

9.9**Neighbourhood Centre Commercial Zone (C9)**

9.9.1.

Permitted Uses

Amended by
Bylaws No.
142-92, 35-95,
175-96, 149-97,
109-2013, 3-2015,
65-2018

The following uses are permitted in a C9 Zone:

- .1 Shopping centres, comprised of a combination of the following uses:
 - .1 Arts schools.
 - .2 Automobile gas bars.
 - .3 Bakeries.
 - .4 Day nurseries.
 - .5 Financial institutions.
 - .6 Fresh produce outlets.
 - .7 General offices.
 - .8 Grocery stores.
 - .9 Health clubs.
 - .10 Meat stores.
 - .11 Medical clinics.
 - .12 Medical offices.
 - .13 Mixed Use Buildings, in accordance with Subsection 9.9.2.6.
 - .14 Neighbourhood convenience stores.
 - .15 Personal service stores.
 - .16 Pharmacies.
 - .17 Photocopy shops.
 - .18 Photographer's studios.
 - .19 Places of worship.
 - .20 Private parks.
 - .21 Public halls.
 - .22 Deleted
 - .23 Restaurants: full service, take-out, and fast food (excluding drive-through service).
 - .24 Service or repair shops.
 - .25 Specialty retail stores.
 - .26 Veterinary Clinic.
- .2 Day nurseries
- .3 Accessory uses, buildings, and structures
- .4 Uses permitted in Section 6.1.

9.9.2.

Regulations

Any use, building, or structure in a C9 Zone shall be established in accordance with the following:

- .1 All Permitted Uses Except as Noted
 - .1 Lot Area (minimum) 0.4 ha

.2	Lot Frontage (minimum)	40.0 m
.3	Lot Coverage (maximum)	30%
.4	Building Height (maximum)	10.0 m
.5	Front Yard (minimum)	
	.1 Buildings	9.0 m
	.2 Gasoline pump islands and gasoline pump island canopy	6.0 m
	.3 Gasoline pump island kiosk	1.0 m
.6	Rear Yard (minimum)	6.0 m
.7	Side Yard (minimum)	
	.1 Interior	6.0 m
	.2 Exterior	9.0 m
.8	Gross Leasable Floor Area (maximum)	
	.1 Total	1650.0 m ²
	.2 Restaurants	280.0 m ² each
.9	Landscaped Open Space (minimum)	10%
.10	Parking in accordance with	Section 6.18.
.11	Loading in accordance with	Section 6.23.
.12	Open Storage	Prohibited
.13	Buffering in accordance with	Section 6.10.
.14	Planting Strip in accordance with	Section 6.11.
.15	Day Nursery in accordance with	Section 6.8.3.
.2	Day Nurseries	
	.1 In accordance with Section 6.8.	
.3	Deleted	
	.1 In accordance with Section 6.34.	

Amended by
Bylaw No.
109-2013

.4 Accessory uses, buildings, and structures

.1 In accordance with Section 6.3.

.5 Uses permitted in Section 6.1.

.1 In accordance with Section 6.1.

.6 Mixed Use Buildings

Notwithstanding any provisions of this Bylaw to the contrary, any lot in the C9 Zone in accordance with "Schedule M" may be used for a mixed use building which shall include dwelling units and any use permitted in Section 9.9.1 excluding "Automobile gas bars".

Notwithstanding any provisions of this Bylaw to the contrary, no person shall within any C9 Zone in accordance with "Schedule M" use any lot, or erect, alter or use any building or structure for any mixed use building except in accordance with the following provisions:

- | | | |
|-----|--|------------|
| .1 | Lot Area (minimum) | NIL |
| .2 | Lot Width (minimum) | NIL |
| .3 | Lot Coverage (maximum) | 100% |
| .4 | Building Height (maximum) | 6 Storeys |
| .5 | Building Height (minimum) | 2 storeys |
| .6 | Building Stepback (minimum) | NIL |
| .7 | Ground Floor Height (minimum) | 4.5 metres |
| .8 | Front Yard (minimum) | NIL |
| .9 | Rear Yard (minimum) | |
| | .1 Abutting a Residential Zone | 7.5m |
| | .2 Abutting any other Zone | NIL |
| .10 | Side Yard Interior (minimum) | |
| | .1 Abutting a Residential Zone | 7.5m |
| | .2 Abutting a building with windows on the facing wall | 5.5m |
| | .3 Abutting any other Zone/wall | NIL |

