

SECTION 13 - COMMERCIAL HIGHWAY ZONE (C2) REGULATIONS

13.1 General Use Regulations

No person shall within the C2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following regulations:

13.1.1 Permitted Uses

- a) Convenience stores;
- b) retail stores, greater than 465 m² (5,005.38 ft²);
- c) restaurants including drive-through, fast-food, take-out and full service;
- d) offices including both professional and medical, greater than 465 m² (5,005.38 ft²);
- e) motels, hotels, taverns;
- f) transportation depots including facilities for taxi, bus and ambulance services;
- g) personal and other service uses;
- h) funeral homes;
- i) gas bars, service stations and automobile repair garages;
- j) sales and service establishments for automobiles, trucks, industrial equipment, farm equipment and recreation vehicles;
- k) automobile rental establishments, automobile washing establishments;
- l) commercial self-storage units;
- m) service shops;
- n) lumber yards and building supply outlets;
- o) places of amusement, recreation or entertainment, assembly halls and clubs;
- p) bulk sales establishments;
- q) animal hospitals, clinics;

- r) garden supply centres;
- s) bakeries;
- t) auction establishments;
- u) parking lots;
- v) day care centres;
- w) printing and photography facilities;
- x) financial institutions;
- y) dwelling units above a commercial use, subject to complying with Section 4.13 of the By-law;
- z) accessory uses including the outside storage and display and sale of goods and materials, in accordance with Section 4.37.

13.1.2 Permitted Buildings and Other Structures

- a) Buildings and structures for the permitted uses;
- b) accessory buildings and structures for the permitted uses, in accordance with Section 4.1 of this By-law.

13.1.3 Zone Provisions

Zone Provision	Requirement
Minimum Lot Area	930 m ² (10,010.76 ft ²)
Minimum Lot Frontage	30 m (98.42 ft)
Maximum Lot Coverage	50 % (includes accessory buildings and structures)
Minimum Landscaped Open Space	30 %
Maximum Building Height	10.5 m (34.44 ft)
Minimum Front Yard	12 m (39.37 ft)
Minimum Interior Side Yard	
Interior Side Yard Abutting a Residential or Holding Residential Zone	7.5 m (24.60 ft)
All Other Cases	4.5 m (14.76 ft)
Minimum Exterior Side Yard	
Automobile Uses, Hotel, Motel	12 m (39.37 ft)

Zone Provision	Requirement
All Other Uses	7.5 m (24.60 ft)
Minimum Rear Yard	10.5 m (34.48 ft)

13.2 Exceptions

The special regulations contained in subsection 13.2 shall apply to the area or areas defined below.

13.2.1 Defined Area C2-1 as shown on Schedule "A", Map 34 to this By-law

- a) **Permitted Uses**
A day care centre in addition to the uses permitted in subsection 13.1.1 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 the corresponding site plan.
- d) **Other**
All other provisions pertaining to lands zoned C2 shall also apply to lands zoned C2-1.

13.2.2 Defined Area C2-2 as shown on Schedule "A", Map 35 to this By-law

- a) **Permitted Uses**
A convenience store and accessory uses including a one-way driveway through the said lands to an adjacent automobile washing establishment.
- b) **Permitted Buildings and Structures**
Buildings and structures for the permitted uses except that no structures shall be allowed between the proposed building and the westerly limit of the C2-2 Zone.
- c) **Zone Provisions**
The lot and building requirements for lands zoned C2-2 shall be in accordance with the following:
 - i) **Minimum Yard Setbacks**

west side	7.5 m (24.60 ft);
north side	3 m (9.84 ft);
east side	0 m (0 ft);
south side	10.5 m (34.44 ft).

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 Map 40, Schedule "A" of this By-law.
(By-law 71-18, ZBA #177)**

a) Permitted Uses

The uses permitted in the Commercial General (C6) zone as indicated in subsection 17.1.1 of this by-law including the following:

- i. Offices, including professional and medical offices;
- ii. Financial Institutions;
- iii. Animal Clinics;

Notwithstanding, the following uses shall not be permitted:

- i. Gas Bars;
- ii. Service Stations; and
- iii. Automobile Repair Garages.

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 subsection 17.1.3 of this By-law with the exception of the following:

Minimum Landscaped Open Space 14%
Minimum Exterior Side Yard 2.5 m (8.20 ft.)

d) Parking Requirements

Notwithstanding any other requirements of this By-law to the contrary, 1 standard parking space shall be provided per 33.5 m² (360.6 ft²) gross commercial floor area.

