

**SECTION 19B - ZONE C-4B: COMMERCIAL MIXED USE****19B.1 Permitted Uses**

Within a Zone C-4B, no land shall be used and no building or structure shall be erected, except for one or more of the Permitted Uses listed in Column 1 below.

**19B.2 Regulations**

Within a Zone C-4B no land shall be used and no building or structure shall be erected, except in conformity with the applicable regulations contained in Section 6 entitled "General Regulations" and in accordance with the regulations listed in Column 2 below.

<b>19B.3 Sub-Section</b>	<b><u>Column 1</u></b>	<b><u>Column 2</u></b>
	<b><u>Permitted Uses</u></b>	<b><u>Additional Regulations</u></b>
19B.3.1	Any Uses Permitted in Zone P But Not Within a Commercial Mixed Use or Live/Work Buildings	Section 24.3.3 to 24.3.7
19B.3.2	Business and Professional Offices	Section 19B.4
19B.3.3	Financial Establishment	Section 19B.4
19B.3.4	Group Home - Type 'B' But Not Within a Commercial Mixed Use or Live/Work Buildings	Section 24.3.3 to 24.3.7
19B.3.5	Health Care & Medical Services Offices	Section 19B.4
19B.3.6	Laundromat/Dry Cleaning	Section 19B.4
19B.3.7	Live/Work Building	Section 19B.6
19B.3.8	Mixed Use Building	Section 19B.5.
19B.3.9	Parks and Open Space	Section 19B.4
19B.3.10	Personal Services	Section 19B.4
19B.3.11	Retail or Wholesale Establishment	Section 19B.4
19B.3.12	Restaurant	Section 19B.4
19B.3.13	Service and Repair of Household Items	Section 19B.4
19B.3.14	Studio	Section 19B.4
19B.3.15	Travel Agency	Section 19B.4

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19B.3.16 Video Rental Section 19B.4

19B.3.17 Accessory Uses:  
 (a) buildings or structures accessory to the foregoing permitted uses In conformity with the provisions of Section 19B.4 and 6.4

19B.4 **Additional Regulations For Permitted Commercial Uses**

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| 19B.4.1  | Minimum Lot Area  | 2000 square metres   |
| 19B.4.2  | Minimum Lot Width   | 30 metres  |
| 19B.4.3  | Minimum Front Yard  | 5 metres   |
| 19B.4.4  | Minimum Flankage to Public Road   | 4.5 metres   |
| 19B.4.5  | Minimum Side Yard   | 3 metres   |
| 19B.4.6  | Minimum Rear yard   | 7.5 metres   |
| 19B.4.7  | Maximum Building Height   | 4 Storeys or 16 metres, whichever is less  |
| 19B.4.8  | Maximum Lot Coverage  | 50% of lot Area  |
|          | -all buildings except parking structures  |  |
| 19B.4.9  | Buffer Strips   | In conformity with the provisions of Section 6.15 along all lot lines which abut a Residential zone. |
| 19B.4.10 | Off-Street Parking and Off Street Loading   | In conformity with the provision of Section 6.11, 6.12 and 6.13                                      |
| 19B.4.11 | No Restaurant use shall exceed 300 square metres of gross floor area.   |  |
| 19B.4.12 | No Retail or Wholesale Establishment shall exceed 600 square metres of gross floor area.  |  |
| 19B.4.13 | Notwithstanding Section 19B.4.12 above, one (1) Commercial Retail Store may be located at the corner of Victoria Street North and Street 'A' within Neighbourhood 2 of the Breslau Settlement Area and may have a maximum store size of 6000 square metres primarily for the sale of food store-type merchandise. |  |
| 19B.4.14 | No outdoor storage or display of goods or materials of any kind shall be permitted within any Zone C-4B.  |  |
| 19B.4.15 | Notwithstanding Section 6.13 - Off-Street Parking, all off-street parking spaces shall not be located within the required Front Yard.   |  |

19B.4.16 Any use which is or may become obnoxious, offence or dangerous by reason of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse, matter or water carried waste, is specifically prohibited.

19B.5 **Additional Regulations for Mixed Use Building** –

19B.5.1 A Mixed Use Building shall be in the form of a Residential – Row (Townhouse) or Residential - Apartment building which includes self-contained commercial uses permitted in the underlying zoning.

19B.5.2 If a Mixed Use Building takes the form of an Residential - Apartment building then the residential dwelling unit or units may be located on the second floor or succeeding floors of any building and the street floor frontage of the building shall be used for a permitted commercial use. Not more than one (1) dwelling unit may be located at ground floor level and to the rear of a permitted commercial use and are subject to the following additional regulations.

