

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE

15.1 PERMITTED RESIDENTIAL USES

- one dwelling unit in a storey above the first storey or within the rear of a non-residential building other than a mechanical garage

15.2 PERMITTED NON-RESIDENTIAL USES

- bakery or bakeshop
- bank
- bowling alley
- building supply and equipment establishment
- business or professional office
- (500-2007-0003) - catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- dry cleaning establishment
- equipment sales establishment
- funeral home
- garden centre
- garage, mechanical
- hawker or pedlar use
- hotel
- (2015-0057) - kennel, pursuant to the provisions of Section 2.105 and 5.21(A) of this By-law
- laundromat
- leisure vehicle sales establishment
- motel or motor hotel
- motor vehicle cleaning establishment
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment - automobile, commercial and/or recreational vehicles
- parking lot, commercial
- place of amusement
- (500-98-003) - police station
- printing shop
- refreshment vehicle, bicycle unit or cart
- restaurant
- retail store, convenience
- service shop, heavy, light or personal
- studio
- terminal, bus or truck

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

- theatre
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales; retail sales area may not exceed 185 square metres
- accessory buildings, structures and uses to any permitted use

15.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the provisions of Section 6 hereof.

15.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

MOTOR VEHICLE FUEL BAR, MECHANICAL GARAGE, HOTEL, MOTEL OR MOTOR HOTEL

In accordance with the provisions of Section 13 hereof.

OTHER USES

(a) LOT FRONTAGE (MINIMUM) 30 metres

- except that in the case of a lot fronting on Highway 48, the minimum lot frontage shall be 45 metres.

(b) LOT AREA (MINIMUM) 4000 sq metres

(c) FRONT YARD (MINIMUM) 12 metres

- except that in the case of a lot fronting on Highway 48, the minimum front yard shall be 14 metres.

(d) EXTERIOR SIDE YARD (MINIMUM) 12 metres

- except that in the case of a lot flanking on Highway 48, the minimum exterior side yard shall be 14 metres.

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- (e) REAR YARD (MINIMUM) 8 metres
- (f) INTERIOR SIDE YARD (MINIMUM) 6 metres
 - except that where said yard abuts a Residential or Transitional Zone, its minimum shall be 9 metres.
- (g) LOT COVERAGE (MAXIMUM) 30%
- (h) HEIGHT OF BUILDING (MAXIMUM) 11 metres
- (i) OPEN STORAGE

Open storage of goods, materials, boats and vehicles shall be permitted in the Highway Commercial (C2) Zone subject to the following provisions:

- such open storage is a permitted use or accessory to the use of the main building on the lot;
- such open storage is not located within the minimum yards required for a 'C2' zone; and,
- such open storage does not cover more than 30% of the lot area.

ACCESSORY BUILDINGS, STRUCTURES, USES, PARKING, PLANNED WIDTH OF STREET ALLOWANCE AND ALL OTHER GENERAL PROVISIONS

In accordance with the provisions of Section 5 hereof.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

15.5 SPECIAL PROVISIONS

- 15.5.1 BLOCK A, PLAN 290; 'C2-1'
(Map 2)**

Notwithstanding the requirements of Section 6.9 (b), 13.1 (c) and (d) and 15.1 hereof, one dwelling unit in a storey above the existing mechanical garage situated on the land which is designated 'C2-1' in Schedule 'A' hereto shall be permitted.

- 15.5.2 PART LOT 1, CONCESSION 2 (G); 'C2-2'
(Map 1)**

In the area designated 'C2-2' in Schedule 'A' hereto, a church, a bowling alley and billiard parlour shall be permitted non-residential uses in addition to those shown in Section 15.2.

- 15.5.3 PART OF LOTS 285, 286 AND 287, PLAN 318; 'C2-3'
(Map 8)**

In the area designated 'C2-3' in Schedule 'A' hereto, a ceramics business and pottery school shall be permitted uses in addition to those shown in Section 15.2.

Notwithstanding Section 15.1, a dwelling unit within a non-residential building shall be permitted on those lands zoned 'C2-3' in Schedule 'A' hereto.

Notwithstanding Sections 5.28 (b), (h) and (i), the permitted uses, accessory uses and ingress and egress driveways will be confined to the building and areas specifically designated in Schedule 'B-11' attached hereto.

- 15.5.4 PART OF LOT 1, CONCESSION 8 (G) AND 'C2-4'
(500-2006-0014) PART OF LOTS 34 AND 35, PLAN 248 (Map 6)
(500-2007-0017) E/S DALTON ROAD**

Notwithstanding Section 5.28 (b), the parking requirement for any buildings or structures save and except the main retail building, used

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exclusively for storing goods and materials accessory to a building supply and equipment establishment shall be 1 space per 95 m² of non-residential floor area. Furthermore, said parking may be provided within an aisle located in the rear yard.

Further, notwithstanding any provisions to the contrary within Section 15.4 (i), open storage of goods and materials accessory to a building supply and equipment establishment and located in the rear or interior side yards shall be permitted provided that minimum rear and interior side yards of 1 metre are maintained.

**15.5.5 PART OF LOT 6, CONCESSION 6 (G); 'C2-5'
(Map 1)**

In the area designated 'C2-5', a wholesale establishment which conducts retail sales on the same premises shall be a permitted use in addition to those uses permitted in Section 15.2. Such wholesale establishment shall have a maximum floor area of 650 square metres. Further, notwithstanding Section 5.28 (i), the minimum width of parking aisles shall be 6 metres.

