

SECTION 20A – ZONE C-6: POWER CENTRE COMMERCIAL

(By-law 81-2000 OMB Approval February 28, 2003)

(By-law 91-2013 passed December 16, 2013)

20A.1 Permitted Uses

20A.1.1 Within the C-6 zone, no person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part except for one or more of the following Permitted Uses:

- a Mass General Merchandise Store;
- retail stores for merchandising Department Store Type Merchandise (DSTM);
- Service Commercial uses
- promotional kiosk;
- train station;
- buggy shelter(s);
- parking lot.

20A.1.2 Notwithstanding any other provision in this By-law, a small-scale take-out style restaurant or coffee shop shall be permitted as a minor accessory use to a permitted retail store provided:

- A) The maximum size of the take-out restaurant shall be 20.0 sq.m. (215 sq.ft.) Gross Commercial Floor Space (GCFS).
- B) The take-out restaurant shall be wholly contained within and solely accessed through the permitted retail store.
- C) The GCFS of the take-out restaurant shall be included in the GCFS of the permitted retail store, and shall not be included in the maximum GCFS for restaurants noted in 20A.3.1E).

20A.2 Prohibited Uses

20A.2.1 Within the C-6 zone, the following uses are specifically prohibited, and no land shall be used and no building or structure shall be erected or used for the following uses:

- Supermarket;
- full-line department store;
- drug store;
- home and auto supply store;
- home improvement store;
- liquor store;
- beer store;
- wine store;
- uses which are not permitted in 20A.1.1 and 20A.1.2 shall be prohibited.

20A.2.2 A permitted retail store shall not include a full-line department store, Supermarket or a general merchandise store.

20A.3 Regulations

Within the C-6 zone, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6 entitled "General Regulations" and the following regulations (Note: all references to Part 1 and Part 2 in Section 20A shall mean the lands shown as Part 1 and Part 2 on Schedule 'B14'):

20A.3.1 On Part 1 within the C-6 zone, the following regulations shall apply:

Full Development

- A) The maximum Gross Commercial Floor Space (GCFS) of all buildings, structures and uses within the C-6 zone shall be 28,335 sq.m. (305,000 sq.ft.), subject to the following restrictions:
- 1) A maximum of one (1) Mass General Merchandise Store shall be permitted, subject to the following restrictions:
 - a) The Mass General Merchandise Store shall not be less than 8,826 sq.m. (95,000 sq.ft.) GCFS in size;
 - b) The Mass General Merchandise Store shall not exceed 12,450 sq.m. (134,000 sq.ft.) GCFS in size. **(By-law 63-2006 passed September 26, 2006)**
 - 2) The total combined Gross Commercial Floor Space (GCFS) devoted to DSTM (not within a permitted Mass General Merchandise Store) shall not exceed 10,888 sq.m. (117,200 sq.ft.) GCFS, **(By-law 63-2006 passed September 26, 2006)** in compliance with the following:
 - a) The total combined Gross Commercial Floor Space (GCFS) devoted to Apparel and Accessories shall not exceed 2,741 square metres (29,500 square feet) GCFS; **(By-law 9-2012 passed February 7, 2012)**
 - b) The total combined Gross Commercial Floor Space (GCFS) devoted to Other Retail shall not exceed 8,185 square metres (88,100 square feet) GCFS; **(By-law 63-2006 passed September 26, 2006)**
 - c) The total combined Gross Commercial Floor Space (GCFS) devoted to DSTM (not within a permitted Mass General Merchandise Store), in total, shall not exceed the difference between 10,888 sq.m. (117,200 sq.ft.) and the total combined GCFS devoted to Apparel and Accessories and Other Retail. **(By-law 63-2006 passed September 26, 2006)**
 - 3) The total combined Gross Commercial Floor Space (GCFS) devoted to Service Commercial shall not exceed 5,137 square metres (55,300 square feet) GCFS **(By-law 63-2006 passed September 26, 2006)**.

