

**PART III****COMMERCIAL ZONES****GENERAL PROVISIONS SPECIFIC TO COMMERCIAL ZONES****41. PERMITTED USES WITHIN COMMERCIAL ZONES****1) Permitted Uses Table:**

Subject to compliance with the footnotes in Section 41(2) and the regulations in Sections 41 through 55B, the following uses only are permitted within enclosed buildings unless otherwise specified:

<b>Permitted Uses</b> ✓ means permitted	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C3R</b>	<b>C3A</b>	<b>C4</b>	<b>C5</b>	<b>C6</b>	<b>C7</b>
Animal / Veterinary clinic			✓		✓	✓	✓		✓
Antique shop	✓	✓	✓	✓			✓		✓
Art gallery			✓	✓					
Artists', decorators' or similar studio			✓	✓					
Athletic club			✓	✓	✓ 1				
Athletic Facilities					✓ 1				
Automobile related use					✓ 1, 2				
Bake shop	✓	✓	✓	✓					
Bank, trust company, credit union	✓	✓	✓	✓	✓				
Barber shop, hairdresser, aesthetics salon	✓	✓	✓	✓	✓				
Billiard parlour			✓	✓	✓ 1				
Bowling alley		✓	✓	✓					
Church and related buildings			✓	✓					
Cleaning or laundry depot, Laundromat	✓	✓	✓	✓	✓				

## PART III

## COMMERCIAL ZONES

Permitted Uses ✓ means permitted	C1	C2	C3	C3R	C3A	C4	C5	C6	C7
Clothing store	✓	✓	✓	✓					
Commercial residential				✓ 4					
Commercial school	✓	✓	✓	✓	✓				
Confectioner		✓	✓	✓					
Day nursery	✓	✓	✓	✓	✓				
Department store		✓	✓	✓					
Dwelling, residential				✓ 4		✓ 5			
Florist	✓	✓	✓	✓					
Funeral home			✓	✓					
Furniture and/or appliance store		✓	✓	✓					
Gift, notion and craft shop	✓	✓	✓	✓			✓		✓
Grocery or food store	✓	✓	✓	✓					
Hardware store	✓	✓	✓	✓		✓			
Hotel and hotel ancillary uses			✓	✓			✓		✓
Library	✓	✓	✓	✓	✓				
Motor Hotel							✓		✓
Museum			✓	✓					
Neighbourhood store	✓	✓	✓	✓					
Parking lot			✓	✓					
Pet Grooming Establishments	✓	✓			✓				
Place of amusement - commercial	✓ 7	✓ 8	✓ 7	✓ 7	✓ 7				
Private or fraternal club		✓	✓	✓	✓ 1				
Private school					✓				
Professional or business office	✓	✓	✓	✓	✓				

Permitted Uses ✓ means permitted	C1	C2	C3	C3R	C3A	C4	C5	C6	C7
Public garage		✓ 1, 9			✓ 1				
Public hall	✓	✓	✓	✓	✓ 1	✓	✓		✓
Publishing house			✓	✓					
Rehabilitation Workshop					✓ 6				
Restaurant (excluding Restaurant–take out)	✓	✓	✓	✓	✓ 1		✓		✓
Restaurant take-out	✓	✓	✓ 1, 10	✓	✓ 1				
Retail propane transfer facility					✓ 1, 11			✓ 1, 2	✓ 1, 2
Retail sales warehouse					✓				
Rural commercial use						✓			
Service shop		✓	✓	✓					
Service station	✓ 12, 13	✓ 12, 13	✓ 12, 13	✓ 12, 13	✓ 1, 13			✓ 13	✓ 1, 13
Service Station with Car Wash								✓ 1, 13	
Taxi establishment	✓	✓	✓	✓					
Theatre or cinema		✓	✓	✓					

2) **Footnotes to Permitted Uses Table (Commercial Zones)**

1. Not permitted on a lot abutting a residential zone.
2. Automobile body shops, automobile wreckers or automobile salvage yards are not permitted.
3. Must be operated in conjunction with a service station.