Barrier Free Spaces and parking for residential uses must be provided in accordance with the parking requirements established within the By-law.

e) Other

Outdoor Storage shall not be permitted.

All other provisions of this By-law pertaining to lands zoned Commercial General (C6) shall also pertain 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:

- | | | |
|------|----------------------------|--|
| 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

- ii) facility; or 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:

- i) Minimum Lot Area 3,800 m² (40,904 ft²);
- 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 m² (40,904 ft²);
- 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.

17.2.13 DEFINED AREA C6-13 as shown on Schedule "A", Map 36 of this By-law

ZBA #32 (By-law #126-11 enacted on May 2, 2010) Proposed Animal Hospital at 154 Erie Street North

a) Permitted Uses

- i) animal hospitals;
- ii) retail stores;
- iii) offices including professional and medical offices, greater than 3,000 square feet;
- iv) personal and other service uses;
- v) automotive and home supply stores;
- vi) gas bars and service stations;
- vii) convenience stores;
- viii) bakeries;
- ix) communication facilities;
- x) clinics;
- xi) taxi services, subject to providing on-site parking;
- xii) parking lots;
- xiii) accessory uses including outside display and sale of goods and materials but not outside storage.

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

Reduce the minimum parking requirements from 125 spaces with 3 barrier free to 15 spaces with 1 barrier free.

All other provisions of this By-law pertaining to lands zoned C6 shall also pertain to lands zoned C6-13.

17.2.14 Defined Area C6-14 as shown on Schedule "A", Map 38 to this By-law

(ZBA 271 - By-law 23-23 - 126 Talbot St. West)

a) Permitted Uses

- i. Retail store, grocery store, office including professional and medical office, personal and other service uses, clinic;
- ii. accessory uses including outside display and sale of goods and materials but not outside storage, in accordance with Section 4.37.

b) Permitted Buildings and Structures

- i. Buildings and structures for the permitted uses in subsection 17.1.14 a) of this By-law.
- ii. Accessory buildings and structures for the permitted uses in accordance with 4.1 of this By-law.

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 as follows:

Minimum Front Yard Setback	2m
Minimum Landscaped Open Space	13%.

d) Other

All other provisions of this By-law pertaining to lands zoned Commercial General (C6) shall also pertain to lands zoned C6-14.

Notwithstanding any other requirements of this By-law to the contrary, 3.3 standard parking spaces shall be provided per 93m² (1,001 sq. ft.) of gross floor area. Barrier Free Spaces must be provided in accordance with the parking requirements established within the By-law.

Lands zoned C6-14 will be subject to a Holding Provision until such time as the Holding Provision can be removed. Removal of the Holding Provision shall be considered upon the completion of a Heritage Impact Assessment to the satisfaction of the Municipality and the execution and registration of a site plan control agreement with the Municipality.

SECTION 21 - INSTITUTIONAL ZONE (I) REGULATIONS

21.1 General Use Regulations

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

21.1.1 Permitted Uses

- a) Churches, church halls, religious institutions;
- b) cemeteries;
- c) day care centres;
- d) Federal, Provincial and Municipal government offices, buildings and facilities and other public services;
- e) historical sites, museums and associated revenue generating uses including picnic areas, gift shops and restaurants;
- f) hospitals and clinics;
- g) libraries, art galleries and other cultural institutions;
- h) municipal water and sewage pumping stations and treatment facilities;
- i) police stations or fire halls;
- j) schools;
- k) community centres or assembly halls;
- l) accessory uses.

21.1.2 Permitted Buildings and Other Structures

- a) Buildings and structures for the permitted uses;
- b) accessory buildings and structures for the permitted uses, in accordance with subsection 4.1 of this By-law.

21.1.3 Zone Provisions

Zone Provision	Requirement
Minimum Lot Area	no requirement
Minimum Lot Frontage	no requirement
Maximum Lot Coverage	35 % (includes accessory buildings and structures)
Minimum Landscaped Open Space	40 %
Maximum Building Height	10 m (32.80 ft)
Minimum Front Yard	9 m (29.52 ft) or 15 m (49.21 ft) for lots without municipal sanitary sewers
Minimum Interior Side Yard	9 m (29.52 ft)
Minimum Exterior Side Yard	9 m (29.52 ft)
Minimum Rear Yard	9 m (29.52 ft)

21.2 Exceptions

The special regulations contained in subsection 21.2 shall apply to the area or areas defined below.

