

PART IV - COMMERCIAL ZONES**SECTION 20: GENERAL PROVISIONS FOR THE COMMERCIAL USES ZONE "C"
(CENTRAL BUSINESS DISTRICT AND UPPER PRINCESS STREET)**

- 20.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in C zones:
- 20.2 The following uses only shall be permitted in C zones:
- (a) libraries, art galleries and museums subject to the provisions for zone A,
 - (b) churches, community halls and parish halls subject to the provisions for zone B,
 - (c) community centres subject to the provisions for zone B,
 - (d) sanatoriums, or institutions for philanthropic or charitable uses, other than correctional uses, and other than for the treatment of inebriates or persons suffering from insanity or other mental disease, infectious disease, or contagious disease, subject to the provisions for zone B,
 - (e) lay or religious fraternity houses or boarding houses where occupied by students, used exclusively for the purposes of habitation or congregational meetings and supervised by the authorities of a public educational institution, subject to the provisions of zone B,
 - (f) fraternal organizations or similar institutions of public character subject to the provisions of zone B,
 - (g) hospitals as defined by the Public Hospitals Act, R.S.O. (1970) Chapter 378,
 - (h) boarding houses and rooming houses subject to the provisions of zone B,
 - (i) multiple family dwellings containing three or four dwelling units subject to the provisions of zone B,
 - (j) multiple family dwellings containing five or more dwelling units,
 - (k) retail stores or shops,
 - (l) undertakers' establishments,
 - (m) offices for or in connection with businesses or professions,
 - (n) automobile service stations,
 - (o) banks,
 - (p) hotels,
 - (q) offices for printing and publishing,
 - (r) sales rooms or yards for motor vehicles including automotive servicing facilities,
 - (s) restaurants,

20.2 cont'd:

- (t) senior citizen apartments,
- (u) theatres,
- (v) bowling alleys, pool and billiard halls,
- (x) automotive repair shops that install and service previously manufactured parts,
- (y) marinas,
(By-Law No. 8499 - 1975)
- (z) Parking Lots as defined in Section 4.59 of this by-law and subject to the following regulations:
 - i. Before a building permit is issued for any Off-Street Parking Lot, a site plan accurately drawn to scale shall be submitted to the Chief Building Official or designate; such site plan shall show the following:
 - (1) all existing and proposed off-street parking spaces;
 - (2) all proposed entrances and exits to the adjoining street or streets.
 - ii. The surface of the Off-Street Parking Lot shall be paved or properly levelled, drained and treated to prevent the escape of dust.
 - iii. Any lights used to illuminate the Off-Street Parking Lot shall be arranged to deflect light downward and away from adjacent premises.
 - iv. No parking shall be permitted in the front yard of any building.
(By-Law No. 8499 - 1975; 83-110 - 1983)
 - v. No parking shall be permitted less than 1.5m from any adjacent residential premises.
 - vi. Where an Off-Street Parking Lot is adjacent to residential premises it shall be screened by a wall, fence or hedge not less than 1.4m high.
 - vii. A fence or barrier not less than 0.5m high shall be placed across the front of the Off-Street Parking Lot except at entrances and exits and shall be placed at a distance of not more than 1.0m from the street line.
 - viii. No commercial business involving the repair of or service to vehicles shall be permitted thereon, nor the sale or display thereof shall be conducted from or upon such premises.
- (aa) Accessory buildings subject to the provisions of the zone regulating the main building as set forth herein.
(By-Law No. 8499 - 1975)
- (bb) Shopping centres.
(By-Law No. 9209 - 1978)
- (cc) Laundries and dry cleaners (provided that the cleaning operation takes place upon the same premises as an associated pick-up and delivery agency).
- (dd) Bakeries (provided that the food products prepared on the premises are retailed directly from the same premises).
(By-Law No. 9207 - 1978)

20.2 cont'd:

- (ee) Community Homes, subject to the provisions of Section 5.32 of this by-law,
(By-Law No. 79-6 - 1979; 87-236 - 1987; 91-17 - 1990)
- (ff) Notwithstanding Section 20.2(d) above, Hotel Dieu Hospital shall be permitted to establish a detoxification centre on Brock Street, between Clergy Street East and Bagot Street, or in the block bounded by Wellington Street, Clarence Street, Bagot Street and Johnson Street, as shown on the map marked as Schedule "L", attached to and forming part of this by-law.
(By-Law No. 82-45 - 1982)
- (gg) Places of amusement, subject to the provisions of Section 20.3 (k).
(By-Law No. 82-197 - 1982)
- (hh) Crisis Care Shelters, subject to the provisions of Section 5.33 of this By-Law.
- (ii) Residential Care Facilities, subject to the provisions of Section 5.34 of this By-Law.
- (jj) Recovery Homes, subject to the provisions of Section 5.36 of this By-Law.
- (kk) Community Support House, subject to the provisions of Section 5.37 of this By-Law.
(By-Law No. 91-17 - 1990)
- (ll) Day Care Centre subject to the provisions of Section 5.3A(b)(ii).
(By-Law No. 2005-208 – 2005)

20.3 The following regulations shall apply to lands, building or structures erected in C zones:**(a) HEIGHT**

- i. Subject to Section 20.3(a) ii., the height of any building shall not exceed twice the horizontal distance from the centre of the street upon which the building fronts to the face of the wall of the building fronting upon such street.
- ii. The upper part of a building may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall be within the angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which the building fronts and intersecting the prescribed line of minimum setback at a height equal to the total width of the street.

