

**COMMERCIAL 51**  
**COM 51**

**- G E N E R A L -**

**03-6-1** All structures and buildings erected, altered or used in a **COM 51 Zone** shall conform to the regulations of this subsection.

**- Permitted Uses -**

**03-6-2** No building or part thereof and no land shall be used, caused to be used, or be permitted to be used for purposes other than:  
164/91

**A. COMMERCIAL USES**

- a) Business or professional office.
- b) Municipal, government, or public utility building.
- c) Institutional building.
- d) Service shop, including barber shop, beauty parlour, shoe repair, receiving office for laundry or dry cleaner shop.
- e) Retail shop, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area.
- f) Light wholesaling excluding any likely to create a nuisance by reason of fumes, dust, odour or excessive noise, provided that it is an integral part of a retail undertaking.
- g) Funeral Home.
- h) Printing establishment or bookbindery.
- i) Self-Service laundry.
- j) Hotel or restaurant.
- k) Food supermarket.
- l) Service station.
- 021/01 m) Place of Assembly or Recreation.
- n) Parking lot, private or public.
- o) Storage garage.
- p) Automobile showroom and office.
- q) Outdoor display of new or used vehicles.
- r) Accessory building incidental to any of the above uses.
- 133/90 s) Commercial School.
- 020/07 t) A private seniors' residence.

**03-6-2**      **PERMITTED USES** (cont'd)

012/88      Notwithstanding any other provisions of this Section, the only permitted Commercial uses on a lot described as Part of Part 3, Reference Plan 52R-3180, Second Street West, shall be the following:

- a) Business or professional offices, limited to the following: medical offices, lawyer's offices, the office of development companies, real estate offices, accounting offices, insurance agency to a maximum of 10,000 sq. ft.
- b) Municipal government or public utility building.
- c) Institutional building.
- d) Service shop, including barber shop, beauty parlour, shoe repair, receiving office for laundry or dry cleaning shop.
- e) Retail shops, limited to those permitted in Neighbourhood Commercial zone.
- f) Funeral Home.
- g) Self-service laundry.
- h) An accessory building incidental to any of the above
- i) Gas bar.
- j) Restaurant.

159/88      Notwithstanding any other provisions of this Section, a Health Club may be permitted on a lot described as the easterly 348' frontage of Part 3, Reference Plan 52R-3180, Second Street West.

146/03      Notwithstanding any other provision of this section, a commercial garage shall be permitted at 105 Emma Avenue (Lots 32, 35, 36, 37 and Part Lots 38, 46, 47), currently known as Randy's Auto Service.

146/03      Notwithstanding any other provision in this section, a commercial garage shall be permitted at 3037 Pitt Street (Part Lot 9, Concession 3), currently known as Dwain Hawn Auto Repair.

144/04      Notwithstanding any other requirements of this section, all the Commercial 51 (COM 51) permitted uses shall be allowed at a property municipally described as 805-807 Sydney Street, Cornwall, save and except: l) Service Station; o) Storage Garage; p) Automotive Showroom and Office; q) Outdoor Display of New or Used Vehicles; and any residential use identified in the subject zone.

In addition, the front and (exterior) side yard setbacks of the current structure only, as they exist at the time of passing this By-law shall be considered as legal along with a proposed attached canopy to be situated on the north façade of the building and running northerly parallel to the front property line on Sydney street approximately 12 to 15 feet. The canopy will form a physical extension from the existing building directly north.

**03-6-2      PERMITTED USES (continued)**

**B.      COMBINED RESIDENTIAL AND COMMERCIAL USES**

In which a dwelling or dwellings are located in the same building or on the same lot and which dwellings are built for or converted into a combined use for commercial purposes:

- a) Business or Professional office.
- b) Retail shop, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50 per cent of the total floor area used for commercial purposes.
- c) Funeral Home.
- d) Service shop, including barber shop, beauty parlour, shoe repair, receiving office for laundry or dry cleaning shop.
- e) Self-service laundry.
- f) Restaurant.
- g) An accessory building incidental to any of the above.
- h) Places of Assembly or Recreation.

188/08

**C.      RESIDENTIAL AND OTHER USES**

- a) Single-family dwelling.
- b) Rooming house or boarding house.
- c) Duplex dwelling.
- d) Semi-detached dwelling.
- e) Multiple-family dwelling including apartment houses and row houses.
- f) Home occupation, of any nature which does not adversely affect the amenities of the neighbourhood.
- g) An office or consulting room of a physician or dentist, when located in his or her residence, or on the ground floor of an apartment house in which he or she is resident.
- h) School, church, hospital, community centre.
- i) A private club.
- j) Accessory building incidental to any of the above uses.

037/95      Notwithstanding any other requirements of this Section, residential apartment units shall be permitted in the existing warehousing structure, situated in the north west corner of Part of Lot 18, North Side of Seventh Street, with municipal address 37 Seventh Street West.

005/99      Notwithstanding any other provisions of this section, a commercial garage may be permitted on Lot 62 and 63, Registered Plan No. 220, municipally known as 1636 Birmingham Street.