- .11 Side Yard Exterior (minimum) NIL
- .12 Amenity Space (minimum) 3.0m²/ residential unit
- .13 Parking
 - .1 In accordance with Section 6.18
 - .2 No parking area shall be located between the principal non-residential use and the front or exterior side lot line.
- .14 Landscaped Open Space (minimum) 15% which shall include:
 - .1 a minimum 1.5 metre planting strip between any rear or side lot line abutting a residential zone and any surface parking area
- .15 Loading in accordance with Section 6.23
- .16 Residential uses shall not be permitted on the ground floor of a mixed use building
- .17 Industrial uses shall not be permitted in a mixed use building

9.9.3. Exceptions

The following Zones apply to specific lands within a C9 Zone.

Amended by
Bylaw No.
127-2007

.1 Southwest Corner of Powerline Road and Brantwood Park Road (C9-1)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-1 Zone may be used for all of the uses permitted in the C9 Zone.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C9-1 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Gross Floor Area
 - .1 Maximum 1645.0 m²
 - .2 Minimum 455.0 m²
- .2 Lot Area (minimum) 0.34 hectares
- .3 Notwithstanding the provisions of Section 6.4.1.1., any roof

projection on any building erected on the lands may project into any required yard a maximum of 1.5 m.

That all the provisions of the C9 Zone in Section 9.9.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
17-91, 1-92,
133-92,

OMB Order
Zone, 1734
Bylaw 21-2008

.2 241 Dunsdon Street and Northwest Corner of Dunsdon Street and Greenfield Road (H-C9-2)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any H-C9-2 Zone may be used for all of the uses permitted in the C9 plus the following:

- .1 Arts schools.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any H-C9-2 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

.1 241 Dunsdon Street

.1 Gross Floor Area (maximum)

- | | | |
|----|--|---|
| .1 | Take-out Restaurants
(maximum of 3) | 140.0 m ² each |
| .2 | Full Service Restaurants
(maximum of 2) | 465.0 m ² in total however, no full service restaurant shall exceed 370.0 m ² |
| .3 | A private club with associated recreational facilities | Unlimited |
| .4 | Swimming pool in the location shown on Schedule "B" Maps C9-2.1 and C9-2.2 | Unlimited |
| .5 | Open storage in the location shown on Schedule "B", Maps C9-2.1 and C9-2.2 | Unlimited |
| .6 | A maximum of 30 dwelling units. | |
| .7 | The minimum gross floor area of each dwelling unit | |

shall be 55.0 m².

.8 Location of Dwelling Units

.1 As Phase II, a maximum of 19 dwelling units may be located on the second storey of Building A of the shopping centre, and the lands shall conform to all regulations shown on Schedule "B", Map C9-2.1.

.2 As Phase III, a maximum of 30 dwelling units may be located within Building Area A of the shopping centre, with a maximum of 19 being located on the second floor as permitted by Subsection 8.1, and 11 dwelling units being located on the first floor within the northern portion of said Building Area A, and the lands shall conform to all regulations shown on Schedule "B", Map C9-2.2.

.2 Northwest Corner of Dunsdon Street and Greenfield Road

.1 Only the following uses shall be permitted in Building Area C and the lands shall conform to all regulations shown on Schedule "B", Maps C9-2.1 and C9-2.2:

- .1 A general office.
- .2 Accessory indoor storage.

.2 Gross Floor Area (maximum)

.1	Building Area C	302.0 m ²
.2	General office	110.0 m ²
.3	Accessory indoor storage	192.0 m ²

.3 An outdoor storage area having a maximum area of 302.5 m² and conforming to all regulations shown on Schedule "B" Maps C9-2.1 and C9-2.2, shall be accessory to the general office use occupying Building Area C.

