

SECTION 20 - GENERAL COMMERCIAL (C2) ZONE

20.1 Subject to the General Provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this Section shall apply in all General Commercial (C2) Zones.

20.2 PERMITTED USES

(a) **COMMERCIAL USES**

- Animal hospitals in wholly enclosed buildings
- Assisted Living House
- Automobile Service Stations
- Bake shops
- Banks and Financial Institutions
- Brewers' Retail outlets
- Building supply sales
- Business or professional offices
- Candy kitchens
- Car washes
- Catering establishments
- Clinics
- Commercial schools
- Custom brokers
- Custom workshops
- Day Nursery
- Department stores
- Dry Cleaning Outlets
- Eating Establishments
- Fitness Centres
- Garden centres
- Hotels
- Laundries and Laundromats
- Liquor Control Board of Ontario outlets
- Motels
- Motor Vehicle Repair Shops
- Nursing Home
- Personal service shops
- Pet Day Care Establishments
- Pharmacies
- Places of entertainment or recreation or assembly
- Post offices
- Printing establishments
- Private or commercial clubs
- Public Libraries
- Public parking garages

- Public parking lots
- Public transportation depots including bus stations and rail stations
- Religious, fraternal or public institutions
- Retail stores
- Service shops
- Spa Services
- Studios
- Supermarkets
- Taverns
- Taxi establishments
- Undertaking establishments
- Vehicle sales and rental establishments
- Veterinarian Clinic in wholly enclosed buildings
- Video Outlet Sales and Rental Establishments

(b) Dwelling units

(c) Uses, buildings and structures accessory to any permitted commercial use.

20.3 REGULATIONS

Minimum Lot Area	450 sq. m.
Minimum Lot Frontage	15m
Maximum Lot Coverage	40%
Minimum Front Yard	6m
Minimum Side Yard – 4.0m except:	<p>(i) Where the yard abuts a Commercial Zone and access is available to the rear yard by a public or private lane, minimum nil.</p> <p>(ii) Where the yard abuts a Commercial Zone and no access is available to the rear yard except by means of the side yard, one yard shall have a minimum width of 4.0m, the other yard shall have a minimum width of nil</p> <p>(iii) Where the yard abuts a street, minimum 3.0m</p> <p>(iv) Where the yard abuts any Residential Zone, minimum 4.5m</p>

Minimum Rear Yard – 6.0m except:	<ul style="list-style-type: none"> (i) Where the yard abuts a Commercial or Industrial Zone and access is available to the rear of the building on the said lot by means of a public or private lane, minimum nil (ii) Where the building contains residential accommodation of one or more storeys in height, minimum 10.5m (iii) Where the yard abuts any Residential Zone, minimum 10.5m (iv) Where the yard abuts a street, minimum 3.0m
Maximum Building Height	<ul style="list-style-type: none"> i) 2.5 storeys ii) 12m

20.4 DELETED

20.5 REGULATIONS FOR DWELLING UNITS

The provisions of Subsection 18.2 shall apply.

20.6 REGULATIONS FOR ACCESSORY BUILDINGS

The regulations of Subsection 18.4 shall apply.

20.7 DELETED

20.8 REGULATIONS FOR CAR WASHES

The regulations of Subsection 23.5 shall apply.

20.9 REGULATIONS FOR “PET DAY CARE ESTABLISHMENTS”

The requirements of Section 6.52 shall apply in addition to the regulations governing this section.

EXCEPTIONS TO THE GENERAL COMMERCIAL (C2) ZONE

C2-50 (66-1993) 237 Niagara Boulevard

Deleted by Amending By-law No. 2-2018.

C2-115 (53-1994) 1101 DiPietro Street

These lands are zoned "General Commercial C2-115 Zone" and all of the provisions that relate to lands zoned "General Commercial C2 Zone" by this by-law shall apply to those lands zoned "General Commercial C2-115 Zone" except that notwithstanding the permitted uses set out in Subsection 20.2(a), the lands shown as "C2-115" on Schedule

“A” may only be used for a private club, banquet centre, gaming premise and uses, buildings and structures accessory thereto.

