

5.5 MAJOR COMMERCIAL I (C1) ZONE

PERMITTED USES IN C1 ZONE

5.5.1 The following uses shall be permitted in any C1 Zone:

a. **Principal Uses**

Auto Body Repair
Automobile Sales and Service
Bakery Shops
Beverage Rooms (by development agreement only)
Building Contractors
Business Offices
Canteens
Commercial Day Care Centres
Commercial Greenhouses
Commercial Schools
Dance Halls
Delicatessens
Dental Laboratories
Dressmaking and Tailoring
Drive-in Restaurants
Drive-in Theatres
Drug Stores
Farm Equipment Sales
Farm Markets
Financial Institutions
Fraternal Organizations
Funeral Homes
Group Commercial Facilities
Hotels and Motels
Indoor Commercial Recreational Establishments
Lounges
Nursery Sales
Office Supplies
Outdoor Commercial Display
Parking Lots and Parking Structures
Personal Service Shops
Photography Studios
Printing Establishments
Private Clubs
Repair Shops
Restaurants
Retail Lumber and Home Improvement Supplies
Retail Stores

Senior Citizen Housing
Service Shops
Service Station and Gas Bar
Taxi and Bus Stations
Telephone Switching Centres
Tourist Homes
Vehicle Rentals
Veterinary Establishments

b. Uses Subject to Conditions

Dwelling Units
Existing Dwellings

SPECIAL REQUIREMENTS IN C1 ZONE

5.5.2 Any permitted use in any C1 Zone must comply with the following special requirements:

Accessory Residential Uses

5.5.2.1 Accessory residential uses are permitted provided:

- a. Dwelling units are located behind or above commercial uses;
- b. The dwelling units are contained in the main building constituting the commercial use, except for a detached dwelling in existence on the lot prior to the development of the commercial use.

Loading Spaces

5.5.2.2 Loading spaces shall be provided at the rate of one (1) loading space for any retail store, storage, warehouse, department store, automobile, truck or recreational vehicle sales and service establishment and which is in excess of fifteen hundred (1,500) square feet. One space shall be provided for standing, loading, and unloading for every thirty thousand (30,000) square feet or fraction thereof building floor area to a maximum of six (6) loading spaces.

Parking

- 5.5.2.3 a. **Parking General**
- i. off-street employee parking shall be provided at the rate of .5 spaces per employee in addition to customer parking standards;
 - ii. a parking garage or structure as an accessory use shall be located in a side or rear yard only;
 - iii. no parking area shall be located within fifteen (15) feet of a lot line abutting a residential lot or a park in a R1, R2 or R3 Zone, or P1 Zone unless the parking area is fenced or screened.
 - iv. no parking shall be permitted within ten (10) feet of a window of a habitable room of a dwelling unit accessory to a commercial use.

Standards for Parking Areas

- b. Parking facilities for more than four (4) vehicles shall comply with the following standards:
- i. the parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;
 - ii. the lights used for illumination of the parking lot shall be so arranged as to divert the light away from streets, adjacent lots and buildings;
 - iii. a structure, not more than fifteen (15) feet in height and not more than fifty (50) square feet in area may be erected in the parking area for the use of attendants;
 - iv. when the parking area is of a permanent hard surfacing, each parking space shall be clearly demarcated and maintained as such;
 - v. no gasoline pumps or other service station equipment shall be located or maintained on the parking lot;

- vi traffic aisles leading to and within parking areas shall be a minimum width of ten (10) feet for one way traffic, and a minimum width of twenty (20) feet for two way traffic.

