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**PART 4: COMMERCIAL ZONES**

<b>ZONE DESIGNATIONS:</b>	CR <b>(Regional Commercial)</b>
	CE <b>(Employment Commercial)</b>
	CC <b>(Community Commercial)</b>
	CN <b>(Neighbourhood Commercial)</b>

**1. GENERAL PROVISIONS**

No persons shall within any of the zones included in Part 4 of this By-law use any land or erect or use any building or structure except in accordance with the uses permitted and the regulations thereto and subject to:

PART 1:      GENERAL CONDITIONS AND PROVISIONS  
PART 14:      EXCEPTIONS TO ZONE DESIGNATIONS

**(a) Holding Zone**

Where a zone designation is preceded by the Holding Symbol 'H' the uses permitted shall be in accordance with Part 11, Section 1.1. Development or redevelopment of lands having an 'H' zoning shall be deemed premature until the 'H' prefix is removed in accordance with Part 11, Section 1.2.

## 2. PERMITTED USES

The uses permitted in Commercial Zones shall be in accordance with Table 4.2.1.

**Table 4.2.1**

USES	ZONES					
	CR	CE	CC1	CC2	CN1	CN2
<b>Retail</b>						
Department Store	✓		✓			
Flea Market	✓					
Large Building Supplies/Garden Store	✓	✓				
Large Furniture and Appliance Store	✓	✓				
Large Home and Auto Supplies Store	✓	✓	✓			
Warehouse Club	✓					
Supermarket/Grocery Store	✓		✓ (e)		✓ (e)	
Convenience/Specialty Food Store	✓		✓	✓	✓	✓
Farmers' Market	✓		✓		✓	
Other Retail Stores	✓	✓ (c)	✓	✓	✓	✓
<b>Service Commercial</b>						
Standard Restaurant	✓	✓ (d)	✓	✓	✓	
Standard Restaurant with Dance Floor	✓(j)	✓(d)(j)	✓(j)	✓(j)	✓(j)	
Fast Food Restaurant	✓	✓ (d)	✓	✓	✓	
Convenience Restaurant	✓	✓ (d)	✓	✓	✓	✓
Terrace Patio	✓	✓	✓			
Elevated Parking Facility	✓	✓	✓			
Funeral Home	✓		✓	✓		✓ (g)
Veterinary Services	✓ (a)	✓ (a)	✓ (a)	✓ (a)	✓ (a)	✓ (a)
Other Service Commercial Uses	✓	✓ (h)	✓	✓	✓	✓
Banks, Trust Companies, Credit Unions	✓	✓ (h)	✓	✓	✓	✓
<b>Office</b>						
All Office Uses	✓	✓	✓	✓	✓	✓
<b>Community</b>						
Community Institution	✓		✓	✓	✓	✓
<b>Hospitality</b>						
Hotel	✓		✓			
Convention/Conference Centre	✓		✓			
Banquet Centre	✓		✓			
Caterer	✓		✓	✓		
<b>Automotive</b>						
Car Wash per Part 1, 2.9		✓ (i)	✓			
Motor Vehicle Service Station per Part 1, 2.10	✓	✓ (i)		✓	✓	✓
Motor Vehicle Sales, Leasing, Rental, and Service	✓	✓	✓			
Motor Vehicle Repair Garage	✓	✓ (i)	✓			
Motor Vehicle Parts & Accessory Sales	✓	✓	✓	✓	✓	
Retail Propane Facility per Part 1, 2.7	✓	✓	✓	✓	✓	✓
<b>Entertainment and Recreation</b>						
Recreational Establishment	✓	✓	✓	✓	✓	

## Part 4 – Commercial Zones

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USES	ZONES					
	CR	CE	CC1	CC2	CN1	CN2
Entertainment Establishment	✓	✓	✓	✓	✓	
Video Game/Pinball Machine Arcade	✓	✓				
Night Club	✓ (b)	✓ (b)				
<b>Residential</b>						
Dwelling Units on second & third floors	✓		✓	✓	✓	✓
Apartment Building per RH4 zone			✓ (f)			
<b>Industrial</b>						
Industrial Uses permitted in a GE2 zone			✓			