21.2.1 Defined Area I-1 as shown on Schedule "A", Map 40 to this By-law

- a) **Permitted Uses**
A parking lot only.
- b) **Permitted Buildings and Other Structures**
Parking facilities only.
- c) **Zone Provisions**
All lot and building requirements shall be in accordance with subsections 21.1.3 of this By-law.
- d) **Other**
All other provisions of this By-law pertaining to lands zoned I shall also pertain to lands zoned I-1.

21.2.2 Defined Area I-2 as shown on Schedule "A", Map 57 to this By-law

- a) **Permitted Uses**
Public halls, public and/or private clubs, a medical clinic, a nursing and/or rest home and accessory uses in addition to all other uses permitted in the I Zone as indicated in subsection 21.1.1 of this By-law and accessory uses.
- b) **Permitted Buildings and Other Structures**

SECTION 18 - INDUSTRIAL LIGHT ZONE (M1) REGULATIONS

18.1 General Use Regulations

No person shall within the M1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following regulations:

18.1.1 Permitted Uses

- a) Automotive uses consisting of:
 - i) automobile repair garages;
 - ii) automobile washing establishments;
 - iii) automobile body shops and impound yards;
 - iv) tire repair shops;
- b) sales and rental facilities for:
 - i) home improvements and building supplies;
 - ii) lumber;
 - iii) bulk goods;
 - iv) equipment;
 - v) communication;
- c) yard and shop facilities for, contractors, tradesman, machinists or welders, public utilities, appliance and machinery repairs;
- d) facilities for light manufacturing, laboratories, facilities for warehousing or storage uses;
- e) facilities for service shops;
- f) transportation and truck terminals;
- g) accessory uses including offices, showrooms, merchandising centres and retail store or wholesale outlets, cafeterias, outside storage and display of the sale of goods and materials, in accordance with subsection 4.37.

18.1.2 Permitted Buildings and Other Structures

- a) Buildings and structures for the permitted uses;
- b) accessory buildings and structures for the permitted uses, in accordance with 4.1 of the By-law.

18.1.3 Zone Provisions

Zone Provision	Requirement
Minimum Lot Area	1,400 m ² (15,069.96 ft ²)
Minimum Lot Frontage	30 m (98.42 ft)
Maximum Lot Coverage	50 % (includes accessory buildings and structures)
Minimum Landscaped Open Space	20 %
Maximum Building Height	10 m (32.80 ft)
Minimum Front Yard	9 m (29.52 ft)
Minimum Interior Side Yard	6 m (19.68 ft)
Minimum Exterior Side Yard	6 m (19.68 ft)
Minimum Rear Yard	10 m (32.80 ft)

18.2 Exceptions

The special regulations contained in subsection 18.2 shall apply to the area or areas defined below.

18.2.1 Defined Area M1-1 as shown on Schedule "A", Map 28 to this By-law

- a) **Permitted Uses**
A retail store in addition to uses permitted in subsection 18.1.1 of this By-law.
- b) **Permitted Buildings and Other Structures**
Buildings and structures permitted in subsection 18.1.2 of this By-law.
- c) **Zone Provisions**
All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 18.1.3 of this By-law.
- d) **Other**
In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-1.

18.2.2 Defined Area M1-2 and M1-2(h) as shown on Schedule "A", Map 34 to this

By-law

a) Permitted Uses

The existing uses only for those lands zoned M1-2(h) and a waste transfer station, a recycling facility, a sand blasting operation, an asphalt plant, a ready-mix plant, an establishment for the manufacture of concrete products and uses accessory to the foregoing permitted uses.

b) Permitted Buildings and Structures

Existing buildings and structures only for lands zoned M1-2(h). Buildings and structures for the permitted uses in the M1-2 Zone.

c) Zone Provisions

All lot and building requirements in the M1-2(h) Zone shall be as they existed on the date of adoption of this By-law. All lot and building requirements for the M1-2 Zone shall be in accordance with subsection 18.1.3 of this By-law except that the minimum yard setbacks shall be in accordance with the approved site plan.

d) Holding Provisions

On those lands zoned M1-2(h) the (h) symbol may be removed once site plan agreements are in place and the criteria established in the Official Plan have been satisfied.

e) Other

In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-2.

