

# Municipality of West Perth – Zoning By-law

## SECTION 17 SECONDARY COMMERCIAL ZONE (C4)

No person shall within any C4 Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

### 17.1 Permitted Uses, Buildings, and Structures

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

- (a) a business or professional office use;
  - \* (a.1) an antique store;
  - \* (a.2) a barber shop or hair dresser;
  - \* (a.3) a boutique;
  - \* (a.4) a caterer's establishment;
  - \* (a.5) a convenience business service establishment;
  - \* (a.6) a convenience or variety store;
- (b) a day nursery and/or nursery school;
  - \* (b.1) a dressmaker or tailor;
- (c) an eating establishment, restaurant;
- (d) existing residential uses and additions thereto (including bed and breakfast est.);
- (e) a financial institution;
  - \* (e.1) a florist shop;
  - \* (e.2) a government administrative office;
  - \* (e.3) a home decorating store;
  - \* (e.4) an office;
  - \* (e.5) an office, business;
  - \* (e.6) an office service;
  - \* (e.7) an office support;
- (f) a personal service establishment;
- (g) a retail store;
- (h) a variety store;
- (i) accessory uses, including an accessory office use and/or an accessory residential use (i.e. in the rear or on the upper floor(s)

of a commercial building).

### 17.2 Requirements for Commercial Uses

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

- 17.2.1 Lot Area, Minimum 1,000 sq. metres (10764.26 sq. feet)
- 17.2.2 Lot Frontage, Minimum 30 metres (98.42 feet)
- 17.2.3 Front Yard, Minimum 6 metres (19.69 feet)
- 17.2.4 Interior Side Yard, Minimum no side yard is required where a commercial use abuts another commercial use in a commercial zone; 4.5 metres (14.76 feet) where a commercial use abuts a use other than a commercial use in a commercial zone.
- 17.2.5 Exterior Side Yard, Minimum 6 metres (19.69 feet)
- 17.2.6 Rear Yard, Minimum 7.5 metres (24.61 feet)
- 17.2.7 Lot Coverage, Maximum 35 per cent
- 17.2.8 Building Height, Maximum 10.5 metres (34.45 feet)
- 17.2.9 Landscaped Open Space, Minimum 30 per cent
- 17.2.10 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

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to every portion of any lot line that abuts a Residential Zone or an existing residential lot.

## 17.2.11 Accessory Residential Uses

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, a minimum additional lot area of 930 square metres (10,010.76 square feet) is required.

## 17.2.12 Loading Space Requirements

As contained in Section 5.9 of this By-law.

## 17.2.13 Parking Requirements

As contained in Section 5.19 of this By-law.

## 17.2.14 Maximum Gross Floor Area

The maximum gross floor area for a retail store shall be 112 square metres (1,205 square feet)

## 17.3 Special Provisions

### 17.3.1 C4-1

- (a) Location: Part of Lot 34,  
Registered Plan No. 339  
(Mitchell Ward) (Key  
Map 36)
- (b) Notwithstanding any provisions of Section 17.1 of this By-law to the contrary, commercial uses described as an eating establishment shall not be permitted on the land within the “C4-1” zone as shown on Key Map 36 of Schedule “A” to this By-law.
- (c) All other applicable provisions of this By-law shall apply.

### 17.3.2 C4-2

- (a) Location: Lot 336,  
Registered Plan No. 339  
(Mitchell Ward) (Key  
Map 36)
- (b) Notwithstanding the provisions of Section 17.1 of this By-law to the contrary, a bed and breakfast establishment and a tea room (being area of not more the 100 square metres where light meals and non-alcoholic beverages are sold to the public for immediate consumption on the premises but does not include an eating establishment, a drive-in or take out restaurant or a snack bar) shall be permitted in addition to those uses permitted under Section 17.1 on the land within the “C4-2” zone as shown on Key Map 36 of Schedule “A” to this By-law.
- (c) All other applicable provisions of this By-law shall apply.