### Footnotes to Table 4.2.1

- (a) The keeping of animals outside is not permitted.
- (b) Maximum capacity shall not exceed 1000 persons.
- (c) The only other retail uses permitted in a CE zone are the following:
  - Office supplies
  - Office furniture and equipment
  - Computer hardware and software
  - Electrical equipment supplies and services
  - Industrial equipment supplies and services
  - Heating and ventilation supplies and services
  - Tool sales and service
  - Automobile parts and upholsterer
  - Lumber yard and home improvement centre
  - Paint, glass, and wallpaper
  - Kitchen and bathroom centre
  - Antique refinishing and sales
  - Floor coverings
  - Swimming pool sales and service
  - Hot tubs/whirlpools
  - Window and door sales and installation
  - Hardware
  - Blinds, draperies, curtains, and wall coverings
  - Linens, bedding, and sheets
  - Decorating centre
  - House wares
  - Lighting
  - Electronics
  - Art shop and gallery
- (d) A restaurant may occupy up to 100% of the total floor area of a single building on a lot where the total existing building floor area of all buildings on the lot is 3000 m<sup>2</sup> or greater, and where the lot abuts an arterial, multi-purpose arterial, or minor arterial road. Where the total building floor area of all buildings on the lot is less than 3000 m<sup>2</sup>, or where the lot does not abut an arterial, multi-purpose arterial, or minor arterial road, the total floor area of all restaurants shall not exceed 15% of the floor area of each building within which the restaurant is located. Where contiguous lots are developed as one comprehensive development or under a single comprehensive site plan, all lots shall be deemed to be one lot for purposes of applying this zoning regulation.
- (e) Floor area maximum/unit or use shall not apply for a supermarket/grocery store.

## Part 4 – Commercial Zones

- (f) Permitted only on the CC1-zoned lands on the south side of Plains Road East, east of Daryl Drive. On these lands, retail and service commercial uses are permitted in the basement, ground, and second floor of an apartment building.
- (g) Funeral home is a permitted use at 1010 and 1020 Botanical Drive only.
- (h) Permitted on a lot having a total building floor area of 3000 m<sup>2</sup>. The total floor area of all service commercial uses shall not exceed 15% of the floor area of each building within which another use is located.
- (i) Not permitted abutting a residential zone.
- (j) In buildings containing residential dwelling units, a Standard Restaurant, with Dance Floor is only permitted at grade where office uses or uses accessory to residential are located on the second storey.

### 3. PROHIBITED USES

In addition to Part 1, Subsection 2.22 “Prohibited Uses”, the following uses are also prohibited:

- Parking lot
- Taxi Cab Garage
- Side Walk Patio
- Recreational Vehicle, Utility Trailer Sales & Service
- Adult Entertainment Establishment

### 4. CR ZONE REGULATIONS (REGIONAL COMMERCIAL)

#### 4.1 LOT WIDTH, AREA, YARDS

Table 4.4.1

Regulation	Requirement
Lot width	no minimum
Lot Area	no minimum
Front Yard	6 m
Rear Yard	6 m
Side Yard	6 m
Street Side Yard	6 m
Yard abutting a residential zone	15 m
Yard abutting a Provincial Highway	12 m
Yard abutting an O3 zone	7.5 m
Building setback abutting a creek block	7.4 m, 4.5 m if block includes a 3 m buffer
Yard abutting a railway right-of-way	30 m for uses sensitive to railway rights-of-way (a)
Yard abutting a Pipeline Easement	7 m
Yard abutting a PC or P zone	6 m

Footnotes to Table 4.4.1:

- (a) On lands located on Plains Road East, the yard abutting the CNR right-of-way for land uses sensitive to railway rights-of-way shall be 21.5 m, provided a 2.5 m high earth berm is installed abutting the right-of-way.

## **4.2 BUILDING HEIGHT**

Building Height: 3 storeys up to 12 m maximum

## **4.3 SEPARATION DISTANCE**

Standard Restaurant:	15 m between the use and a residential zone
Fast Food Restaurant:	30 m between the use and a residential zone
Night Club:	45 m between the use and a residential zone

## **4.4 LANDSCAPE AREA AND BUFFER**

### **Landscape Area:**

Abutting the Queen Elizabeth Way:	6 m
Abutting all other streets:	6 m
Abutting a creek block or O3 zone:	6 m
Abutting a PC or P zone:	3 m

### **Landscape Buffer:**

Abutting a residential zone:	9 m
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## **4.5 LOADING AND UNLOADING**

- Loading/unloading shall not take place within 30 m of a residential zone.
- Loading/unloading docks shall be screened from view from a street or adjoining residential zone.