Further, an approved workshop within the meaning of The Vocational Rehabilitation Services Act shall be considered a permitted use in addition to those uses set forth in Section 15.2.

**15.5.6 PART OF LOT 6, CONCESSION 6 (G); 'C2-6'
(Map 1)**

Notwithstanding Sections 13.1 (a) and (f) within the area designated 'C2-6' in Schedule 'A' hereto, the existing frame building located behind the existing house may be used for a mechanical garage in addition to those uses permitted by Section 15.2.

Further, notwithstanding Sections 15.1 and 15.2, a single family dwelling and a kennel shall be permitted uses in the area designated 'C2-6'.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

Lastly, notwithstanding Sections 13.1 (h) and 5.28 (h), the driveway and parking area setbacks from the easterly interior side lot line shall be nil.

15.5.7 **PART OF BLOCK B, PLAN M-1557, 'C2-7'**
PART 3, REFERENCE PLAN 65R-6642; (Map 2)

Notwithstanding Section 15.2 in that area designated 'C2-7' in Schedule 'A' hereto, only the following uses shall be permitted:

- bank
- business or professional office
- club, commercial or private
- restaurant
- retail store, convenience
- tourist information centre
- accessory buildings, structures
and uses to any permitted use

Further, the main entrance to the site shall be from The Queensway and a secondary entrance shall be from McMillan Drive.

15.5.8 *(Deleted by By-law 500-2008-0010)*

15.5.9 **PART OF LOT 4, CONCESSION 3 (NG); 'C2-9'**
(Map 2)

Notwithstanding Section 15.1 and 15.2, in the area designated 'C2-9' in Schedule 'A' hereto, a restaurant having a maximum floor area of 305 square metres, excluding the cellar area, and one single family dwelling unit located in the rear or above the restaurant, shall be the only permitted uses.

15.5.10 **PART OF BLOCK B, PLAN 397; 'C2-10'**
(Map 2)

Notwithstanding Section 15.2, in the area designated 'C2-10', a bus garage or terminal, a mechanical garage and a heavy service shop, shall not be permitted.

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Further, the total amount of floor area devoted to retail sales shall not exceed 929 square metres.

**15.5.11 PART OF LOT 5, CONCESSION 8 (NG); 'C2-11'
(Map 1)**

Notwithstanding Section 15.4 (i), in that area designated 'C2-11' in Schedule 'A' hereto, open storage shall not be permitted beyond the easterly limit of the existing non-residential building and all open storage shall be completely screened from view from the King's Highway 48.

**15.5.12 PART LOT 21, CONCESSION 4 (NG); 'C2-12'
(Map 1)**

Notwithstanding Section 15.2, in that area designated 'C2-12' a motor vehicle sales and/or rental establishment - automobile, towing service and mechanical garage shall be permitted uses.

Further, notwithstanding Sections 13.1 (f) and 15.4 (f), the minimum interior side yard shall be 4 metres.

In addition, notwithstanding Section 15.4 (i), the storage of vehicles under repair shall be restricted to an area which is screened from view of adjacent properties and Woodbine Avenue, and is located directly behind the existing garage. Said storage shall be allowed to extend to within 3 metres of the east lot line.

(500-2000-007) Site Plan approval shall be required prior to any use being established or the erection of any buildings or structures within the rear 142 metres of lands zoned 'C2-12'.

**15.5.13 PART LOT 20, CONCESSION 6 (G); 'C2-13'
(Map 1)**

In that area designated 'C2-13' in Schedule 'A' hereto, a motor vehicle sales and/or rental establishment - automobile, shall be permitted.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

Further, notwithstanding Section 15.1, a single family dwelling shall be permitted.

- 15.5.14 PART LOT 2, CONCESSION 8 (NG); 'C2-14'
(Map 5)**

Notwithstanding Sections 15.1 and 15.2, in that area designated 'C2-14' only a motor vehicle sales and/or rental establishment - automobile, shall be permitted.

- 15.5.15 PART LOT 3, CONCESSION 7 (G); 'C2-15'
(Map 7)**

Notwithstanding Section 15.2, in that area designated 'C2-15' a mechanical garage, shall not be permitted.

Further, notwithstanding Section 15.1, an existing single family dwelling shall be permitted. Replacement and/or enlargement of said dwelling shall only be permitted in the event that the building is destroyed by natural causes.

- 15.5.16 PART LOT 4, CONCESSION 8 (NG); 'C2-16'
(Map 1)**

Notwithstanding Sections 15.4 (e) and 6.9 (k), the minimum rear yard requirement shall be 3.5 metres. Further, notwithstanding Section 15.1, a dwelling unit shall be permitted in the second storey of a mechanical garage.

- 15.5.17 PART LOT 2, CONCESSION 8 (NG); 'C2-17'
(Map 5)**

Notwithstanding Section 15.1, in the area designated 'C2-17' in Schedule 'A' hereto, an existing single family dwelling shall be a permitted use.

- 15.5.18 PART LOT 14, CONCESSION 3 (NG), 'C2-18'
PART 1, DEPOSITED PLAN 65R-2723; (Map 1)**

Notwithstanding Section 15.1, a dwelling unit is a

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permitted use on a second storey of a non-residential building, including a mechanical garage.

