

10.4 MIXED USE HIGH DENSITY (C4) ZONE

Explanatory Note: *The C4 Zone includes large format shopping centres, such as Limeridge Mall, and the Centre on Barton, which are characterized by commercial uses serving a regional market. The blend of uses within this zone includes retail, personal service, institutional, office and residential uses. The built form provides for a comfortable and vibrant pedestrian environment that is compact and 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 (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

Artist Studio
 Beverage Making Establishment
 Catering Service
 Commercial Entertainment
 Commercial Parking Facility
 Commercial Recreation
 Commercial School
 Communications Establishment
 Conference or Convention Centre
 Craftsperson Shop
 Day Nursery
 Dwelling Unit(s)
 Emergency Shelter
 Financial Establishment
 Funeral Home
 Hotel
 Laboratory
 Lodging House
 Medical Clinic
 Microbrewery
 Motor Vehicle Gas Bar
 Multiple Dwelling
 Office
 Performing Arts Theatre
 Personal Service
 Place of Assembly
 Place of Worship
 Repair Service
 Residential Care Facility
 Restaurant
 Retail
 Retirement Home

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

10.4.1.1 RESTRICTED USES

In addition to Section 10.4.1, the following uses shall be permitted in accordance with the following restrictions:

- i) Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement, and Social Services Establishment:
 1. Maximum Capacity for Residential Care Facility shall be 50 residents;
 2. Except as provided for in Subsection 3. 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; and,
 3. 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.

- ii) Restriction of Uses within a building:
 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and,
 2. Notwithstanding Section 10.4.1.1ii)1., dwelling unit(s) shall be permitted in a basement or cellar.
(By-law No. 19-062, March 27, 2019)

10.4.2 PROHIBITED USES

- i) Notwithstanding Section 10.4.1, 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 10.4.1, a Motor Vehicle Dealership is prohibited, even as an accessory use.

10.4.3 REGULATIONS

- a) Maximum Building Setback from a Street Line
 - i) 4.5 metres, except where a visibility triangle is required for a driveway access; and,
 - ii) Notwithstanding Section 10.4.3a)i), a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.
(By-law No. 19-062, March 27, 2019)
- b) Minimum Rear Yard 7.5 metres.
- c) Minimum Interior Side Yard 7.5 metres
(By-law No. 19-062, March 27, 2019)
- d) Building Height
 - i) Minimum 11.0 metre façade height along the street;

- ii) In addition to Section 10.4.3i), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.4.3 b) and c) when abutting a Residential or Institutional Zone, and provide a maximum 20.0 metres setback to any yard; and,
- iii) Maximum 40.0 metres.
- iv) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
 - A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;
 - B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

- C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
- e) Maximum Gross Floor Area for Office Building 10,000.0 square metres per individual building.
- f) Maximum Gross Floor Area for Microbrewery 700.0 square metres.
- g) Built form for New Development
- In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:
- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
 - ii) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
 - iii) A minimum of one principal entrance shall be provided:
 1. within the ground floor façade that is set back closest to a street; and,
 2. shall be accessible from the building façade with direct access from the public sidewalk.
 - iv) A walkway shall be permitted in a Planting Strip where required by the By-law.

- h) Minimum Amenity Area for Dwelling Units and Multiple Dwellings
- On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:
- i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,
 - ii) An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.
 - iii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air.
(By-law No. 19-062, March 27, 2019)
- i) Planting Strip Requirements
- Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.5 metre wide Planting Strip shall be provided and maintained.
- j) Visual Barrier Requirement
- A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.
(By-law No. 19-062, March 27, 2019)
- k) Outdoor Storage
- i) No outdoor storage of goods, materials, or equipment shall be permitted; and,
 - ii) Notwithstanding Section 10.4.3k)i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.
(By-law No. 19-062, March 27, 2019)

**10.4.4 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. |

**10.4.5 MOTOR VEHICLE
GAS BAR
REGULATIONS**

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| a) Minimum Yard Abutting a Street | Notwithstanding Section 10.4.3a)i), Minimum 4.5 metres.
(By-law No. 19-062, March 27, 2019) |
| b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies | 4.5 metres from any lot line. |
| c) Minimum Planting Strip Requirements | Notwithstanding Section 10.4.3i), a minimum 3.0 metre planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.
(By-law No. 19-062, March 27, 2019) |
| d) Maximum Gross Floor Area for Accessory Retail Uses to a Motor Vehicle Gas Bar | 175.0 square metres. |

- 10.4.6 ACCESSORY BUILDINGS** In accordance with the requirements of Section 4.8 of this By-law.
- 10.4.7 PARKING** In accordance with the requirements of Section 5 of this By-law.
- 10.4.8 URBAN FARM** 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 principal building.
(By-law No. 19-062, March 27, 2019)
- 10.4.9 COMMUNITY GARDEN** 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 principal building.
(By-law No. 19-062, March 27, 2019)
- 10.4.10 URBAN FARMERS MARKET** In accordance with the requirements of Section 4.28 of this By-law.
(By-law No. 17-240, November 8, 2017)