

**SECTION 10: COMMERCIAL ZONES**

**ZONING BY-LAW**

**10.1 LOCAL COMMERCIAL (C1) ZONE**

**Explanatory Note:** *The C1 Zone is generally located abutting or within the interior of a residential neighbourhood, where permitted commercial and residential uses are intended for residents in the immediate area. Types of built form would include one- and two-storey buildings such as converted dwellings and "Main Street" commercial buildings where the scale, height, and bulk, are generally in keeping with and compatible to the surrounding residential neighbourhood.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Neighbourhood Character Commercial (C1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.1.1 PERMITTED USES**

- Day Nursery
- Duplex Dwelling
- Dwelling Unit(s)
- Multiple Dwelling
- Office
- Personal Services
- Repair Service
- Restaurant
- Retail
- Single Detached Dwelling
- Studio

**10.1.2 PROHIBITED USES**

Notwithstanding Section 10.1.1, the following uses are prohibited, even as an accessory use:

- Drive-Through Facility
- Outdoor Commercial Patio

**10.1.3 REGULATIONS**

- a) Minimum Front Yard 6.0 metres;
- b) Minimum Rear Yard 7.5 metres;
- c) Minimum Interior Side Yard 1.5 metres, except 3.0 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Minimum Flankage Yard 3.0 metres;

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- e) Maximum Height 11.0 metres;
- f) Maximum Lot Area 500.0 square metres;
- g) Visual Barrier Requirement A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.
- h) Outdoor Storage
  - i) No outdoor storage of goods, materials, or equipment shall be permitted.
  - ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a retail use shall only be permitted in the front or flankage yard.

**10.1.4 SINGLE DETACHED DWELLING AND DUPLEX REGULATIONS**

- a) Minimum Lot Area
  - i) 330.0 square metres for an interior lot; and,
  - ii) 360.0 square metres per unit on a corner lot.
- b) Minimum Lot Width
  - i) 12.0 metres for an interior lot; and,
  - ii) 15.0 metres for a corner lot.
- c) Minimum Front Yard 6.0 metres;
- d) Minimum Side Yard 1.5 metres;
- e) Minimum Flankage Yard 3.0 metres;
- f) Minimum Rear Yard 7.5 metres;

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- |        |                            |   |
|--------|----------------------------|---|
| g)     | Maximum Building Height    | 11.0 metres;  |
| 10.1.5 | <b>ACCESSORY BUILDINGS</b> | In accordance with the requirements of Sections 4.8 of this By-law. |
| 10.1.6 | <b>PARKING</b>             | In accordance with the requirements of Section 5 of this By-law.    |

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**10.2 LOCAL COMMERCIAL (C2) ZONE**

**Explanatory Note:** *The C2 Zone permits commercial uses intended to serve residents within the surrounding neighbourhood, as well as secondary residential uses. This Zone is found primarily along collector or arterial roads, with the built form ranging from small scale one-storey commercial plazas to the clustering of commercial buildings under 2000 square metres built close to the street. The scale, height, and bulk, are generally compatible with the surrounding residential neighbourhood.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Convenience Neighbourhood Commercial (C2) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.2.1 PERMITTED USES**

Catering Service  
Commercial School  
Craftsperson Shop  
Day Nursery  
Dwelling Unit(s)  
Financial Establishment  
Medical Clinic  
Multiple Dwelling  
Office  
Personal Services  
Repair Services  
Restaurant  
Retail  
Studio  
Veterinary Service

**10.2.2 PROHIBITED USES**

Notwithstanding Section 10.2.1, the following uses are prohibited, even as an accessory use:

Commercial Driving School  
Drive-Through Facility

**10.2.3 REGULATIONS**

- a) Yard Abutting Street
  - i) Minimum 1.0 metre;
  - ii) Maximum 3.0 metres, except where a visibility triangle shall be provided for a driveway access.

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- iii) Section ii) above shall not apply for any portion of a building that exceeds the requirement of Section 10.2.3 f) ii) and iii) below.
  - iv) Where a building(s) has been constructed and complies with section 10.2.3 f) ii) and iii) below, additional buildings constructed on the subject property shall not be subject to Sections i) and ii) above, as it relates to the setback from a lot line.
- b) Minimum Rear Yard
- i) 6.0 metres; and,
  - ii) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- c) Minimum Interior Side Yard
- i) 1.5 metres; and,
  - ii) 3.0 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Maximum Height
- 11.0 metres;
- e) Maximum Gross Floor Area for Commercial Uses
- i) 2000.0 square metres;
  - ii) Notwithstanding Section i) above, an individual Office unit shall have a maximum gross floor area of 500.0 square metres.
- f) Built form for New Development
- In the case of buildings constructed or alterations to the exterior of existing buildings, excluding any alterations to façade, windows or doors, after the effective date of this By-law:
- i) Rooftop mechanical equipment shall be located and/or screened from

view of any abutting street.

- ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be:
  - 1. greater than or equal to 40% of the measurement of the front lot line; and,
  - 2. provided in accordance with Section 10.2.3 a) above.
- iii) For a corner lot the minimum width of the ground floor façade facing the front lot line and flankage lot line shall be:
  - 1. greater than or equal to 50% of the measurement of all lot lines abutting a street; and,
  - 2. provided in accordance with Section 10.2.3 a) above.
- iv) No parking, driveways, stacking lanes, or aisles shall be located between a building façade and the front lot line and the flankage lot line.
- v) All principal entrances shall face the Street and be accessible from the building façade with direct access from the public sidewalk.
- vi) Notwithstanding the definition of planting strip, a public sidewalk shall be permitted where required by Section v) above.

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- g) Restriction of Residential Uses within a Building
- Notwithstanding Section 10.2.1 above, the following uses shall only be permitted above the ground floor, except for access, accessory office and utility areas:
- Dwelling Units  
Multiple Dwelling
- h) Visual Barrier Requirement
- A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.
- i) Outdoor Storage
- i) No outdoor storage of goods, materials, or equipment shall be permitted.
- ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a retail use shall only be permitted in a front or flankage yard.
- 10.2.4 ACCESSORY BUILDINGS**
- In accordance with the requirements of Sections 4.8 of this By-law.
- 10.2.5 PARKING**
- In accordance with the requirements of Section 5 of this By-law.

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**10.3 LOCAL COMMERCIAL (C3) ZONE**

***Explanatory Note:** The C3 Zone permits local commercial uses intended to serve residents within the surrounding neighbourhoods. Located primarily along collector or arterial roads and within close proximity to residential neighbourhoods, the built form within this Zone primarily consists of larger commercial plazas to a maximum of 10,000 square metres.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Neighbourhood Shopping Commercial (C3) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.3.1 PERMITTED USES**

Catering Service  
Commercial School  
Community Garden  
Craftsperson Shop  
Day Nursery  
Dwelling Unit(s)  
Financial Establishment  
Laboratory  
Medical Clinic  
Motor Vehicle Gas Bar  
Motor Vehicle Service Station  
Multiple Dwelling  
Office  
Personal Services  
Repair Service  
Restaurant  
Retail  
Studio  
Tradesperson's Shop  
Transportation Depot  
Urban Farm  
Urban Farmer's Market  
Veterinary Service

**10.3.2 PROHIBITED USES**

Notwithstanding Section 10.3.1, the following uses are prohibited, even as an accessory use:

Commercial Driving School  
Drive-Through Facility



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**10.3.3 REGULATIONS**

- a) Yard Abutting a Street
- i) Minimum 1.5 metres.
  - ii) Maximum 4.5 metres, except where a visibility triangle shall be provided for a driveway access.
  - iii) Notwithstanding Section i) above, 6.0 metres for that portion of a building providing an access driveway to a garage.
  - iv) Section ii) above shall not apply for any portion of a building that exceeds the requirement of Section 10.2.3 f) ii) and iii) below.
  - v) Where a building(s) has been constructed and complies with Section 10.3.3 f) ii) and iii) below, additional buildings constructed on the subject property shall not be subject to Section ii) above, as it relates to the setback from a lot line.
- b) Minimum Rear Yard
- i) 6.0 metres; and,
  - ii) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- c) Minimum Interior Side Yard
- i) 1.5 metres; and,
  - ii) 3.0 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Maximum Height 14.0 metres;
- e) Maximum Lot Area 10,000.0 square metres;

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- f) Maximum Gross Floor Area for an Individual Office and Medical Clinic 500.0 square metres per unit.
- g) Maximum Total Gross Floor Area for Commercial Uses 10,000.0 square metres;
- h) Built form for New Development In the case of new buildings constructed or alterations and additions to the exterior of existing buildings, excluding any alterations to façade, windows or doors, after the effective date of this By-law:
- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  - ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be:
    - 1. greater than or equal to 40% of the measurement of the front lot line; and,
    - 2. provided in accordance with Section 10.3.3 a) above.
  - iii) For a corner lot the minimum width of the ground floor façade facing the front lot line and flankage lot line shall be:
    - 1. greater than or equal to 50% of the measurement of all lot lines abutting a street; and,
    - 2. provided in accordance with Section 10.3.3 a) above.