086/01      Notwithstanding any other requirements of this Section, a parking lot (private or public), shall be permitted on a property located directly behind the Paradise Tanning and Fitness Centre at 1515 Pitt Street, City of Cornwall.

086/01 Notwithstanding any other provision of this Bylaw, no residential uses shall be permitted on lands described as Part of West Half of Lot 9, Concession 2.

086/12 Residential dwelling units may be located over any non-residential use in this zone and may be located on main floors, in the rear of a business but not constituting more than 50 % of the Gross Floor Area.

1171/71 **NOTE - SPECIAL PERMITTED USES RESTRICTIONS**

On part of the East Half of Lot 17, Concession 1, and part of Lot 1, Registered Plan 131, and designated as parts 1, 2, 3 and 4 on Reference Plan R-48, City of Cornwall (being the property at the northwest corner of Westmoreland and Second Street West) the permitted uses shall be restricted to the following:

- |                                      |   |
|--------------------------------------|---|
| From Section 03-6-2 B(a)             | Business or Professional office combined with residential use;      |
| From Section 03-6-2 C(a), (c)and (d) | Single family dwelling, Duplex dwelling and semi-detached dwelling. |

029/02 Notwithstanding any other requirements of this section, a Commercial Garage, shall be a permitted use on Lots 97 and 98 on Registered Plan No. 220, municipally known as 1642 Birmingham Street, City of Cornwall.

104/12 Notwithstanding anything else in this By-law, the property located at 3050 Pitt Street be rezoned from Commercial 51 (COM 51) to Commercial 51 (COM 51) with a site specific exception to permit an internalized commercial self-storage operation in the existing building with no outside storage of client (ie renters) items and excluding both hazardous materials and any type of vehicles at 3050 Pitt Street.

**- STANDARDS -**

**BUILDING AND LOT REQUIREMENTS**

**03-6-3 MINIMUM LOT AREA AND FRONTAGE**

- 108/96 a) **Commercial Uses** ..... No applicable standard
- b) **Combined Residential-Commercial Uses and Residential Uses**

108/96 **Combined Residential-Commercial Uses:**

No combined residential-commercial building shall be erected unless both public water supply and sanitary sewers are available.

- 038/02 Minimum Lot Area ..... 929 square metres
- Minimum Landscaped Area ..... 30% of total lot area
- Minimum frontage ..... 25 metres

**Single-Family, Rooming or Boarding House:**

131/94 Where neither a public water supply nor sanitary sewers are available, the minimum area shall be 2,788 square meters and the minimum frontage 38.1 metres.

Where either a public water supply or sanitary sewer is available, but not both, the minimum lot area shall be 7,500 sq. ft. with a minimum frontage of 75 feet.

Where both public water supply and sanitary sewers are available the minimum area shall be 5,000 sq. ft. and minimum frontage 50 feet.

131/94 **Two-Family (Duplex or semi-detached):**

Where neither a public water supply nor sanitary sewers are available, the minimum area shall be 2,788 square meters and the minimum frontage 38.1 metres.

Where either a public water supply or sanitary sewer is available, but not both, the minimum lot area shall be 10,000 sq. ft. with a minimum frontage of 100 feet.

Where both public water supply and sanitary sewers are available the minimum area shall be 6,500 sq. ft. Minimum frontage for duplex dwellings shall be 50 feet. Minimum frontage for semi-detached dwellings shall be 60 feet.

**03-6-3 MINIMUM LOT AREA AND FRONTAGE (cont'd)**

**Multiple-Family:**

No multiple-family dwellings shall be erected unless both public water supply and sanitary sewers are available.

- Minimum lot area ..... 10,000 sq. ft.
- Minimum landscaped area ..... 40% of total lot area
- Minimum frontage ..... 100 feet

**EXCEPTIONS:** A multiple-family dwelling may be erected upon a lot of 80 ft. frontage if it was held in separate ownership on the date of passing of this by-law.

- Minimum open space in rear yard ..... 600 sq. ft. (*combined uses*)
- Maximum total floor area ..... 0.80 times area of lot
- Maximum lot occupancy ..... 25% of area of lot

**03-6-4 MINIMUM YARD DIMENSIONS**

**a) Commercial Uses:**

- Front yard** ..... 20 feet
- Side yard** ..... Nil  
(except that a corner lot, shall have a side yard of not less than 10 feet on the minor street)
- Rear yard** ..... 32.8 feet

086/12

144/04

Notwithstanding any other requirements of this section, at the Commercial 51 (COM 51) permitted uses shall be allowed at a property municipally described as 805-807 Sydney Street, Cornwall, **SAVE AND EXCEPT:**

- l) Service Station
  - o) Storage Garage
  - p) Automobile Showroom and Office
  - q) Outdoor Display of New or Used Vehicles
- and any residential use identified in the subject zone.