C2-157 (158-1996) 255 Garrison Road

Deleted by Amending By-law No. 20-2011.

C2-160 (180-1996) 3576 Dominion Road

These lands are zoned "General Commercial C2-160 Zone" and all of the provisions that relate to lands zoned "General Commercial C2 Zone" by this by-law shall apply to those lands zoned "General Commercial C2-160 Zone" except that notwithstanding the permitted uses set out in Subsection 20.2(b), a portion of the ground floor of the existing two storey building on this property may be used for one residential dwelling unit with a floor area of not more than 49.2 square metres.

C2-174 (48-1997) 124 Ridge Road North

(Relocated to CMU4-174)

C2-185 (124-1997) 3644 Hibbard Street

Deleted by Amending By-law No. 94-2014.

C2-186(H) (174-1997) Ridgeway Road (East Side) at Erie Road

(DELETED BY BY LAW 05-12)

C2-191 (34-1998) 191 Garrison Road

Deleted by Amending By-law No. 20-2011.

C2-197 (72-1998) 3255 Snyder Street

These lands are zoned "General Commercial C2-197 Zone" and all of the provisions that relate to lands zoned "General Commercial C2 Zone" by this By-law shall apply to those lands zoned "General Commercial C2-197 Zone" on Schedule "A" except that in addition to the permitted uses set out in Section 20.2(a), these lands may also be used for a gasoline bar in accordance with the regulations for gasoline bars set out in Subsection 23.4.

C2-242 (118-2001) 3653 Dominion Road

(Relocated to CMU4-242)

C2-275 (129-1990) Erie Road (South Side) West of Ridgeway Road (Relocated to CMU2-275)

C2-276 (229-1992) Crystal Beach Tennis and Yacht Club

These lands are zoned "General Commercial C2-276 Zone" and all of the provisions that relate to lands zoned "General Commercial C2 Zone" by this by-law shall apply to those lands zoned "General Commercial C2-276 Zone" except:

- (a) that notwithstanding the requirements of Subsection 20.2 - Permitted Uses, these lands shall only permit:
 - not more than 171 single detached dwellings and uses, buildings and structures accessory thereto;

- not more than 1 recreational complex and uses, buildings and structures accessory thereto;
- (b) that notwithstanding the requirements of Subsection 20.3 - Regulations, the following regulations shall apply to the single detached dwellings:
 - Minimum Lot Frontage -as created by registered plan of subdivision.
 - Minimum Lot Area 375.00 sq. m
 - Maximum Lot Coverage 40%
 - Minimum Front Yard 4.6 m
 - Minimum Interior Side Yard Nil
 - Minimum Interior Side Yard for Detached Garages Nil
 - Minimum Exterior Side Yard 4.6 m
 - Minimum Rear Yard 7.5 m
 - Minimum Rear Yard for Lots 1-22 Inclusive as shown on Schedule A of By-law 229-92 9.2 m
 - Minimum Floor Area
 - 1 storey dwelling 60.00 sq. m
 - 1½ storey or split level dwelling 75.00 sq. m
 - 2 or 2½ storey dwelling 80.00 sq. m
 - Maximum Height

9m measured from the average grade level to the midpoint between the eaves and the ridge, but in no case shall the ultimate height measured from average grade level to the peak of the highest roof be greater than 12m.

