

# Municipality of West Perth – Zoning By-law

## SECTION 14 CORE AREA COMMERCIAL ZONE (C1)

No person shall within any C1 Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

### 14.1 Permitted Uses, Buildings, and Structures

- (a) commercial uses;
  - (i) an animal clinic;
  - (i.1) an antique store\*;
  - (i.2) an artisan's establishment\*;
  - (ii) an assembly hall;
  - (iii) an auction establishment;
  - (iv) an automobile parts supply store;
  - (v) an automobile renting establishment;
  - (vi) a bakery;
  - (vii) a bank or financial institution;
  - (vii.1) a barber shop or hair dresser\*;
  - (viii) a beer or liquor store;
  - (viii.1) a beer parlour or cocktail bar\*;
  - (viii.2) a boutique\*;
  - (ix) a business or professional office use;
  - (x) a banquet hall;
  - (x.1) a caterer's establishment\*;
  - (xi) a club, private;
  - (xi.1) a convenience business service establishment\*;
  - (xii) a convenience or variety store;
  - (xiii) a day nursery;
  - (xiv) a department store;
  - (xv) a dress maker or tailor shop;
  - (xvi) a dry cleaning depot or establishment;
  - (xvii) an eating establishment, restaurant;
  - (xviii) an eating establishment, take out;
  - (xix) a florist;
  - (xx) a funeral home;
  - (xxi)

- (xx.1) a government administrative Office\*;
- (xx.2) a home decorating store\*;
- (xx.3) a home improvement store\*;
- (xxii) a hotel;
- (xxiii) a laundromat;
- (xxii.1) a liquor, beer, or wine store\*;
- (xxiv) a manse;
- (xxv) a medical clinic;
- (xxvi) a movie video rental and sales establishment;
- (xxvii) a museum;
- (xxviii) a nursery school;
- (xxvii.1) an office\*;
- (xxvii.2) an office, business\*;
- (xxvii.3) an office, medical/dental\*;
- (xxvii.4) an office service\*;
- (xxvii.5) an office support\*;
- (xxix) a parking lot, commercial;
- (xxx) a personal service shop;
- (xxxi) a pet shop;
- (xxxii) a pharmacy;
- (xxxi.1) a place of entertainment\*;
- (xxxiii) a post office;
- (xxxiv) a printing and/or publishing establishment;
- (xxxv) a recreational use, commercial;
- (xxxvi) a repair shop or a repair shop, small engine;
- (xxxvii) a retail store; (excluding the retailing of heavy machinery, fuels, building supplies or any motor vehicles);
- (xxxviii) a school, commercial;

#### **Amended by By-law No. Z34-2002**

- (xxxix) a school, private;
- (xxxviii.1) a service commercial centre\*;
- (xl) a shopping centre;
- (xxxix.1) a supermarket\*;
- (xli) a tavern;
- (xlii) a taxi stand and office;

#### **Amended by By-law No. Z98-2007**

- (xlili) a theatre.

#### **\* Amended by By-law No. Z149-2012**

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| <p>(b) the following existing commercial uses:</p> <ul style="list-style-type: none"> <li>(i) an automotive gas bar;</li> <li>(ii) an automobile repair establishment;</li> <li>(iii) an automobile sales and service establishment;</li> <li>(iv) an automobile service station;</li> <li>(v) an automobile washing establishment.</li> </ul> <p>(c) non-commercial/business uses:</p> <p style="margin-left: 20px;"><b>Amended by By-law No. Z98-2007</b></p> <ul style="list-style-type: none"> <li>(i) a public park, in accordance with Section 22;</li> <li>(ii) one or more dwelling units in the upper portion of a commercial building.</li> </ul> <p>(d) accessory uses, buildings, and structures, in accordance with Sections 3 and 5.</p> | <p>14.2.7 Building Height, 10.5 metres<br/>Maximum (34.45 feet)</p> <p style="margin-left: 20px;"><b>Amended by By-law No. Z149-2012</b></p> <p>14.2.7.1 Lot Coverage, 100 per cent<br/>Maximum</p> <p>14.2.8 Landscaping Requirements,<br/>Minimum<br/>A landscaping area in the form of a planting strip shall be provided in accordance with the provisions of Section 5.23 of this By-law adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot.</p> <p>14.2.9 Accessory Residential Uses<br/>Accessory residential uses shall be permitted only in a part of a commercial use building (i.e. no detached dwelling unit) and only above the commercial use. Where an accessory residential use is provided, the minimum dwelling unit floor area shall be in accordance with Section 12.7.9</p> <p>14.2.10 Loading Space Requirements<br/>As contained in Section 5.9 of this By-law.</p> <p>14.2.11 Parking Requirements<br/>As contained in Section 5.19 of this By-law.</p> |
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- 14.2 Requirements for Commercial Uses Listed in Section 14.1 (a)**
- |                                    |   |  |
|------------------------------------|---|--|
| 14.2.1 Lot Area,<br>Minimum        | 150 sq. metres<br>(1,614.64 sq. feet)   |  |
| 14.2.2 Lot Frontage,<br>Minimum    | 6 metres<br>(19.69 feet)  |  |
| 14.2.3 Front Yard,<br>Minimum      | 0 metres<br>(0 feet)  |  |
| 14.2.4 Interior Side Yard, Minimum | no side yard is required where a commercial use abuts another commercial use in the C1 zone; 4.5 metres (14.76 feet) where a commercial use abuts a use other than a commercial use in the C1 zone. |  |
| 14.2.5 Exterior Side Yard, Minimum | 0 metres<br>(0 feet)  |  |
| 14.2.6 Rear Yard,<br>Minimum       | 7.5 metres<br>(24.61 feet)  |  |