4.
  - a) Except as provided in b), detached dwellings, semi-detached dwellings, multiple attached dwellings, maisonettes and apartment or residential dwelling units in combination with C3 uses, however when the residential and commercial uses are in combination, the residential uses will be located above the commercial uses and will be accessed by entirely separate entrances.
  - b) Freestanding residential dwellings shall be prohibited within the C3R zone as designated on Map 91(2); however combined residential and commercial uses shall be permitted provided that the residential uses are located above the commercial uses and accessed by entirely separate entrances.
  - c) Freestanding residential dwellings shall be prohibited within the following area of the C3R zone: Lots D, E and F of Blocks 5, 6, 7, 8, 26 and 32 of Plan 1 (for the Town of Oakville); Lots A, B and C of Blocks 9, 10, 11, 12, 27 and 33 of Plan 1 (for the Town of Oakville).
  - d) For connected commercial residential uses, the residential component will be located entirely above the commercial uses.
5. Combinations of 1 detached dwelling and any of the permitted commercial uses.
6. Only permitted as an undertaking established or maintained by governmental authority and similar non-governmental undertakings.
7. Only permitted as an accessory use.
8. Only permitted within enclosed malls having a floor area of at least 18,580m<sup>2</sup>.
9. Only permitted as an accessory use to retail uses provided that the retail use has a minimum floor area of 1,400m<sup>2</sup>.
10. Not permitted on any lot fronting on the south side of Lakeshore Road between the Sixteen Mile Creek and Brock Street.
11. Only permitted for the sale of propane to the general public for automotive and recreational purposes.
12. Only permitted in conjunction with commercial uses.
13. The accessory sale of food and sundry uses, Restaurant - take-out, and drive-through windows, are only permitted in conjunction with an automobile service station, and each only within the same enclosed building or portion thereof as the service counter directly related to the consumer purchase of automotive fuels and products.”

**42. COMMERCIAL ZONE STANDARDS**

1) Subject to compliance with footnotes in Section 42. 2

	C1	C2	C3	C3R		C3A	C4	C5	C6	C7
				commercial	residential, commercial - residential					
Footnotes	1	2	--	3	3	4	--	--	5	6
Lot Area (ha) minimum	0.8	4.0	--	--	--	0.2	0.2	0.4	--	--
Lot Coverage (%) maximum	25%	25%	--	--	--	--	50%	--	--	--
Frontage (m) minimum	--	--	--	--	--	30	45.5	61	30.4	--
Front yard (m) minimum	15	15	--	--	4	15	9	30.5	15	--
Front yard for a garage (m) minimum	15	15	--	--	6	15	9	30.5	15	--
Side yard (m) minimum	9	15	--	--	0.0	4.5	3	7.5	3.04	--
Side yard abutting a residential zone (m) minimum	9	15	--	--	3	7.5	3	7.5	7.5	--
Flankage side yard (m) minimum	9	15	--	--	0.0	7.5	3	7.5	7.5	--
Rear yard (m) minimum	13.5	15	--	--	0.0	7.5	7.5	9	7.5	--
Rear yard abutting a residential zone (m) minimum	13.5	15	--	--	3	15	7.5	9	7.5	--
Rear yard abutting a railway right-of-way (m) minimum	13.5	15	--	--	0.0	0.0	7.5	9	7.5	--
Lot Depth (m) minimum	--	--	--	--	--	--	--	--	30.4	--
Building height (m), maximum above grade exclusive of roof and mechanical equipment provided that no leaseable floor area exists above maximum building height.	6.4	12	--	13.5	13.5	--	10.5	--	5.5	--

	C1	C2	C3	C3R		C3A	C4	C5	C6	C7
				commercial	residential, commercial - residential					
Building Height - Number of Storeys (maximum)	2 storeys	2 storeys	--	4 storeys	4 storeys	--	--	--	1 storey	--
Floor Area - % of building floor area occupied by a single commercial operation (maximum)	50%	50%	--	--	--	--	--	--	--	--
Floor Area - maximum	--	--	--	--	--	1 times lot area	--	--	--	--
Landscaped Area-% of lot area (minimum)	10%	10%	--	--	--	10% (excluding buffer strip)	--	35%	--	--
Buffer Strip abutting a residential zone (m) (minimum)	7.62	7.62	3	3	3	3	--	--	7.5	--
<b>Personal Recreational Space (minimum)</b>										
- Bachelor and 1 bed room dwelling units	--	--	--	--	3.5m <sup>2</sup> per unit	--	--	--	--	--
- Dwelling units containing more than 1 bedroom but not detached dwellings, semi-detached dwellings or multiple attached dwellings	--	--	--	--	6.0m <sup>2</sup> per unit	--	--	--	--	--
- For detached dwellings, semi-detached dwellings and multiple attached dwellings with a courtyard provided	--	--	--	--	30m <sup>2</sup> per unit	--	--	--	--	--
	--	--	--	--		--	--	--	--	--