In addition, the front and (exterior) side yard setbacks of the current structure only, as they exist at the time of passing this By-law, shall be considered as legal along with a proposed attached canopy to be situated on the north façade of the building and running northerly parallel to the front property line on Sydney Street approximately 12 to 15 feet. The canopy will form a physical extension from the existing building directly north.

**b) Combined Residential-Commercial Uses and Residential Uses:**

069/94

**Single Family Dwelling**

**Front yard** .....20 feet  
**Side yards** ..... 10 feet on one side, 5 feet on the other provided that for attached garages and carports the required side yards shall be reduced to 5 feet and 3 feet, with the latter side yard adjacent to the garage or carport  
**Rear yard**.....35 feet

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**Two-family (Duplex or semi-detached):**

**Front yard** .....6 metres  
**Side yard** ..... 3 metres on each side  
For attached garages, required side yard may be reduced to 1 metre. For attached carports, the required side yard may be reduced to 0.5 metres. Such reductions will apply only to that side containing the garage or carport. For semi-detached dwellings which have garages or carports which do not abut the side yard, the side yard may be reduced to 1.6 metres.

**Rear yard** ..... 10.5 metres

**Multiple-Family:**

**Residential:**

**Front yard** .....20 feet  
**Side and Rear yards** ..... ½ height of building but not less than 15 feet

**Combined:**

**Front yard** .....20 feet  
**Side yard** ..... At least one side yard shall not be less than 12 feet in width, or a driveway through the building shall be provided, 12 feet wide and 12 feet clear height, unless the rear yard is accessible from a street or public lane. Where a rear yard is accessible from a street or public lane, side yard requirement is nil except that a corner lot shall have a side yard of not less than 10 feet on the minor street.  
**Rear yard** .....25 feet

**c) Other Uses:**

**Front yard** .....20 feet  
**Side yard** ..... Equal to the height of the building but in no case less than 20 feet  
**Rear yard** .....35 feet

03-6-5  
067/17

**ACCESSORY BUILDINGS/ ACCESSORY STRUCTURE**

108/96

**a) Commercial Uses - No Applicable Standard**

092/98

On any lot the total area of accessory buildings (commercial) shall not exceed 10% of the area of the lot. Accessory buildings (commercial) are to be used for storage purposes only. Any accessory buildings containing any part of a commercial operation must meet main building setbacks.

**b) Residential Uses and Combined Residential-Commercial Uses:**

**Single-Family, Rooming and Boarding House:**

038/02

An accessory building may be located in the rear or side yard not closer than 3 feet to a side or rear lot line. Where a side line of the lot is identical with the limit of a road allowance, the setback of an accessory building shall be not less than the width of the side yard which is required for the main building. The maximum lot occupancy for accessory buildings will be 60 square meters. This does not include pool coverage. A maximum of three (3) Accessory Buildings per lot will be permitted and the maximum total area of all Accessory Buildings on a lot shall be capped at 93 square meters.

069/94  
092/98

An accessory building may be located in the rear or side yard not closer than 3 feet to a side or rear lot line. Where a side line of the lot is identical with the limit of a road allowance, the setback of an accessory building shall be not less than the width of the side yard which is required for the main building. The maximum lot occupancy for accessory buildings will be 60 square meters. This does not include pool coverage. A maximum of three (3) Accessory Buildings per lot will be permitted and the maximum total area of all Accessory Buildings on a lot shall be capped at 93 square meters.

092/98

Accessory buildings shall not exceed 9 feet in height to the eaves. On any lot the total area of accessory buildings including garage shall not exceed 10% of the lot (Residential Uses) or 20% of the area of the lot (Combined Uses).

**Two-Family (Duplex or semi-detached):**

Same as above except that on any lot the total area of all accessory buildings, including attached and detached garages, shall not exceed 10% of the area of the lot (Residential Uses) or 20% of the area of the lot (Combined Uses).

**Multiple-Family:**

Same as for two-family dwellings.

**c) Other Uses:**

Same as for single-family dwellings.



**03-6-6      LOT OCCUPANCY**

**a)    Commercial Uses:**

**Landscaping requirements for Car Sales Establishments**

Where a lot or a part of a lot was first used for the outdoor display of vehicles, after the effective date of this By-law, it shall have not less than 10% of its open space reserved for terraces for the exclusive use of pedestrians. Grass strips or paving less than 5 feet in width shall not be included in computing the landscaped area.

**b)    Combined Residential-Commercial Uses:**

- 108/96            **Single-Family, Rooming or Boarding House**  
..... No Applicable Standard
- 108/96            **Two-Family (Duplex or semi-detached)**  
..... No Applicable Standard
- 108/96            **Multiple-Family** ..... No Applicable Standard

**c)    Residential Uses:**

**Single-Family, Rooming or Boarding House:**

086/12            The total area of all buildings shall not exceed 35% of the area of the lot.

**Two-Family (Duplex or semi-detached), Multiple-Family:**

The total area of all buildings shall not exceed 40% of the area of the lot.

- 108/96            **d)    Other Uses** ..... No Applicable Standard