

COMMUNITY COMMERCIAL- SHOPPING CENTRE C.C.-S.C.

03-13A-1
2011-023

PREAMBLE TO ZONE FUNCTION

The Community Commercial-Shopping Centre Zone acts primarily as a Retail Shopping Centre Plan Function serving a group of larger residential neighbourhoods or serving the City at large (Community Shopping Centre sub-category) or the surrounding region (Regional Shopping Centre sub-category), thus allowing a full range of scaled development (Community S.C., Regional S.C.). Its general characteristics shall be formed within the principle of integrated shopping units distributed in an equitable and convenient manner to serve the residential communities of the City and beyond. The majority of uses shall be of a retail and personal service nature although some office, institutional and highway commercial development shall be permitted provided the uses are compatible with the particular Commercial Centre. The distinction amongst the two levels of Shopping Centre types found herein is primarily based on the scale/magnitude and increasing potential for a greater mix of higher order shopping activities.

03-13A-2

GENERAL

All structures and buildings erected, altered or used in a Community Commercial-Shopping Centre (C.C.-S.C.) Zone shall conform to the applicable regulations of this subsection.

03-13A-2i

Existing and Pre-approved (Zoning) Standards/Uses

All development (Zoning) Standards/Uses, including those with approved Site Plans and/or those built uses prior to this By-law Amendment, as documented in the Planning Division records, regardless of completion status on the day of the passing of the subject By-Law Amendment, shall be deemed to be legal. This would include uses under said Site Plans, which would have been in conformity under the most previous documented zone on the subject site.

03-13A-2ii

Uses of Least Stringent Minimum Setback Standards

In the event a new development or redevelopment occurs on site, the proponent may use the less stringent minimum setback standards when compared between the CC-SC zone and that which applied under the most previous on-site zoning of record.

03-13A-2iii Special Provisions for Development in Proximity to the South Branch of the Raisin River Near Brookdale Avenue

Development within the flood fringe/floodplain of the South Branch of the Raisin River near Brookdale Avenue and verified by the most current Raisin Region Conservation Authority (RRCA) mapping, with more particular applicability to Sites # A22 (Edwardson Development Inc., parcel) and # A26 (Stan Body parcel, Part Lots 12 and 13, Concession 3) as illustrated on Schedules "V" and "Z" to this By-law (By-law 2011-023), shall be subject to the cited minimum Canadian Geodetic datum elevation(s) for buildings identified in the City of Cornwall Comprehensive Zoning By-law 751, 1969 as amended, including section 01-2-9. Further, development on Site # A26 (Stan Body parcel) shall require an appropriate approval of the RRCA.

067/17 As per a letter from the Raisin Region Conservation Authority (RRCA) dated July 15th, 2016, all those lands south of the existing South Branch of the Raisin River on the east side of Brookdale Avenue, consisting of approximately 2 acres, as shown on Part 8, Plan 52R-3892 are not considered to be part of the flood fringe / floodplain of the South Branch of the Raisin River, therefore, these lands are fully developable and zoned CC-SC.

03-13A-3 PERMITTED USES

Except as indicated in Section 03-13-2i), 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:

- a) All those uses which existed legally on the day of passing of By-law Number 2011-023. In addition, the standards of the CC-SC Zone shall apply to both the listed permitted uses and such uses not named in this section, but deemed to be legal by their existence prior to said By-law.
- b) Automotive Centre or Automotive Retail Centre, including Automotive Supplier/Parts Store, Storage Garage.
- c) Automotive Showroom.
- d) Art Gallery/Artisan Studio.
- e) Bakery
- f) 'Banks and Financial Institutions/Financial Service Providers', 'Real Estate Agency', 'Insurance Agency', 'Employment Agency', 'Travel Agency', 'Call or Help Desk Centre'.
- g) Clinics, including Medical and other health-related businesses either of a public or private nature and may include weight loss clinics.
- h) Commercial School.
- i) Day Nurseries, Day Care Centres.
- j) Food Supermarkets/Supermarkets, Specialty Food Markets, including a fruit and vegetable market or seafood/meat market.
- k) Funeral Home.
- l) Gas Bar, provided that only one such use shall be permitted on any CC-SC site.
- m) Home Improvement Centre/Building Supply Outlet.