## Amended by By-law No. Z41-2003

### 17.3.3 C4-3

- (a) Location: Lot 358, Registered  
Plan No. 339 (Mitchell  
Ward) (Key Map 36)
- (b) Notwithstanding the provisions of Section 17.1 of By-law No. 100-1998 to the contrary, only the following uses shall be permitted on the land in the “C4-3” 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. Z41-2003):
  - (i) a business or professional office;
  - (ii) a financial institution;
  - (iii) a personal service establishment;
  - (iv) a retail store;
  - (v) accessory uses, including an accessory residential

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- use in the rear or upper floor of a commercial building.
- (c) Notwithstanding the provisions of Section 17.2.1 of By-law No. 100-1998 to the contrary, the minimum lot area for the land in the “C4-3” 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. Z41-2003) shall be 1,000 square metres.
  - (d) Notwithstanding the provisions of Section 17.2.3 of By-law No. 100-1998 to the contrary, the minimum front yard for any permitted building or structure on the land in the “C4-3” 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. Z41-2003) shall be 4.5 metres.
  - (e) Notwithstanding the provisions of Section 17.2.9 of By-law No. 100-1998 to the contrary, the minimum Landscaped Open Space for the land in the “C4-3” 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. Z41-2003) shall be 24.5 per cent.
  - (f) All other provisions of By-law No. 100-1998 shall apply. 17.3.3

### **Amended by By-law No. Z46-2003**

#### 17.3.4 C4-4

- (a) Location: Lot 51, Registered Plan No. 339 (Mitchell Ward) (Key Map 34)
- (b) Notwithstanding the provisions of Section 17.2.1 of By-law No. 100-1998 to the contrary, the minimum lot area for the land in the “C4-4”

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. Z46-2003) shall be 1,000 square metres.

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

### **Amended by By-law No. Z121-2009**

#### 17.3.5 C4-5

- (a) Location: Lots 340 and 341 and part of Park Lot 319, Registered Plan No. 339 (Mitchell Ward) (Key Map 36)
- (b) Notwithstanding the provisions of Section 17.1 of By-law No. 100-1998 to the contrary, the land in the “C4-5” zone, as shown on Key Map 36 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z121-2009), the following uses shall be permitted:
  - (i) an automotive gas bar;
  - (ii) an automobile washing establishment as defined in Section 3.12 (a) of By-law No. 100-1998;
  - (iii) a convenience store;
  - (iv) a retail store; and
  - (v) accessory uses, including an accessory apartment use located above the convenience store.
- (c) Notwithstanding the provisions of Section 17.2 and 17.3 of By-law No. 100-1998 to the contrary, the following requirements shall apply to uses permitted by clause (b) above on the land in the “C4-5” zone as shown on Key Map 36 of Schedule “A” this By-law (also shown on Schedule “A” to By-law No. Z121-2009).
  - (i) Lot Area, Minimum 1,400.0 square metres.

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- (ii) Lot Frontage, Minimum  
30.0 metres.
- (iii) Front Yard, Minimum  
(Wellington Street)  
5.0 metres.
- (iv) Exterior Side Yard, Minimum  
6 metres.
- (v) Rear Yard, Minimum  
4.5 metres.
- (vi) Lot Coverage, Maximum  
40 per cent (including canopy  
over automotive gas bar).
- (vii) Building Height, Maximum  
10.5 metres.
- (viii) Landscaped Open Space  
Minimum  
25 per cent.
- (ix) Planting/Landscaping  
Requirements  
As contained in Section 5.23.
- (x) Loading Space Requirements  
As contained in Section 5.9  
of this By-law.
- (xi) Parking Space Requirements  
As contained in Section 5.19  
of this By-law.
- (xii) Gross Floor Area, Maximum  
600 square metres.
- (xiii) Daylight Triangle  
As contained in Section 5.16  
of this By-law.
- (xiv) Location of Fuel Pumps  
As contained in Section  
14.3.13 of this By-law.
- (xv) Location of Fuel  
Storage Tanks  
Shall remain as they lawfully  
existed prior to the adoption  
of By-law No. Z121-2009.
- (xvi) Canopy Location  
The canopy may be located  
at a distance of not less than  
1.5 metres from any lot line  
and must also be located at a  
distance of not less than 3  
metres from the required  
daylight triangle.
- (xvii) Driveways
  - (A) The width of a two-way  
entrance or exit ramp  
shall not be less than 7.0  
metres nor more than  
10.5 metres along the  
street line. The width of a  
one-way exit ramp shall  
be not less than 3.0  
metres nor more than 5.0  
metres along the  
streetline.
  - (B) No entrance or exit ramp  
shall be located within 1.5  
metres of the side or rear  
lot line than the abuts an  
adjoining lot.
  - (C) No entrance or exit ramp  
shall be located within 9  
metres of any other ramp  
measured along the street  
line.
  - (D) No entrance or exit ramp  
shall be located within 9.0  
metres of the intersection  
of street lines.
- (xviii) Location of Sign  
As contained in the Ward of  
Mitchell Sign By-law No. 69-  
2004.
- (d) All other applicable provisions of  
By-law No. 100-1998, as  
amended, shall apply.