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- iv) Notwithstanding Section ii) and iii) above, one maximum 6.0 metre wide driveway shall be permitted for ingress and egress.
- v) No parking, driveways, stacking lanes, or aisles shall be located between a building façade and the front lot line and flankage lot line.
- vi) All principal entrances shall face the Street and be accessible from the building façade with direct access from the public sidewalk.
- vii) Notwithstanding the definition of planting strip, a public sidewalk shall be permitted where required by Section vi) above.
- i) Restriction of Uses within a Building  
Notwithstanding Section 10.3.3 above, the following uses shall only be permitted above the ground floor, except for access, accessory office and utility areas:  
Dwelling Units  
Multiple Dwelling
- j) Visual Barrier Requirement  
A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.
- k) Outdoor Storage
  - i) No outdoor storage of goods, materials, or equipment shall be permitted.
  - ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

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**10.3.4 MOTOR VEHICLE  
GAS BAR AND  
MOTOR VEHICLE  
SERVICE STATION  
REGULATIONS**

- a) Minimum Yard Abutting a Street 4.5 metres;
- b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 4.5 metres from any lot line.
- c) Minimum Planting Strip Requirements 3.0 metre in width shall be required abutting any street line or Residential Zone or Institutional Zone property line.
- d) Gross Floor Area for accessory retail and restaurant uses to a Motor Vehicle Gas Bar Notwithstanding Section 10.3.1 above, maximum 150 square metres.

**10.3.5 ACCESSORY BUILDINGS** In accordance with the requirements of Sections 4.8 of this By-law.

**10.3.6 PARKING** In accordance with the requirements of Section 5 of this By-law.

**10.3.7 URBAN FARM** In accordance with the requirements of Subsection 4.26 of this By-law.

**10.3.8 COMMUNITY GARDEN** In accordance with the requirements of Subsection 4.27 of this By-law.

**10.3.9 URBAN FARMERS MARKET** In accordance with the requirements of Section 4.28 of this By-law.

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**10.4 DISTRICT COMMERCIAL (C4) ZONE**

**Explanatory Note:** *The C4 Zone permits retail and service commercial uses which cater to the weekly and daily shopping needs of residents in the immediate and surrounding neighbourhoods. Retail shops and services may be clustered in a plaza form along collector and arterial roads where an enhanced street presence is provided by bringing buildings closer to the street.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a District Commercial (C4) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.4.1 PERMITTED USES**

Beverage Making Establishment  
Catering Service  
Commercial Entertainment  
Commercial Parking Facility  
Commercial Recreation  
Commercial School  
Communications Establishment  
Community Garden  
Conference or Convention Centre  
Craftsperson Shop  
Day Nursery  
Dwelling Unit (s)  
Financial Establishment  
Funeral Home  
Hotel  
Laboratory  
Medical Clinic  
Motor Vehicle Gas Bar  
Motor Vehicle Rental Establishment  
Motor Vehicle Service Station  
Motor Vehicle Washing Establishment  
Multiple Dwelling  
Office  
Personal Service  
Place of Assembly  
Repair Service  
Restaurant  
Retail  
Social Services Establishment  
Studio  
Transportation Depot  
Urban Farm  
Urban Farmer's Market

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Veterinary Service

**10.4.2 PROHIBITED USES**

Notwithstanding Section 10.4.1, the following uses are permitted only as an accessory use:

Garden Centre  
Motor Vehicle Sales and Service  
Establishment

**10.4.3 REGULATIONS**

- a) Maximum Building Setback to a Street Line
- i) 4.5 metres, except where a visibility triangle is required for a driveway access.
  - ii) Notwithstanding Section i) above, 6.0 metres for that portion of a building providing an access driveway to a garage.
  - iii) Section i) above shall not apply for any portion of a building that exceeds the requirement of Section 10.4.3 g) ii) and iii) below.
  - iv) Where a building(s) has been constructed and complies with Section 10.4.3 g) ii) and iii) below, additional buildings constructed on the subject property shall not be subject to Section i) above, as it relates to the setback from a lot line.
- b) Minimum Rear Yard
- i) 6.0 metres; and,
  - ii) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- c) Minimum Interior Side Yard
- i) 1.5 metres; and,
  - ii) 4.5 metres abutting a Residential or Institutional Zone or lot containing residential use.

