

SECTION 10: COMMERCIAL AND MIXED USE ZONES**10.5a MIXED USE MEDIUM DENSITY – PEDESTRIAN FOCUS (C5a) ZONE**

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

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

10.5a.1 PERMITTED USES

- Artist Studio
- Beverage Making Establishment
- Catering Service
- Commercial Entertainment
- Commercial Parking Facility
- Commercial Recreation
- Commercial School
- Communications Establishment
- Craftsperson Shop
- Day Nursery
- Dwelling Unit, Mixed Use (By-law No.21-189, October 13, 2021)
- Financial Establishment
- Hotel
- Laboratory
- Medical Clinic
- Microbrewery
- Office
- Performing Arts Theatre
- Personal Services
- Place of Assembly
- Place of Worship
- Repair Service
- Restaurant
- Retail
- Social Services Establishment
- Urban Farmers Market
- Veterinary Service

10.5a.1.1 RESTRICTED USES

In addition to Section 10.5a.1, the following uses shall be permitted in the accordance with the following restrictions:

i) Uses Permitted on Ground Floor:

1. Notwithstanding 10.5a.1, the following uses shall only be permitted within the ground floor of a building:

Beverage Making Establishment
Catering Service
Commercial Entertainment
Commercial Recreation
Microbrewery

ii) Uses Permitted Above Ground Floor:

1. Notwithstanding 10.5a.1, the following uses, excluding access areas, accessory office and utility areas, shall not be permitted on the ground floor in a building containing more than one non-residential use:

Day Nursery
Place of Worship

2. Notwithstanding Section 10.5a.1, a Dwelling Unit(s), Mixed Use shall only be permitted above the ground floor except for access, accessory office and utility areas.
(By-law No. 21-189, October 13, 2021)

iii) Commercial Parking Facility:

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

10.5a.2 PROHIBITED USES

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

Community Garden
Garden Centre
Urban Farm

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

10.5a.3 REGULATIONS

- a) Maximum Building Setback from a Street Line
 - i) 3.0 metres for the first storey, but except where a visibility triangle is required for a driveway setback;
 - ii) Notwithstanding Section 10.5a.3a)i), 6.0 metres for that portion of a building providing an access driveway to a parking garage; and,
 - iii) Section 10.5a.3a)ii) shall not apply for any portion of a building that exceeds the requirement of Section 10.5a.3 h)ii) and iii).
- b) Minimum Rear Yard 7.5 metres.
- c) Minimum Side Yard 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.
- d) Building Height
 - i) Minimum 7.5 metre façade height for any portion of a building along a street line;
 - ii) Maximum 22.0 metres; and,
 - iii) In addition to Section 10.5a.3d)i), and notwithstanding Section 10.5a.3d)ii), any building height above 11.0 metres

may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5a.3b) and c) when abutting a Residential or Institutional Zone to a maximum of 22.0 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 Use 2,500.0 square metres.
- f) Maximum Gross Floor Area for Commercial Recreation 2,500.0 square metres.
- g) Maximum Gross Floor Area for Microbrewery 700.0 square metres.
- h) 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) For an interior lot or through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot front line.
 - iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.
 - iv) In addition to Section 10.5a.3h) i) ii) and iii), the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yard along a lot line abutting a street.
 - v) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.

- vi) 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.
 - vii) A walkway shall be permitted in a Planting Strip where required by the By-law.
 - viii) Notwithstanding Section 10.5a.3 , for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.
 - ix) A minimum of 60% of the area of the ground floor façade facing the street shall be composed of doors and windows.
 - x) The first storey shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.
- 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, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.
- k) **Outdoor Storage** i) No outdoor storage of goods, materials,

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or equipment shall be permitted; and,

- ii) Notwithstanding Section 10.5a.3i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

I) Minimum Amenity Area for Dwelling Unit, Mixed Use
(By-law No. 22-084, April 13, 2022)

On a lot containing 10 dwelling units or more, 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. 21-189, October 13, 2021)

10. 5a.4 SINGLE DETACHED AND DUPLEX DWELLINGS LEGALLY EXISTING AT THE DATE OF THE PASSING OF THE BY-LAW (November, 8, 2017)

In addition to Section 4.12f) and in accordance with subsection 34(10) of the Planning Act, R.S.O.,1990, c.P.13, an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but legally existing at the date of the passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows:

- i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of the passing of the by-law;
- ii) Section 10.5a.3.a) and d) i) shall not

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apply; and,

- iii) The existing side yard setbacks are maintained for the addition.

10.5a.5	ACCESSORY BUILDINGS	In accordance with the requirements of Section 4.8 of this By-law.
10.5a.6	PARKING	In accordance with the requirements of Section 5 of this By-law.
10.5a.7	URBAN FARM	In addition to Section 10.5a.2, and the requirements of Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle building.
10.5a.8	COMMUNITY GARDEN	In addition to Section 4.27 and 10.5a.2 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof of the principle building.
10.5a.9	URBAN FARMERS MARKET	In accordance with the requirements of Section 4.28 of this By-law.

(By-law No. 17-240, November 8, 2017)