- Minimum Distance between Dwelling Units 3.048 m
 - Minimum Distance between Detached Garages 6.1 m
 - Minimum Rear Yard for Detached Garages 1.5 m
 - Maximum Building Height for Detached Garages 5.0 m
 - Minimum Exterior Side Yard for Detached Garages 4.6 m
- (c) that notwithstanding the requirements of Subsection 6.5, the lots shall not be required to have frontage on a public street;
 - (d) that notwithstanding the requirements of Subsection 5.151, the front lot line shall be the lot line that divides the lot from the private lane, but in the case of a corner lot, the shorter lot line abutting the private lane shall be deemed to be the front lot line and the longer lot line abutting the private lane shall be deemed to be an exterior side lot line;
 - (e) that notwithstanding the requirement of Subsection 18.2 (c) - Regulations for Dwelling Units Permitted in Commercial Zones C1, C2, C3, C5 and C7, single detached dwellings shall be permitted on those lands;
 - (f) that notwithstanding the requirements of Subsection 6.40 (c), unenclosed porches, balconies, steps and patios covered or uncovered, may project into any front yard

or rear yard a maximum distance of 1.5 metres provided that in the case of porches, steps or patios, such uses are not more than 1.3 metres above ground. Uncovered decks or patios may project into any rear yard provided they are not more than .6 metres above grade.

C2-311 (228-2002) 2648 Stevensville Road (moved to CMU5-311)

C2-364(H) (190-06) REPEALED

C2-372 (H) (139-09) REPEALED

C2-418 (102-10) Bridgeburg Core Mixed Use Area

These lands are zoned "General Commercial C2-418 Zone" and all of the provisions that relate to lands zoned "General Commercial C2 Zone" by this by-law shall apply to those lands zoned "General Commercial C2-418 Zone" on the attached Schedule A-3 subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 20.2, only the following uses shall be permitted in this zone:
- Bake shops
 - Banks and Financial Institutions
 - Brewer's Retail Outlets
 - Business or Professional Offices
 - Candy Kitchen
 - Catering Establishment
 - Clinics
 - Commercial Schools
 - Custom Brokers
 - Custom Workshops
 - Day Nursery
 - Department Stores
 - Dry Cleaning Outlets
 - Eating Establishments
 - Garden Centres
 - Hotels
 - Laundries and Laundromats
 - LCBO Outlets
 - Personal Service Shops
 - Pharmacies
 - Places of Entertainment, Recreation or Assembly
 - Post Offices
 - Printing Establishments
 - Private or Commercial Clubs

- Public Libraries
 - Public Parking Garages
 - Public Parking Lots
 - Public Transportation depots including Bus Stations and Rail Stations
 - Religious, Fraternal or Public Institutions
 - Retail Stores
 - Service Shops
 - Studios
 - Supermarkets
 - Taverns
 - Video Outlet Sales and Rental Establishments
 - Dwelling Units
 - Uses, buildings and structures accessory to any permitted commercial use
- b) Commercial uses described in a) above shall be permitted only on the ground floor and second storey of a building, and dwelling units shall be permitted only on floors above the ground floor.
- c) Notwithstanding the requirements of Subsection 18.2(f), the required residential open space may also be provided by way of private open-air balcony space directly adjoining a residential unit.
- d) Notwithstanding the requirements of Subsection 20.3, the minimum front yard and exterior side yard setback shall be 0m and the maximum front yard and exterior side yard setback shall be 4m
- e) Notwithstanding the requirements of Subsection 20.3, buildings shall occupy a minimum of 75% of the lot frontage.
- f) All off-street parking must be provided in the rear or side yards and screened from the street line by decorative fencing and/or landscaping at least 1.2m in height.
- g) Notwithstanding the requirements of Subsection 20.3, the minimum building height shall be two (2) storeys and the maximum building height shall be five (5) stories.

C2-427 (H) (26-10) – 4155 Erie Road, South Side of Erie Road, West of Schooley Road

These lands are zoned General Commercial Holding C2-427(H) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned General Commercial C2 Zone by this by-law shall apply to those lands zoned General Commercial Holding C2-427(H) Zone on Schedule A subject to the following special provisions:

