

SECTION 10 - HAMLET COMMERCIAL ZONE (CH) REGULATIONS

10.1 GENERAL USE REGULATIONS

10.1.1 Permitted Uses

No land, building, or structures shall be used or erected in the Hamlet Commercial Zone (CH) except for the following purposes:

- i) automobile repair garage;
- ii) automobile sales and service establishments in accordance with subsection 10.2.3;
- iii) automobile service station;
- iv) banks, credit unions, trust companies and other financial institutions;
- v) boat and recreation vehicle sales, service and storage in accordance with subsection 10.2.3;
- vi) church;
- vii) commercial recreation and entertainment establishments in accordance with subsection 10.2.3;
- viii) community centre or public hall;
- ix) craft industries and small, specialty workshops;
- x) furniture store in accordance with subsection 10.2.3;
- xi) gas bar;
- xii) hotel or motor hotel, in accordance with subsection 10.2.3;
- xiii) library;
- xiv) motel in accordance with subsection 10.2.3;
- xv) nurseries and garden centres in accordance with subsection 10.2.3;
- xvi) offices, general or professional;
- xvii) personal service shop;
- xviii) restaurant in accordance with subsection 10.2.3;

- xix) school;
- xx) service shop;
- xxi) tavern in accordance with subsection 10.2.3;
- xxii) wholesale business, excluding a lumber yard or steel yard;
- xxiii) retail store;
- xxiv) accessory buildings or uses, including a dwelling unit.

10.1.2 Permitted Buildings and Other Structures

No building or structures shall be used or erected in the Hamlet Commercial Zone (CH) except for the following purposes:

- a) buildings and structures for the permitted uses, and where available serviced by a public water supply;
- b) accessory buildings and structures for the permitted uses, including only one (1) dwelling or dwelling unit associated with a commercial use.

10.1.3 Minimum Lot Area 1400 sq. metres (15,070'sq.)

10.1.4 Minimum Lot Frontage

- a) on a County Road 61 metres (200.13')
- b) on all other roads 23 metres (75.46')

10.1.5 Maximum Lot Coverage 40 percent

10.1.6 Minimum Landscaped Open Space 20 percent

10.1.7 Maximum Building Height 10.5 metres (34.45')

10.1.8 Minimum Retail Floor Area

- a) Commercial Use - retail floor area 55.5 sq. metres (597'sq.)
- b) Dwelling 92.5 sq. metres (996'sq.)
- c) Dwelling Unit 70.0 square metres (753.5'sq.)

10.1.9 Minimum Front Yard Depth 10.5 metres (34.5')

10.1.10 Minimum Side Yard Width

- | | |
|---|------------------------------|
| a) Where the yard abuts a residential or an agricultural zone | 6.0 metres (<u>19.68'</u>) |
| b) Where the yard abuts a street on a corner lot | 4.5 metres (<u>14.76'</u>) |
| c) All other cases | 1.0 metres (<u>3.28'</u>) |

10.1.11 Minimum Rear Yard Depth 7.5 metres (24.60')

10.1.12 Buffer Strip

A buffer strip with a minimum width of three (3.0) metres (9.84') shall be provided abutting the side and rear lot lines, where the Hamlet Commercial Zone abuts a residential, institutional or parks and open space zone, in compliance with subsection 5.25.

10.1.13 Loading Space Regulations

In addition to the requirements specified in subsections 5.31 and 5.32 of this By-law, the following provisions shall apply:

- a) No loading space shall be located in nor open onto a front yard or any yard directly abutting a residential, institutional or parks and open space zone. If all yards abut such zones, then the loading space shall be allowed to open onto a side or rear yard.

