

SECTION 17 - SHOPPING CENTRE COMMERCIAL (C4) ZONE

17.1 PERMITTED RESIDENTIAL USES

- prohibited

17.2 PERMITTED NON-RESIDENTIAL USES

- bank
- bakery or bakeshop
- bowling alley
- (500-2007-0003) - business or professional office
- catering establishment
- church
- clinic, health care
- club, commercial or private
- dry cleaning establishment
- hawker or pedlar use
- hotel
- golf course, miniature
- laundromat
- motel or motor hotel
- motor vehicle fuel bar
- (500-98-003) - place of amusement
- police station
- printing shop
- refreshment vehicle, bicycle unit or cart
- restaurant
- retail store
- retail store, supermarket
- service shop, personal or light
- studio
- tourist information centre
- taxi stand
- theatre
- wholesale establishment within a building of which at least 25% is used for retail sales
- accessory buildings, structures and uses to any permitted use

17.3 ZONE REQUIREMENTS - RESIDENTIAL USES

Not applicable.

17.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

MOTOR VEHICLE FUEL BAR, HOTEL, MOTEL OR MOTOR HOTEL

In accordance with the provisions of Section 13 hereof.

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OTHER USES

- | | |
|----------------------------------|-----------------|
| (a) LOT FRONTAGE (MINIMUM) | 60 metres |
| (b) LOT AREA (MINIMUM) | 4 000 sq metres |
| (c) FRONT YARD (MINIMUM) | 8 metres |
| (d) EXTERIOR SIDE YARD (MINIMUM) | 8 metres |
| (e) REAR YARD (MINIMUM) | 8 metres |
| (f) INTERIOR SIDE YARD (MINIMUM) | 8 metres |

- except that where said yard abuts a Residential or Transitional Zone, its minimum shall be 15 metres.

- | | |
|----------------------------------|-----------|
| (g) LOT COVERAGE (MAXIMUM) | 35% |
| (h) HEIGHT OF BUILDING (MAXIMUM) | 11 metres |
| (i) OPEN STORAGE | |

The storage of goods or materials shall not be permitted other than in a wholly enclosed building.

(j) MUNICIPAL SANITARY SERVICES

Notwithstanding Section 17.2, no building or structure shall be used or constructed within the Shopping Centre (C4) zone unless served by a public sanitary sewer.

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 17 - SHOPPING CENTRE COMMERCIAL (C4) ZONE (cont.)

17.5 SPECIAL PROVISIONS

**17.5.1 PART OF LOT 6, CONCESSION 3 (NG); 'C4-2'
(Map 2)**

Notwithstanding Section 17.2, in that area designated 'C4-2' in Schedule 'A' hereto, a business or professional office and health care clinic shall be the only permitted uses.

Further, notwithstanding Sections 5.28 (b), (g) and (h), and 17.4 (a), (b), (c), (d), (f), and (g), the following zone requirements shall apply:

LOT FRONTAGE (MINIMUM)	15.36 metres
LOT AREA (MINIMUM)	no minimum
FRONT YARD (MINIMUM)	12 metres
EXTERIOR SIDE YARD (MINIMUM)	12 metres
INTERIOR SIDE YARD (MINIMUM)	1.5 metres
- except that where the interior side yard abuts a Residential Zone, its minimum shall be 2.77 metres	
LOT COVERAGE (MAXIMUM)	50%
NUMBER OF PARKING SPACES (MINIMUM)	10
MINIMUM DISTANCE OF PARKING AREA FROM NORTH LOT LINE	0.6 metres

In addition to the above, 14 parking spaces shall be provided on land described as Part of Lot 6, Concession 3 (NG), zoned 'C4'.