18.2.3 Defined Area M1-3 as shown on Schedule "A", Map 38 to this By-law

a) Permitted Uses

Uses permitted in subsection 18.1.1 of this By-law.

b) Permitted Buildings and Structures

Buildings and structures permitted in subsection 18.1.2 of this By-law.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 18.1.3 of this By-law except for the following:

i)	Minimum Lot Area	700 m ² (7,534.98 ft ²);
ii)	Minimum Lot Frontage	18 m (59.05 ft);
iii)	Minimum Front Yard	6 m (19.68 ft);
iv)	Minimum Exterior Side Yard	8.8 m (28.87 ft).

d) Other

In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-3.

18.2.4 Defined Area M1-4 as shown on Schedule "A", Map 38 to this By-law

- a) **Permitted Uses**
Uses permitted in subsection 18.1.1 of this By-law.

- b) **Permitted Buildings and Structures**
Buildings and structures permitted in subsection 18.1.2 of this By-law.

- c) **Zone Provisions**
All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 18.1.3 of this By-law except for the following:
 - i) Minimum Lot Area 700 m² (7,534.98 ft²);
 - ii) Minimum Lot Frontage 18 m (59.05 ft);
 - iii) Minimum Front Yard 6 m (19.68 ft);
 - iv) Minimum Exterior Side Yard 8.8 m (28.87 ft);
 - v) Minimum Rear Yard 3 m (9.84 ft).

- d) **Other**
In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-4.

18.2.5 Defined Area M1-5 as shown on Schedule "A", Map 38 to this By-law

- a) **Permitted Uses**
Fish processing in addition to the uses permitted in subsection 18.1.1 of this By-law.

- b) **Permitted Buildings and Structures**
The existing buildings only for the fish processing use and buildings and structures permitted in subsection 18.1.2 of this By-law.

- c) **Zone Provisions**
All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 18.1.3 of this By-law except that the minimum lot frontage shall be 29 m (95.14 ft).

- d) **Other**
In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-5.

18.2.6 Defined Area M1-6 as shown on Schedule "A", Map 38 to this By-law

- a) **Permitted Uses**
Uses permitted in subsection 18.1.1 of this By-law.

- b) **Permitted Buildings and Other Structures**
Buildings and structures permitted in subsection 18.1.2 of this By-law.

- c) **Zone Provisions**
All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 18.1.3 of this By-law except for the following:
 - i) Minimum Lot Area 700 m² (7,534.98 ft²);
 - ii) Minimum Lot Frontage 18 m (59.05 ft);
 - iii) Minimum Exterior Side Yard 9 m (29.52 ft);
 - v) Minimum Rear Yard 3 m (9.84 ft).

- d) **Other**
In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-6.

18.2.7 Defined Area M1-7 as shown on Schedule "A", Map 43 to this By-law

- a) **Permitted Uses**
 - i) A school, however, in the event the lands are used for a school, no other permitted use may occupy the same site.
 - ii) the existing single unit detached dwelling;
 - iii) a manufacturing industry;
 - iv) a service shop;
 - v) a storage industry;
 - vi) a communications facility;
 - vii) a contractor's or tradesman's shop;
 - viii) a dry cleaning and/or laundry establishment;
 - ix) a parking lot;
 - x) a public garage;
 - xi) an open storage area, a retail store or wholesale area, an office area or any other use accessory to any of the above permitted uses.

- b) **Permitted Buildings and Structures**
Buildings and structures permitted in subsection 18.1.2 of this By-law.

- c) **Zone Provisions**
All lot and building requirements for the permitted buildings and structures shall be in accordance with subsection 18.1.3 except that in the case that a school, the following shall apply:

- i) Minimum Lot Area: 7.9 hectares;
- ii) Minimum Required Parking Spaces: 250 or as approved by site plan;
- iii) All other requirements of subsection 21.1.3 (Institutional Zone Provisions) shall apply.

d) Other

The Holding (H) provision in relation to school development will be removed by Council upon receipt of satisfactory verification of suitable environmental condition and an acceptable site plan agreement has been approved by Council.

18.2.8 Defined Area M1-8 as shown on Schedule "A", Map 52 to this By-law

a) Permitted Uses

The operation of a second hand goods dealer and salvage shop and yard and tree trimming removal services and accessory uses in addition to the uses permitted in the M1 Zone as indicated in subsection 18.1.1 of this By-law.

b) Permitted Buildings and 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 18.1.3 of this By-law.

d) Other

In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M1 shall also apply to lands zoned M1-8.

