

Part 6 - Commercial Zones

6.2.6 C5 Exception Zones

Refer to Article 1.1.2.3 - Exception Zones and Exception Zone Schedules

6.2.6.1	Exception: C5-1	Map # 11	By-law: 0325-2008
In a C5-1 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Permitted Use			
6.2.6.1.1	Lands zoned C5-1 shall only be used for the following:		
	(1) Gas Bar		
Regulation			
6.2.6.1.2	Maximum gross floor area - non-residential used for a convenience retail and service kiosk		167 m ²

6.2.6.2	Exception: C5-2	Map # 09, 39W	By-law:
In a C5-2 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.6.2.1	(1) Convenience Restaurant		

6.2.6.3	Exception: C5-3	Map # 07, 09, 10, 13, 14, 15, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 32, 36W, 37E, 37W 38W, 39W, 45W, 48E, 48W, 49E, 56, 58	By-law: 0211-2022
In a C5-3 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Use Not Permitted			
6.2.6.3.1	(1) Motor Vehicle Wash Facility - Restricted		

6.2.6.4	Exception: C5-4	Map # 20	By-law:
In a C5-4 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.6.4.1	(1) Office		

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6.2.6.5	Exception: C5-5	Map # 43W	By-law:
In a C5-5 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Permitted Use			
6.2.6.5.1	Lands zoned C5-5 shall only be used for the following:		
	(1) Gas Bar		

6.2.6.6	Exception: C5-6	Map # 21	By-law:
In a C5-6 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Permitted Uses			
6.2.6.6.1	Lands zoned C5-6 shall only be used for the following:		
	(1) Gas Bar		
	(2) Motor Vehicle Wash Facility - Restricted		
Regulations			
6.2.6.6.2	Maximum gross floor area - non-residential used for a convenience retail and service kiosk		134 m ²
6.2.6.6.3	Maximum gross floor area - non-residential used for a take-out restaurant		22 m ²
6.2.6.6.4	A motor vehicle wash facility - restricted shall also include an enclosed time-pay motor vehicle wash facility - restricted		
6.2.6.6.5	"Enclosed Time-pay Motor Vehicle Wash" means a motor vehicle wash facility - restricted with manually operated equipment		
6.2.6.6.6	All site development plans shall comply with Schedule C5-6 of this Exception		

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6.2.6.7	Exception: C5-7	Map # 58	By-law:
<p>In a C5-7 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:</p>			
Permitted Uses			
6.2.6.7.1 Lands zoned C5-7 shall only be used for the following:			
<ul style="list-style-type: none"> (1) Gas Bar (2) Motor Vehicle Service Station (3) Motor Vehicle Wash Facility - Restricted (4) Place of Religious Assembly (5) Day Care (6) Private School (7) Dry-cleaning Depot 			

6.2.6.8	Exception: C5-8	Map # 38W	By-law:
<p>In a C5-8 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:</p>			
Permitted Uses			
6.2.6.8.1 Lands zoned C5-8 shall only be used for the following:			
<ul style="list-style-type: none"> (1) Gas Bar (2) Motor Vehicle Wash Facility - Restricted 			
Regulations			
6.2.6.8.2 The lot line abutting Creditview Road shall be deemed to be the front lot line			
6.2.6.8.3		Minimum front yard	18.0 m
6.2.6.8.4		Minimum exterior side yard	15.0 m
6.2.6.8.5		Minimum interior side yard	27.0 m
6.2.6.8.6		Minimum rear yard	3.0 m

6.2.6.9	Exception: C5-9	Map # 54W	By-law: 0121-2020/ LPAT Order 2021 March 11
<p>In a C5-9 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:</p>			
Permitted Uses			
6.2.6.9.1 Lands zoned C5-9 shall only be used for the following:			
<ul style="list-style-type: none"> (1) Gas Bar (2) Motor Vehicle Wash Facility - Restricted 			

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6.2.6.10	Exception: C5-10	Map # 22	By-law:
In a C5-10 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.6.10.1	(1)	Convenience Restaurant	
Uses Not Permitted			
6.2.6.10.2	(1)	Motor Vehicle Repair Facility - Restricted	
	(2)	Motor Vehicle Wash Facility - Restricted	

6.2.6.11	Exception: C5-11	Map # 44W	By-law:
In a C5-11 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.6.11.1	(1)	C1 uses contained in Subsection 6.2.1 of this By-law	
Regulation			
6.2.6.11.2	The additional permitted uses contained in Sentence 6.2.6.11.1 of this Exception, shall comply with the C1 zone regulations contained in Subsection 6.2.1 of this By-law		

6.2.6.12	Exception: C5-12	Map # 44E	By-law:
In a C5-12 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Permitted Uses			
6.2.6.12.1	Lands zoned C5-12 shall only be used for the following:		
	(1)	Gas Bar	
	(2)	Motor Vehicle Wash Facility - Restricted	
	(3)	Motor Vehicle Service Station	
Regulations			
6.2.6.12.2	Maximum gross floor area – non-residential used for a take-out restaurant within a convenience retail and service kiosk		40 m ²
6.2.6.12.3	The lot line abutting Derry Road West shall be deemed to be the front lot line		
6.2.6.12.4	Minimum front yard		18.0 m
6.2.6.12.5	Minimum exterior side yard		3.0 m
6.2.6.12.6	Minimum interior side yard		3.0 m
6.2.6.12.7	Minimum rear yard		3.5 m
6.2.6.12.8	A convenience retail and service kiosk may include accessory convenience uses which may include accessory thereto, the sale of food prepared on the premises, providing no seating		