- n) Garden Centre.
- o) Hotel/Motel.
- p) Institutional Building/Use, including Post Office and excludes Institutional Residences.
- q) Liquor/Beer Store.
- r) Mail Order or Catalogue Stores.
- s) Municipal, Government, or Public Utility Building.
- t) Parking Lots and Parking Structures (Public or Private), Taxi and/or Bus Station.
- u) Pharmacy.
- v) Place of Assembly or Recreation, and not limiting the foregoing but including Public and Private facilities, cinemas, theatres, drive-in theatres.
- w) Photography and Artist Studios.
- x) Printing Establishment.
- y) Restaurants, Dining Room, Bar, Tavern.
- z) Retail stores/Retail Shops/Factory outlets, Department Store, 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.
- aa) Repair Service and Personal Service Shops, including but not limited to barber shops, beauty parlour, shoe repair, Dress Making and Tailoring Shop(s) receiving office for laundry or dry cleaner, Dry Cleaners and Laundromat/Self Service Laundry, Interior Decorators, and does not include repair of heavy machinery or commercial garages.
- bb) Accessory use, clearly incidental to any of the above permitted main uses and integrally designed into the Shopping Centre complex.
- cc) One Accessory Dwelling unit, provided it is physically attached/integrated into the Shopping Centre Complex and exclusively for a security, custodial or manager/administrator personnel of the Complex and whose residency on the premises is required.
- dd) Enclosed Storage.
- ee) Community Centre.
- ff) Vehicle Rental Agency.

067/17

03-13A-4 SITE-SPECIFIC EXCEPTIONS

formerly from By-law
103-90

- i.) Notwithstanding any other requirements of this Section, a parking lot shall be the only permitted use, in conjunction with the abutting Community Commercial property on Ninth Street, on property described as Part of Lots 10 and 11, South Ninth Street, more specifically as Parts 1, 2, 3, 4, 5, 6, Plan 52R-1710 and known municipally as 840 Amelia Street. Next to former Loeb Warehouse.

03-13A-5 STANDARDS (governing the subcategories of Community Commercial-Shopping Centre Zone Complexes)

The following standards are to be used based on the identified aggregate Gross Leasable Area (GLA) size of the specific shopping centre complex.

All lots zoned CC-SC may be developed with Multiple Buildings/Development Pads and for the purposes of this section the aggregate GLA of the development shall be used to determine its Lot Occupancy. The remaining zone standards are to be applied to the overall development, as a wholly combined unit, as opposed to individual buildings/pads.

COMMERCIAL SUB-CATEGORY TYPE DEFINED BY TOTAL GLA BUILDING SIZE AND NUMBER OF TENANTS/USES

Level 1

1. Community Shopping Centre (CSC) - Standards to be used for projects of greater than 600 sq. m. (6,458 sq. ft.) aggregate Gross Leasable Area to 13,935.5 sq. m. (150,000 sq. ft.) aggregate GLA and typically may be at least 3 distinct tenants/uses providing a complementary range of ancillary retail/service activity. The minimum establishment size shall be 100 sq. m./rental/leasable unit. All Level 1 development shall have at least one access for an arterial street and be fully serviced by municipal water and sewer or on a partial servicing level acceptable to the municipality and other applicable agencies, as an interim measure. Site Plan Control shall be comprehensively applied to all Level 1 development.

Level 2

2. Regional Shopping Centre (RSC) - Standards to be used for projects with greater than 13,935.5 sq. m. (150,000 sq. ft.) aggregate GLA to a maximum of 37,161 sq. m. (400,000 sq. ft.) aggregate GLA and typically may be at least 4 distinct tenants/uses providing a complementary range of ancillary retail/service activity. The minimum establishment size shall be 100 sq. m./rental/leasable unit. All Level 2 development shall have at least one access from an arterial street and be fully serviced by municipal water and sewer or on a partial servicing level acceptable to the municipality and other applicable agencies, as an interim measure. Site Plan Control shall be comprehensively applied to all Level 2 development projects.