c. Parking Space Ratios

major commercial exclusive of listing below	one parking space for each three hundred (300) square feet of floor area or six (6) spaces whichever is greater
motels, hotels, staff houses, tourist cabins	one (1) parking space per suite or rental unit
funeral homes	one (1) parking space for each three (3) seat capacity of chapel with a minimum of ten (10) parking spaces
service station	one (1) parking space per pump plus two (2) spaces per service bay
bowling alleys and curling rinks	three (3) parking spaces for each bowling land or four (4) parking spaces per curling sheet plus additional parking as required by this section for additional uses in the building
offices except doctors and dentists	one (1) parking space for each three hundred (300) square feet of floor area
doctors and dentists offices, restaurants	One (1) parking space for each one hundred (100) square feet of floor area
fast food take-out establishments, drive-in restaurants, farm markets, beverage rooms and lounges	one (1) parking space for each sixty (60) square feet of floor area
dwelling units	one (1) parking space for each dwelling unit
furniture/appliance store	one (1) parking space for each 1,000 square feet of gross floor area

Access

- 5.5.2.4
- a. A maximum of two (2) accesses to any commercial lot from any public road shall be permitted.
 - b. A minimum twenty-five (25) foot separation distance consisting of a curb, barrier, or ditch designed to prevent vehicular access shall be maintained between accesses.
 - c. Accesses shall have a maximum width of thirty-six (36) feet.
 - d. Accesses shall be located at least fifty (50) feet from the nearest intersection of street lines.
 - e. Where possible access shall be to an arterial or collector road.

Special Requirements for Service Stations

- 5.5.2.5
- a. At any intersection a maximum of two (2) service stations shall be permitted.
 - b. No portion of any pump island shall be located closer than twenty (20) feet from any lot line.
 - c. The minimum distance between ramps or driveways shall not be less than thirty (30) feet.
 - d. The minimum angle of intersection of a ramp to a street line shall be forty-five (45) degrees.
 - e. All vehicular traffic circulation associated with permitted accessory uses shall be accommodated on the property.
 - f. Damaged or impounded vehicles and parts of vehicles on the lot awaiting repair, removal, or insurance settlements shall be kept in a holding yard which shall be located in a rear or side yard and which shall be fenced or screened from the travelling public and adjacent properties. Minimum area of the holding yard shall be 4,000 square feet.

Auto Body Shops

- 5.5.2.6 Damaged vehicles and parts of vehicles awaiting repair, salvage or removal shall be kept in a holding yard which shall be located in a rear or side yard and which shall be hidden from the travelling public and neighbouring properties by means of adequate fencing or screening. Minimum area of the holding yard shall be 2,000 square feet.

Outdoor Storage

- 5.5.2.7 Where a portion of a lot is to be used for outdoor storage within a C1 Zone, the following requirements shall apply:
- a. The area devoted to outdoor storage may not exceed fifty (50) per cent of the total lot area.
 - b. Outdoor storage is not permitted within any front yard of a lot.
 - c. Outdoor storage is not permitted in a yard abutting a residential use in a R1, R2 or R3 Zone.

Outdoor Commercial Display

- 5.5.2.8 Where a portion of a lot is to be used for outdoor commercial display within a C1 Zone, the following requirements shall apply:
- a. Outdoor commercial display shall be located a minimum of ten (10) feet from the front lot line.
 - b. Outdoor commercial display is not permitted in a rear or side yard abutting a residential lot in a R1, R2 or R3 Zone unless the abutting yard is fenced or screened.

Signs

- 5.5.2.9 All signs shall be subject to the requirements of 3.2 SIGNS, PART 3 – GENERAL PROVISIONS FOR ALL SIGNS.

Existing Dwellings

- 5.5.2.10 Dwellings in existence prior to the adoption of this Bylaw are permitted provided they meet the requirements of Section 5.1.3 of this Bylaw.

Service Station Canopies

- 5.5.2.11 A service station canopy is permitted in the front yard provided:
- a. It is accessory to a service station.
 - b. The vertical supports of the service station canopy are not located closer to the front lot line than the centreline of the pump island.
 - c. The minimum clearance between the established grade and the lowest point on the service station canopy is 14 feet.
 - d. The minimum side yard is 20 feet.
 - e. The service station canopy does not extend closer to the front lot line than 13 feet from the centreline of the pump island, but in no case shall the service station canopy extend beyond the front lot line.
 - f. The service station canopy meets the minimum requirements of the Department of Transportation and Public Works of the Province of Nova Scotia. In the event of conflict between requirements, the more stringent regulation shall apply.