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6.2.6.13	Exception: C5-13	Map # 31, 32	By-law:
In a C5-13 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Regulations			
6.2.6.13.1	The front yard shall be deemed to be the yard abutting Credit Valley Road		
6.2.6.13.2	Minimum front yard		5.5 m
6.2.6.13.3	Minimum exterior side yard		12.0 m
6.2.6.13.4	Minimum interior side yard		13.0 m
6.2.6.13.5	Minimum rear yard		29.0 m
6.2.6.13.6	Each access shall have a maximum width of 9.5 m and a minimum width of 7.5 m		
6.2.6.13.7	Minimum number of stacking lane parking spaces for a convenience retail and service kiosk		5

6.2.6.14	Exception: C5-14	Map # 38W	By-law: <i>deleted by 0181-2016, 0211-2022</i>
In a C5-14 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
6.2.6.14.1	(1)	Take-out restaurant and drive-through accessory to a convenience retail and service kiosk	
	(2)	Motor Vehicle Wash Facility - Restricted	
Regulation			
6.2.6.14.2	The erection of new buildings or structures and the enlargement of existing buildings and structures shall not be permitted		

6.2.6.15	Exception: C5-15	Map # 30, 54W	By-law:
In a C5-15 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
6.2.6.15.1	(1)	Restaurant	
	(2)	Convenience Restaurant	
	(3)	Take-out Restaurant	

6.2.6.16	Exception: C5-16	Map # 27	By-law:
In a C5-16 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Regulation			
6.2.6.16.1	Minimum setback of a building or structure from the lot line abutting Dixie Road or Burnhamthorpe Road East		10.0 m

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6.2.6.17	Exception: C5-17	Map # 48W	By-law:
In a C5-17 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.6.17.1	(1)	Motor Vehicle Wash Facility - Restricted	
Regulation			
6.2.6.17.2	A motor vehicle wash facility - restricted shall also include a coin-operated motor vehicle wash facility - restricted		

6.2.6.18	Exception: C5-18	Map # 57	By-law:
In a C5-18 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.6.18.1	(1)	Dry-cleaning Depot	
Regulations			
6.2.6.18.2	Minimum front yard		3.0 m
6.2.6.18.3	Minimum exterior side yard		3.0 m
6.2.6.18.4	Minimum interior side yard		7.5 m
6.2.6.18.5	Minimum rear yard		7.5 m

6.2.6.19	Exception: C5-19	Map # 14	By-law:
In a C5-19 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:			
Regulation			
6.2.6.19.1	The provisions contained in Subsection 2.1.24 of this By-law shall apply		
Holding Provision			
The holding symbol H is to be removed from the whole or any part of the lands zoned H-C5-19 by further amendment to Map 14 of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:			
	(1)	a letter from a Registered Professional Engineer in the Province of Ontario certifying that the building meets the requirements for flood proofing to the satisfaction of the City and Credit Valley Conservation;	
	(2)	confirmation in writing from Credit Valley Conservation that safe access to the site has been provided.	

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6.2.6.20	Exception: C5-20	Map # 17	By-law:
<p>In a C5-20 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:</p>			
Regulations			
6.2.6.20.1	The front yard shall be deemed to be the yard abutting Erin Mills Parkway		
6.2.6.20.2	Minimum front yard		39.0 m
6.2.6.20.3	Minimum northerly side yard		19.0 m
6.2.6.20.4	Minimum southerly side yard		10.0 m
6.2.6.20.5	Minimum setback to a sight triangle		30.5 m
6.2.6.20.6	Minimum westerly side yard to a gas bar weather canopy		14.0 m
6.2.6.20.7	Minimum northerly side yard to a gas bar weather canopy		15.5 m
6.2.6.20.8	Minimum southerly side yard to a gas bar weather canopy		2.5 m
6.2.6.20.9	Minimum rear yard to a gas bar weather canopy		13.0 m

6.2.6.21	Exception: C5-21	Map # 57	By-law: 0365-2007, 0018-2015
<p>In a C5-21 zone the applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:</p>			
Permitted Uses			
6.2.6.21.1	Lands zoned C5-21 shall only be used for the following:		
	(1)	Gas Bar	
	(2)	Motor Vehicle Wash Facility - Restricted	
Use Not Permitted			
6.2.6.21.2	(1)	Drive-through accessory to an accessory take-out restaurant	
Regulations			
6.2.6.21.3	The provisions contained in Subsections 2.1.14 and 2.1.25.1 of this By-law shall not apply		
6.2.6.21.4	Maximum gross floor area - non-residential used for a convenience retail and service kiosk		134 m ²
6.2.6.21.5	Minimum interior side yard		4.5 m
6.2.6.21.6	Minimum rear yard		4.5 m
6.2.6.21.7	Minimum setback from the lot line abutting Winston Churchill Boulevard and Thomas Street to a gas bar weather canopy		14.0 m
6.2.6.21.8	Required parking spaces per wash bay		5

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6.2.6.22	Exception: C5-22	Map # 22	By-law: 0331-2010
<p>In a C5-22 zone the permitted uses and applicable regulations shall be as specified for a C5 zone except that the following uses/regulations shall apply:</p>			
Regulations			
6.2.6.22.1	Maximum gross floor area - non-residential used for a take-out restaurant within a convenience retail and service kiosk		60 m ²
6.2.6.22.2	Minimum rear yard		3.8 m
6.2.6.22.3	Minimum depth of a landscaped buffer measured from the interior side lot line		3.0 m
6.2.6.22.4	Required number of parking spaces		22