- a) that notwithstanding the requirements of Subsection 6.20(A), not less than 110 parking spaces shall be provided on-site, and tandem parking shall be permitted in the parking structure;
- b) that notwithstanding the requirements of Subsection 6.21(b) and 6.47, the westerly landscape strip and the side yard setback for the parking garage shall have:
 - i) a minimum width of not less than 2.1m at the front lot line;
 - ii) a minimum width of not less than 4.5m at a point 45m from the front lot line measured along the westerly side lot line;
 - iii) a minimum width of not less than 6.0m at a point 73.5m from the front lot line measured along the westerly lot line
- c) that notwithstanding the requirements of Subsection 6.47, a minimum setback of not less than 11m to the building face and not less than 8m to the nearest column shall be permitted from the 1-in-100 year flood elevation;
- d) that notwithstanding the requirements of Subsection 18.2(f), no open space for the exclusive use of each residential unit in the proposed building shall be required other than the balconies and terraces associated with each residential unit;
- e) that notwithstanding the requirements of Subsection 20.3 and 6.47:
 - i) a maximum building height of 12 stories above the parking garage level, shall be permitted;
 - ii) a minimum rear yard setback of not less than 8m to the building face and not less than 3m to the nearest column shall be permitted;
 - iii) lot coverage requirements shall not apply to the parking structure, and yard setback requirements shall not apply to the parking structure except as noted in Section 2b) above
 - iv) the minimum westerly side yard setback for the apartment building shall not be less than:
 - a) 11 m for building on Floor 1 and 5 m for the arcade column;
 - b) 24 m for Floors 2 to 10; and
 - c) 27 m for floor 11; and
 - d) 31 m for Floor 12.

C2-555 (49-2016) 4152 Erie Road (Northeast Corner of Erie Road and Eastwood Avenue)

These lands are zoned “General Commercial C2 Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “General Commercial C2 Zone” by this by-law shall apply to those lands zoned “General Commercial C2 -555 Zone” on the attached Appendix “1” and shall be subject to the following provisions:

- a) Notwithstanding the Zone Regulations in Section 20.3, the commercial uses shall be subject to the following provisions:
 - i) Maximum lot coverage –No maximum
 - ii) Minimum Yard
 1. Where the yard abuts a Commercial Zone and access is available to the rear yard by a public or private lane, minimum nil;
 2. Where the yard abuts a Commercial Zone and no access is available to the rear yard except by means of the side yard, one yard shall have a minimum width of 4.0m, the other yard shall have a minimum width of nil;
 3. Where the yard abuts a street minimum 0.5 m; and
 4. Where a yard abuts any residential zone minimum 7.5 m.
 - iii) Minimum Rear Yard
 1. Where the yard abuts a Commercial or Industrial Zone and access is available to the rear of the building on the said lot by means of a public or private lane, minimum nil.
 2. Where the building contains residential accommodation of one or more storeys in height, minimum 0.5m.
 3. Where the yard abuts any Residential Zone, minimum 7.5m.
 4. Where the yard abuts a street, minimum 0.5m.
 - iv) Maximum Building Height- 4 storeys
 - v) Minimum Landscaped Open Space -10%
 - vi) Parking and Parking Garage
 1. To be located and accessed behind the front face of the building (Erie Road and Eastwood Avenue).

2. On and off-site parking permitted.
 3. No parking required for commercial uses.
- v) Minimum Setback for covered parking structure under occupied structure- 0.5m
- vi) Roof Pitch- 1 m in height to every 5m in depth.
- vii) Urban Design
1. Porches/Balconies to be provided on the front face of Erie Road.
 2. An entry feature is required to the building. A main front door is required along Erie Road.
 3. Windows and doors must be arranged symmetrically along the front façade.
 4. The entry must be raised above grade.
 5. Upper Level windows should be embedded in the roof slope in the form of dormers.
- b) Notwithstanding the General Commercial Zone Regulations in Section 18.2 (b) and (f), the subject lands shall be subject to the following provisions:
- (b) 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.
 - (f) Residential Open Space - A minimum of 3 sq. m. of open area by way of private open air balconies shall be provided on-site for the exclusive use of each dwelling unit.
- (c) Notwithstanding the requirements of Subsection 6.20 D (i), ingress and egress, to and from the required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0 m, where only one-way traffic is permitted and have a minimum width of 6 m but not more than 12m in perpendicular width where two-way traffic is permitted.