- (a) Minimum Lot Width shall be 18 metres for 6 units or less and 0.75 metres for any additional units to a maximum of 36.5 metres.
- (b) Minimum Building Line Setback:
  - i) Front wall of the apartment unit – 5 metres
  - ii) Front wall of a one car garage – 9 metres
  - iii) Front wall of a two car garage – 6 metres
  - iv) Front wall of a porch – 3.5 metres
  - v) In conformity with the setback provision in Section 11B.3.4 and 11B.3.5
- (c) Minimum Side Yard Setback shall be 3 metres or one half (½) the building height, whichever is greater. Notwithstanding the foregoing, in any case where main entrances to dwelling units or where windows to habitable rooms face on a side yard, such side yard shall have a minimum width throughout of not less than 7.5 metres. In any Residential Building - Apartment containing ten (10) or more units and where access to required off-street parking is provided through one side yard only, the minimum width of such side yard shall be not less than 5.5 metres.
- (d) Minimum Rear Yard Setback shall be 7.5 metre or one half (½) the building height, whichever is greater.
- (e) Minimum Amenity Area, which may include common areas for indoor recreational and entertainment or a balcony is 30 square metres per unit.
- (f) Maximum Lot Coverage all Building is 50% of Lot Area.
- (g) Maximum Building Height is 4 Storeys or 16 metres, whichever is less
- (h) Off-Street Parking shall be provided in accordance with Sections 6.11 and 6.13 for the permitted commercial use.
- (i) Maximum gross floor area size of a Restaurant and Retail Establishment shall be in accordance with Sections 19B.4.11 and 19B.4.12, respectively.
- (j) No outdoor storage or display of goods or materials of any kind shall be permitted.
- (k) That the permitted uses shall not include a any uses included in the Institutional Zone, a Group Home or a Service and Repair Shop of

Household Items as noted in Sections 19B.3.1, 19B.3.4 and 19B.3.13, respectively.

- (l) Any use which is or may become obnoxious, offence or dangerous by reason of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse, matter or water carried waste, is specifically prohibited.
- (m) That no Mixed Use Building shall be permitted or change of a commercial use be permitted until a Certificate of Occupancy has been issued by the Township.
- (n) The following regulations are related to the permitted residential units or units within a Mixed Use apartment building:
  - i. The Residential - Apartment units may share a common hallway and/or have individual direct outside access in conformity with the Building Code. An apartment unit with a primary access through another apartment unit is prohibited.
  - ii. That each unit created shall be fully self-contained and shall have a floor area of not less than 37 square metres.
  - iii. That there shall be no exterior stairways except open metal fire escapes which shall be located only in a rear or side yard.
  - iv. A minimum of 1.25 parking spaces are required for residential unit.
  - v. That the building conforms to the requirements of all other by-laws of the municipality.

#### 19B.5.3

If a Mixed Use Building takes the form of a Residential – Row (townhouse) building then the residential dwelling unit or units may be located on the second floor or succeeding floors of any building and the street floor frontage of the building shall be used for a permitted commercial use. Not more than one (1) dwelling unit may be located at ground floor level and to the rear of a permitted commercial use and are subject to the following additional regulations.

- (a) That the townhouse building shall comply with the regulations in Section 15B.4 (Regulations for Residential Building – Row) in the By-law except for Maximum Building Height as provided in (c) below.
- (b) That the permitted uses shall not include any uses in the Institutional Zone, a Group Homes, a Restaurant or the Service and Repair of Household Items, or as noted in Sections 19B.3.1, 19B.3.4, 19B.3.12 and 19B.3.13, respectively.
- (c) Maximum Building Height shall be 4 Storeys or 16 metres, whichever is less.
- (d) Maximum gross floor area size of Retail Establishment shall be in accordance with Section 19B.4.12.
- (e) No outdoor storage or display of goods or materials of any kind shall be permitted.
- (f) Any use which is or may become obnoxious, offence or dangerous by reason of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse, matter or water carried waste, is specifically prohibited.
- (g) Off-Street Parking shall be provided in accordance with Sections 6.11 and 6.13 for the permitted commercial and residential use save and except that parking may be located within the front yard and stacked.
- (h) That no Mixed Use Building shall be permitted or change of a commercial use be permitted until a Certificate of Occupancy has been issued by the Township.

**19B.6 Additional Regulations for Live/Work Building**

- 19B.6.1 If a Live/Work Building takes the form of a Residential – Row (townhouse) building where a component of the first floor contains a commercial business that is permitted within the underlying zoning and integrated with the residential dwelling unit, and such building is subject to the following regulations:
- 19B.6.2 That the townhouse building shall comply to regulations in Section 15B.4 (Regulations for Residential Building – Row) in the By-law except for Maximum Building Height as provided in Section 19B.6.3 below.
- 19B.6.3 That the Maximum Building Height shall be 4 Storeys or 16 metres, whichever is less.
- 19B.6.4 That the property owner is the principle residence of the person carrying on the integrated commercial business.
- 19B.6.5 That the integrated commercial business may employ one or more persons residing with the associated residential unit plus no more than two additional employees.
- 19B.6.6 That the permitted uses shall not include any uses included in the Institutional Zone, a Group Home, a Restaurant or the Service and Repair of Household Items as noted in Sections 19B.3.1, 19B.3.4, 19B.3.12 and 19B.3.13, respectively.
- 19B.6.7 Shall comply with the maximum gross floor area size of Retail Establishment in Section 19B.4.12.
- 19B.6.8 Any use which is or may become obnoxious, offence or dangerous by reason of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse, matter or water carried waste, is specifically prohibited.
- 19B.6.9 No outdoor storage or display of goods or materials of any kind shall be permitted.
- 19B.6.10 Off-Street Parking shall be provided in accordance with Section 6.11 and 6.13 for the permitted commercial and residential use save and except that parking may be located within the front yard and stacked.
- 19B.6.11 That there shall be no exterior stairways except open metal fire escapes which shall be located only in a rear or side yard.
- 19B.6.12 That the building conforms to the requirements of all other by-laws of the municipality.
- 19B.6.13 That no Live/Work Building shall be permitted or change of a commercial use be permitted until a Certificate of Occupancy has been issued by the Township.