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- B) The minimum unit size of any Apparel and Accessories unit shall be 1394 sq.m. (15,000 sq.ft.) GCFS, with the following exceptions:
- 1) A maximum of one (1) Apparel and Accessories unit may have a minimum unit size of 929 sq.m. (10,000 sq.ft.) GCFS;
 - 2) A maximum of one (1) Apparel and Accessories unit may have a minimum unit size of 697 sq.m. (7,500 sq.ft.) GCFS; (**By-law 9-2012 passed February 7, 2012**)
 - 3) A maximum of two (2) Apparel and Accessories units may have a minimum unit size of 465 sq.m. (5,000 sq.ft.) GCFS.
- C) The minimum unit size of any Other Retail unit or DSTM (not within a permitted Mass General Merchandise Store and excluding Apparel and Accessories) unit shall be 1394 sq.m. (15,000 sq.ft.) GCFS, with the following exceptions:
- 1) A maximum of one (1) unit, either Other Retail or DSTM (not within a permitted Mass General Merchandise Store and excluding Apparel and Accessories), may have a minimum unit size of 929 sq.m. (10,000 sq.ft.) GCFS;
 - 2) A maximum of three (3) units, either Other Retail or DSTM (not within a permitted Mass General Merchandise Store and excluding Apparel and Accessories), may have a minimum unit size of 697 sq.m. (7,500 sq.ft.) GCFS; (**By-law 9-2012 passed February 7, 2012**);
 - 3) A maximum of two (2) units, either Other Retail or DSTM (not within a permitted Mass General Merchandise Store and excluding Apparel and Accessories), may have a minimum unit size of 232 sq.m. (2,500 sq.ft.) GCFS.
- D) Notwithstanding 20A.3.1 C), one (1) Other Retail unit or DSTM unit (not within a permitted Mass General Merchandise Store and excluding Apparel and Accessories) shall have a minimum unit size of 1858 sq.m. (20,000 sq.ft.) GCFS.
- E) The total combined GCFS devoted to Restaurants in the Service Commercial category shall not exceed 2,787 sq.m. (30,000 sq.ft.) GCFS.
- F) The minimum unit size of any Restaurant shall be 465 sqm (5000 sqft) GCFS, with the following exceptions:
1. A maximum of two (2) Restaurants may have a minimum unit size of 75 sqm (800 sqft) GCFS;
 2. A maximum of two (2) Restaurants may have a minimum unit size of 111 sqm (1200 sqft) GCFS; and,
 3. A maximum of one (1) Restaurants may have a minimum unit size of 167 sqm (1800 sqft) GCFS.

Notwithstanding F) 1 to 3 inclusive above, if two or more Restaurants are constructed within the lands zoned Power Centre Commercial (C-6) as shown on Schedule 'B12' of the Zoning By-law with a minimum GCFS of 465 sqm (5000 sqft), then the following additional exception shall apply:

4. An additional two (2) Restaurants may have a minimum unit size of 139 sqm (1500 sqft) GCFS.

(By-law 9-2012 passed February 7, 2012)

Phase 1 Development

- G) Deleted. By-law 91-2013 passed December 16, 2013

Phase 2 Development

- H) Deleted. By-law 91-2013 passed December 16, 2013

- 20A.3.2 Notwithstanding any other provisions of this By-law, the lands described as Part 2 within the C-6 zone shall only be used as a passive recreation area, in a wooded state.
- 20A.3.3 Notwithstanding any other provisions of this By-law, the off-street parking requirements within the C-6 zone shall be one (1) space for every 18.0 sq.m. of GCFS.
- 20A.3.4 The use of the land and the use of buildings or structures within the C-6 zone is prohibited until municipal water is available and sanitary sewer from the City of Waterloo is available to service the land and buildings. Further, notwithstanding any other provision in this By-law, Part 1 shall only be serviced from the City of Waterloo.
- 20A.3.5 Notwithstanding any other provision in this By-law, if the Mass General Merchandise Store is constructed at less than 9,894 sq.m. (106,500 sq.ft.) GCFS, the difference between 9,894 sq.m. (106,500 sq.ft.) GCFS and the GCFS actually constructed shall not be transferred to any other building on Part 1. If the Department Store Type Merchandise (DSTM) (not within a permitted Mass General Merchandise Store) is constructed at less than 13,006 sq.m. (140,000 sq.ft.) GCFS the difference between 13,006 sq.m. (140,000 sq.ft.) GCFS and the GCFS actually constructed shall not be transferred to any other building on Part 1. If the Service Commercial is constructed at less than 5,574 square metres (60,000 square feet) GCFS the difference between 5,574 square metres (60,000 square feet) GCFS and the GCFS actually constructed shall not be transferred to any other building on Part 1.

20A.3.6 For the purpose of Section 20A, "Service Commercial" uses shall be limited to the following:

- appliance and electronics repair (which may include ancillary retailing of appliances and electronics repaired on-site);
- auction centre;
- automotive and recreational vehicle and marine equipment sales, rental, supply and repair (which includes a gas bar but not a body shop);
- catering service;
- church;
- commercial laundry;
- commercial parking facility;
- commercial recreation;
- commercial school and training establishment;
- data service operation;
- film processing and digital printing depot;
- financial institution;
- garden centre;
- hair dressing and/or a personal grooming establishment
- home brewing outlet;
- hotel/motel;
- indoor storage and warehousing (no retail);
- industrial farm equipment sales, rental, supply and repair;
- medical clinic and health care services, which may include an accessory pharmacy;
- office (non-accessory);
- office equipment service and repair (which may include ancillary retailing of office equipment repaired on-site);
- performing arts theatre (but not including a cinema);
- photographic studio;
- printing, publishing and/or copying establishment;
- repair, rental and service (Rent All);
- restaurant;
- small engines service and repair (which may include ancillary retailing of small engines repaired on-site);
- taxi stand;
- travel agency;
- veterinary services (but does not include an animal hospital or kennel);
- video store (meaning a movie and game rental store including accessory retailing of movies, games and confectionary products);

The maximum Gross Commercial Floor Space (GCFS) devoted to the accessory pharmacy within a medical clinic or health service building shall be 50 square metres.