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- d) Maximum Height 14.0 metres;
- e) Maximum Total Gross Floor Area for Office 2,000.0 square metres;
- f) Maximum Gross Floor Area for Individual Commercial Use 10,000.0 square metres per individual commercial use.
- g) Built form for New Development In the case of new buildings constructed or alterations and additions to the exterior of existing buildings, excluding any alterations to façade, windows or doors, after the effective date of this By-law:
- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  - ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be:
    - 1. greater than or equal to 40% of the measurement of the front lot line; and,
    - 2. provided in accordance with Section 10.4.3 a) above.
  - iii) For a corner lot the width of the ground floor façade facing a front lot line and flankage lot line shall be:
    - 1. greater than or equal to 50% of the measurement of all lot lines abutting a street; and,
    - 2. provided in accordance with Section 10.4.3 a) above.

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- iv) Notwithstanding Section ii) and iii) above, one maximum 6.0 metre wide driveway shall be permitted for ingress and egress.
- v) No parking, stacking lanes, or aisles shall be located between a building façade and the front lot line and flankage lot line.
- vi) All principal entrances shall face the Street and be accessible from the building façade with direct access from the public sidewalk.
- vii) Notwithstanding the definition of planting strip, a public sidewalk shall be permitted where required by Section vi) above.

h) Restriction of Uses within a Building

Notwithstanding Section 10.4.1 above, the following uses shall only be permitted above the ground floor except for access, accessory office and utility areas, and shall not, as a stand-alone use or in combination, occupy more than 50% of the total gross floor area:

- Dwelling Unit(s)
- Multiple Dwelling
- Office

i) Visual Barrier Requirement

A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.

j) Outdoor Storage

i) No outdoor storage of goods, materials, or equipment shall be permitted.



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- ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

**10.4.4 MOTOR VEHICLE  
GAS BAR AND  
MOTOR VEHICLE  
SERVICE STATION  
REGULATIONS**

- a) Maximum Building Setback from a Street Line 4.5 metres;
- b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 4.5 metres from any lot line.
- c) Minimum Planting Strip Requirements A minimum 3.0 metre planting strip shall be required abutting any street line.
- d) Maximum Gross Floor Area for accessory retail and restaurant uses to a Motor Vehicle Gas Bar 150 square metres;

**10.4.5 ACCESSORY BUILDINGS** In accordance with the requirements of Section 4.8 of this By-law.

**10.4.6 PARKING** In accordance with the requirements of Section 5 of this By-law.

**10.4.7 URBAN FARM** In accordance with the requirements of Subsection 4.26 of this By-law.

**10.4.8 COMMUNITY GARDEN** In accordance with the requirements of Subsection 4.27 of this By-law.

**10.4.9 URBAN FARMERS MARKET** In accordance with the requirements of Section 4.28 of this By-law.

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**10.5 MIXED USE MEDIUM DENSITY (C5) ZONE**

***Explanatory Note:** The C5 Zone is found along collector and arterial Roads where the zone permits a range of retail, service, commercial, entertainment, and residential uses serving the surrounding community. The built form encourages an active transit supportive, pedestrian environment that is anchored by single or mixed-use buildings oriented towards the pedestrian realm.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Mixed Use Medium Density (C5) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.5.1 PERMITTED USES**

Beverage Making Establishment  
Catering Service  
Commercial Entertainment  
Commercial Parking Facility  
Commercial Recreation  
Commercial School  
Communications Establishment  
Craftsperson Shop  
Day Nursery  
Educational Establishment  
Emergency Shelter  
Financial Establishment  
Funeral Home  
Hotel  
Laboratory  
Lodging House  
Medical Clinic  
Microbrewery  
Motor Vehicle Gas Bar  
Motor Vehicle Service Station  
Motor Vehicle Washing Establishment  
Multiple Dwelling  
Office  
Personal Services  
Place of Assembly  
Place of Worship  
Repair Service  
Residential Care Facility  
Restaurant  
Retail

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Retirement Home  
Social Services Establishment  
Studio  
Transportation Depot  
Urban Farmer's Market  
Veterinary Service

**10.5.2 PROHIBITED USES**

i) Notwithstanding Section 10.5.1, the following uses are prohibited, except if considered only as an accessory use to another permitted use:

Community Garden  
Garden Centre  
Urban Farm

ii) Notwithstanding Section 10.5.1, a Motor Vehicle Dealership is prohibited, even as an accessory use.

**10.5.3 REGULATIONS**

a) Maximum Building Setback from a Street Line

i) 4.5 metres, except where a visibility triangle is required for a driveway access.

ii) Notwithstanding Section i) above, 6.0 metres for that portion of a building providing an access driveway to a garage.

iii) Section i) above shall not apply for any portion of a building that exceeds the requirement of Section 10.5.3 g) ii) and iii) below.

iv) Where a building(s) has been constructed and complies with Section 10.5.3 g) ii) and iii) below, additional buildings(s) constructed on the subject property shall not be subject to Section 10.5.3 a) i) above, as it relates to the setback from lot line.