15.5.19 *(Deleted by By-law 2013-0109)*

15.5.20 **PART LOT 23, CONCESSION 4 (NG), 'C2-21'**
PART 1, DEPOSITED PLAN 65R-14049; (Map 1)

Notwithstanding Section 15.2, in that area designated 'C2-21' in Schedule 'A' hereto, only the following non-residential uses shall be permitted:

- hotel, motel or motor hotel

In addition to the above permitted uses, the following uses shall also be permitted:

- clinic, health care
- club, commercial or private
- golf course, miniature
- restaurant
- retail use accessory to a hotel or motel
- service shop, personal
- theatre
- tourist information centre
- accessory buildings, structures and uses to any permitted use

However, these additional uses shall not be permitted until such time as an occupancy permit has been issued for the hotel or motel uses.

Further notwithstanding the above and pursuant to Section 5.10, in that area along the east limit of subject lands, no development or the placement of fill material shall be permitted unless approved in writing by the Lake Simcoe Region Conservation Authority.

In addition, notwithstanding Section 15.4 (i), no open storage shall be permitted on site.

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Further, in addition to the above, the subject building shall be pre-serviced for sewer and water hook-ups.

**15.5.24 PART OF LOT 3, CONCESSION 6 (G); 'C2-25'
(Map 7)**

Notwithstanding, Section 15.2, in the area designated 'C2-25' in Schedule 'A' hereto, only the following non-residential uses shall be permitted:

- bank
 - building supply and equipment establishment
 - bus garage or terminal (excluding washing and repair)
 - business or professional office
 - garage, mechanical
 - garden centre
 - leisure vehicle sales establishment
 - motor vehicle fuel bar
 - motor vehicle sales establishment and/or rental establishment - automobile
 - place of amusement
 - retail store, convenience
 - service shop, heavy (excluding washing)
 - theatre
 - tourist information centre
- or -
- restaurant not exceeding 50 seats
- and -
- accessory buildings, structures and uses to any permitted use

Further, and notwithstanding Section 15.1, a dwelling unit shall not be permitted.

**15.5.25 PART OF LOT 14, CONCESSION 7 (G); 'C2-26'
(Map 8)**

Notwithstanding Section 15.2, in the area designated 'C2-26', a professional or business

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office shall be the only permitted use. In addition, and notwithstanding Section 15.1, a dwelling unit shall not be permitted.

Further, notwithstanding Sections 15.4 (c) and (f), the minimum front yard setback shall be 6.7 metres and the minimum interior side yard setback shall be 3.4 metres respectively.

15.5.26 *(Deleted by By-law 500-2018-0013)*

15.5.27 **PART OF LOT 14, CONCESSION 7 (G)** **'C2-28'**
(500-95-031) **(Map 8)**

Notwithstanding Section 15.2, in the area designated 'C2-28' in Schedule 'A' to the By-law, only the following non-residential uses shall be permitted:

- bank
- bowling alley
- building supply and equipment establishment
- business or professional office
- club, commercial or private
- dry cleaning outlet
- equipment sales establishment
- garden centre
- garage, mechanical
- hawker or pedlar use
- leisure vehicle sales establishment
- motel or motor hotel
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment
 - automobile, commercial and/or recreational vehicles
- parking lot, commercial
- place of amusement
- refreshment vehicle, bicycle unit or cart
- restaurant, having a maximum seating area of 30 square metres and a maximum seating capacity for 27 persons
- retail store, convenience
- service shop, light

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- studio
- theatre
- tourist information centre
- warehouse
- wholesale establishment within a building of which at least 25% is used for retail sales; retail sales area may not exceed 300 square metres
- accessory buildings, structures and uses to any permitted use

Further, notwithstanding Sections 2.34 and 2.88, in the area designated 'C2-28', the following definitions shall apply:

BUSINESS OR PROFESSIONAL OFFICE: means a building in which one or more persons are employed in the management direction or conducting of a business or where professionally qualified persons and their staff serve clients who seek advice or consultation, and does not include the service of a medical or dental practitioner.

GARAGE, MECHANICAL: means a building or premises used for the mechanical repair or equipping of motor vehicles, but does not include an auto body garage, motor vehicle fuel bar, motor vehicle washing establishment, or motor vehicle sales and/or rental establishment.

15.5.28
(500-2003-0013)

PART OF LOTS 24 AND 25, CONCESSION 7 (G) 'C2-29'
(Map 9)

Notwithstanding Section 15.2, on land shown in heavy outline and designated 'C2-29' in Schedule 'A' attached hereto, the following non-residential uses shall also be permitted:

- recreational baseball batting cage
- miniature golf course
- temporary flea market, which may only operate from June 23, 2003 to June 23, 2006

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment
- automobile, commercial and/or recreational vehicles
- parking lot - commercial
- printing shop
- retail store, convenience
- service shop, heavy, light or personal
- terminal, bus or truck
- wholesale establishment within a building of which at least 25% is used for retail sales; retail sales area may not exceed 185 square metres
- accessory buildings, structures and uses to any permitted use

15.5.31
(500-96-048)

PART OF LOT 5, CONCESSION 7 (G)
PART 1, REFERENCE PLAN 65R-6088

'C2-32'
(Map 1)