## **4.6 OUTDOOR STORAGE**

- Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other vehicle.
- Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.
- Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3.

**4.7 PATIO - OUTDOOR**

Not permitted within 45 m of a residential zone.

**4.8 PARKING**

- (a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”
- (b) Notwithstanding Part 1, Subsection 2.25, where a permitted freestanding residential use is located within the same lot as a permitted non-residential use and provided the non-residential use comprises at least 30% of the lot area, visitor parking shall not be required.
- (c) Parking of trucks and trailers is prohibited except when:
  - the truck or trailer is being loaded and unloaded
  - the truck or trailer is for customer use
  - the truck or trailer belongs to a property owner or tenant
  - the truck or trailer is being used for charitable purposes
- (d) Parking areas shall contain a maximum of 190 parking spaces and shall be separated from adjoining parking areas by a 3 m landscape area.  
Notwithstanding the definition of Landscape Area, a landscape area separating parking areas within a comprehensive development may contain a 2.0 m wide walkway which runs parallel to and within the landscape area provided that the landscape area has a minimum width of 4.5 m. Where more than one parking area is required the average parking area size shall be 150 parking spaces. Connecting driveways may cross a landscape area.

**4.9 CONTIGUOUS LOTS**

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations. A lot shall be used in a manner that complies with all of the regulations and prohibitions of this by-law that govern the lot itself and all of the regulations and prohibitions of this by-law that govern the entire development.

**4.10 AMENITY AREA**

Where dwelling units are located on the second or third floors above commercial uses a minimum amenity area of 20m<sup>2</sup> per unit shall be provided.

**4.11 RESTAURANT DRIVE-THROUGH FACILITIES**

- (a) Where drive-through facilities are located in or adjacent to building elevations facing a street, landscaping shall be provided to screen the building elevation from the street.
- (b) External conveyor pick-up systems are not permitted in a yard abutting a street and shall be set back 15 m from a residential zone.
- (c) Intercom ordering stations shall be set back 15 m from a residential zone.

## **5. CE ZONE REGULATIONS (EMPLOYMENT COMMERCIAL)**

### **5.1 LOT WIDTH, AREA, YARDS**

**Table 4.5.1**

<b>Regulation</b>	<b>Requirement</b>
Lot Width	no minimum
Lot Area	no minimum
Yard abutting a street	6 m
Yard abutting a Provincial Highway	6 m
Yard abutting a Residential Zone	15 m
Yard abutting a Pipeline Easement	7 m rear yard; 3 m side yard
Yard abutting an O3 zone	7.5 m
Yard abutting a creek block:	7.5 m
Yard abutting a PC or P zone:	6 m
Yard abutting a railway right-of-way	none required
Separation distance from a railway right-of-way	30 m for land uses sensitive to railway rights-of-way

### **5.2 BUILDING HEIGHT**

Building Height: 3 storeys up to 12 m maximum

### **5.3 SEPARATION DISTANCE**

Standard Restaurant: 15 m between the use and a residential zone  
Fast Food Restaurant: 30 m between the use and a residential zone  
Night Club: 45 m between the use and a residential zone

### **5.4 FLOOR AREA RATIO**

Maximum 0.3:1

### **5.5 FLOOR AREA**

1000 m<sup>2</sup> minimum for each individual retail use

## 5.6 LANDSCAPE AREA AND BUFFER

**Landscape Area:**

Abutting a Street:	6 m
Abutting a creek block, PC, P, or O3 zone:	3 m

**Landscape Buffer:**

Abutting a residential zone:	9 m
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## 5.7 LOADING AND UNLOADING

- (a) Loading/unloading docks are not permitted in building elevations facing a street.
- (b) Loading/unloading activities are not permitted in a yard abutting a street.
- (c) Minimum setback from a residential zone: 60 m
- (d) Notwithstanding (b) above, where loading and unloading activities are fully enclosed by a permanent structure, that structure may be set back 20 m from a residential zone.
- (e) Loading/unloading docks shall be screened from view from an adjoining residential zone.
- (f) Notwithstanding the above, three loading/unloading docks are permitted in a yard abutting Guelph Line and facing Guelph Line on the existing building located at 3050 Davidson Court.

## 5.8 CONTIGUOUS LOTS

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations.

## 5.9 OUTDOOR STORAGE

- (a) Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other vehicle.
- (b) Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.
- (c) Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3.

- (d) For industrial uses permitted in GE2 zones, the provisions of Part 3, Section 6.8 apply.