Residential Swimming Pools

- 5.5.2.12 Residential swimming pools are permitted as an accessory use to a permitted dwelling provided:
- a. That no part of any privately owned outdoor swimming pool enclosure is located closer than twenty-five (25) feet to any property line of such lot abutting a street line.
 - b. That such development is in full conformance with the Municipal Swimming Pool Bylaw.

New Construction in New Minas

- 5.5.2.13 Where a new building is to be constructed on a lot that abuts Highway No. 1 in New Minas, the minimum setback from Highway No. 1 shall be 60 feet where the Highway right-of-way is less than 100 feet. Where this increased setback is required, Section 3.16 shall apply.

REGULATIONS IN MAJOR COMMERCIAL I (C1) ZONE

5.5.3 Any permitted use in any C1 Zone must comply with the following regulations:

MAJOR COMMERCIAL I (C1) ZONE	Permitted C1 Zone Uses Excluding Automobile Service Stations	Automobile Service Stations (see also Special Requirements)
Minimum Lot Area	6,000 sq ft	20,000 sq ft
Minimum Lot Frontage	60 ft	125 ft
Minimum Front or Flankage Yard	45 ft	80 ft
Minimum Side Yard		
a) General		
i. one side	10 ft	20 ft
ii. other side	12 ft	20 ft
b) Abutting (where a C1 Zone abuts an R1, R2 or R3 Zone)	20 ft	20 ft
c) Pump Island included	No Regulation	80 ft
d) Accessory Building		
- with no opening in nearest wall	2 ft	2 ft
- with one or more opening in nearest wall	4 ft	4 ft
- abutting a residential zone	10 ft	10 ft
- abutting an O1 Zone	0 ft	0 ft
- common wall	0 ft	0 ft
Minimum Rear Yard		
a) General	25 ft	25 ft
b) Abutting (where a C1 Zone abuts an R1, R2 or R3 Zone)	40 ft	40 ft
c) Accessory Building		
- with no opening in nearest wall	2 ft	2 ft
- with one or more opening in nearest wall	4 ft	4 ft
- abutting a residential zone	10 ft	10 ft
- abutting an O1 Zone	0 ft	0 ft
- common wall	0 ft	0 ft
Maximum Height of Main Building	55 ft	35 ft
Maximum Height of Accessory Building	20 ft	20 ft
Maximum Lot Coverage	50% of lot area	50% of lot area
Minimum Distance Between Main Building and Accessory Buildings	10 ft	10 ft

PART 5	AMENDED DATE	SECTION
	February 5, 1980	5.5.1 a / 5.5.2.3 c
	September 1, 1981	5.5.2.3 a
	March 16, 1982	5.5.3
	August 17, 1982	5.5.1 a / 5.5.1 b / 5.5.2.10 / 5.5.2.11 / 5.5.2.12
	December 3, 1985	5.5.2.13
	May 26, 1987	5.5.2.9
	December 6, 1988	5.5.2.12
	February 20, 1989	5.5.1 a / 5.5.2.3 c
	May 1, 1990	5.5.2.9
	June 11, 1991	5.5.1 a
	August 6, 1991	5.5.2.1 / 5.5.2.3 iv / 5.5.2.3 c
	September 7, 1993	5.5.2.3 c
	November 5, 2002	5.5.2.3 iii / 5.5.2.7 c / 5.5.2.8 b / 5.5.3
	April 26, 2005	5.5.1 a
	May 10, 2005	5.5 / 5.5.1 a / 5.5.2.11 f
	February 2, 2007	5.5.2.9
	September 28, 2012	5.5.3 Accessory Building (File 12-11)
	June 4, 2019	5.5.2.1 (File 18-10)

Note: Numbering of Sections within this Bylaw may be different from the Amended Date.