10.1.14 Outside Storage

- a) No outside storage shall be permitted in a front yard, however, display of goods may be permitted behind the required minimum front yard setback.
- b) Outside storage shall be permitted in any side or rear yard provided it is to the rear of the front wall of any building, or where there is no building behind the minimum front yard setback.
- c) No outside storage shall be permitted in any required minimum yard setback directly abutting a residential, institutional or parks and open space zone.
- d) Any areas used for permitted outside storage shall be in addition to and separate from such areas as may be required by this By-law for the provision of off-street parking and loading spaces.
- e) The maximum height for permitted outside storage (except for machinery, equipment and trucks that are stored as single units at grade) shall not exceed 5 metres (16.40').

10.1.15 Outside Lighting Facilities

Illuminated signs and exterior lighting installed on a lot to illuminate parking areas, driveways, loading areas, buildings or outside storage areas shall be so arranged as to direct light away from abutting lots and adjacent residential uses.

10.2 SPECIFIC USE REGULATIONS

In addition to the general regulations outlined in subsection 10.1, the following additional regulations shall apply to certain specific uses permitted in subsection 10.1.1.

10.2.1 Automobile Repair Garages, Automobile Service Stations, and Gas Bars and Automobile Sales and Service Establishments

Notwithstanding any previous provisions of this By-law, where a lot is used for an automobile repair garage, automobile service station or gas bar, the following special regulations shall apply:

- | | <u>Interior Lot</u> | <u>Corner Lot</u> |
|-------------------------|--------------------------|--------------------------|
| a) Minimum lot frontage | 48.5 metres
(159.12') | 48.5 metres
(159.12') |
| Minimum lot depth | 30.5 metres
(100.06)' | 48.5 metres
(159.12') |
- b) No portion of any pump island shall be located closer than six (6.0) metres (19.68') from the street line of any street.
- c) The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall be not less than fifteen (15.0) metres (49.21').
- d) The minimum distance from any portion of any ingress or egress ramp to any side lot line which abuts any other lot shall not be less than three (3.0) metres (9.84').
- e) The width of any ingress or egress ramp along any street line shall be not more than nine (9.0) metres (29.52') or less than seven and one-half (7.5) metres (24.60').
- f) The minimum distance between ramps shall be not less than twelve (12.0) metres (39.37').
- g) The minimum interior angle of any ramp to the street line shall be greater than sixty (60) degrees and less than ninety (90) degrees.

- h) All parts of the ingress and egress ramps shall be maintained with a cement or asphalt binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.
- i) Land which is not used for buildings, ramps or paving shall be landscaped.
- j) Any permitted open storage area, or vehicular access thereto, involving the storage, parking or display of motor vehicles for the purpose of sale, lease, rental, washing, service or repair, or any primary means of vehicular access to any permitted open storage area shall be constructed and maintained with a stable surface which shall have a cement or asphaltic binder and shall include provisions for adequate drainage facilities.

10.2.2 Accessory Residential Dwelling Unit

- a) Access

Pedestrian access to an accessory dwelling unit shall be provided from an adjacent street or lane and shall be for the sole use of the occupants of the said dwelling unit and shall be separate from the access to the commercial portion of the building.

- b) Minimum Landscaped Open Space

Fifty percent of the floor area used for residential purposes.

- c) Parking for Dwelling Unit

In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one and one-half parking spaces per dwelling unit shall be provided on the same lot.

- d) Exception

No commercial building wherein gasoline or any other highly flammable, toxic, or explosive products are handled in quantity shall have a contiguous dwelling unit. Where such dwelling unit exists and the use of the commercial establishment changes to a use involving the aforementioned products, the said dwelling unit shall immediately cease to be occupied as a dwelling unit and shall not be used as a dwelling unit as long as the aforesaid mentioned products are handled in quantity in the commercial area of the building.