Notwithstanding Section 15.2 **PERMITTED NON-RESIDENTIAL USES**, in the area designated 'C2-32' in Schedule 'A' hereto, only the following uses shall be permitted:

- antique shop
- business or professional office (excluding medical or dental practitioner)
- equipment sales establishment
- garden centre
- kennel (for training purposes only, excludes boarding)
- leisure vehicle sales establishment
- retail store, convenience
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales; retail sales area may not exceed 300 square metres; and which is considered a dry industrial use as per Section 2.215
- accessory buildings, structures and uses to any permitted use

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

Notwithstanding the above, the maximum number of employees for the above uses serviced by the existing septic system shall not exceed twelve. For purposes of this sub-section, existing shall mean existing as of December 1, 1996.

Further, the following shall be permitted upon issuance of a Certificate of Approval by the Region of York Health Department:

- auction sales

15.5.32
(500-97-062)

PART OF LOT 7, CONCESSION 3 (NG)

'C2-33'
(Map 2)

Notwithstanding Section 15.1 & 15.2 only the following uses shall be permitted:

- any industrial undertaking that is conducted and wholly contained within an enclosed building and is not a prohibited use pursuant to Section 5.42 herein
- bank
- bowling alley
- business or professional office
- clinic, health care
- clinic, veterinary (animal hospital) but not including outdoor canine runs or animal containment areas
- club, commercial or private
- commercial use incidental to, and on the same site as, an industrial use
- dry cleaning establishment
- hotel
- leisure vehicle sales establishment
- motel or motor hotel
- motor vehicle cleaning establishment
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment - automobile, commercial and/or recreational vehicles
- printing shop
- public storage building

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

- refreshment vehicle, bicycle unit or cart
- restaurant
- service shop, light or personal
- studio
- theatre
- tourist information centre
- warehouse
- wholesale establishment
- accessory buildings, structures and uses to any permitted uses

Notwithstanding Section 15.1 and 15.2 the following uses shall not be permitted within 90 metres of an area zoned Low Density Urban Residential (R2) and within 50 metres of an area zoned Medium Density Urban Residential (R3):

- motor vehicle cleaning establishment
- motor vehicle fuel bar
- restaurant (including stacking spaces)
- club, commercial or private

Notwithstanding Sections 15.4 (c), (d), (e), and (f), the following provisions shall apply:

YARDS (MINIMUM) 15 metres

- provided that where the yard abuts a Residential or Institutional Zone, the minimum yard shall be increased to 20 metres.
- provided that where the yard abuts a Commercial Zone the minimum yard shall be decreased to 6 metres.

Notwithstanding Section 15.4 (i) no open storage will be permitted.

Notwithstanding Section 5.31 (a) the minimum width of the planting strip shall be 8 metres where the site abuts a Residential or Institutional zone. A planting strip 3 metres in width will be required along all other lot lines.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

15.5.33
(500-98-009)

PART OF LOT 7, CONCESSION 8 (NG)

**'C2-34'
(Map 1)**

Notwithstanding Section 15.1 **PERMITTED RESIDENTIAL USES** and 15.2 **PERMITTED NON-RESIDENTIAL USES**, in the area designated 'C2-34' in Schedule 'A' hereto, only the following uses shall be permitted:

- existing dwelling (as shown on Schedule 'B-17')
- fruit/vegetable stand
- parking lot, commercial
- refreshment vehicle, bicycle unit or cart
- buildings, structures and uses accessory to the residential use of the property

Further, the following shall be permitted upon issuance of a Certificate of Approval by the Region of York Health Department:

- dwelling unit within a non-residential building
- bakery or bake shop
- garden centre
- motor vehicle sales and/or rental establishment - automobile
- retail store, convenience
- restaurant
- service shop, light
- studio
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales and which is considered a dry industrial use as per Section 2.215
- accessory buildings, structures and uses to any permitted use

Any expansions or additions to the existing dwelling, or any proposed construction of an additional dwelling or structure on the property would be subject to the approval of Lake Simcoe Region Conservation Authority and would require a

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

floodplain analysis.

For the purposes of this by-law a fruit/vegetable stand shall mean the retail sale of only fruits and vegetables. Such retail sale shall take place within the existing dwelling or in an unenclosed building or structure.

Furthermore, a mechanical garage and/or mechanical repairs shall not be permitted as an accessory use to any permitted use.

15.5.34
(500-2000-0016)

PART OF LOT 13, CONCESSION 3 (NG)

'C2-35'
(Map 1)

In that area designated 'C2-35' in Schedule 'A' attached hereto, notwithstanding Section 2.82, as it pertains to exclusions from the calculation of non-residential floor area, in addition to the exclusions listed, the area in a restaurant/tavern devoted to a walk-in cooler shall also be excluded from the calculation of non-residential floor area. The maximum total gross floor area of the proposed building and patio shall be 550 square metres.

Further, notwithstanding Section 5.28(b), the required number of parking spaces to be provided on site shall be 64, regardless of building size or use.

Further, notwithstanding Section 2.168 and 5.45, an outdoor dining area shall be a permitted use and shall be located only on the easterly side of the building, setback a minimum of 5 metres from the front lot line. Furthermore, the erection of a 2.5 metre acoustical fence or barrier shall be required where the outdoor dining area faces the south lot line and the acoustical fence or barrier shall be erected prior to the use of the outdoor dining area. The design and location of the acoustical fence or barrier shall be reviewed and approved at the site plan stage.