	C1	C2	C3	C3R		C3A	C4	C5	C6	C7
				commercial	residential, commercial - residential					
- For detached dwellings, semi-detached dwellings and multiple attached dwellings with outdoor space provided					45m <sup>2</sup> per unit					
<b>Dwelling Unit Size (minimum)</b>										
- apartment units	--	--	--	--	39m <sup>2</sup> per unit	--	--	--	--	--
- all other residential dwelling units	--	--	--	--	83.5m <sup>2</sup> per unit	--	--	--	--	--

## 2) Footnotes to Commercial Zone Standards

### 1. C1 Zones

- a) If the land is under more than 1 ownership, all owners shall individually and jointly comply with the coverage and parking provisions, and shall jointly comply with the yard provisions herein.
- b) Any floor area above the first storey may be used only for offices, meeting rooms, neighbourhood or institutional use.

### 2. C2 Zones

- a) If the land is under more than 1 ownership, all owners shall individually and jointly comply with the coverage and parking provisions, and shall jointly comply with the yard provisions herein.

### 3. C3R Zone

- a) Additional Regulations for Building Heights:
  - i) Within the area bounded by Dunn Street, Church Street, Reynolds Street, and the rear lot lines of the properties on the south side of Sumner and Dunn Streets: maximum building height - 3 storeys and no more than 10m above grade notwithstanding the building height definition in Section 2, exclusive of roof and mechanical

equipment provided that no leaseable floor area exists above maximum building height;

- ii) Within the area bounded by Maurice Drive, Rebecca Street, Sixteen Mile Creek and the rear lot lines of the properties on the south side of Lakeshore Road West: maximum building height - 3 storeys and no more than 10m above grade notwithstanding the building height definition in Section 2, exclusive of roof and mechanical equipment provided that no leaseable floor area exists above maximum building height;
- iii) Within the C3R Zone as designated on Map 91 (2): maximum building height - 8.5m including mechanical equipment, however under no circumstances shall the ridge of a pitched roof exceed a height of 12.25m above grade notwithstanding the building height definition in Section 2, exclusive of roof and mechanical equipment provided that no leaseable floor area exists above maximum building height.

b) **Density:**

Within the area bounded by Maurice Drive, Rebecca Street, Sixteen Mile Creek and the rear lot lines of the properties on the south side of Lakeshore Road West: maximum residential density: 50 units per site hectare.

c) **Additional yard regulations:**

i) Front yard:

On lands fronting on Lakeshore Road, Kerr Street and Bronte Road, south of Lakeshore Road: minimum front yard – 0m (6m for a garage).

ii) Side and Rear Yard:

Where a private garage has its vehicle entrance facing or nearly facing a flankage, the minimum side yard between the private garage and flankage shall be 6m.

4. **C3A Zone**

a) **Building Heights on lots abutting Residential**

- i) Maximum of 11m and for buildings or structures within 23m of the boundary of the residential zone – maximum -5m.

