14.5.55 **PART OF LOT 11, CONCESSION 3 (NG)** **'C1-58'**
(500-2018-0013) **N/W WOODBINE AVENUE AND MORTON AVENUE** **(Map 3)**

a) Notwithstanding Section 14.1 **PERMITTED RESIDENTIAL USES**, in the area designated 'C1-58' on Schedule 'A' attached hereto, no residential uses shall be permitted.

14.5.56 **Lot 2 and Part of Lot 1,** **'C1-59'**
(500-2022-0003) **Block 54 and Part of Block 55,** **(Map 7)**
Registered Plan 69
160 High Street

On lands shown in heavy outline and zoned 'C1-59' on Schedule "A" attached hereto, the following provisions shall apply:

a) Notwithstanding Section 14.1 **PERMITTED RESIDENTIAL USES** and 14.2 **PERMITTED NON-RESIDENTIAL USES**, the only permitted uses for the lands identified on Map 7, Schedule "A" as "C1-59" shall be:

- Art gallery
- Bakery or bake shop
- Bank
- Business or professional office
- Catering establishment

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

- Clinic, health care
 - Clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
 - Club, commercial or private
 - Day nursery
 - Funeral home
 - Golf course, miniature, but not including outdoor
 - Kennel, pursuant to the provisions of Section 2.105 and 5.21(A) of this By-law
 - Police station
 - Printing shop
 - Restaurant
 - Retail store
 - Retail store, convenience
 - School, private or commercial
 - School, public
 - Service shop, personal or light
 - Studio
 - Taxi stand
 - Theatre
 - Tourist information centre
 - Accessory buildings, structures and uses to any permitted uses.
- b) The maximum gross leasable floor area for business and professional offices, restaurants, and retail and service commercial uses shall be 750 square metres per business.
- c) The density of development shall be limited to a Floor Area Ratio of 1.25.
- d) The minimum building height shall be two storeys and the maximum building height shall be three storeys or 11 metres, whichever is less.
- e) Notwithstanding the provisions of Sections 5.25 **LOADING SPACE REQUIREMENTS**, 5.28 **PARKING AREA REGULATIONS** and 14.4 **ZONE REQUIREMENTS - NON-RESIDENTIAL USES**, and any provision of this By-

SECTION 14 - GENERAL COMMERCIAL (C1) ZONE (cont.)

law to the contrary, the existing building and parking areas shown on Schedule "B-91" may be used for uses permitted in Section 14.5.56 a) of this By-law.

f) Notwithstanding the definitions of Section 2 - **DEFINITIONS**, the following definition shall apply:

- **Golf Course, Miniature:** means a building or structure operated for profit or gain in which facilities are provided to simulate the game of golf or any aspect of the game, on a small scale but does not include a golf ball driving range. The simulation of the game of golf or any aspect thereof may only occur within a building or structure.