## **5.10 PARKING**

- (a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”
- (b) Notwithstanding Part 1, Subsection 2.25.1, a maximum of 112 parking spaces may be located on a contiguous property, provided that access between the contiguous properties is fully integrated and that the use of the spaces shall be granted in perpetuity.
- (c) On-site parking of trucks and trailers is prohibited except when:
- the truck or trailer is being loaded and unloaded
  - the truck or trailer is for customer use
  - the truck or trailer belongs to a property owner or tenant
  - the truck or trailer is being used for charitable purposes
- (d) Parking areas shall contain a maximum of 245 parking spaces and shall be separated from adjoining parking areas by a 3 m landscape area. Notwithstanding the definition of Landscape Area, a landscape area separating parking areas within a comprehensive development may contain a 2.0 m wide walkway which runs parallel to and within the landscape area provided that the landscape area has a minimum width of 4.5 m. Where more than one parking area is required the average parking area size shall be 150 parking spaces. Connecting driveways may cross a landscape area.

## **5.11 PATIO - OUTDOOR**

Not permitted in any yard abutting a residential zone.

Not permitted in any yard which is separated from a residential zone by a public street and where the minimum distance between the patio and the closest residential property is less than 45 m.

## **5.12 FENCING**

On lands abutting a residential zone, fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.

## 6. CC1 & CC2 ZONE REGULATIONS (COMMUNITY COMMERCIAL)

### 6.1 LOT WIDTH, AREA, YARDS

Table 4.6.1

Regulation	CC1	CC2
Lot Width	150 m	30 m
Lot Area	2 ha	0.2 ha
Front Yard	6 m	6 m
Street Side Yard	6 m	6 m
Side Yard	3 m	1.5 m
Rear Yard	6 m	3 m
Floor Area per unit (a)	5600 m <sup>2</sup> maximum	1200 m <sup>2</sup> maximum
Yard abutting a residential zone	9 m	6 m
Building setback from a creek block	7.5 m	7.5 m
Yard abutting a Pipeline Easement	7 m	
Yard abutting a PC or P zone:	6 m	
Yard abutting a railway right-of-way	none required	
Separation distance from a railway right-of-way	30 m for land uses sensitive to railway rights-of-way	

**Footnote to Table 4.6.1**

(a) Floor area maximum shall not apply to residential dwelling units.

### 6.2 BUILDING HEIGHT

Building Height: 3 storeys up to 12 m maximum

### 6.3 FLOOR AREA

In a CC1 zone, retail uses between 1800 m<sup>2</sup> and 5600 m<sup>2</sup> in floor area, where food products are not the principal goods retailed, shall not occupy more than 30% of the total floor area.

### 6.4 LANDSCAPE AREA AND BUFFER

**Landscape Area:**

Abutting a Street: 6 m  
Abutting an O2 or O3 zone: 3 m  
Abutting a PC or P zone: 3 m

**Landscape Buffer:**

Abutting a residential zone: 9 m in a CC1 Zone  
6 m in a CC2 Zone

## **6.5 SEPARATION DISTANCE**

Standard Restaurant:        15 m between the use and a residential zone  
Fast Food Restaurant:        30 m between the use and a residential zone

## **6.6 RESTAURANT DRIVE-THROUGH FACILITIES**

- (a) Where drive-through facilities are located in or adjacent to building elevations facing a street, landscaping shall be provided to screen the building from the street.
- (b) External conveyor pick-up systems are not permitted in a yard abutting a street and shall be set back 15 m from a residential zone.
- (c) Intercom ordering stations shall be set back 15 m from a residential zone.

## **6.7 LOADING AND UNLOADING**

- (a) Loading/unloading shall not take place within 20 m of a residential zone.
- (b) Loading/unloading docks shall be screened from view from an adjoining residential zone.

## **6.8 OUTSIDE STORAGE**

- (a) Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other vehicle.
- (b) Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.
- (c) Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3.

## **6.9 PATIO - OUTDOOR**

Not permitted within 45 m of a residential zone.