**17.5.2 BLOCK 244, REGISTERED PLAN 65M-2675; 'C4-3'
(500-96-035) 'C4-5'
(Map 2)**

Notwithstanding Sections 2.195, 5.31 (a), 17.4 (a), (g) and (h), in the areas designated as 'C4-3' and 'C4-5' in Schedule 'A' hereto, the following

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provisions shall apply respectively:

- (a) The maximum height of a fence along a lot line, shared in common with lots zoned Residential shall be 3 metres.
- (500-96-035) (b) The minimum width of a planting strip between the Shopping Centre 'C4-3' and 'C4-5' zones and a Residential Zone shall be 3 metres except in those locations described hereinafter, and further identified on Schedule 'B-13':
 - (1) Area 1: Planting Strip abutting the west lot line, adjoining Riverglen Drive;
Minimum Width = 2.4 metres;
 - (2) Area 2: Planting Strip abutting the north lot line, adjoining the rear lot lines of those lots fronting onto Riverglen Drive;
Minimum Width = 1.8 metres.
- (c) The minimum lot frontage (Riverglen Drive) shall be 39.15 metres.
- (500-96-035) (d) The maximum total gross floor area of all buildings and structures shall not exceed 11,255 square metres, of which 5,341 square metres maximum may be used for a Retail Store, Supermarket.
- (e) The maximum height of a building or structure shall be 8 metres. Further, a wall of the shopping centre within 30 metres of, and facing a lot zoned Residential, shall have no windows in the second storey of the said wall.
- (500-96-035) Notwithstanding Section 5.28 (a), the minimum Standard Parking Space Size shall be 2.5 m by 5.5 m. Furthermore, notwithstanding Section 5.28 (b), to accommodate the total gross floor area of all buildings and structures at 11,255 square metres (maximum), the required number of parking spaces to be provided on site shall be 632.

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Further, notwithstanding Sections 5.28 (i), on those lands designated 'C4-3' a combined ingress and egress driveway on Woodbine Avenue may be provided up to 20 metres in width.

(500-99-001) Finally, for purposes of this By-law, a restaurant on lands zoned 'C4-5' shall be defined as follows:

RESTAURANT: means a building or premises where food or beverages are offered for sale to the public and shall include outdoor facilities for the consumption of food or beverages.

17.5.3 **PART OF LOT 10, CONCESSION 3 (NG);** **'C4-4'**
(500-2010-0007) **(Map 2)**
(500-2011-0011)
(500-2011-0013)

In addition to all other provisions of this By-law, the following requirements shall apply to lands designated 'C4-4' in Schedule 'A' hereto:

- at such time as the total non-residential floor area is equal to or less than 4,479 square metres, there shall be a minimum of one store or unit designed for an individual tenant having a minimum floor area of 1,393.5 square metres;

- at such time as the total non-residential floor area is equal to 6,595 square metres or more, there shall be a minimum of two stores or units designed for individual tenants each having a minimum floor area of 1,393.5 square metres.

(OMB Order Feb.9/95) - the maximum Gross Leasable Floor Area of a Supermarket shall be limited to not more than 500 sq. metres.

17.5.4 **PART OF LOT 10, CONCESSION 3 (NG);** **'C4-6'**
(500-94-005) **(Map 2)**

Notwithstanding Section 2.185, in the area designated 'C4-6' in Schedule 'A' hereto, a shopping centre having a minimum floor area of less than 4,600 sq. metres shall be permitted.

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17.5.5 **BLOCKS 53, 54 & 55, PLAN 65M-3332** **'C4-7'**
(500-2003-0019) **AND PART OF LOT 7, CONCESSION 3 (NG)** **(Map 2)**

The following provisions shall apply to those lands, or parts thereof, that comprise that area designated 'C4-7' shown in heavy outline in Schedule 'A' hereto.