.4 Material stored in the outdoor storage area shall not exceed 1.5 m in height, and shall be restricted to the following:

- .1 Landscape maintenance materials including topsoil, mulch and gravel.

.2 A garbage bin.

- .3 Recycling bins.
- .4 An explosive-proof fuel container.
- .5 The storage of maintenance vehicles and equipment shall be prohibited in the outdoor storage area.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

- .3 Dunsdon Street and Northwest Corner of Dunsdon Street and Greenfield Road

Holding Zone:

Notwithstanding any provision of this Bylaw to the contrary, the sale of liquor, either as a stand-alone use or as part of a permitted use, is not permitted on any property within a "Holding – Neighbourhood Centre Commercial ("H-C9-2") Zone", until such time as the necessary authorizations have been approved to permit the sale of liquor on the subject lands.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis

.3 Southeast Corner of Henry Street and Clarence Street (C9-3)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-3 Zone shall be used only for a shopping centre comprised of the following uses:

- .1 Dry cleaning depots.
- .2 Financial institutions.
- .3 General offices.
- .4 Grocery stores.
- .5 Medical clinics.
- .6 Medical offices.
- .7 Neighbourhood convenience stores.
- .8 Personal service stores.
- .9 Pharmacies.
- .10 Retail Stores (not otherwise listed).
- .11 Take-out restaurants.

Notwithstanding any provision of this Bylaw to the contrary, no person

shall within any C9-3 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 The maximum gross floor area of each permitted use shall be as follows:
- | | | |
|----|---|-------------------------------|
| .1 | A dry cleaning depot | 180.0 m ² |
| .2 | Financial institutions | 400.0 m ² each |
| .3 | General Offices (including medical offices & clinics) | 930.0 m ² in total |
| .4 | Grocery store | 650.0 m ² each |
| .5 | Neighbourhood convenience stores | 225.0 m ² each |
| .6 | Personal service stores | 180.0 m ² each |
| .7 | Pharmacy | 400.0 m ² |
| .8 | Retail stores (not otherwise listed) | 250.0 m ² each |
| .9 | Take-out restaurants (maximum of 2) | 360.0 m ² each |
- .2 The lands shall conform to all regulations shown on Schedule B, Map C9-3.

That all the provisions of the C9 Zone in Section 9.9.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

.4 150 Morrell Street (C9-4)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-4 Zone may be used for all of the uses permitted in the C9 Zone, plus the following use:

- .1 A freestanding restaurant.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C9-4 Zone use any lot, or erect, alter or use any building or structure for a freestanding restaurant, except in accordance with the following provisions:

- .1 In accordance with Section 9.8.2.

That all the provisions of the C9 Zone in Section 9.9.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
40-92

.5 124 - 140 Nelson Street (C9-5)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-5 Zone may be used for all of the uses permitted in the C9 Zone.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C9-5 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 In accordance with all regulations shown on Schedule "B" Map C9-5.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions of the Bylaw, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
46-95 & 175-96

.6 DELETED

Amended by
Bylaw No.
142-97

.7 403 Fairview Drive (C9-7)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-7 Zone may be used for all of the uses permitted in the C9 Zone, plus the following:

- .1 Veterinary clinics.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions to this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
37-98 &
61-2002

.8 DELETED

Amended by

.9 Northeast Corner of Blackburn Drive and Diana Avenue (C9-9)

Bylaw No.
203-2004

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-9 Zone may be used for all of the uses permitted in the C9 Zone plus the following use:

- .1 Private schools.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C9-9 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Side Yard (minimum)
 - .1 Interior 4.0 m
 - .2 Notwithstanding Section 6.23 a required Loading Space – Type A shall have minimum dimensions of 3.3 m x 5.7 m, with 4.5 m in clear unobstructed height, exclusive of any land use for access, driveways or manoeuvring.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
45-2006, 122-2011,
65-2018

.10 Northeast Corner of Shellard Lane and Conklin Road (C9-10)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-10 Zone shall be used only for the following use:

- .1 Shopping centres, comprised of a combination of the following uses:
 - .1 Arts schools.
 - .2 Bakeries.
 - .3 Day nurseries.
 - .4 Financial institutions.
 - .5 Fresh produce outlets.
 - .6 General offices.
 - .7 Grocery stores.
 - .8 Health clubs.
 - .9 Meat stores.
 - .10 Medical clinics.
 - .11 Medical offices.
 - .12 Neighbourhood convenience stores.
 - .13 Personal service stores.
 - .14 Pharmacies.
 - .15 Photocopy shops.
 - .16 Photographer's studios.