Accessory retailing of complimentary and associated retail goods shall be permitted in conjunction with a primary service commercial use set out in Section 20A.3.6 (excluding "indoor storage and warehousing") provided that the accessory retailing does not exceed fifteen per cent (15%) of the Gross Commercial Floor Space (GCFS) measured by the area of the display areas, plus a 1 metre aisle depth space around the display area. **(By-law 9-2012 passed February 7, 2012)**

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- 20A.3.7 For the purposes of Section 7.23.10, “Mass General Merchandise Store” means a store engaged in merchandising of a wide range of commodities which may include but is not limited to Department Store Type Merchandise (DSTM), garden supplies, pharmacy, restaurant and a public garage including an automotive service/repair station, photograph studio, film processing, travel office, bank and eye vision centre. A Mass General Merchandise Store shall not include a full-line department store. The maximum GCFS used for the display, preparation and cold storage of food in areas open to the public within the “Mass General Merchandise Store” shall be 2,232 sq. m. (25,000 sq. ft.). **(By-law 91-2013 passed December 16, 2013)**
- 20A.3.8 For the purposes of Section 20A, “Supermarket” means an individual store which is primarily devoted to the sale of food.
- 20A.3.9 For the purposes of Section 20A, “Department Store Type Merchandise (DSTM)” is limited to one or more of the following uses: Household Furnishings; furniture; appliances and electronics; cosmetics; Apparel and Accessories; and Other Retail.
- 20A.3.10 For the purposes of Section 20A, “Other Retail” shall mean a store engaged in the merchandising of one or more of the following commodities: stationery; office supplies; computers; books; cards; luggage; jewellery; sporting goods; cameras; hardware; paint; toys; pet supplies; and other durables/semi-durables that are not otherwise included in the definition of DSTM in 20A.3.9 but does not include Household Furnishings, furniture, appliances and electronics, cosmetics, or Apparel and Accessories.
- 20A.3.11 For the purposes of Section 20A, “Gross Commercial Floor Space” or “GCFS” means the gross floor area of any building measured from the exterior face of the outside walls and excluding ancillary outdoor display areas and ancillary seasonal exterior garden centre(s). An ancillary outdoor display area and/or ancillary seasonal exterior garden centre shall not be contained within walls or roofed except for a weather protective canopy for the ancillary seasonal exterior garden centre and shall not displace any required parking, loading or driveways.
- 20A.3.12 For the purposes of Section 20A, “Apparel and Accessories” shall mean a store engaged in the merchandising of one or more of the following commodities: men’s wear; ladies wear; children’s wear; family wear; unisex wear; men’s shoes; ladies shoes; children’s shoes; family shoes; lingerie; hosiery; maternity; millinery; furrier; fabric; wool; bridal; apparel accessories (for example, neckties).
- 20A.3.13 For the purposes of Section 20A, “Household Furnishings” shall mean a store engaged in the merchandising of one or more of the following commodities: china; glassware; kitchenware; floor coverings; linens and bath wares; antiques; lamps and lighting fixtures; sewing machines; vacuums; fireplace and accessories; draperies and blinds.
- 20A.3.14 Buildings may contain one or more uses permitted within the Power Centre Commercial (C-6) zone but said permitted uses shall not be connected by enclosed malls or walkways.

20A.4 **Additional Regulations**

20A.4.1	Minimum Lot Area:	1400 square metres
20A.4.2	Minimum Lot Width:	23 metres
20A.4.3	Minimum Yards – Required:	6 metres from any property line abutting a municipal road, a rail line or lands zoned other than C-6 14 metres from any property line abutting a Provincial Highway 0 metres from any other property line
20A.4.4	Maximum Building Height:	10.5 metres
20A.4.5	Maximum Lot Coverage:	50%
20A.4.6	Parking and Loading:	In accordance with the applicable regulation in sub-sections 6.11, 6.12 and 6.13, except where noted elsewhere in this By-law
20A.4.7	Parking Setback From a Lot Line Abutting a Street:	2.5 metres
20A.4.8	Minimum Handicap Parking Spaces:	in accordance with Section 6.13.5. (By-law 83-2006 passed November 28, 2006 (General Amendment))
20A.4.9	Minimum Size of Handicap Space:	in accordance with Section 6.13.5. (By-law 83-2006 passed November 28, 2006 (General Amendment))
20A.4.10	Minimum Parking Aisle Space/ Driveway:	6.0 metres
20A.4.11	Minimum Storage Tank Setback:	3.0 metres from any lot line