- b) **Additional Regulations for Retail Sales Warehouses:**
- ii) The sales area is clearly separate from the warehousing or storage area except where the permitted use is a carpet warehouse in which case the warehousing or storage area and the sales area need not be separated;
  - iii) There is no display of goods or retail sales within the warehousing or storage area except where the permitted use is a carpet warehouse in which case the display of goods or retail sales are permitted in the warehousing or storage area;
  - iv) The warehousing or storage area does not comprise less than 60% of the total floor area of the building or portion thereof occupied by the business, and
  - v) The warehousing or storage area for the purposes of this section shall exclude the area of malls, stairs, elevators, escalators, ventilating shafts, common areas such as mechanical rooms, all basement areas, washrooms, fitting rooms and offices.
- c) **Additional Regulations for automobile service stations and car wash facilities operated in conjunction with service stations:**
- i) The regulations set out in the C6 zone apply specifically to automobile service stations and car wash facilities operated in conjunction with service stations providing that car wash facilities are not located on a lot abutting a residential zone and retail propane transfer facilities for the sale of propane to the general public for automotive and recreational purposes also apply to automobile service stations permitted in the C3A Zone rather than the site specifications contained in this Section.
- d) **No Outside Storage except as follows:**
- i) For new and used automobiles, recreational, motorcycle and truck dealerships and for car, truck and trailer rental and leasing agencies, inventory of new or used vehicles as part of the dealership or agency;
  - ii) For service stations, public garages and tire specialty shops, storage of motor vehicles provided the storage is of a temporary nature and is not storage of impounded, wrecked or dismantled vehicles, and
  - iii) For service stations, public garages or tire specialty shops storage of other merchandise provided that no merchandise display exceeds 3.05m in height, no merchandise is displayed within the day-

light area and no merchandise displayed adjacent to a building projects further than 4.57m from the face of the building.

5. **C6 Zones:**

- a) Additional Regulations for Fuel Pumps:
  - i) Minimum yard abutting a street: 3m;
  - ii) On corner lots, the minimum distance between the nearest fuel pump to a line between a point on the front lot line and a point on the side lot line, each point being 15m from the intersection: 3m.
- b) Additional Regulations for Canopies:
  - i) Minimum yard: 5m.
- c) Additional Regulations for Buildings or Structures containing a retail sale of food and sundry use or take-out restaurant:
  - i) On a lot less than 0.3ha in size, the total gross floor area for a building or portion thereof containing a retail sale of food and sundry use or take-out restaurant will not exceed 80m<sup>2</sup>, of which:
    - Maximum gross floor area for the display and retail sale of food and sundry use: 50m<sup>2</sup>;
    - Maximum gross floor area for take-out restaurant: 16m<sup>2</sup>.
  - ii) On a lot 0.3 ha or greater in size, the total gross floor area for a building or portion thereof containing a retail sale of food or sundry use or take-out restaurant will not exceed 170m<sup>2</sup>, of which:
    - Maximum gross floor area for the display and retail sale of food and sundry use: 95m<sup>2</sup>;
    - Maximum gross floor area for take-out restaurant: 35m<sup>2</sup>.
  - iii) The gross floor area for retail sale of food and sundry use is determined to be the area inclusive of the service counter directly related to the consumer purchase of automotive fuels and products, and any area devoted to public use and the display of goods within the enclosed building, excluding the area devoted to public washrooms;
  - iv) Eating area and tables for the use of customers not permitted.
- d) Additional regulations for buildings or structures with drive-through windows:
  - i) Minimum yard abutting a residential zone: 15m;
  - ii) Only one (1) drive-through window will be permitted, in association with either a retail sale of food and sundry use of take-out restaurant;
  - iii) Queuing space for not less than 5 vehicles must be provided for ingress to a drive-through window, and for not less than 2 vehicles

for egress, and in both cases shall be so located, and appropriately demarcated, so as not to interfere with operations of the automobile service station or accessory uses.

- e) Additional regulations for mechanical car washes:
  - i) Car wash facilities are restricted to a maximum size of 300m<sup>2</sup>;
  - ii) Only 1 bay may be used for washing vehicles;
  - iii) Queuing space for not less than 8 vehicles must be provided for ingress to a car washing facility, and for not less than 2 vehicles for egress, and in both cases shall be so located, and appropriately demarcated, so as not to interfere with other operations of the automobile service station or accessory uses.
- f) Additional regulations for automotive uses:
  - i) The total gross floor area(s) for any buildings or part thereof that is utilized for the repair function of an automobile service station use is not subject to the maximum gross floor areas as set out in i) and ii) above;
  - ii) Storage areas, and any office area not directly related to the consumer purchase of automotive fuels or products, must be clearly separate from the gross floor areas set out in i) and ii) above by a physical wall barrier;
  - iii) Outside storage of motor vehicles is permitted provided the storage is of a temporary nature and is not storage of impounded, wrecked or dismantled;
  - iv) Outside storage of automobile related merchandise is permitted provided that no merchandise display exceeds 3.05m in height, no merchandise is displayed closer than 3.05m to any lot line or street line, no merchandise is displayed within the daylight area and no merchandise displayed adjacent to a building projects further than 4.57m from the face of the building.