- a) For purposes of this by-law, that parcel described as Part of Lot 7, Concession 3 (NG) and Blocks 53 and 54 shall be deemed to be one lot.
- b) Notwithstanding Sections 2.82, 2.123, 2.124, 2.125, 2.168, 5.12, 5.28 (b), 5.28 (g), 5.28 (i), 5.31 the following shall apply:
 - A walk-in cooler within a restaurant and indoor waste/garbage storage rooms shall also be exempted from the calculation of non-residential floor area.
 - The lot lines abutting Fairwood Drive and Block 51, Plan 65M-3332, are deemed to be interior side lot lines and the southerly lot line of Block 55 is deemed to be an exterior side lot line.
 - The definition of restaurant shall also include an outdoor dining area/patio.
 - A fence having a minimum height of 2.75 metres shall be required along the northerly boundary of the 'C4-7' zone (including that portion of the boundary shared with the easterly lot line of Block 51, Plan 65M-3332) between Woodbine Avenue and a point parallel with the front wall of the most southerly unit in the existing townhouse block situated on Block 51, Plan 65M-3332.
 - The minimum number of parking spaces required for non-residential uses shall be calculated at 5.5 spaces per 95 square metres of non-residential floor area.

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Notwithstanding, if Block 55 develops prior to the balance of the lands within the 'C4-7' zone, parking shall be provided in accordance with the provisions of Section 5.28(b).

- Parking spaces and driveways may be located on adjacent blocks within the 'C4-7' zone.
- Vehicular access to the lands zoned 'C4-7' from Woodbine Avenue shall be restricted to one access, having a maximum width of 40 metres.
- A planting strip having a minimum width of 3 metres shall also be required along the rear lot line of the lands zoned 'C4-7'.

c) Notwithstanding Section 17.2 **PERMITTED NON-RESIDENTIAL USES**, the following provisions shall apply:

i. The following uses shall not be permitted:

Blocks 53 and 54 and Part of Lot 7, Concession 3 (NG):

- church
- golf course, miniature
- hotel
- motel or motor hotel
- motor vehicle fuel bar
- place of amusement
- police station
- theatre

Block 55:

- church
- golf course, miniature
- motor vehicle fuel bar
- place of amusement

ii. The following uses shall not be permitted within 90 metres of an area zoned Low

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Density Urban Residential (R2) and within 50 metres of an area zoned Medium Density Urban Residential (R3):

- bowling alley
- club, commercial or private
- restaurant (including stacking spaces)
- taxi stand

iii. An outdoor dining area/patio shall not be located within 100 metres of an Urban Residential (R1, R2 or R3) zone and within 50 metres of an Institutional (I) zone.

iv. A supermarket retail store or any other type of retail store, having as its primary purpose the sale of food and beverages (excluding alcoholic beverages), shall have a maximum floor area of 465 m². Furthermore, the floor area devoted to the sale of food and beverages (excluding alcoholic beverages) in any other type of retail store shall not exceed 465 m².

v. A clinic, veterinary (animal hospital) but not including outdoor canine runs or animal containment areas shall also be a permitted use within the 'C4-7' zone.

vi. A banquet hall shall also be a permitted use on Block 55.

d) Notwithstanding Sections 13.2 (a), (c), (d), (e), (f), (h), (i) and 17.4 (a), (c), (d), (e), (f), (g) and (h) the following provisions shall apply:

Lot Frontage (min)	Existing Lot Frontages
Front Yard (min)	5 metres ¹
Exterior Side Yard (min) (South side of Blk 55)	6 metres ¹
Interior Side Yard (min) (North side Blk 53)	20 metres ²
(South side Blk 54)	nil
(North side Blk 55)	nil
Rear Yard (min) (Block 55)	20 metres ³

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Lot Coverage (max)	35%
Height (max)	11 metres ⁴

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1. An outdoor dining area/patio shall be permitted a minimum setback of 3 metres from a front and exterior side lot line.

 2. A building, or portion thereof, may be located a minimum of 8 metres from that portion of the northerly lot line of Block 53 which abuts Lot 23, Plan 65M-3332 and 10 metres from that portion of the northerly lot line of Block 53 which abuts Lot 24, Plan 65M-3332. The 8 metre minimum setback is to be measured on a line perpendicular with the boundary shared with Lot 23 and the 10 metre minimum setback is to be measured on a line perpendicular with the boundary shared with Lot 24. Further, a building, or any portion thereof located closer than 20 metres to the north lot line shall be subject to the following restrictions:
 - a. it contains a maximum of one storey and has a maximum height of 7 metres
 - b. it has a minimum setback of 60 metres from lot boundary shared with Block 51, Plan 65M-3332.
 - c. that any loading space serving said building shall be a minimum of 20 metres from the north lot line.
 - d. it contains no windows or doors in any wall(s) facing the lot line abutting Lots 23, 24 and 25, Plan 65M-3332.