10.2.3 Highway Commercial Uses

- a) Any lot used for the following purposes shall be restricted to a location fronting on the Provincial Highway Number 3 and County Road No. 42:
 - i) automobile uses, including a gas bar;

- ii) boat and recreation vehicle sales, service and storage;
- iii) commercial recreation and entertainment establishment;
- iv) furniture store;
- v) a garden supply centre;
- vi) hotel or motor hotel;
- vii) motel;
- viii) restaurants, including drive-in and fast food restaurants;
- ix) taverns.

b) The following additional regulations shall apply to the uses defined in subsection 10.2.3 a) ii) through ix):

i) Maximum Lot Coverage	50 percent
ii) Minimum Front Yard Depth	10.5 metres (<u>34.45'</u>)
iii) Minimum Side Yard Width	
Where the yard abuts a residential, institutional or parks and open space zone or use	7.5 metres (<u>24.60'</u>)
Where the yard abuts a street;	6.0 metres (<u>19.68'</u>)
All other cases	4.5 metres (<u>14.76'</u>)

10.3 EXCEPTIONS

The specific regulations contained in this subsection 10.3 shall apply to the area or areas defined below:

10.3.1 Defined Area CH-1 as shown on Schedule "A", Map 10 to this By-law.

a) Permitted Uses and Other Requirements

The property shall be developed in accordance with the requirements of, and attached site plan marked Schedule "B" attached to, By-law No. 78-28, as amended by By-law 80-3.

10.3.2 Defined Area CH-2 as shown on Schedule "A", Map 10 to this By-law.

a) Other Permitted Uses

An electrical contracting business in addition to all other uses permitted in the Hamlet Commercial Zone (CH).

b) Other Permitted Buildings and Structures

- i) Buildings and structures for the uses permitted in subsection 10.3.2 a);
- ii) accessory buildings and structures for the uses permitted in subsection 10.3.2 a).

10.3.3 Defined Area CH-3 as shown on Schedule "A", Map 10 to this By-law.

a) Other Permitted Uses

- i) A landscaping contracting business in addition to all other uses permitted in the Hamlet Commercial Zone (CH);
- ii) existing single family dwellings including accessory uses, buildings and structures thereto.

b) Other Permitted Buildings and Structures

- i) Buildings and structures for the uses permitted in subsection 10.3.3 a) i);
- ii) accessory buildings and structures for the uses permitted in subsection 10.3.3 a) i).

c) Residential Requirements

The provisions of subsection 7.1.3 to 7.1.11 shall apply to the uses defined in subsection 10.3.3 a) ii).

10.3.4 Defined Area CH-4 as shown on Schedule "A", Map 6 to this By-law.

(a) Permitted Use

Notwithstanding subsection 10.2.3 a) i) an automobile sales and service establishment shall be permitted in addition to the other uses permitted in subsection 10.1.1 of this By-law.

(b) Permitted Buildings and Structures

Buildings and structures permitted in subsection 10.1.2 of this By-law.

(c) Zone Provisions

All lot and building requirements shall be in accordance with subsections 10.1.3 to 10.1.15, inclusive, and 10.2 of this By-law. An automobile sales and service establishment shall also be in accordance with subsection 10.2.3 b) of this By-law.”

10.3.5 Defined Area CH-5 as shown on Schedule “A”, Map 10 of this By-Law.

a) Permitted Uses

- i) all uses permitted in the Hamlet Commercial (CH) Zone;
- ii) accessory uses.

b) Permitted Buildings and Structures

- i) Buildings and structures for the uses permitted in subsection 10.3.5a);
- ii) Accessory buildings and structures for the uses permitted in subsection 10.3.5a).

c) Zone Provisions

All lot and building requirements shall be in accordance with subsections 10.1.3 to 10.2.3, inclusive, of this By-law, with the exception of the following:

- i) Minimum Lot Frontage 35 metres;
- ii) All building requirements for existing buildings and structures shall be as they existed as of the date of passing (November 22, 2011) of the By-law incorporating subsection 10.3.5 into the Zoning By-law;
- iii) All additions to existing buildings and structures and all new buildings and structures shall comply with subsection 10.1.3 to 10.2.3, inclusive.