Further, notwithstanding Section 15.4(b), (c), and (f), the required minimum lot area shall be 3500 square metres, the minimum front yard shall be 5

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metres and the minimum setback from the southerly lot line where it abuts a property containing a residential use shall be increased to 17 metres.

Further, notwithstanding Section 15.2, in that area designated 'C2-35' in Schedule 'A' attached hereto, the only permitted non-residential uses shall be as follows:

- bank
- business or professional office
- clinic, health care
- clinic, veterinary (animal hospital) but not including outdoor canine runs or animal containment areas.
- club, commercial or private
- hotel
- motel or motor hotel
- restaurant which may include an outdoor dining area
- service shop, light or personal
- studio
- tourist information centre
- accessory buildings, structures and uses to any permitted uses.

15.5.35
(500-2000-0016)

PART OF LOT 13, CONCESSION 3 (NG)

'C2-36'
(Map 1)

In that area designated 'C2-36' in Schedule 'A' attached hereto, notwithstanding Section 5.28(b) the minimum number of parking spaces required for a theatre shall be one space per six fixed seats.

Further, notwithstanding Section 15.2, in that area designated 'C2-36' in Schedule 'A' attached hereto, the only permitted non-residential uses shall be as follows:

- any industrial undertaking that is conducted and wholly contained within an enclosed building and is not a prohibited use pursuant to Section 5.42 herein.
- bank

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- bingo hall
- bowling alley
- business or professional office
- clinic, health care
- clinic, veterinary (animal hospital) but not including outdoor canine runs or animal containment area.
- club, commercial or private
- commercial use incidental to, and on the same site as, an industrial use
- day nursery
- hotel
- motel or motor hotel
- motor vehicle cleaning establishment
- printing shop
- restaurant
- school, private or commercial
- service shop, light or personal
- studio
- theatre
- tourist information centre
- warehouse
- wholesale establishment
- accessory buildings, structures and uses top any permitted uses.

15.5.36
(500-2001-0004)

LOTS 24 AND 25, REGISTERED PLAN 425

'C2-37'
(Map 2)

Notwithstanding Section 15.2 **PERMITTED NON-RESIDENTIAL USES**, on lands designated 'C2-37' in Schedule 'A' attached hereto, a retail store use shall also be permitted in addition to those uses permitted therein, with the exception of an equipment sales establishment, and a bus or truck terminal which shall not be permitted uses.

Further, the following provisions shall also apply to lands designated 'C2-37' in Schedule 'A' and also shown in Schedule 'B-33' attached hereto:

Notwithstanding Section 5.7, the display of vehicles shall be permitted with a minimum setback

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of nil from the southerly, easterly and westerly lot lines for only a 'motor vehicle sales and/or rental establishment - automobile, commercial and/or recreational vehicles' use.

Notwithstanding Section 5.31, the provision of a planting strip shall not be required along the westerly lot line for only a 'motor vehicle sales and/or rental establishment - automobile, commercial and/or recreational vehicles' use.

Notwithstanding Section 5.40, the trailer which forms the northerly portion of the existing building labelled 'sales office' on Schedule 'B-33' attached hereto, shall be permitted to be used for commercial purposes.

Notwithstanding Section 15.4 (c), the minimum front yard setback for the existing building labeled 'sales office' on Schedule 'B-33' attached hereto, shall be 5.7 metres.

Notwithstanding Section 15.4 (f), the minimum southerly interior side yard setback shall be 6 metres except for the existing building labeled 'car wash shed' on Schedule 'B-33' attached hereto, for which the minimum southerly interior side yard setback shall be 1.5 metres.

Notwithstanding Section 15.4 (i), in addition to the provisions noted in Section 15.4 (i), open storage accessory to any permitted use shall be permitted in the rear yard only.

And finally, for the purposes of the above, any reference to existing buildings shall mean those buildings as shown in Schedule 'B-33', attached hereto.

15.5.37
(500-2002-0012)

PART OF LOT 7, CONCESSION 3 (NG)
BLOCK 55, PLAN 65M-3332

'C2-38'
(Map 2)

In that area designated 'C2-38' and shown in heavy outline in Schedule 'A' hereto, notwithstanding Section 2.82, as it pertains to exclusions from the calculation of non-residential floor area, in addition to the exclusions listed, a walk-in cooler

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shall also be excluded from the calculation of non-residential floor area, as it applies to a restaurant use.

Further, for the purposes of Section 2.168, the definition of a restaurant shall also include an outdoor dining area.

Further, notwithstanding Section 5.31, a planting strip having a minimum width of 3 metres shall be provided along the westerly rear lot line and southerly side lot line.

Further, notwithstanding Section 15.1 **PERMITTED RESIDENTIAL USES** and Section 15.2 **PERMITTED NON-RESIDENTIAL USES** only the following uses shall be permitted:

- bank
- banquet hall
- bowling alley
- business or professional office
- clinic, health care
- clinic, veterinary (animal hospital) but not including outdoor canine runs or animal containment areas
- club, commercial or private
- dry cleaning establishment
- hotel
- leisure vehicle sales establishment
- motel or motor hotel
- motor vehicle cleaning establishment
- motel vehicle fuel bar
- motor vehicle sales and/or rental establishment
 - automobile, commercial, and/or recreational vehicles
- refreshment vehicle, bicycle unit or cart
- restaurant which may include an outdoor dining area
- service shop, light or personal
- studio
- theatre
- tourist information centre

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- wholesale establishment
- accessory buildings, structures, and uses to any permitted uses.