18.2.9 Defined Area M1-9 as shown on Schedule "A", Map 61 to this By-law

a) Permitted Uses

The existing use of a concrete manufacturer associated with cemeteries and a pet crematorium with a maximum manufacturer's design safe load capacity of 300 lbs in addition to a retail store and showroom associated with the pet crematorium use.

b) Permitted Buildings and Structures

All other buildings and setback provisions of an M1 Zone apply.

c) Other

Prior to any use other than the existing concrete manufacturer associated with cemeteries being permitted, the following requirements shall be met:

- i) no outside storage of any materials for any use is permitted unless it is enclosed by a privacy fence or screened chain link fence at least 1.8 m (6 ft) in height;
- ii) all existing vehicle accesses, parking areas and storage areas shall be improved, and maintained, with a hard surface such as concrete, asphalt or similar material approved by the Corporation of the Municipality of Leamington;

- iii) privacy fencing shall be provided along the property boundaries to the satisfaction of the Corporation of the Municipality of Leamington or provide landscaping according to a landscape plan submitted to and approved by the Corporation of the Municipality of Leamington.

18.2.10 Defined Area M1-10 as shown on Schedule "A", Map 38 to this By-law

(By-law 42-17 ZBA#147 - 75 Oak St. West)

a) Permitted Uses

Catering establishment and accessory uses, in addition to the uses permitted in the M1 zone as indicated in subsection 18.1.1 of this By-law.

b) Permitted Buildings and Other Structures

Buildings and structures for the permitted uses in subsection 18.1.2 of this By-law.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 18.1.3 of this By-law except for the following:

- ii. Minimum Lot Area 700 m² (7,534.98 ft²);
- iii. Minimum Lot Frontage 18 m (59.05 ft);
- iv. Minimum Exterior Side Yard 9 m (29.52 ft);
- v. Minimum Rear Yard 3 m (9.84 ft)

d) Other

All other provisions of this By-law pertaining to lands zoned Manufacturing Light Zone (M1) shall also pertain to lands zoned M1-10."

18.2.11 Defined Area M1-11 as shown on Schedule "A", Map 60 to this By-law

(By-law 74-19 ZBA #194 - 11 Iroquois Rd)

a) Permitted Uses

Uses permitted in subsection 18.1.1 of this by-law.

b) Permitted Buildings and Other Structures

Buildings and structures for the permitted uses in subsection 18.1.2 of this By-law.

c) Zone Provisions

All lot and building requirements for lands zoned (M1-11) shall be in accordance with Section 18.1.3 with the exception of the following:

- i. Rear Yard Setback (Cherry Lane): 7.2 m

iv. Maximum Permitted Building Height

6.1m

d) Other

All other provisions of this By-law pertaining to lands zoned Industrial Light (M1) shall also pertain to lands zoned (M1-12).

SECTION 19 –INDUSTRIAL MEDIUM AND HEAVY ZONE (M2) REGULATIONS

19.1 General Use Regulations

No person shall within the M2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following regulations:

19.1.1 Permitted Uses

- a) Automotive uses consisting of automobile body shops and impound yards, tire repair shops;
- b) sales and rental facilities for building supplies, lumber, bulk goods, equipment, communication;
- c) yard and shop facilities for contractors, tradesman shops, fishing and fish processing, machinists or welders, public utilities; appliance and machinery repairs;
- d) facilities for light manufacturing including asphalt and concrete batching plants, heavy manufacturing, laboratories;
- e) truck or transport terminals, only where there is a permanent building and office provided in addition to loading, unloading, storage and parking;
- f) facilities for warehousing or storage uses;
- g) accessory uses including, offices, showrooms, merchandising centres and retail stores or wholesale outlets, cafeterias;
- h) outside storage, in accordance with 4.37 of this By-law.

19.1.2 Permitted Buildings and Other Structures

- a) Buildings and structures for the permitted uses;
- b) accessory buildings and structures for the permitted uses, in accordance with subsection 4.1 of this By-law.

