

**SECTION 18 - GENERAL PROVISIONS FOR COMMERCIAL ZONES**

**18.1 COMMERCIAL ZONES**

The following Zones are hereby classified as Commercial Zones to which the provisions of this Section apply:

<b>ZONE</b>	<b>SYMBOL</b>
Local Commercial	C1
General Commercial	C2
Central Business District Commercial	C2A
Highway Commercial	C3
Automobile Service Station	C4
Recreational Commercial	C5
Shopping Centre Commercial	C6
Rural Commercial	C7
Core Mixed Use 1	CMU-1
Core Mixed Use 2	CMU-2
Core Mixed Use 4	CMU-4

**18.2 REGULATIONS FOR DWELLING UNITS PERMITTED IN COMMERCIAL ZONES C1, C2, ,CMU-1, CMU-3,C3, C5 and C7**

- (a) **DELETED BY BY-LAW 100-05**
- (b) Location - In the same building as the permitted commercial use(s) and in other than the basement, cellar or ground floor of any building, except that:
- (i) an accessory dwelling unit may be located on the ground floor of a motel, hotel or motor hotel.
  - (ii) an accessory dwelling unit may not be located in combination with one or more of the following uses:
    - car wash
    - automobile service station
    - public garage
    - bingo hall
    - taxi establishment
    - dry cleaning plants
    - motor vehicle sales rooms and car sales lots
- (c) Minimum Floor Area Per Dwelling Unit - The minimum floor area per dwelling unit shall be in accordance with the following table:

<b>Type of Dwelling Unit</b>	<b>Minimum Floor Area</b>
Bachelor unit	40 square metres
One-bedroom unit	50 square metres
Two-bedroom unit	60 square metres
three or more bedrooms	70 square metres

- (d) Minimum Parking Requirements - In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one parking space per dwelling unit shall be provided on the same lot.
- (e) Residential Access - Each dwelling unit shall have a separate and private entrance from the outside or a common hallway.
- (f) Residential Open Space - A minimum of 18.5 sq. m. of open area shall be provided on-site for the exclusive use of each dwelling unit. Where the open area is provided by way of private open-air balcony space directly adjoining a residential unit, a minimum of 10.5 sq m per unit shall be provided.

**18.3 REGULATIONS FOR DWELLING UNITS PERMITTED IN COMMERCIAL ZONES C2A, CMU-2, CMU-4, CMU-5 and CMU-6**

(a) Location - In the same building as the permitted commercial use(s) and in other than the basement or cellar. Dwelling units shall be permitted to occupy a maximum of 49% of the ground floor area of buildings, provided that no part of such dwelling unit, except for the entranceway has frontage onto a public street. except that:

- (i) dwelling units may not be located in combination with one or more of the following uses:
  - car wash
  - automobile service station
  - public garage
  - bingo hall
  - taxi establishment
  - dry cleaning plants
  - motor vehicle sales rooms and car sales lots

(d) Minimum Floor Area Per Dwelling Unit - The minimum floor area per dwelling unit shall be in accordance with the following table:

<b>Type of Dwelling Unit</b>	<b>Minimum Floor Area</b>
Bachelor unit	40 square metres
One-bedroom unit	50 square metres

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TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
OFFICE CONSOLIDATION**

**18.3**

Two-bedroom unit	60 square metres
three or more bedrooms	70 square metres

- (d) Minimum Parking Requirements - In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one parking space per dwelling unit shall be provided on the same lot.
- (e) Residential Access - Each dwelling unit shall have a separate and private entrance from the outside or a common hallway.
- (f) Residential Open Space - A minimum of 18.5 sq. m. of open area shall be provided on-site for the exclusive use of each dwelling unit. Where the open area is provided by way of private open-air balcony space directly adjoining a residential unit, a minimum of 10.5 sq m per unit shall be provided.

**18.4 REGULATIONS FOR ACCESSORY BUILDINGS**

Location	In rear yard only
Minimum Distance from Any Other Building on the Lot	3m provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky
Maximum Lot Coverage	7 percent provided that the lot coverage of all buildings on the lot shall not exceed the maximum lot coverage for a permitted use in the C1, C2, C2A, C3, C4, C5, C6 and C7 zones
Minimum Exterior Side Yard	7.5m
Minimum Interior Side Yard	0.5m 3m for a lot line that abuts a residential zone
Minimum Rear Yard	0.5m 3m for a lot line that abuts a residential zone In no case shall any overhang, eaves or gutter project more than 0.3 metre into any required minimum yard
Maximum Height	i) 1 storey ii) 4.5 metres

**18.5 OUTSIDE STORAGE IN COMMERCIAL ZONES**

No outside storage shall be permitted in any commercial zone. All storage shall be provided within the main building or approved accessory buildings on the site.

**18.6 DRIVE-THRU LANES**

- a) Drive-thru restaurants shall have a drive-thru lane measuring a minimum of 3m in width and 60m in length, and providing on-site storage for a minimum of ten vehicles.
- b) Any other use with drive-thru facilities shall have on-site vehicle storage for a minimum of two automobiles at each drive-thru window in a stacking lane at least 3m in width and 12m in length.
- c) The stacking lane shall be independent of any on-site parking, parking maneuvering areas, loading areas, landscaped areas, public streets, alley or traffic ways serving other on and/or off-site uses.
- d) Notwithstanding the requirements of Section 6.21, a landscaped strip having a minimum width of 3m shall be provided around the outer edges of the drive-thru lane for a minimum distance equal to the length of the stacking required for the drive-thru facility.
- e) No drive-thru facilities including drive-thru lanes shall be permitted closer than 10m to any lot line where the abutting lot contains a residential use on the first or second floor.