Further, notwithstanding Sections 15.4 (c), (d), (e), 13.1 (e) and 13.2 (e), the following provisions shall apply:

YARDS (MINIMUM)

Front Yard (Minimum)	6 metres
Southerly Side Yard (Minimum)	6 metres
Rear Yard (Minimum)	20 metres

Notwithstanding the minimum setbacks noted above, the minimum setback for an outdoor dining area from the southerly and easterly lot lines shall be 3 metres.

Finally, notwithstanding Section 15.4 (i) no open storage shall be permitted.

15.5.38
(500-2005-0006)

PART OF LOT 13, CONCESSION 3 (NG)

'C2-39'
(Map 1)

Notwithstanding Sections 15.1 & 15.2 only the following non-residential uses shall be permitted:

- Any industrial undertaking that is conducted and wholly contained within an enclosed building and is not a prohibited use pursuant to Section 5.42 herein
- bakery or bakeshop
- bank
- building supply and equipment establishment
- business or professional office
- clinic, health care
- clinic, veterinary (animal hospital) but not including outdoor canine runs or animal containment areas
- club, commercial or private
- contractor's or tradesman's shop
- dry cleaning outlet
- dry cleaning establishment
- equipment sales/rental establishment

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

- hawker or pedlar
- laundromat
- printing shop
- police station
- retail store
- refreshment vehicle, bicycle unit or cart
- restaurant
- service shop, heavy, light or personal
- taxi dispatch office
- telecommunications tower
- tourist information centre
- warehouse
- wholesale establishment
- welding shop
- accessory buildings, structures, and uses to any permitted use

Notwithstanding Section 15.4 (i) the open storage of goods, materials, boats and vehicles shall not be permitted. However the display of equipment associated with an equipment sales/rental establishment shall be permitted within the area indicated on Schedule 'B-47' attached hereto.

And further, the cleaning and mechanical repair of taxi vehicles shall be permitted only as an accessory use to a taxi dispatch office operating within the existing building.

15.5.39 **PART OF LOT 20, CONCESSION 7 (G)** **'C2-40'**
(500-2005-0012) **HIGHWAY 48/HOLMES POINT ROAD** **(Map 9)**

Notwithstanding Sections 15.1 and 15.2, an employee parking area accessory to a permitted use on land described as Part of Lot 20, Concession 7 (G) and zoned Restricted Industrial (M1) on Map 9, Schedule 'A' to Zoning By-law Number 500, shall be the only permitted use on land shown in heavy outline and designated 'C2-40' in Schedule 'A' attached hereto. Furthermore, no buildings or structures shall be permitted.

Further, notwithstanding Section 2.142, a 'parking area' on land shown in heavy outline and designated

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

'C2-40' in Schedule 'A' attached hereto shall be defined as "an area provided for the parking of motor vehicles, excluding school buses, commercial vehicles or trailers, and including any related aisles, parking spaces, ingress and egress driveways within the lot".

15.5.40 **PART OF LOT 7, CONCESSION 6 (G)** **'C2-41'**
(500-2006-0003) **HIGHWAY 48/PARK ROAD** **(Map 1)**

Notwithstanding Section 15.2, on land shown in heavy outline and designated 'C2-41' in Schedule 'A' attached hereto, a day nursery shall also be a permitted use.

15.5.41 **PART OF LOT 14, CONCESSION 3 (NG)** **'C2-42'**
(500-2006-0008) **(Map 1)**
(500-2007-0010)

a) Notwithstanding Sections 15.1 and 15.2 only the following non-residential uses shall be permitted:

- bakery or bakeshop
 - bank
 - bowling alley
 - business or professional office
 - clinic, health care
 - clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
 - club, commercial or private
 - dry cleaning establishment
 - funeral home
 - hotel
 - laundromat
 - place of amusement
 - police station
 - printing shop
 - restaurant
 - retail store, convenience
 - service shop, personal
 - studio
 - tourist information centre
 - wholesale establishment within a building of which at least 25% is used for retail sales; retail sales may not exceed 185
- (500-2007-0003)

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

square metres

- accessory buildings, structures and uses to any permitted use

b) Notwithstanding Sections 15.4 (c), (d), (h) and (i) the following zoning provisions shall apply:

FRONT YARD (MINIMUM) 3 metres
- with the exception of an unenclosed patio which may have a nil setback

EXTERIOR SIDE YARD (MINIMUM) 3 metres

HEIGHT OF BUILDING (MAXIMUM) 15 metres
or 4 storeys whichever is less

OPEN STORAGE Prohibited

c) The minimum setback for any building or structure to a sight triangle shall be 1 metre.

d) Notwithstanding Section 5.28 (a), the minimum parking space size for any parking spaces constructed along the westerly lot line shall be 2.7 x 5.7 metres.

e) Further, notwithstanding Section 5.28 (b) the required number of parking spaces shall be calculated on the basis of 5.5 spaces per 95 square metres for the ground floor area and 3.5 spaces per 95 square metres for any floor area above or below the ground floor. At such time as the cross access to any future development on the abutting lands to the west and north are constructed, a deficiency of 6 parking spaces may be permitted.

f) Notwithstanding Section 5.25 (a), 1 (one) loading space shall be required.