03-13A-5-1 FOR CSC's (Level 1)

- i.) Minimum Lot Area4,000 m² (1 acre)
- ii.) Maximum Lot Occupancy40%
- iii.) Minimum Lot Frontage50 metres
- iv.) Minimum Front Yard 3 metres
- v.) Minimum Exterior Side Yard 6 metres
- vi.) Minimum Side Yard One half the building height, but not less than 3 metres
- vii.) Minimum Rear Yard One half the building height, but not less than 3 metres
- viii.) Gross Leasable Area (GLA) Rangegreater than 600 sq. m (6,458 sq. ft.) aggregate to 13,935.5 sq. m (150,000 sq. ft.) aggregate GLA
- ix.) Minimum Landscaped Area10% of the actual lot area (may include a combination of hard and soft landscaping, as approved by the Municipality at time of Site Plan Control review)

- x.) Maximum Building HeightNo building or structure, exclusive of chimneys, antennae and rooftop building systems apparatus, shall exceed a height of 15 metres (49 feet) or 3 storeys, whichever is less.
- xi.) Increased Standards for yards abutting Residential ZonesWhere a Community Commercial - Shopping Centre (CC-SC) zone abuts a residential zone, any and all affected yard setback standards shall be doubled from their normal applied amount. In addition, no parking, access driveways and no (open) outside storage or outdoor display shall be permitted within 8 metres of the abutting yard of the Residential zoned lands
- xii.) (Off Street) Parking RequirementsParking spaces shall be provided in accordance with Section 01-3 of the By-law
- xiii.) Loading Spaces
 - a) One off-street space for every 2,800 square metres (30,000 square feet) or fraction thereof of gross floor area with space allocation based on tenant mix/size per project.
 - b) Each loading space shall be at least 3.7 metres (12 feet) by 10.7 metres (35 feet) with a minimum of 4.3 metres (14 feet) height clearance.
- xiv.) (Open) Outside Storage/Outdoor Display
No (open) outside storage or outdoor display shall be permitted, unless it conforms to all applicable main building setback standards and is properly contained/screened, as determined by the Municipality at time of Site Plan Control review.
- xv.) Landscaping, Buffering, Fencing
 - a) Where a side yard or rear yard abuts a Residential zone, a suitable screening fence shall be provided.
 - b) Front, side and rear yards will be landscaped throughout with the exception of entrances/exits and that area which will be developed for parking or loading spaces.
A professional Landscape Plan, submitted by a project proponent, will form the basis for determining the extent of said on-site landscaping and is reviewed to the satisfaction of administration and proponent through a formal Site Plan Control process.
- xvi.) Minimum Setback for Drive-Thru Queuing Lanes Abutting Residential Zones
Drive-thru queuing lanes shall be setback a minimum of 6.5 metres from any yards abutting residential zones.
- xvii.) Accessory Buildings/Structures
On any lot the total area of accessory buildings/structures, (commercial or service) shall not exceed 10% of the area of the lot. Accessory buildings/structures containing any part of a commercial/service operation must meet applicable main building setbacks.

03-13A-5-2 FOR RSC's (Level 2)

- i.) Minimum Lot Area 40,500 sq. m. (10 acres)
- ii.) Maximum Lot Occupancy40%
- iii.) Minimum Lot Frontage100 metres
- iv.) Minimum Front Yard 6 metres