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- b) Minimum Rear Yard 7.5 metres;
- c) Minimum Interior Side Yard 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Building Height
  - i) Minimum 7.5 metre façade height for any portion of a building along a street line.
  - ii) Maximum 22.0 metres.
  - iii) In addition to Section i) above and notwithstanding Section ii) above, the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5.3 b) and c) above when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.
- e) Maximum Gross Floor Area for each Office Building 10,000.0 square metres;
- f) Maximum Gross Floor Area for Microbrewery 400.0 square metres;
- g) Built form for New Development
  - In the case of new buildings constructed or alterations and additions to the exterior of existing buildings, excluding any alterations to façade, fenestration or doors, after the effective date of this By-law:
    - i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

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- ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be:
  - 1. greater than or equal to 75% of the measurement of the front lot line; and,
  - 2. provided in accordance with Section 10.5.3 a) above.
- iii) For a corner lot the minimum width of the ground floor façade facing the front lot line and flankage lot line shall be:
  - 1. greater than or equal to 50% of the measurement of all lot lines abutting a street; and,
  - 2. provided in accordance with 10.5.3 a) above.
- iv) Notwithstanding Section ii) and iii) above, one maximum 6.0 metre wide driveway shall be permitted for ingress and egress.
- v) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
- vi) All principal entrances shall face the street and be accessible from the building façade with direct access from the public sidewalk.
- vii) Notwithstanding the definition of planting strip, a public sidewalk shall be permitted where required by Section vi) above.

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- h) Restriction of Uses within a Building  
Notwithstanding Section 10.5.1 above, habitable room(s) shall have access or windows on the ground floor of a building façade.
  
- i) Visual Barrier Requirement  
A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.
  
- j) Outdoor Storage
  - i) No outdoor storage of goods, materials, or equipment shall be permitted.
  
  - ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

**10.5.4 EMERGENCY SHELTER, LODGING HOUSE, PLACE OF WORSHIP, RESIDENTIAL CARE FACILITY, RETIREMENT HOME AND SOCIAL SERVICES ESTABLISHMENT REGULATIONS**

- a) Minimum Side and Rear Yard: 7.5 metres;
  
- b) Maximum Building Height: 22.0 metres;
  
- c) Minimum Landscaped Area: 10% of the total Lot Area.

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- d) Location of Emergency Shelter and Residential Care Facility
  - i) Except as provided for in Section ii), herein, every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.
  - ii) Where the radial separation distance from the lot line of an Emergency Shelter, or Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.
- e) Maximum Capacity for Residential Care Facility and Retirement Home 50 residents;

**10.5.5 MOTOR VEHICLE  
GAS BAR AND  
MOTOR VEHICLE  
SERVICE STATION  
REGULATIONS**

- a) Minimum Yard Abutting a Street 4.5 metres;
- b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 4.5 metres from any lot line.

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- c) Minimum Planting Strip Requirements 3.0 metre in width shall be required abutting any street line or a Residential or Institutional Zone property line.
- 10.5.6 ACCESSORY BUILDINGS** In accordance with the requirements of Section 4.8 of this By-law.
- 10.5.7 PARKING** In accordance with the requirements of Section 5 of this By-law.
- 10.5.8 URBAN FARM** In addition to Section 10.5.2 i) above, and in addition to the requirements of Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.
- 10.5.9 COMMUNITY GARDEN** In addition to Section 10.5.2 i) above and in addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principle building.
- 10.5.10 URBAN FARMERS MARKET** In accordance with the requirements of Section 4.28 of this By-law.

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**10.5a MIXED USE MEDIUM DENSITY – PEDESTRIAN PREDOMINANT (C5a) ZONE**

***Explanatory Note:** The C5a Zone is typically located along pedestrian oriented streets where permitted commercial and residential uses create an active and vibrant pedestrian realm. Built form consists of buildings with only commercial uses at-grade and residential and commercial uses on the upper floors to encourage a pedestrian and transit-supportive environment. The range of permitted commercial uses along with their built form are intended to meet the needs of residents and visitors while creating an inviting pedestrian environment.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Mixed Use Medium Density – Pedestrian Predominant (C5a) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.5a.1 PERMITTED USES**

- Beverage Making Establishment
- Catering Service
- Commercial Entertainment
- Commercial Parking Facility
- Commercial Recreation
- Commercial School
- Communications Establishment
- Craftsperson Shop
- Day Nursery
- Dwelling Unit(s)
- Financial Establishment
- Hotel
- Laboratory
- Medical Clinic
- Microbrewery
- Multiple Dwelling
- Office
- Personal Services
- Place of Assembly
- Place of Worship
- Repair Service
- Restaurant
- Retail
- Social Services Establishment
- Studio
- Urban Farmer's Market
- Veterinary Service

**SECTION 10: COMMERCIAL ZONES****10.5a.2 PROHIBITED USES**

- i) Notwithstanding Section 10.5a.1, the following uses are prohibited, except if considered only as an accessory use to another permitted use:

Community Garden  
Garden Centre  
Urban Farm

- ii) Notwithstanding Section 10.5a.1, a Drive-Through Facility is prohibited, even as an accessory use.