## **6.10 PARKING**

- (a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”
- (b) Notwithstanding Part 1, Subsection 2.25, where a permitted freestanding residential use is located within the same lot as a permitted non-residential use and provided the non-residential use comprises at least 30% of the lot area, visitor parking shall not be required.
- (c) Parking of trucks and trailers is prohibited except when:
  - the truck or trailer is being loaded and unloaded
  - the truck or trailer is for customer use
  - the truck or trailer belongs to a property owner or tenant
  - the truck or trailer is being used for charitable purposes
- (d) In a CC1 zone, parking areas shall contain a maximum of 190 parking spaces and shall be separated from adjoining parking areas by a 3 m landscape area. Notwithstanding the definition of Landscape Area, a landscape area separating parking areas within a comprehensive development may contain a 2.0 m wide walkway which runs parallel to and within the landscape area provided that the landscape area has a minimum width of 4.5 m. Where more than one parking area is required the average parking area size shall be 150 parking spaces. Connecting driveways may cross a landscape area.

## **6.11 CONTIGUOUS LOTS**

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations. A lot shall be used in a manner that complies with all of the regulations and prohibitions of this By-law that govern the lot itself and all of the regulations and prohibitions of this By-law that govern the entire development.

## **6.12 AMENITY AREA**

Where dwelling units are located on the second or third floors above commercial uses a minimum amenity area of 20 m<sup>2</sup> per unit shall be provided.

## **6.13 FENCING**

On lands abutting a residential zone, fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.

## 7. CN1 & CN2 ZONE REGULATIONS (NEIGHBOURHOOD COMMERCIAL)

### 7.1 LOT WIDTH, AREA, YARDS, HEIGHT

Table 4.7.1

Regulation	CN1	CN2
Lot Width	45 m	15 m
Lot Area	1 ha	0.05 ha
Front Yard	6 m	6 m
Rear Yard	6 m	3 m
Side Yard	no minimum	no minimum
Street Side Yard	6 m	6 m
Yard abutting a residential zone	12 m	9 m
Building setback abutting a creek block	7.5 m, 4.5 m if block includes a 3m buffer	
Yard abutting a Pipeline Easement	7 m	
Yard abutting a PC or P zone:	6 m	
Yard abutting a railway right-of-way	none required	
Separation distance from a railway right-of-way	30 m for land uses sensitive to railway rights-of-way	
Building Height	3 storeys up to 12 m maximum	

### 7.2 FLOOR AREA

**For non-residential uses only:**

CN1 Zone: 3600 m<sup>2</sup> maximum/use

CN2 Zone: 300 m<sup>2</sup> maximum/retail use, 1200 m<sup>2</sup> maximum/use for all other uses

### 7.3 LOADING AND UNLOADING

(a) Loading/unloading shall not take place within 7.5 m of a residential zone.

(b) Loading/unloading docks shall be screened from view from an adjoining residential zone.

### 7.4 LANDSCAPE AREA AND BUFFER

**Landscape Area:**

Abutting a Street: 3 m

Abutting an O2 or O3 zone: 3 m

Abutting a PC or P zone: 3 m

**Landscape Buffer:**

Abutting a residential zone: 6 m

## **7.5 SEPARATION DISTANCE**

Standard Restaurant:        15 m between the use and a residential zone  
Fast Food Restaurant:        30 m between the use and a residential zone

## **7.6 OUTDOOR STORAGE**

- (a) Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other vehicle.
- (b) Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.
- (c) Non-perishable waste stored outside on lands abutting a residential zone shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.3.

## **7.7 PATIO - OUTDOOR**

Not permitted within 45 m of a residential zone.

## **7.8 RESTAURANT DRIVE-THROUGH FACILITIES**

- (a) Where drive-through facilities are located in or adjacent to building elevations facing a street, landscaping shall be provided to screen the building from the street.
- (b) External conveyor pick-up systems are not permitted in a yard abutting a street and shall be set back 15 m from a residential zone.
- (c) Intercom ordering stations shall be set back 15 m from a residential zone.

## **7.9 PARKING**

- (a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”
- (b) Parking of trucks and trailers is prohibited except when:
  - the truck or trailer is being loaded and unloaded
  - the truck or trailer is for customer use
  - the truck or trailer belongs to a property owner or tenant
  - the truck or trailer is being used for charitable purposes

## **7.10 CONTIGUOUS LOTS**

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations. A lot shall be used in a manner that complies with all of the regulations and prohibitions of this By-law that govern the lot itself and all of the regulations and prohibitions of this By-law that govern the entire development.

## **7.11 AMENITY AREA**

Where dwelling units are located on the second or third floors a minimum amenity area of 20 m<sup>2</sup> per unit shall be provided.

## **7.12 FENCING**

On lands abutting a residential zone, fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.