19.1.3 Zone Provisions

Zone Provision	Requirement
Minimum Lot Area	1,400 m ² (15,069.96 ft ²)
Minimum Lot Frontage	30 m (98.42 ft)
Maximum Lot Coverage	50 % (includes accessory buildings and structures)
Minimum Landscaped Open Space	20 %
Maximum Building Height	15 m (49.21 ft)
Minimum Front Yard	9 m (29.52 ft)
Minimum Interior Side Yard	6 m (19.68 ft)
Minimum Exterior Side Yard	6 m (19.68 ft)
Minimum Rear Yard	10 m (32.80 ft)

19.2 Exceptions

The special regulations contained in subsection 19.2 shall apply to the area or areas defined below.

19.2.1 Defined Area M2-1 and M2-1 (h) as shown on Schedule "A", Map 43 to this By-law

a) Permitted Uses

A school and accessory uses or facilities for accessory uses including outside storage and display and sale of goods and material and the other uses permitted in the M2 Zone as indicated in subsection 19.1.1 of this By-law. However, in the event the lands are used for a school, no other permitted use may occupy the same site.

b) Outside Storage and Goods and Materials

Outside storage of goods and materials shall be subject to subsection 4.37, except outside storage of goods and materials shall be permitted in the side yard and the front yard up to the required front yard and shall be enclosed by a fence.

c) Other

The display and sale of goods and material shall be in accordance with 4.1 of this By-law, and shall be permitted in the side yard and the front yard up to the required front yard.

d) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsection 19.1.3 except in the case of a school, the following shall apply:

- i) Minimum Lot Area: 7.9 hectares;
- ii) Minimum Required Parking Spaces: 250 or as approved by site plan;
- iii) All other requirements of subsection 21.1.3 (Institutional Zone Provisions) shall apply.

e) Other

The Holding (H) provision in relation to school development will be removed by Council upon receipt of satisfactory verification of suitable environmental condition and an acceptable site plan agreement has been approved by Council.

19.2.2 Defined Area M2-2 as shown on Schedule "A", Map 44 of this By-law

a) Permitted Uses

The uses permitted in subsection 19.1.1 of this By-law in addition to offices, as defined in Section 3 of this By-law.

b) Permitted Buildings and 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 19.1.3 of this By-law.

19.2.3 Defined Area M2-3 as shown on Schedule "A", Map 34 to this By-law

a) Permitted Uses

An automobile salvage establishment and accessory uses in addition to the uses permitted in the M2 Zone as indicated in subsection 19.1.1 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 19.1.3 of this By-law.

d) Other

In addition to the other requirements of this By-law, all those provisions pertaining to lands zoned M2 shall also apply to lands zoned M2-3.

19.2.4 Defined Area M2-4 as shown on Schedule "A", Map 60 to this By-law

ZBA #33 (By-law #127-11 enacted on May 2, 2011) for the OGVG Office at 32 Seneca Drive

a) Permitted Uses

An office as a main use, in addition to the uses in the M2 Zone as indicated in subsection 19.1.1 of this by-law.

b) Permitted Buildings and Other Structures

Buildings and structures for the permitted uses in subsection 19.1.2 of this By-law.

c) Zone Provisions

All lot and building requirements for the permitted buildings and structures shall be in accordance with subsections 19.1.3 of this By-law.

d) Other

All other provisions of this By-law pertaining to lands zoned M2 shall also pertain to lands zoned M2-4.

SECTION 11 - RESIDENTIAL ZONE (R6) REGULATIONS

11.1 General Use Regulations

No person shall within the R6 Zone use any lot or erect, alter or use any building or structure except in accordance with the following regulations:

11.1.1 Permitted Uses

- a) Residential uses;
- b) Accessory uses.

11.1.2 Permitted Buildings and Other Structures

- a) Multi unit dwellings excluding apartment style buildings less than six storeys in height;
- b) Buildings and structures accessory to the permitted uses in accordance with subsection 4.1 of this By-law.

11.1.3 Zone Provisions

Zone Provision	Multi Unit Dwelling
Minimum Lot Area	no requirement
Minimum Lot Frontage	no requirement
Maximum Lot Coverage	50 % (includes accessory buildings and structures)
Minimum Landscaped Open Space	35 %
Maximum Building Height	45 m (147.63 ft)
Minimum Front Yard	15 m (49.21 ft)
Minimum Interior Side Yard	one half the height of the building
Minimum Exterior Side Yard	one half the height of the building
Minimum Rear Yard	15 m (49.21 ft)

11.2 Exceptions

The special regulations contained in subsection 11.2 shall apply to the area or areas defined below.