6. **C7 Zone**

The uses permitted in the C7 zone shall be subject to the regulations provided in the C5 and C6 zones.

**43. PARKING**

1) **Minimum Parking Requirements for Commercial Uses**

The minimum parking requirements for uses permitted in Commercial Zones shall be as follows:

Zone and Use		Requirements
(a)	C1	- For every 22m <sup>2</sup> of ground floor leaseable area, one parking space shall be provided; - For every 28m <sup>2</sup> of leaseable floor area above or below the ground floor one parking space shall be provided;
(b)	C2	- For every 18m <sup>2</sup> of ground floor leaseable area, one parking space shall be provided; - For every 28m <sup>2</sup> of leaseable floor area above or below the ground floor one parking space shall be provided;
(c)	C3 excluding uses listed below	- For every 28m <sup>2</sup> of leaseable floor area, one parking space shall be provided having direct access from a public street other than Lakeshore Road, Randall, Rebecca or Kerr Street;
(d)	C3R	
(i)	Residential and Commercial Residential Uses	
	- Detached, Semi-Detached, Duplex Dwellings	2 off-street parking spaces per unit.
	- Multiple attached and apartment rental	- 1.5 paved parking space per unit of which 0.25 parking spaces per unit shall be specifically designated as visitor parking except for rental accommodation located within the area bounded by Navy, Randall, Alan and Robinson Streets where 1.0 paved parking spaces per unit shall be supplied;
	- Condominium, multiple attached, and maisonettes	- 2.25 paved parking spaces per unit of which 0.25 paved parking spaces per unit shall be specifically designated as visitor parking;
	- Freehold multiple attached	- 2 paved parking spaces per unit which spaces may have access from a private laneway, a street or a public laneway;
	- Condominium apartment	- 2 paved parking spaces per unit of which 0.25 paved parking spaces per unit shall be designated as visitor parking;
	- For all multiple attached dwellings and apartments	Not less than 50% of the required spaces must be within buildings, garages or carports which have 3 walls that are not less than 1m high;
	- For combined commercial residential uses	- The provisions of Section 43(1) and 43(3)(d) (ii) apply to the commercial component and the provisions of Section 43(2) and 43(3)(d)(i) apply to residential uses;
	- For connected commercial residential uses	- For the commercial component of each unit: the provisions of Section 43(1) and 43(3)(d)(ii) shall apply and 1 parking space shall be provided for each 32.6m <sup>2</sup> leaseable floor area; - For the residential component of each unit: the provisions of Section

Zone and Use		Requirements
		43(2) shall apply and 2 parking spaces shall be provided;
	- For all residential and commercial residential uses	- No parking in the front yard or in a side yard along a flankage nor will there be direct access to parking from Lakeshore Road, Randall, Rebecca, or Kerr Streets;
(ii)	Commercial Uses	
	For the area bounded by Navy, Randall, Allan and Robinson Streets.	- The provision of parking is not required;
	For the area north of Randall Street and bounded by Navy and Allan Streets; and for the area bounded by Speers Road, Maurice Drive, Burnet and Forsythe Streets.	- For every 32.6m <sup>2</sup> of leaseable floor area, one parking space shall be provided having direct access from a public street other than Lakeshore Road, Randall, Rebecca or Kerr Streets;
	For all other areas, excluding the uses listed below in clauses (h) to (x) which must provide parking at the ratio noted for the use.	- For every 28m <sup>2</sup> of leaseable floor area, one parking space shall be provided having direct access from a public street other than Lakeshore Road, Randall, Rebecca or Kerr Streets;
(e)	C3A, including uses listed in clauses (n) to (x) below, when they are located in a multiple occupancy building	- For every 40m <sup>2</sup> of leaseable area, one parking space shall be provided;
(f)	C4	- For every 22m <sup>2</sup> of leaseable floor area, one parking space shall be provided;
(g)	C5, C7 (excluding motels, motor hotels and restaurants)	- For every 22m <sup>2</sup> of leaseable floor area, one parking space shall be provided;
(h)	Car washing establishments	- For every 20 off-street spaces, arranged to accommodate queues of automobiles awaiting service;
(i)	Office buildings which may contain accessory uses that occupy up to 20% of the floor area	For every 28m <sup>2</sup> of leaseable floor area, one parking space shall be provided;
(j)	Hotels and motor hotels	- In addition to parking required in subsections (n) and (r), one parking space for each bedroom;