**10.5a.3 REGULATIONS**

- a) Maximum Building Setback from a Street Line

- i) 3.0 metres for the first storey, but shall not apply to a portion(s) of the building where a visibility triangle is required for a driveway setback;

- ii) Notwithstanding Section i) above, 6.0 metres for that portion of a building providing an access driveway to a parking garage.

- iii) Section i) above, shall not apply for any portion of a building that exceeds the requirement of 10.5a.3 h) ii) and iii) below.

- iv) Where a building(s) has been constructed and complies with Section 10.5a.3 h) ii) and iii) below, additional buildings constructed on the subject property shall not be subject to Section i) above, as it relates to the setback from a lot line.

- b) Minimum Rear Yard 7.5 metres;

- c) Minimum Side Yard 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.

- d) Building Height i) Minimum 7.5 metres.

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- ii) Maximum 22.0 metres.
  - iii) In addition to Section i) above, and notwithstanding Section ii) above, the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5a.3 b) and c) above when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.
- e) Maximum Gross Floor Area for Office Use 2,500.0 square metres;
- f) Maximum Gross Floor Area for Commercial Recreation 2,500.0 square metres;
- g) Maximum Gross Floor Area for Microbrewery 400.0 square metres;
- h) Built form for New Development In the case of new buildings constructed or alterations and additions to the exterior of existing buildings, excluding any alterations to façade, fenestration or doors, after the effective date of this By-law:
- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  - ii) For an interior lot or through lot the minimum width of the ground floor façade facing the front lot line shall be:
    - 1. greater than or equal to 75% of the measurement of the front lot front line; and,
    - 2. provided in accordance with Section 10.5a.3 a) above.

**SECTION 10: COMMERCIAL ZONES**

- iii) For a corner lot the width of the ground floor façade facing the front lot line and flankage lot line shall be:
  - 1. greater than or equal to 50% of the measurement of all lot lines abutting a street; and,
  - 2. provided in accordance with Section 10.5a.3 a) above.
- iv) Notwithstanding Section ii) above, one maximum 6.0 metre wide driveway shall be permitted for ingress and egress.
- v) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
- vi) All principal entrances shall face the street and be accessible from the building façade with direct access from the public sidewalk.
- vii) Notwithstanding the definition of planting strip, a public sidewalk shall be permitted where required by Section vi) above.
- viii) Notwithstanding the above, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.
- ix) A minimum of 60% of the area of the ground floor façade shall be composed of doors and windows.
- x) The first storey shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.

**SECTION 10: COMMERCIAL ZONES**

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i) Restriction of Uses within a Building

i) Notwithstanding 10.5a.1 above, the following uses shall only be permitted within the first storey of a building:

Beverage Making Establishment  
Catering Service  
Commercial Entertainment  
Commercial Recreation  
Financial Establishment  
Microbrewery  
Repair Service

ii) Notwithstanding 10.5a.1 above, the following uses, excluding access areas, accessory office and utility areas, shall only be permitted above the first storey of a building:

Dwelling Unit(s)  
Multiple Dwelling

iii) Notwithstanding 10.5a.1 above, a Commercial Parking Facility, excluding access driveway(s), shall only be permitted if wholly contained within a building and shall not be permitted on the first storey.

j) Visual Barrier Requirement

A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.

k) Outdoor Storage

i) No outdoor storage of goods, materials, or equipment shall be permitted.

ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

**SECTION 10: COMMERCIAL ZONES**

THE CITY OF HAMILTON  
ZONING BY-LAW

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| <b>10.5a.4</b> | <b>ACCESSORY BUILDINGS</b>  | In accordance with the requirements of Section 4.8 and 4.8.1 of this By-law.   |
| <b>10.5a.5</b> | <b>PARKING</b>              | In accordance with the requirements of Section 5 of this By-law.   |
| <b>10.5a.6</b> | <b>URBAN FARM</b>           | In addition to Section 10.5a.2 above, and the requirements of Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the rooftop of the principle building. |
| <b>10.5a.7</b> | <b>COMMUNITY GARDEN</b>     | In addition to Section 10.5a.2 above and in addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof of the principle building.     |
| <b>10.5a.8</b> | <b>URBAN FARMERS MARKET</b> | In accordance with the requirements of Section 4.28 of this By-law.  |

**SECTION 10: COMMERCIAL ZONES**

**10.6 MIXED USE HIGH DENSITY (C6) ZONE**

**Explanatory Note:** *The C6 Zone includes large format shopping centres, such as Limeridge Mall, and the Centre on Barton, which is characterized by commercial uses serving a regional market. The blend of uses within this zone include retail, personal service, institutional, office and residential uses, while the built form provides for a comfortable and vibrant pedestrian environment and is compact, at a higher concentration and is transit supportive.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Mixed Use High Density (C6) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.6.1 PERMITTED USES**

Beverage Making Establishment  
Catering Service  
Commercial Entertainment  
Commercial Parking Facility  
Commercial Recreation  
Commercial School  
Communications Establishment  
Community Garden  
Conference or Convention Centre  
Craftsperson Shop  
Day Nursery  
Educational Establishment  
Emergency Shelter  
Financial Establishment  
Funeral Home  
Hotel  
Laboratory  
Lodging House  
Medical Clinic  
Motor Vehicle Gas Bar  
Multiple Dwelling  
Office  
Personal Service  
Place of Assembly  
Place of Worship  
Repair Service  
Residential Care Facility  
Restaurant  
Retail

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Retirement Home  
Social Services Establishment  
Studio  
Transportation Depot  
Urban Farm  
Urban Farmer's Market  
Veterinary Service

**10.6.2 PROHIBITED USES** Notwithstanding Section 10.5a.1, a Motor Vehicle Dealership is prohibited, even as an accessory use.

**10.6.3 REGULATIONS**

- a) Maximum Yard Abutting Street
- i) 4.5 metres, except where a visibility triangle is required for a driveway access.
  - ii) Notwithstanding Section i) above, 6.0 metres for that portion of a building providing an access driveway to a garage.
  - iii) Section i) above shall not apply for any portion of a building that exceeds the requirement of Section 10.6.3 f) ii) and iii) below.
  - iv) Where a building(s) has been constructed and complies with Section 10.6.3 f) ii) and iii) below, additional building(s) constructed on the subject property shall not be subject to Section i) above, as it relates to the setback from a lot line.
- b) Minimum Rear Yard 7.5 metres;
- c) Minimum Interior Side Yard 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Building Height
- i) Minimum 7.5 metre façade height.



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- ii) In addition to Section i) above the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.6.3 b) and c) above when abutting a Residential or Institutional Zone.
  
- e) Maximum Gross Floor Area for Office Building 10,000.0 square metres per individual building.
  
- f) Built form for New Development  
In the case of new buildings constructed or alterations to the exterior of existing buildings, excluding any alterations to façade, windows or doors, after the effective date of this By-law:
  - i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  
  - ii) For an interior lot or through lot the minimum width of the ground floor façade facing the front lot line shall be:
    - 1. greater than or equal to 75% of the measurement of the front lot line; and,
    - 2. provided in accordance with Section 10.6.3 a) above.
  
  - iii) For a corner lot, the minimum width of the ground floor façade facing the front lot line and flankage lot line shall be:
    - 1. greater than or equal to 50% of the measurement of all lot lines abutting a street and;
    - 2. provided in accordance with Section 10.6.3 a) above.

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- iv) Notwithstanding Section ii) and iii) above, one maximum 6.0 metre wide driveway shall be permitted for ingress and egress.
- v) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
- vi) All principal entrances shall face the street and be accessible from the building façade with direct access from the public sidewalk.
- vii) Notwithstanding the definition of planting strip, a public sidewalk shall be permitted where required by Section vi) above.
- viii) Notwithstanding the above, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.

g) Restriction of Uses within a Building

Notwithstanding Section 10.6.1 above, no habitable room(s) shall have access or windows on the ground floor of a building façade.

h) Visual Barrier Requirement

A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.

i) Outdoor Storage

i) No outdoor storage of goods, materials, or equipment shall be permitted.