 3. A building, or portion thereof, may be located a minimum of 10.5 metres from the westerly rear lot line provided that any portion of a building located within 20 metres of the westerly rear lot line shall contain a maximum of one storey.

 4. Buildings situated on Block 55 may contain a two storey entrance feature having a maximum

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height of 13.5 metres provided that any portion of the feature situated above 11 metres is located a minimum of 50 metres from an Institutional (I) zone.

17.5.6 PART OF LOTS 6 AND 7, CONCESSION 3 (NG) 'C4-8'
(500-2005-0022) (Map 2)
(500-2007-0013)

The following provisions shall apply to those lands, or parts thereof, that comprise that area designated 'C4-8' shown in heavy outline in Schedule 'A' attached hereto.

- a) Notwithstanding Sections 2.168, 5.13, 5.28(b) and (g) the following shall apply:
- The definition of a restaurant shall also include an outdoor dining area/patio.
 - Buildings or structures may be erected on lots fronting onto an internal access road or access street.
 - The minimum number of parking spaces shall be 5.5 spaces per 95 square metres of non-residential floor area.
 - Required parking spaces and driveways may be located on adjacent blocks or lots which may be created within the area designated 'C4-8(H)'.
- b) Notwithstanding Section 17.2 **PERMITTED NON-RESIDENTIAL USES**, the following additional uses shall be permitted:
- building supply and equipment establishment
 - garage, mechanical
 - motor vehicle cleaning establishment
 - service shop, heavy

However, the following uses **shall not be permitted** within the south east corner of the lands designated 'C4-8' defined as the area of land having a frontage of 70 metres along Woodbine Avenue, 70 metres along Glenwoods Avenue and a depth of 70 metres from Woodbine

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Avenue:

- building supply and equipment establishment
- garage, mechanical
- motor vehicle cleaning establishment
- motor vehicle fuel bar
- service shop, heavy

c) Notwithstanding Sections 17.4 (c), (d), (e), and (f) the following yards shall apply:

YARD ABUTTING WOODBINE AVENUE (MINIMUM)	5 metres
YARD ABUTTING GLENWOODS AVENUE (MINIMUM)	5 metres
YARD ABUTTING THE FUTURE EXTENSION OF DOVEDALE DRIVE	5 metres
ALL OTHER YARDS (MINIMUM)	3 metres

d) Notwithstanding Section 17.4 (h), the following shall apply:

HEIGHT OF BUILDING (MAXIMUM)	15 metres
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e) Notwithstanding Section 17.4 (i), open storage accessory to a building supply and equipment establishment and garden centre use shall be permitted subject to the following provisions:

- such open storage is surrounded by a fence
- such open storage does not cover more than 30% of the lot area
- such open storage is not located on areas identified as landscaped open space or pedestrian walkways.

f) In addition to the open storage provisions noted in (e) above, an outdoor display area not exceeding 2500 square metres and accessory to a garden centre use shall be permitted from the period of April 1st to October 31st.

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- b) Notwithstanding, Section 17.4(c), (e), and (h), the following zoning provisions shall apply:

FRONT YARD (MINIMUM)

Morton Avenue frontage	19 metres
-except for any wall constructed for the purpose of screening the loading dock area the minimum yard may be reduced to	17 metres
Woodbine Avenue frontage	5 metres
-except where an outdoor patio abuts Woodbine Avenue the minimum yard may be reduced to	3 metres

INTERIOR SIDE YARD (MINIMUM)

north side	1.5 metres
west side	3.0 metres
south side	5.0 metres
east side	3.0 metres

Notwithstanding the above, a retaining wall may be permitted within the westerly interior side yard setback.