- (d) Notwithstanding the Permitted Uses in Section 20.2, these lands may also be used for apartment dwellings subject to the zone regulations in Section 15.3 and shall be subject to the following provisions:
- (i) Minimum Lot Area- 40 sq.m per unit
 - (ii) Minimum Lot Coverage- No maximum
 - (iii) Minimum Front Yard Setback- 0.5 m from Schooley Road
 - (iv) Minimum Side Yard Setback- 7.5 m from northerly residential zone
 - (v) Minimum Exterior Side Yard Setback- 0.5 m from Erie Road
 - (vi) Minimum Rear Yard- 0.5 m from Eastwood Avenue
 - (vii) Maximum Building Height- 4 storeys
 - (viii) Landscaped Area-For every lot on which the buildings or structures are situated, there shall be provided and maintained on the lot at least 10 percent of the lot area as a landscaped area unused for access or maneuvering space or parking space or any other purpose other than landscaped area and playground
 - (ix) Roof Pitch- 1 m in height to every 5m in depth.
 - (x) Parking and Parking Garages-
 - 1. Parking on the lot permitted in side yard only behind the front face of the building fronting onto Erie Road.
 - 2. On and off-site parking permitted.
 - xi) Minimum Setback for covered parking under occupied structure- 0.5 m
 - xii) Urban Design
 - 1. Porches/Balconies to be provided on the front face of Erie Road.
 - 2. An entry feature is required to the building. A main front door is required along Erie Road.
 - 3. Windows and doors must be arranged symmetrically along the front façade.
 - 4. The entry must be raised above grade.

5. Upper Level windows should be embedded in the roof slope in the form of dormers.
- (e) Notwithstanding the Zone provisions in Section 15.4 (a) the Minimum Distance between any abutting residential zone and driving lanes or parking areas, no driving lane shall be closer than 1.5 metres to any lot line abutting any Residential Zone.
- (f) Notwithstanding the Permitted Uses in Section 20.2, these lands may also be used for townhouse dwellings subject to the zone regulations in Section 14.3 and the following provisions:
- (i) Minimum Front Yard- 0.5 m from Schooley Road
 - (ii) Minimum Exterior Side Yard -0.5 metres from Erie Road
 - (iii) Minimum Setback from Residential Zone- 3m
 - (iv) Minimum Rear Yard-7.5 m for units fronting onto Eastwood Avenue and 0.5 m from Eastwood Avenue for units fronting onto Erie Road
 - (v) Maximum Building Height- 3 stories fronting onto Erie Road and 2 storeys fronting onto Eastwood Avenue
 - (vi) Minimum Distance between buildings on same lot- 6m, except 3m between end walls and 6m between an end wall and a rear wall
 - (vii) Maximum Density- 60 units/ha
 - (viii) Maximum Lot Coverage-70%
 - (ix) Minimum Landscaped Area-5% for block townhouses and 30% for street townhouses
 - (x) Privacy Areas- Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 3 m or by way of open air balcony or patio.
 - (xi) Parking and Parking Garage-
 - 1. located behind the front face of the building for units fronting onto Erie Road.

2. 6 m to the garage for lots fronting onto Eastwood Avenue.