(By-Law No. 8499 - 1975)

(b) MINIMUM FRONT YARD, SIDE YARD AND REAR YARD AND MAXIMUM PERCENTAGE OF LOT COVERAGE

- i. Subject to Sections 20.3(b)i.(1) and (2) for multiple family dwellings and senior citizen apartments, the minimum front yard shall be 4.5m except that:
(By-Law No. 8499 - 1975; 8725 - 1976; 79-174 - 1979)
 - (1) Where an immediately adjacent building has been built with a front yard of less than 4.5m, new buildings may conform with the front yard thus established, or
 - (2) Where an immediately adjacent building has been built with a front yard of more than 4.5m, new buildings must conform with the front yard thus established.

(By-Law No. 8499 -1975; 79-174 - 1979)

20.3 cont'd:

- ii. For multiple family dwellings and senior citizen apartments a rear yard shall be provided having a depth such that the distance from the rear lot line to any wall of the main building that is nearest to such line will not be less than one-half of the height of such rear wall, provided that in no case shall such distance be less than 6.0m.
(By-Law No. 8499 – 1975 8725 - 1976; 79-174 - 1979)
- iii. Subject to Section 20.3(b) iii.(1) for multiple family dwellings and senior citizen apartments a side yard shall be provided on each side of the main building, the minimum width of which shall be 2.4m for a two-storey building. This width shall be increased by 0.6m for each storey in height above the second storey, but in no instance need it exceed 4.5m, except that when the length of any side yard is in excess of 15.0m, the required width shall be increased by at least 2.5 cm for every 0.3m by which such length exceeds 15.0m.
(By-Law No. 8499 - 1975; 8725 - 1976; 79-174 - 1979)
 - (1) In computing the width of a side yard of any building on a lot which has a lane at the side, one-half of the width of such lane adjacent and opposite to such side yard may be deemed to be a portion of that lot.
(By-Law No. 8499 - 1975)
- iv. Subject to Section 20.3(b)iv.(1) for multiple family dwellings and senior citizen apartments, the maximum percentage of lot coverage shall be sixty per cent on interior lots and seventy-five per cent on corner lots.
(By-Law No. 8499 - 1975; 8725 - 1976)
 - (1) In computing the maximum percentage of lot coverage for any building on a lot which has a lane, or right-of-way over which the owner of the said lot has legal access, extending along the side or along the rear thereof, one-half of the area of that portion of such lane or right-of-way which is adjacent to and bordering on such lot, not exceeding in any case ten per cent of the area of the lot proper, may be deemed to be a portion of that lot.
- v. The maximum lot coverage for all other permitted uses shall be 100 per cent except where buildings previously erected have established a front yard, the building to be erected shall have a front yard of a similar depth.
(By-Law No. 8499 - 1975)
- vi. Notwithstanding the provisions of Section 20.3 (b) v. for all permitted uses other than multiple family dwellings and senior citizen apartments on the north side of Princess from Concession Street to Nelson Street, the minimum front yard shall be 2.1m.
- vii. Notwithstanding any of the provisions contained in this by-law, within the C zone west of Division Street, no building will be located closer to the street line of a street which intersects Princess Street than a distance of 10.0m from the centre line of the street allowance of such an intersecting street, with the exception of Chatham and Tower Streets.
(By-Law No. 8499 , - 1975; 8725 - 1976; 79-174 - 1979)

20.3 cont'd:

(c) INNER COURTS

- i. For multiple family dwellings and senior citizen apartments the least horizontal dimension of any inner court shall not be less than the height of such court.
(By-Law No. 8499 - 1975; 8725 - 1976)
- ii. For all other uses the least horizontal dimension of any inner court shall not be less than one-half the height of such court.
(By-Law No. 8499 - 1975)

(d) OUTER COURTS

- i. For multiple family dwellings and senior citizen apartments the least horizontal dimension of any outer court shall not be less than the height of such court.
(By-Law No. 8499 - 1975; 8725 - 1976)
- ii. For all other uses the width of any outer court shall not be less than one-third of the height of such court, provided that it need not exceed the length; nor shall the length of the side walls forming such court be more than the height of such walls.
(By-Law No. 8499 - 1975)

(e) AIR WELLS

The cross-sectional area of any air well shall not be less than 9.0m². When air well is in excess of two storeys in height, this area shall be increased throughout by ten per cent for each storey above second. Any air well shall be ventilated at its lowest level by a free air inlet and at its extreme height be a free air outlet, each of which shall have a minimum free cross-sectional area equivalent to ten per cent of the minimum cross-sectional area of the well, and shall be installed in such a manner as to ensure a free and continuous current of air.
(By-Law No. 8499 - 1975; 79-174 - 1979)

(f) PARKING

As per Section 5.3 of this by-law.

(g) LOADING AREAS

As per Section 5.4 of this by-law

(By-Law No. 8499 - 1975)

(h) MAXIMUM DENSITY..... 123 dwelling units per net ha

(By-Law No. 8499 - 1975; 79-174 - 1979)

(i) PLAY SPACE AND AMENITY AREAS

As per Section 5.27 of this by-law

(By-Law No. 8499 - 1975)

(j) Repealed and superseded by Section 7.2.4 of By-Law 96-259.

(By-Law No. 8868 - 1976; 87-62 – 1987; 96-259 - 1996)

(k) PLACES OF AMUSEMENT

The following regulations shall apply to lands, buildings or structures which are occupied by a Place of Amusement as defined in this By-Law:

- i. No place of amusement shall be located closer to any school property than 300.0 m.
(By-Law No. 82-197 - 1982)