

SECTION 26D – CORE MIXED USE 4 (CMU4) ZONE

26D.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 to all Core Mixed-Use 4 (CMU4) Zones.

26D.2 PERMITTED USES

- Animal Hospital
- Bake shops
- Banks and Financial Institutions
- Brewer’s Retail Outlets
- Business or Professional Offices
- Building Supply and Sales
- 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
- Motels
- Personal Service Shops
- Pharmacies
- Places of Entertainment, Recreation or Assembly
- Post Offices
- Printing Establishments
- Private parking lots
- 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

S E C T I O N 26D – CMU4 ZONE
TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION

26D.2

- Spa Services
- Studios
- Supermarkets
- Taverns
- Video Outlet Sales and Rental Establishments
- Existing stand-alone residential uses
- Dwelling Units
- Uses, buildings and structures accessory to any permitted commercial or residential use

26D.3 ZONE REGULATIONS

| | |
|----------------------------|---|
| Minimum Lot Frontage | 0m |
| Minimum Lot Area | 0 sq. m. |
| Minimum Front Yard | 0m |
| Minimum Interior Side Yard | 0m, except the minimum side yard abutting a residential zone shall be 2.5m |
| Minimum Exterior Side Yard | 0m |
| Minimum Rear Yard | 4.5m except the minimum rear yard abutting a residential zone shall be 10m |
| Maximum Building Height | i) 3 storeys ii) 12m |
| Minimum Building Height | 2 storeys |
| Required Parking | Commercial uses within the CMU4 Zone shall be exempted from the parking and loading requirements of this By-law with the exception of buildings containing dwelling units where the provisions of Subsection 18.2(d) shall apply. |

26D.4 REGULATIONS FOR DWELLING UNITS ABOVE COMMERCIAL USES

- (i) The provisions of Subsection 18.2 shall apply to a dwelling unit in the Core Mixed Use 4(CMU1) Zone.

26D.5 REGULATIONS FOR EXISTING STAND ALONE DWELLING UNITS

- (i) The regulations of Section 11.3 shall apply to single detached dwelling units located on a separate lot.
- (ii) The regulations of Section 13.4 shall apply to semi detached dwelling units located on a separate lot.

- (iii) The regulations of Section 13.5 shall apply to duplex dwelling units located on a separate lot.
- (iv) All of the provisions of Subsection 18.2 shall apply to other dwelling units, except that notwithstanding the regulations contained in Section 18.2 (d), a minimum of one parking space shall be provided for each dwelling unit via one, or a combination of the following means:
 - (v) On the same lot as the dwelling unit, or
 - (vi) In a dedicated area within a municipal parking lot through a licensing agreement or paid permitting system for a municipal parking lot that is located within 200 m of the property containing the dwelling unit, or
 - (vii) In an area of a private parking lot that contains an easement in favour of the owner of the dwelling unit that is located within 200 m of the property containing the dwelling unit.

26E.4 DRIVE-THRU LANES

- (i) Notwithstanding the regulations of Subsection 18.5 Drive-Thru Lanes are prohibited in the Core Mixed Use 4 CMU4 Zone.

EXCEPTIONS TO THE CORE MIXED USE 4 (CMU4) ZONE

CMU4-486 (33-13) (FORMERLY C2A-486) SOUTHWEST CORNER OF RIDGE ROAD NORTH AND ELM STREET

These lands are zoned “Core Mixed Use 4 (CMU4) Zone CMU4-486 Zone”, and all of the (CMU4) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 4 (CMU4) Zone CMU4-486 Zone” on the attached Appendix “1” shall be subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 21.2, the lands shown on Appendix “1” may only be used for the following:
 - Nano Brewery
 - Eating Establishment
 - Brewer’s Retail Outlet
 - Personal Service Shop
 - Places of Entertainment or Recreation or Assembly
 - Business or Professional Offices
 - Private or Commercial Clubs
 - Religious, Fraternal or Public Institutions
 - Retail Stores

- Studios
 - Catering Establishments
 - Clinics
 - Commercial Schools
 - Custom Workshop
 - Day Nursery
 - Dwelling unit
- b) Notwithstanding the regulations of “Section 18.2 Regulations for Dwelling Units Permitted in Commercial Zones C1, C2, C2A, C3, C5 and C7,” a maximum of one accessory dwelling unit is permitted on the ground floor of the building located on the lands shown on Appendix “1”, subject to the following special provisions:
- i) Location – in the same building as permitted commercial use(s) and in other than a basement or cellar.
 - ii) Minimum floor area for one-bedroom unit – 46 square metres.
 - iii) Maximum floor area for one-bedroom unit – 48 square metres.
 - iv) Minimum residential open space - 0 square metres per unit.
- c) Notwithstanding the provisions of “Section 6.49 (a) Outdoor Patios Associated with Eating Establishments and/or Taverns,” an outdoor patio used for the purpose of providing entertainment or amusement within 26 metres of a Residential Zone on the lands shown on Appendix “1” is prohibited until such time as the owner enters into a Site Plan Agreement with the Town or other agreement satisfactory to the Town.
- d) Notwithstanding the provisions of “Section 6.49 (a) Outdoor Patios Associated with Eating Establishments and/or Taverns,” no part of any outdoor patio shall be used for the amplification of sound for entertainment or amusement created by radio, television or any other musical or sound producing source of whatever kind located on the lands shown on Appendix “1”