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### 14.3 Requirements for Commercial Uses Listed in Section 14.1 (b)

- 14.3.1 Lot Area, Minimum 1000 sq. metres (10,764.26 sq. feet)
- 14.3.2 Lot Frontage, Minimum 24 metres (78.74 feet)
- 14.3.3 Front Yard, Minimum 6 metres (19.69 feet)
- 14.3.4 Interior Side Yard, Minimum 6 metres (19.69 feet)
- 14.3.5 Exterior Side Yard, Minimum 6 metres (19.69 feet)
- 14.3.6 Rear Yard, Minimum 7.5 metres (24.61 feet)
- 14.3.7 Building Height, Maximum 10.5 metres (34.45 feet)
- 14.3.8 Landscaped Open Space, Minimum 30 per cent
- 14.3.9 Landscaping Requirements, Minimum  
A landscaping area in the form of a planting strip shall be provided in accordance with the provisions of Section 5.23 of this By-law adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot.
- 14.3.10 Accessory Residential Uses  
Accessory residential uses shall not be permitted.
- 14.3.11 Loading Space Requirements  
As contained in Section 5.9 of this By-law.
- 14.3.12 Parking Requirements  
As contained in Section 5.19 of this By-law.

### 14.3.13 Fuel Pump and Storage Tank Location

Fuel pumps shall not be located closer than 4.5 metres (14.76 feet) to any street line or within a radius of 15 metres (49.21 feet) of the corner of intersecting streets on a corner lot.

Fuel storage tanks shall not be located closer than 4.5 metres (14.76 feet) to a lot line

### 14.3.14 Driveway Requirements

No ingress or egress driveway shall exceed 9 metres (29.53 feet) in width measured at the street line. No ingress or egress driveway shall be located closer than 3 metres (9.84 feet) to any side or rear lot line or closer than 15 metres (49.21 feet) to the corner of intersecting streets on a corner lot. All ingress and egress driveways shall be surfaced with a hardtop with adequate provision for drainage.

### 14.3.15 Outdoor Storage

The outdoor storage of goods or materials shall not be permitted.

### 14.3.16 Outdoor Display Area

As contained in Section 5.17 of this By-law.

## 14.4 Special Provisions

### 14.4.1 C1-1

- (a) Location: Part of Lot 56 and 57, Registered Plan No. 339 (Mitchell Ward) (Key Map 35)

- (b) Notwithstanding any provisions of Section 14.1 of this By-law to the contrary, the only permitted uses on the land within the "C1-1" zone as shown on Key Map 35 of Schedule

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“A” to this By-law shall be a business or professional office, a residential dwelling unit in a portion of a commercial building, and accessory uses thereto.

- (c) All other applicable provisions of this By-law shall apply.

### **Amended by By-law No. Z1-2000**

#### 14.4.2 C1-2

- (a) Location: Lots 5, 6, 23, and part of Lot 22, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Section 14.2.6 of By-law No. 100-1998 to the contrary, the minimum rear yard (along Marlborough Street) for a 11m x 18m addition to the rear of the existing building (existing on the day of adoption of By-law No. Z1-2000) situated in the “C1-2” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z1-2000) shall be 0.0 metres.
- (c) All other provisions of this By-law shall apply.

### **Amended by By-law No. Z5-2000**

#### 14.4.3 C1-3

- (a) Location: Part of Lot 22, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Section 14.1 of By-law No. 100-1998 to the contrary, an additional use described as an automobile and light truck sales and display area accessory to an existing automobile sales and service establishment shall be permitted on the land in the “C1-3” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z5-2000).
- (c) All other provisions of this By-law shall apply.