- v.) Minimum Exterior Side Yard 9 metres
- vi.) Minimum Side Yard One half the building height, but not less than 8 metres
- vii.) Minimum Rear Yard One half the building height, but not less than 8 metres
- viii.) Gross Leasable Area (GLA) Range greater than 13,935.5 sq. m. (150,000 sq. ft.) aggregate GLA up to a maximum of 37,161 sq. m. (400,000 sq. ft.) aggregate GLA (Note: Level 2 RSC's greater than this size require a site specific rezoning)
- ix.) Minimum Landscaped Area 10% of the actual lot area (may include a combination of hard and soft landscaping, as approved by the Municipality at time of Site Plan Control review)
- x.) Maximum Building Height No building or structure, exclusive of chimneys, antennae and rooftop building systems apparatus, shall exceed a height of 18 metres (59 feet) or 4 storeys, whichever is less.
- xi.) Increased Standards for yards abutting Residential Zones Where a Community Commercial - Shopping Centre (CC-SC) zone abuts a residential zone, any and all affected yard setback standards shall be doubled from their normal applied amount. In addition, no parking, access driveways and no (open) outside storage or outdoor display shall be permitted within 8 metres of the abutting yard of the Residential zoned lands
- xii.) (Off Street) Parking Requirements Parking spaces shall be provided in accordance with Section 01-3 of the By-law.
- xiii.) Loading Spaces
 - a) One off-street space for every 2,800 square metres (30,000 square feet) or fraction thereof of gross floor area with space allocation based on tenant mix/size per project.
 - b) Each loading space shall be at least 3.7 metres (12 feet) by 10.7 metres (35 feet) with a minimum of 4.3 metres (14 feet) height clearance.
- xiv.) (Open) Outside Storage/Outdoor Display
No (open) outside storage or outdoor display shall be permitted, unless it conforms to all applicable main building setback standards and is properly contained/screened, as determined by the Municipality at time of Site Plan Control review.
- xv.) Landscaping, Buffering, Fencing
 - a) Where a side yard or rear yard abuts a Residential zone, a suitable screening fence shall be provided.
 - b) Front, side and rear yards will be landscaped throughout with the exception of entrances/exits and that area which will be developed for parking or loading spaces.
A professional Landscape Plan, submitted by a project proponent, will form the basis for determining the extent of said on-site landscaping and is reviewed to the satisfaction of administration and proponent through a formal Site Plan Control process.
- xvi.) Minimum Setback for Drive-Thru Queuing Lanes abutting Residential Zones
Drive-thru queuing lanes shall be setback a minimum of 6.5 metres from any yards abutting a residential zone.

xvii.) Accessory Buildings/Structures

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

2011-023	Initial 43 Sites Rezoned to CC-SC Zone (as indicated in Schedules "A"-“QQ”
Site #	Address
i.) A1 (Sch. A)	<u>950-960 Brookdale Avenue from COM 11</u> (Brookdale Centre - Creit Management Ltd., ± 23.3 acres)
ii.) A2 (Sch. B)	<u>700-700F Cumberland Street and 405 - 7th Street West from CC (H)</u> (Future Circle Square - North American Acquisition Centre Corp. and Domtar Inc., ± 25 acres) Also, to continue to have a Holding (H) category applied to the new on-site zoning
iii.) A3 (Sch. C)	<u>3-39 - 9th Street East from C.C.</u> (Loblaw's Your Independent Grocer [Y.I.G.] Plaza/Centre - Loblaw's Properties Limited, ± 10 acres)
iv.) A4 (Sch. D)	<u>1400 Vincent Massey Drive from C.H.</u> with exception to include Commercial 11 uses (Seaway Centre - Diamond Trust Developments, ± 13 acres)
v.) A5 (Sch. E)	<u>1320-1396 - 2nd Street East from COM 11</u> (Eastcourt Mall - Riocan Holdings Inc., ± 14.5 acres)
vi.) A6 (Sch. F)	<u>201 9th Street East from C.H.</u> (Canadian Tire Plaza - Canadian Tire Real Estate Limited, ± 9 acres)
vii.) A7 (Sch. G)	<u>841 Sydney Street from COM 51</u> (Tudor Centre - SAVIC SARL Canada Inc., ± 1.65 acres)
viii.) A8 (Sch. H)	<u>120 - 9th Street East from C.C.</u> (Maximum Fitness - SAVIC SARL Canada Inc., ± 1.5 acres)
ix.) A9 (Sch. I)	<u>805-807 Sydney Street from COM 51</u> (Central Plaza - 1330683 Ontario Inc., ± 2 acres)
x.) A10 (Sch. J)	<u>1315-1325 - 2nd Street East from C.C.</u> (Glengarry Mall - Iberville Developments Limited, ± 10.8 acres)
xi.) A11 (Sch. K)	<u>1825 Brookdale Avenue from C.H. with exception for C.C. uses</u> (Home Depot - Home Depot Holdings Inc., ± 12.3 acres. Also continue to have a Holding (H) category applied to a specific portion of lands on the new on-site zoning along the frontage of Brookdale Avenue)
xii.) A12 (Sch. L)	<u>Block 11, Plan 52M-3 from C.H. with exception for C.C. uses</u> (Vacant block at southwest corner of Emma Avenue and Tollgate Road West - Cartwave Realty Limited, ± 5.8 acres)