- .17 Places of worship.
 - .18 Private parks.
 - .19 Public halls.
 - .20 Refreshment carts.
 - .21 Restaurants: full service, take-out, and fast food (including drive-through service).
 - .22 Service or repair shops.
 - .23 Specialty retail stores.
- .2 .1 Front Yard (minimum)

Buildings	5.47 m
.2 Gross Leasable Floor Area (maximum)	
Total	1,880 m ²
 - .3 Notwithstanding the requirements of Section 6.23, the loading space shall be "Type A".
 - .4 A drive-through shall be prohibited from the area identified as Part 2 as shown on "Schedule B – Map C9-10", attached to and forming part of this Bylaw.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
73-2016, 65-2018

.11 Northeast Corner of Blackburn Drive/Conklin Road (C9-11)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C9-11 Zone may only be used for the following uses:

- .1 Shopping Centres, comprised of a combination of the following uses:
 - .1 Arts schools.
 - .2 Bakeries.
 - .3 Commercial Schools
 - .4 Day nurseries.
 - .5 Financial institutions.
 - .6 Fresh produce outlets.
 - .7 General offices.
 - .8 Grocery stores.
 - .9 Health clubs.
 - .10 Meat stores.
 - .11 Medical clinics.
 - .12 Medical offices.
 - .13 Mixed Use Buildings, in accordance with Subsection 9.9.2.6.
 - .14 Neighbourhood convenience stores.
 - .15 Personal service stores.

- .16 Pharmacies.
- .17 Photocopy shops.
- .18 Photographer's studios.
- .19 Places of worship.
- .20 Private parks.
- .21 Public halls.
- .22 Deleted.
- .23 Restaurants: full service, take-out, and fast food (including drive-through)
- .24 Service or repair shops.
- .25 Specialty retail stores.
- .26 Veterinary Clinic.
- .27 Accessory uses, buildings, and structures
- .28 Uses permitted in Section 6.1.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C9-11 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Building Height (maximum)
 - .1 Building Height (maximum)
 - .1 Maximum height for a building located in Part 1 as shown on Schedule B – Map C9-11, attached to and forming part of this Bylaw 13.42 m
 - .2 Gross Leasable Floor Area (maximum)
 - Total 3,252.0 m²
- .3 Loading

Notwithstanding the requirements of Section 6.23, a minimum of 1 “Type A” loading space is required.
- .4 Buffering

Notwithstanding the requirements of Section 9.9.2.1.13, a minimum buffer of 6.0 metres shall be provided along the east lot line.
- .5 Commercial schools shall be limited to a maximum of 278.0 m² gross floor area.
- .6 Drive Through
 - .1 Restaurant with Drive Through (maximum): 1

- .2 A Restaurant, Fast food with Drive Through shall be prohibited from the area identified as Part 2 as shown on “Schedule B – Map C9-11” attached to and forming part of this Bylaw.
- .3 Notwithstanding the requirements of Section 6.18.10.4, a stacking lane associated with a Restaurant with Drive Through shall provide a minimum of 15 stacking spaces in total. Three of the said 15 spaces shall be located between the order menu station and pick-up window.
- .4 Notwithstanding the requirements of Section 6.18.10.6, Drive Through aisles shall be located so that stacked vehicles do not impede adjacent on or off-site traffic. A minimum setback of 9.0 metres is required from the north lot line to the entrance of the drive-through aisle to accommodate vehicle movement into and out of the site.

That all the provisions of the C9 Zone in Section 9.9.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.