Zone and Use		Requirements
(k)	Take-out restaurants	- One parking space for every 4.6m <sup>2</sup> of floor area devoted to public use;
(l)	Office buildings which contain medical offices occupying more than 60% of leaseable floor area	One parking space for every 23.2m <sup>2</sup> of leaseable floor area;
(m)	Hospitals	- 1 parking space per 50m <sup>2</sup> of floor area;
(n)	Cinemas, theatres, public halls, auditoria, stadia, private and commercial schools and other uses (excluding churches and church halls) involving the assembly of persons	- One parking space for every 6 seats and for every other accommodation for 6 persons;
(o)	Clubs	- One parking space for every 5 persons to be accommodated in the design capacity of the buildings;
(p)	Churches	- One parking space for each member of staff and one parking space for each 5 persons who can be accommodated in the main place of assembly;
(q)	Funeral parlours	- One parking space for every 5 seats in places of assembly;
(r)	Restaurants	- One parking space for every 4.6m <sup>2</sup> of floor area devoted to public use or every 9.3m <sup>2</sup> of floor area whichever is the lesser and one parking space for every 4.6m <sup>2</sup> of patio area;
(s)	Banks	- One parking space for every 15m <sup>2</sup> of leaseable floor area;
(t)	Auto Related Uses	- One parking space for every 20m <sup>2</sup> of leaseable floor area;
(u)	Automobile Dealerships	- One parking space for every 20m <sup>2</sup> of service bay area; plus - One visitor parking space for each 45m <sup>2</sup> of floor area however a dealership need not provide more than 10 visitor parking spaces;
(v)	Libraries	- 40 spaces;
(w)	Day Nurseries	- One off-street surface parking space for each required staff member which may be in tandem except that a resident operator of a day nursery may provide one less space;
(x)	Government office buildings	- 1 paved parking space for every 17.5m <sup>2</sup> of leaseable floor area;
(y)	C6	- Minimum paved parking requirements for automobile service stations 3 spaces per service bay where no service bay exists-2 spaces  - Notwithstanding the above, the following additional minimum parking

Zone and Use	Requirements
	requirements will apply: For retail sale of food and sundry use-one parking space plus one parking space for every 45m <sup>2</sup> of floor area devoted to public use, Take out restaurant-minimum 3 spaces or 1 space for every 8m <sup>2</sup> of gross floor area devoted to take out restaurant whichever is greater Car wash facility-1space

#### 44. **COMMERCIAL USES AND PATIOS ADJOINING RESIDENTIAL ZONES**

- 1) In any commercial zone other than the C6, a patio is a permitted accessory use to a drive-in eating establishment, restaurant, or take-out eating establishment provided that the patio is not located as follows:
  - a) In any yard abutting a residential zone other than the C3R Zone, or
  - b) Within any yards abutting a street if a residential zone other than the C3R Zone is located on the opposite side of the street.
- 2) Terraced or rooftop patios are not permitted on any property abutting a residential zone.

#### 45. **PROPANE SALES AND SERVICE STATIONS**

- a) No person shall, on lands located within any commercial zone, establish a retail propane transfer facility for the sale of propane to the general public unless specifically permitted elsewhere in this by-law.
- b) For an automobile service station in a C1, C2, C3 or C3R Zone the regulations as set out in the C6 zone shall apply to the automobile service station.

#### 46. **GARBAGE CONTAINMENT**

- 1) Garbage containers shall not be permitted in the C1, C2, C3, C3A, C4, C5, C6 and C7 zones unless screened by garbage container enclosures, and shall not be located within:
  - a) A front yard;
  - b) A required flankage setback;
  - c) A required yard abutting a residential zone, unless the garbage enclosure is setback from any residential zone a distance of at least equal to the required setback of the main building.

- 2) In the C3R Zone the following regulations shall apply to garbage containers;
  - a) Garbage containers shall only be permitted if located within a commercial and/or commercial/residential buildings.

**Note: Next Section is Section 56**