- (xii) Minimum Setback covered parking under occupied structure- 0.5m
 - (xiii) Roof Pitch- 1 m in height to every 5m in depth.
 - (xiv) Distance from building to internal driveways and parking areas- Any front or rear face of any townhouse shall be no closer than 0m to an internal driveway or parking area, and any side of any townhouse shall be no closer than 0m to an internal driveway or parking area
 - (xv) Planting strips-0m
 - (xvi) Urban Design
 1. Porches/Balconies to be provided on the front face of Erie Road.
 2. An entry feature is required to the building. A main front door is required along Erie Road.
 3. Windows and doors must be arranged symmetrically along the front façade.
 4. The entry must be raised above grade.
 5. Upper Level windows should be embedded in the roof slope in the form of dormers.
- (g) Notwithstanding the provisions in Section 6.40, the subject lands shall be subject to the following special provisions:

Notwithstanding the yard provisions of this By-law to the contrary, porches, balconies, and patios may project into required yards in residential zones as follows:

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

	Height of Platform		
	0 m to 0.5 m Above grade (uncovered)	Between 0.5 m and 1.5 m or covered 0 m to 0.5 m above grade	Above 1.5 m above grade
Minimum setback to exterior side lot line	0 m	0 m	0m
Minimum setback to interior side lot line	Required building setback		
Minimum setback to rear lot line	0 m	0 m	0m
Minimum setback to front lot line	0 m	0 m	0m

C2-605 (2-2018) – 256 Bertie Street

These lands are zoned “General Commercial 2 (C2-605) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “General Commercial 2 (C2) Zone” by this by-law shall apply to those lands zoned “General Commercial 2 (C2-605) Zone” except for the following provisions:

Developed as Commercial Only:

All regulations and permitted uses of General Commercial C2 Zone shall apply.

Developed Commercially with Residential Component:

Notwithstanding Subsection 20.2 of the General Commercial C2 Zone the following permitted uses are those which are compatible with residential use of the site:

a) Permitted Uses

- Assisted Living House
- Bake shops
- Banks and Financial Institutions
- Brewers' Retail outlets
- Business or professional offices
- Candy kitchens
- Catering establishments
- Clinics
- Commercial schools
- Custom brokers
- Day Nursery
- Department stores
- Dry Cleaning Outlets
- Eating Establishments
- Laundries and Laundromats
- Liquor Control Board of Ontario outlets

- Nursing Home
- Personal service shops
- Pet Day Care Establishments
- Pharmacies
- Places of entertainment or recreation or assembly
- Post offices
- Printing establishments
- Private or commercial clubs
- Public Libraries
- Religious, fraternal or public institutions
- Residential Apartment Dwellings
- Retail stores
- Service shops
- Spa Services
- Studios
- Supermarkets
- Taverns
- Video Outlet Sales and Rental Establishments

Notwithstanding Subsection 20.3 of the General Commercial C2 Zone the following regulations shall apply with building height in excess of 2.5 (12m) storeys:

- | | |
|-------------------------------|-----------------------------|
| b) Minimum Front Yard | 19m (Bertie Street) |
| c) Minimum Exterior Side Yard | 19m (Concession Street) |
| d) Minimum Interior Side Yard | 40m (East Property Line) |
| e) Minimum Rear Yard | 30m (South Property Line) |
| f) Maximum Height | 9 storeys (26m) |
| g) Minimum Lot Area | 97 sq.m. per dwelling unit |
| h) Maximum Lot Area | 210 sq.m. per dwelling unit |

Regulations for Dwelling Units as per Subsection 18.2

Regulations for Accessory Buildings as per Subsection 18.3

Developed as Residential Only:

All regulations and permitted uses of Residential Multiple 2 RM2 Zone shall apply except for the following:

Notwithstanding Subsection 15.3 of the Residential Multiple 2 RM2 Zone the following regulations shall apply:

- | | |
|-------------------------------|-----------------------------|
| i) Minimum Front Yard | 19m (Bertie Street) |
| j) Minimum Exterior Side Yard | 19m (Concession Street) |
| k) Minimum Interior Side Yard | 40m (East Property Line) |
| l) Minimum Rear Yard | 30m (South Property Line) |
| m) Maximum Height | 9 storeys (26m) |
| n) Minimum Lot Area | 86 sq.m. per dwelling unit |
| o) Maximum Lot Area | 115 sq.m. per dwelling unit |

Regulations for Dwelling Units as per Subsection 18.2
Regulations for Accessory Buildings as per Subsection 18.3