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Site #	Address
xiii.) A13 (Sch. M)	<u>1875 Brookdale Avenue from C.H. with exception for C.C. uses</u> (Cornwall Toyota - 350634 Ontario Ltd., ± 3.5 acres)
xiv.) A14 (Sch. N)	<u>Part of Lot 12, Concession 3 from C.H. with exception for C.C. uses and regular C.H.</u> (Villarboit Development site at northeast corner of Brookdale Avenue and Tollgate Road West - Brookdale Square Inc., ± 10 acres)
xv.) A15 (Sch. O)	<u>Part of Lot 7, Concession 1 from COM 11</u> (Jennum Development site at northwest corner of Marlborough Street North and 9 th Street East, ± 5.6 acres, Jennum Developments Inc., c/o Cornwall McConnell Properties)
xvi.) A16 (Sch. P)	<u>691 (units 1-7) Brookdale Avenue from C.H. with exception for C.C. uses</u> (International Business Park - Grantchester Developments Limited, ± 9 acres)
xvii.) A17 (Sch. Q)	<u>501 Brookdale Avenue from C.H.</u> (Four Seasons Car Wash - 1101363 Ontario Inc., ± 1 acres and high potential for functional integration with site # 16)
xviii.) A18 (Sch. R)	<u>1232-1236 Brookdale Avenue from C.H. with exception for C.C. uses</u> (Harden Group Plaza - Harden Group, 7178298 Canada Inc., ± 7.4 acres)
xix.) A19 (Sch. S)	<u>1140-1140A Brookdale Avenue from C.H. with exception for water bottling and florist shop uses</u> (Place Laurier - Arius Holdings Inc., ± 2.3 acres)
xx.) A20 (Sch. T)	<u>700-720 Fourteenth Street West from C.H.</u> (Seaway Village - 2148711 Ontario Inc., c/o League Assets Corp., ± 2.5 acres)
xxi.) A21 (Sch. U)	<u>1916 (Units 1-11) Pitt Street from C.H. with C.N. uses</u> (Heritage Business Centre - Heritage Business Centre Partnership, ± 1.1 acres)
xxii.) A22 (Sch. V)	<u>North Part of Lot 13, Concession 3, RP 52R3275, Brookdale Avenue from C.H., R.A. and Pr. Agr.</u> (Future Cornwall Gateway Centre - Edwardson Development Corporation, ± 25-35 acres being the estimated C.H. zoned (vacant) area on the subject parcel with some continued flood fringe/floodplain issues to address and an additional ± 15-20 acres in R.A./Pr. Agr. (vacant)
xxiii.) A23 (Sch. W)	<u>2690 Brookdale Avenue from C.H.</u> (12 Flags/PetroCan Gas Bar site - 2066853 Ontario Inc. (Seaway Travel Centre Inc.), ± 3 acres)
xxiv.) A24 (Sch. X)	<u>2694 Brookdale Avenue from C.H.</u> (Super 8 Motel Site - Grand Jansons (Canada) Inc., ± 2 acres)
xxv.) A25 (Sch. Y)	<u>2695 Brookdale Avenue from C.H.</u> (Seaway Motors (formerly C.M.S. Motors) - 1343700 Ontario Ltd., ± 5 acres)