15.5.42
(500-2007-0004)

PART OF LOT 23, CONCESSION 7 (NG)
S/S BASELINE ROAD

'C2-43'
(Map 7)

Notwithstanding Sections 15.1 and 15.2, on land shown in heavy outline and designated 'C2-43' in

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

Schedule 'A' attached hereto, a towing service and one dwelling unit within the second storey of a non-residential building containing a mechanical garage shall also be permitted uses.

Furthermore, a 'towing service' shall be defined as "a building, structure and/or premises used for the dispatching of tow trucks, and the temporary storage of disabled motor vehicles or motor vehicles impounded for a breach of the law, but does not include a recycling facility, a storage depot, or public storage".

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3 metres shall be required along all lot lines.

Further, notwithstanding Sections 13.1 (c) and 15.4 (c), the minimum front yard shall be 27 metres.

Further, notwithstanding Section 15.4 (i), an impound yard or open storage of motor vehicles accessory to a towing service shall only be permitted in the rear yard and shall maintain a minimum rear yard of 3 metres. Furthermore, said impound yard or open storage shall be restricted to the location identified in an approved Site Plan Agreement.

15.5.43 **PART OF LOT 1, CONCESSION 8 (G)** **'C2-44'**
(500-2007-0008) **AND PART OF LOT 34, PLAN 248** **(Map 6)**
E/S DALTON ROAD

In addition to the uses permitted in Section 15.2, "a model home display area" shall be a permitted use on that land designated 'C2-44' in Schedule 'A' hereto.

Further, notwithstanding Section 15.4 (f), the minimum interior side yard for a model home display area in a 'C2-44' zone, where such yard abuts a lot zoned Residential, shall be reduced to 6 metres.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

15.5.44 **PART OF LOT 4, CONCESSION 3 (NG)** **'C2-45'**
(500-2008-0008) **E/S THE QUEENSWAY SOUTH** **(Map 2)**

Notwithstanding Sections 15.1 and 15.2 on land shown in heavy outline and designated 'C2-45' in Schedule 'A' attached hereto only the following non-residential uses shall be permitted:

- bakery or bakeshop
- bank
- bowling alley
- business or professional office
- catering establishment
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- dry cleaning establishment
- funeral home
- garden centre
- hawker or pedlar use
- laundromat
- place of amusement
- police station
- printing shop
- refreshment vehicle, bicycle unit or cart
- restaurant
- retail store
- service shop, light or personal
- studio
- theatre
- tourist information centre
- accessory buildings, structures and uses to any permitted use.

Notwithstanding Section 15.4 (c), the minimum front yard shall be 5 metres.

Further, notwithstanding Section 15.4 (e), the minimum rear yard shall be 14 metres.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

Further, notwithstanding Section 15.4 (i), open storage/display of goods and materials shall not exceed 700 square metres and such area shall be located in accordance with an approved site plan.

Notwithstanding Section 2.82, "floor area, non-residential" shall be defined as "the total floor area of a non-residential building, including any outdoor garden centre/retail display area, basement, or cellar area designed or used for non-residential purposes, but excluding any utility room, washroom, janitorial closet, stairwell, hallway, permanent stock room, staff lunch room, indoor loading area receiving vestibule, indoor garbage storage vestibule, and accessory office space", for the purpose of calculating parking requirements.

Further, notwithstanding Section 5.25 (a), a minimum of one loading space shall be required for a one-unit commercial building containing up to 1800 square metres of non-residential floor area.

Further, notwithstanding Section 5.28 (b), parking shall not be required for outdoor storage areas that are strictly designed for storage and not intended for the retailing or display of goods to the general public. In the event that any outdoor areas become utilized for a garden centre or for the retailing or display of goods available to the general public, parking must be provided in accordance with Section 5.28(b).

Further, notwithstanding Section 5.28(i), the appropriate road authority through the site plan approval process shall determine the maximum width of a driveway entrance.

15.5.45 **PART OF LOT 3, CONCESSION 7 (G)** **'C2-46(H)'**
(500-2008-0015) **N/S HIGHWAY 48** **(Map 7)**
(500-2011-0007)

Notwithstanding Sections 15.1 and 15.2, on lands shown in heavy outline and designated 'C2-46(H)' in Schedule 'A' attached hereto, only the following non-residential uses shall be permitted:

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

- bakery or bakeshop
- bank
- bowling alley
- building supply and equipment establishment
- business or professional office
- catering establishment
- church
- clinic, health care
- clinic, veterinary (animal hospital), but not including outdoor canine runs or animal containment areas
- club, commercial or private
- day nursery within a church
- funeral home
- garden centre
- hawker or pedlar use
- laundromat
- leisure vehicle sales establishment
- motor vehicle fuel bar
- motor vehicle sales and/or rental establishment - automobile, commercial and/or recreational vehicles
- printing shop
- refreshment vehicle, bicycle unit or cart
- restaurant
- retail store
- service shop, personal or light
- school, private or commercial
- studio
- theatre
- tourist information centre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures, and uses to any permitted use

Further, notwithstanding Sections 15.4 (a) to (f), the following requirements shall apply:

Lot Frontage (Minimum)	120 metres
Lot Area (Minimum)	2 hectares
Front Yard (Minimum)	3 metres

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

Exterior Side Yard (Minimum)	14 metres
Rear Yard (Minimum)	9 metres
Interior Side Yard (Minimum)	9 metres

Further, notwithstanding Section 5.28 (i), the maximum width of an access driveway shall be in accordance with the requirements and approval of the respective road authority.