### **Amended by By-law No. Z18-2001**

#### 14.4.4 C1-4

- (a) Location: Part of Lots 10 and 27, Registered Plan No. 339 (Mitchell Ward) (Key Map 36)
- (b) Notwithstanding the provisions of Section 14.2.6 of By-law No. 100-1998 to the contrary, the minimum rear yard (along Ontario Street) for an existing building (existing on the day of adoption of By-law No. Z18-2001) situated in the “C1-4” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z18-2001) shall be 0.0 metres.
- (c) Notwithstanding any provision of this By-law to the contrary, no additional parking spaces shall be required for a 280 square metre addition to an existing building (existing on the day of adoption of By-law No. Z18-2001) situated in the “C1-4” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z18-2001).
- (d) All other provisions of this By-law shall apply.

### **Amended by By-law No. Z18-2001**

#### 14.4.5 C1-5

- (a) Location: Part of Lot 27, Registered Plan No. 339 (Mitchell Ward)(Key Map 36)
- (b) Notwithstanding the provisions of Section 14.2.6 of By-law No. 100-1998 to the contrary, the minimum rear yard for an existing building (existing on the day of adoption of By-law No. Z18-2001) situated in the “C1-5” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z18-2001) shall be 1.2 metres.
- (c) Notwithstanding any provision of this By-law to the contrary, no on-site

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parking spaces shall be required for an existing building (existing on the day of adoption of By-law No. Z18-2001) situated in the “C1-5” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z18-2001).

- (d) All other provisions of this By-law shall apply.

**Amended by By-law No. Z34-2002**

**Amended by By-law No. Z38-2002**

**Amended by By-law No. Z72-2005**

**Deleted by By-law No. Z149-2012**

14.4.6 C1-6

**Amended by By-law No. Z43-2003**

**Amended by By-law No. Z79-2005**

14.4.7 C1-7

- (a) Location: Part of Lot 30, Registered Plan No. 339. (Mitchell Ward)(Key Map 36)

- (b) Notwithstanding the provisions of Section 14.1(a) of By-law No. 100-1998 to the contrary, an additional use described as a seasonal outdoor garden centre shall be permitted on the land in the “C1-7” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z79-2005).

- (c) Notwithstanding any provision of this By-law to the contrary, a seasonal outdoor garden centre as permitted in clause (b) above shall be defined to mean: an establishment in which seeds, bulbs, roses, flowers, shrubs, seasonal trees, fertilizers, soils, conditioners, mulches, planters, bird baths, unmotorized lawn accessories, unmotorized garden tools and accessories, lawn furnishings, and insect controls are offered for sale to the general public and shall also include accessory uses.

- (d) All other provisions of this By-law shall apply.

**Amended by By-law No. Z47-2003**

14.4.8 C1-8

- (a) Location: Lot 40 and Pt. of Lot 57, Registered Plan No. 339(Mitchell Ward) (Key Map 35)

- (b) Notwithstanding the provisions of Section 14.1 of By-law No. 100-1998 to the contrary, an additional use described as a three bay coin operated automobile washing establishment shall be permitted on the land in the “C1-8” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z47-2003).

- (c) Notwithstanding any provision of By-law No. 100-1998 to the contrary, the provisions of Section 14.3 of By-law No. 100-1998 shall apply to any permitted use on the land in the “C1-8” zone as shown on Schedule “A” to this By-law, with the exception of the following provisions:

- (i) Rear Yard, 4.0 metres;  
Minimum
- (ii) Minimum Number of  
Parking Spaces 14

- (d) All other provisions of this By-law shall apply.

**Amended by By-law No. Z62-2004**

**Deleted by By-law No. Z98-2007**

14.4.9 C1-9

**Amended by By-law No. Z84-2006**

14.4.10 C1-10

- (a) Location: Part of Lot 31, Registered Plan No. 339 (Mitchell Ward)(Key Map 36)

- (b) Notwithstanding the provisions of Section 14.1(a) and 14.2.9 of By-law No. 100-1998 to the contrary, an additional use described as a single-detached dwelling and accessory uses, buildings and

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structures shall be permitted on the land in the “C1-10” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z84-2006).

(c) Notwithstanding any provision of By-law No. 100-1998 to the contrary, the zone provisions of Sections 10.2.3, 10.2.4, 10.2.6, 10.2.7, 10.2.8, 10.2.9, 10.2.10, and 10.2.11 shall apply to the single-detached dwelling use as permitted in Clause (b) above.

(d) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

### **Amended by By-law No. Z133-2011**

#### 14.4.11 C1-11

(a) Location: Part of Lot 44 and Part of Lot 61, Registered Plan No. 339 (Mitchell Ward) (Key Map 36)

(b) Notwithstanding the provisions of Section 5.9 and Section 14.2.11 or any other provisions of By-law No. 100-1998 to the contrary, the minimum number of parking spaces permitted for a two storey commercial building with four (4) residential apartment dwelling units on the land located in the “C1-11” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z133-2011 shall be seven (7) spaces.

(c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.