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Site #	Address
xxvi.) A26 (Sch. Z)	<u>Part of Lot 12, Concession 3, RP 52R3892 PA, Brookdale Avenue from C.H. with special provisions</u> (Stan Body lands (vacant), ± 10 acres, with continued flood fringe/floodplain issues on the majority of the site and required appropriate development approval of the local Conservation Authority as originally per By-law # 114,2001)
xxvii.) A27 (Sch. AA)	<u>1515 Vincent Massey Drive from C.H.</u> (Best Western Parkway Inn - Nobro Holdings Ltd., ± 6.42 acres)
xxviii.) A28 (Sch. BB)	<u>1319 Brookdale Avenue from C.H.</u> (Burger King - Robert J. Bourgon in Trust, 0.6 acres)
xxix.) A29 (Sch. CC)	<u>1315-1317 Brookdale Avenue from C.H.</u> (vacant development site being the former BenDav site, 2236806 Ontario Inc. 0.33 acres)
xxx.) A30 (Sch. DD)	<u>1313 Brookdale Avenue from C.H.</u> (“new” Pizza Hut - Sea Island Foods Inc., 0.56 acres)
xxxi.) A31 (Sch. EE)	<u>1230 Brookdale Avenue from C.H.</u> (Shell Station - Shell Canada Limited, 0.5 acres)
xxxii.) A32 (Sch. FF)	<u>701 Rosemount Avenue from C.H.</u> (Hyundai Dealership - 6911901 Canada Ltd., 0.7 acres)
xxxiii.) A33 (Sch. GG)	<u>707 Rosemount Avenue from C.H.</u> (S.D. & G. Cleaning Solutions - 766571 Ontario Limited, 0.6 acres)
xxxiv.) A34 (Sch. HH)	<u>1200 Brookdale Avenue and 700-702 Rosemount Avenue from C.H.</u> (Cornwall Honda - 350634 Ontario Ltd., 1.32 acres)
xxxv.) A35 (Sch. II)	<u>1142 Brookdale Avenue from C.H.</u> (Econolodge - 2011090 Ontario Inc., 2.53 acres)
xxxvi.) A36 (Sch. JJ)	<u>1106-1110 Brookdale Avenue from C.H.</u> (Shoeless Joe’s, East Side Mario’s and Larry Keen Group offices - 650566 Ontario Ltd., 2.9 acres)
xxxvii.) A37 (Sch. KK)	<u>700 Brookdale Avenue from COM 11</u> (Harvey’s/Swiss Chalet - 436541 Ontario Ltd. - c/o Cara Operations Ltd., 2.24 acres)
xxxviii.) A38 (Sch. LL)	<u>North Part Lot 4, Con. 1, 52R2898 from MFR 10 and MFR 20</u> (future development site - Noyar Developments Inc., 10.4 acres)
xxxix.) A39 (Sch. MM)	<u>Part Lot 4, Con. 1 from MFR 10 and RES 20</u> (future development site - Noyar Developments Inc., 2.3 acres)
xl.) A40 (Sch. NN)	<u>West Part Lot 3, Con. 1, 52R4214 from MFR 10 and RES 20</u> (future development site - Mostaffa Elgazzar, 12 acres)

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Site #	Address
(NOTE:	Original Site A41 deleted from Zoning By-law Amendment initiative based on request from owner, R.J. Bender Construction, East Pt. Lot 3, Con. 1, 12.6 acres, north side Marleau Avenue)
xli.) A42 (Sch. 00)	<u>West Part Lot 2, Con. 1 from MFR 10 and RES 20</u> (future development site - Catholic District School Board of Eastern Ontario, 10.2 acres)
xlii.) A43 (Sch. PP)	<u>East ½ Lot 2, Con. 1 from MFR 10 and RES 20</u> (future development site - 717406 Ontario Inc., 6.8 acres)
xliii.) A44 (Sch. QQ)	<u>401-425 Fourth Street West and 400-414 Cumberland Street from RES 20</u> (Cumberland Square - 1799190 Ontario Inc., 3.5 acres)