Further, notwithstanding Section 5.31, a planting strip with a minimum width of 3 metres shall be required along all lot lines, with interruptions for vehicle and pedestrian access permitted.

(500-2011-0007) Further, notwithstanding any other provisions herein, while the '(H)' Holding symbol is in place on lands shown in heavy outline and designated 'C2-46(H)' in Schedule 'A' attached hereto, no buildings or structures shall be permitted to be erected, and the lands may only be used for those uses which legally existed prior to May 24, 2011, being the date of the passing of this by-law by Town Council. Pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended, Council shall enact a by-law to remove the '(H)' Holding symbol from said lands under the following circumstances:

- (i) written confirmation from the Town's Director of the Engineering and Public Works Department that site plan approval, pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, has been granted by the Town of Georgina Site Plan Committee; and,
- (ii) written confirmation from the Town's Director of the Engineering and Public Works Department that adequate servicing is available for the appropriate development of the said lands.

Upon removal of the '(H)' Holding symbol from the lands shown in heavy outline and designated 'C2-46(H)' in Schedule 'A' attached hereto, the provisions applicable to said lands shall be in accordance with Zoning By-law Number 500, as amended.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

15.5.46 **PART OF LOT 3, CONCESSION 7 (G)** **'C2-47'**
(500-2008-0015) **N/S HIGHWAY 48** **(Map 7)**

Notwithstanding Sections 15.4 (a) and (b), on lands shown in heavy outline and designated 'C2-47' in Schedule 'A' attached hereto, the minimum lot frontage and lot area requirements shall not apply.

15.5.47 **PART OF LOT 1, CONCESSION 3 (G)** **'C2-48'**
(500-2010-0002) **(Map 5)**
(500-2010-0004)
(500-2011-0009)

Notwithstanding Sections 15.1 and 15.2, in the area designated 'C2-48' on Map 5 in Schedule 'A' and further indicated in Schedule 'B-65' hereto, only the following uses shall be permitted:

- a retail store and associated office on the ground floor of the existing building having a combined maximum gross floor area of 166 square metres; and
- one (1) dwelling unit located in the second storey of the existing building having a maximum floor area of 166 square metres.

Furthermore, notwithstanding Sections 15.4 (a), 6.9 (b) and 15.4 (b), 5.28 (h), and 5.31 the following provisions shall apply:

- i) Lot Frontage (Minimum) - 30 metres
- ii) Lot Area (Minimum) - 1393 square metres
- iii) Parking Area Set Back from Interior Side and Rear Lot Lines for existing building - NIL
- iv) Planting Strip requirement for existing building - Not Required

Furthermore, the permitted uses, accessory uses, ingress and egress driveways and parking areas will be confined to the existing building and areas specifically designated in Schedule 'B-65' attached hereto.

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

15.5.48 **PART LOT 1, CONCESSION 4 (NG)** **'C2-49(H)'**
(500-2010-0009) **N/E CORNER WOODBINE AVENUE** **(Map 1)**
AND RAVENSHOE ROAD

Notwithstanding Sections 15.1 and 15.2, on those lands designated 'C2-49(H)' in Schedule 'A' hereto, only the following non-residential uses shall be permitted:

- clinic, veterinary (animal hospital) but not including outdoor canine runs or outdoor animal containment areas;
- motor vehicle fuel bar (and accessory convenience retail store);
- motor vehicle cleaning establishment;
- restaurant;
- tourist information centre;
- accessory buildings, structures, and uses to any permitted use.

Further, notwithstanding Section 5.28(i), the maximum width of a combined ingress and egress driveway shall be that which is approved by the respective road authority.

Finally, notwithstanding the permitted uses of the 'C2-49(H)' zone, where a Holding (H) symbol is used in conjunction with the 'C2-49(H)' zone in Schedule 'A', the lands may only be used for those uses which legally existed prior to July 19, 2010, being the date of the passing of this by-law by Town Council. The Holding (H) symbol shall not be removed until;

- (i) written confirmation from Town's Director of Engineering and Public Works that site plan approval, pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, has been granted by the Town of Georgina Site Plan Committee;
- (ii) all existing signs have been removed. (*Note: The erection of any future signs must be approved pursuant to the Town's Sign By-law*);

SECTION 15 - HIGHWAY COMMERCIAL (C2) ZONE (cont.)

- (iii) written confirmation from the Town's Director of Planning and Building that arrangements have been made to the satisfaction of the Director, regarding the erection of a municipal entry feature at the intersection of Woodbine Avenue and Ravenshoe Road, including the conveyance of any easements, if required, and the approval of plans and/or drawings, and;
- (iv) the respective road authority has agreed to the design of the ingress and egress driveways on Woodbine Avenue and Ravenshoe Road.