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- ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

**10.6.4 EMERGENCY SHELTER, LODGING HOUSE, PLACE OF WORSHIP, RESIDENTIAL CARE FACILITY, RETIREMENT HOME AND SOCIAL SERVICES ESTABLISHMENT REGULATIONS**

- a) Minimum Side and Rear Yard 7.5 metres;
- b) Maximum Building Height 22.0 metres;
- c) Minimum Landscaped Area 10% of the lot area.
- d) Maximum Capacity for Residential Care Facility and Retirement Home 50 residents;
- e) Location of Emergency Shelter and Residential Care Facility
  - i) Except as provided for in Section ii), herein, every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.
  - ii) Where the radial separation distance from the lot line of an Emergency

**SECTION 10: COMMERCIAL ZONES**

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Shelter, or Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

**10.6.5 MOTOR VEHICLE  
GAS BAR  
REGULATIONS**

- a) Minimum Yard Abutting a Street 4.5 metres;
- b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 4.5 metres from any lot line.
- c) Minimum Planting Strip Requirements 3.0 metre in width shall be required abutting any street line and lot lines abutting a Residential or Institutional Zone property line.
- d) Maximum Gross Floor Area for Accessory Retail and Restaurant Uses to a Motor Vehicle Gas Bar 150 square metres;

**10.6.6 ACCESSORY BUILDINGS** In accordance with the requirements of Section 4.8 of this By-law.

**10.6.7 PARKING** In accordance with the requirements of Section 5 of this By-law.

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| <b>10.6.8</b>  | <b>URBAN FARM</b>           | In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.      |
| <b>10.6.9</b>  | <b>COMMUNITY GARDEN</b>     | In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principle building. |
| <b>10.6.10</b> | <b>URBAN FARMERS MARKET</b> | In accordance with the requirements of Section 4.28 of this By-law.   |

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**SECTION 10: COMMERCIAL ZONES**

**10.7 ARTERIAL COMMERCIAL (C7) ZONE**

***Explanatory Note:** The C7 Zone permits large-format commercial uses catering to the travelling public and in turn, the built form is reflective through the presence of large buildings. The uses found within the C7 Zone are typically land intensive which may require outdoor storage and sales areas.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within an Arterial Commercial (C7) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

**10.7.1 PERMITTED USES**

- Adult Entertainment Parlour
- Body Rub Parlour
- Building or Contracting Supply Establishment
- Building and Lumber Supply Establishment
- Commercial Entertainment
- Commercial Motor Vehicle Sales, Rental and Service Establishment
- Commercial Parking Facility
- Commercial Recreation
- Community Garden
- Conference or Convention Centre
- Equipment and Machinery Sales, Rental and Service Establishment
- Farm Implement Dealership
- Garden Centre
- Home Furnishing Retail Establishment
- Home Improvement Supply Establishment
- Hotel
- Major Recreational Equipment Sales, Rental and Service Establishment
- Motor Vehicle Gas Bar
- Motor Vehicle Parts and Accessory Sales Establishment
- Motor Vehicle Rental Establishment
- Motor Vehicle Dealership
- Motor Vehicle Service Station
- Motor Vehicle Washing Establishment
- Repair Service
- Restaurant
- Transportation Depot
- Urban Farm

**SECTION 10: COMMERCIAL ZONES**

Warehouse

**10.7.2 PROHIBITED USES**

Notwithstanding Section 10.7.1, the following uses are prohibited even as an accessory use:

Theatres  
Retail  
Dwelling Unit(s)

**10.7.3 REGULATIONS**

- a) Minimum Building Setback to a Street Line 1.5 metres;
- b) Minimum Rear Yard
  - i) 6.0 metres; and,
  - ii) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- c) Minimum Interior Side Yard
  - i) 1.5 metres; and,
  - ii) 4.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Visual Barrier Requirement A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.
- e) Minimum Planting Strip Requirements 3.0 metre in width shall be required along all lot lines adjacent to a street line and lot lines abutting a Residential or Institutional Zone.

**10.7.4 MOTOR VEHICLE  
GAS BAR AND  
MOTOR VEHICLE  
SERVICE STATION  
REGULATIONS**

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- a) Minimum Yard Abutting a Street 4.5 metres;
  - b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 4.5 metres from any lot line.
  - c) Minimum Planting Strip Requirements 3.0 metre in width shall be required abutting any street line and lot lines abutting a Residential or Institutional Zone property line.
  - d) Maximum Gross Floor Area for Accessory Retail and Restaurant Uses to a Motor Vehicle Gas Bar 150.0 square metres;
- 10.7.5 ACCESSORY BUILDINGS** In accordance with the requirements of Section 4.8 of this By-law.
- 10.7.6 PARKING** In accordance with the requirements of Section 5 of this By-law.
- 10.7.7 DRIVE-THROUGH FACILITY REGULATIONS** In accordance with the requirements of Section 4.25 of this By-law.
- 10.7.8 URBAN FARM** In accordance with the requirements of Subsection 4.26 of this By-law.
- 10.7.9 COMMUNITY GARDEN** In accordance with the requirements of Subsection 4.27 of this By-law.