HEIGHT OF BUILDING (MAXIMUM)	13 metres
-except for any architectural roof features where the height may be increased to 15 metres	

Notwithstanding Section 2.124 the entire length of the westerly and northerly lot lines shall be considered interior side lot lines.

And further, notwithstanding the above, no buildings, structures, retaining walls or parking areas shall be located within the 'No Build Zone' indicated on Schedule 'B-50'.

- c) In accordance with Section 17.4(i), no open storage shall be permitted with the exception of an outdoor seasonal display area associated with a retail store which shall be permitted from April 1st to October 31st subject to the following provisions:

SECTION 17 - SHOPPING CENTRE COMMERCIAL (C4) ZONE (cont.)

- Maximum floor area 1000 sq.m.
- Such open storage does not cover in excess of 31 parking spaces
- Such open storage is surrounded by a fence; wherein the design shall be reviewed and approved by the Site Plan Committee.
- Such open storage does not cover pedestrian walkways or landscaped open spaces.
- A minimum setback of 40 metres is maintained from the front lot lines.

d) Notwithstanding Section 5.25 (a) the following loading space requirements shall apply:

Non-Residential Floor Area of Building	Number of Loading Spaces Required
Exceeding 550 sq. m. and up to 2,300 sq.m.	1
Exceeding 2,300 sq.m. and up to 7,400 sq.m.	2

NOTE: With the exception of the above all other provisions of Section 5.25(a) apply.

Notwithstanding Section 5.25 (c), two loading spaces may be permitted within the front yard area abutting Morton Avenue provided same are screened from view in accordance with an approved site plan and are a minimum of 17 metres from the front lot line abutting Morton Avenue.

e) Notwithstanding Section 5.28(b), parking for any proposed multi-unit commercial centre use shall be calculated on the basis of 5 spaces/95 sq.m. of non-residential floor area, all other provisions of this Section shall apply. And further, required parking for such use may be reduced by 31 spaces during the operation of an outdoor display area from April 1st to October 31st.

(500-2007-0009) f) Notwithstanding 5.28(i), access to and from parking areas shall be provided by means of an

SECTION 17 - SHOPPING CENTRE COMMERCIAL (C4) ZONE (cont.)

(500-2007-0019) unobstructed driveway having a maximum width of 12 metres.

17.5.8 **PART OF LOT 10, CONCESSION 3 (NG)** **'C4-10'**
(500-2011-0013) **Part 1, Plan 65R-16894, Except Parts** **(Map 2)**
1 and 2 on Reference Plan 65R-19121

- a) Notwithstanding Sections 5.12, 5.28, 17.2 and 17.4(i), the following requirements shall apply to lands shown in heavy outline and designated 'C4-10" in Schedule 'A' attached hereto:
- i) A "permanent outdoor garden centre" shall be permitted as an accessory use to a retail store, with said garden centre being located only in the northeast corner of the property in accordance with a site plan approved by the Site Plan Review Committee of Council.
 - ii) The permanent outdoor garden centre shall occupy an area no greater than 1,703 square metres. Further, such garden centre shall be enclosed on all sides by a fence having a maximum height of 3.1 metres. The fence shall be constructed in accordance with the form and design approved by the Site Plan Review Committee of Council.
 - iii) No open storage of goods or materials shall be permitted on the property with the exception of within the permanent outdoor garden centre, wherein seasonal goods and materials associated with the garden centre shall be permitted to be stored. During the off-season, the open storage of goods and materials accessory to the retail store may continue within the garden centre as long as such goods and materials are completely screened from view of the adjacent streets by the required enclosing fence. At no time shall stored goods or materials project

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above the enclosing fence.

- iv) Required on-site parking spaces shall be provided on the basis of 3.3 spaces per 95 square metres of non-residential floor area. The area occupied by the permanent outdoor garden centre is included as part of the non-residential floor area for the purpose of calculating required parking.