

Section 6

Commercial Zones

No person shall, within any General Commercial (CG), Local Commercial (CL), Village Commercial (CV), Commercial Residential Mixed - Community Core Area (CM1) Commercial Residential Mixed - Western Approach (CM2), Commercial Residential Mixed - Ballantrae (CMB) and Commercial Recreation (CR) Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following:

6.1 Permitted Uses, Buildings and Structures

Uses, Buildings and Structures	CG	CL	CV	CM1	CM2	CMB	CR
Animal Grooming Centre	✓	✓	✓	✓	✓		
Apartment Building				✓	✓		
Assembly Hall	✓			✓	✓	✓	
Automotive Sales and Service Uses	✓				✓		
Automotive Service Station	✓		✓		✓	✓	
Bed and Breakfast Establishment					✓	✓	
Business Services				✓	✓	✓	
Campgrounds							✓(7)
Car Wash	✓(3)		✓(3)		✓(3)		
Club	✓			✓	✓	✓	
Combined Live Work Use	✓	✓	✓	✓	✓		
Connected Live Work Use	✓	✓	✓	✓	✓		
Commercial Recreation Use				✓	✓	✓	✓
Commercial School				✓	✓	✓	
Conference, Convention or Banquet Facility					✓		
Convenience Store	✓	✓	✓	✓	✓		
Day Care Centre		✓	✓	✓	✓	✓	

Uses, Buildings and Structures	CG	CL	CV	CM1	CM2	CMB	CR
Drive Thru Facility	✓(5)		✓(5)		✓(5)	✓(5)	
Dry Cleaning Establishment			✓	✓	✓		
Dwelling Unit above a Commercial Use	✓	✓	✓	✓	✓		
Equipment Sales and Rental	✓						
Existing Buildings and Structures						✓(6)	
Financial Institution	✓	✓	✓	✓	✓	✓	
Fitness and Recreation Facilities	✓	✓	✓	✓	✓	✓	
Funeral Home	✓			✓	✓	✓	
Garden Supply Establishment	✓				✓		
Gas Bar	✓	✓	✓		✓	✓	
Golf Course							✓
Golf Driving Range							✓
Group Home	✓			✓	✓	✓	
Hotel				✓	✓	✓	
Library			✓	✓	✓	✓	
Long Term Care Facility				✓	✓		
Manufacturing, or Assembling or Processing					✓(2)		
Office	✓	✓	✓(1)	✓	✓	✓	
Park	✓	✓	✓	✓	✓	✓	✓
Personal Service Establishment	✓	✓	✓	✓	✓	✓	
Place of Amusement	✓			✓	✓	✓	✓
Place of Worship				✓(8)			
Private Camp							✓(7)
Private Park							✓(7)
Public Garage	✓	✓	✓		✓		

Uses, Buildings and Structures	CG	CL	CV	CM1	CM2	CMB	CR
Restaurant	✓	✓	✓	✓	✓	✓	
Retail Store	✓(3)	✓(3)	✓(3)	✓(3)	✓(3)	✓(3)	
School				✓	✓	✓	
Senior Citizens' Home				✓	✓		
Service Establishment	✓		✓	✓	✓	✓	
Shopping Centre	✓	✓	✓		✓		
Stacked Townhouse Dwelling					✓		
Street Townhouse Dwelling					✓		
Studio	✓	✓	✓	✓	✓	✓	
Take out Restaurant	✓	✓			✓	✓	
Townhouse Dwelling					✓		
Veterinary Clinic	✓			✓	✓	✓	
Wholesale Sales and Distribution					✓		

(2013-113-ZO) (2013-157-ZO) (2014-117-ZO) (2016-128-ZO) (2016-144-ZO) (2017-102-ZO)

6.1.1 Qualifying Notes to Permitted Uses

- (1) Medical, dental and veterinary offices are not permitted.
- (2) Outside storage or display of merchandise is prohibited.
- (3) Temporary structures or seasonal outdoor storage, display and sales including sun shelters and temporary tents are permitted provided that they are setback a minimum of 10 m from any OS, R1, R2, R3, R4, ENV, FH, RN1, RN2, RN3, RN4, RN5, RM1 or RM2 Zones. **(2013-113-ZO)**
- (4) This use is permitted only on full urban services (municipal water and sanitary sewer).
- (5) Drive thru facility is permitted in conjunction with permitted uses, subject to Section 3.25.4.

- (6) Expansions of lawfully existing buildings and structures are permitted in accordance with the provisions of this By-law to which such lot was subject on the day prior to the effective date of this By-law. **(2014-117-ZO)**
- (7) An accessory dwelling unit is permitted for the owner, manager or other employees associated with the commercial recreation use. **(2016-144-ZO)**
- (8) A Place of Worship shall not be permitted in a lot fronting on Main Street between Albert Street and Park Drive which was not used for a place of worship as of May 30, 2016 **(2016-128-ZO)(2020-059-ZO)**

6.2 Regulations

	CG	CL	CV	CM1	CM2	CMB	CR
Minimum Lot Area	0.4 ha	1700 m ²	0 m ²	0 m ²	0 m ²	0.2 ha	10 ha
Minimum Lot Frontage	30 m	20 m	0 m	0 m	0 m	20 m	120 m
Minimum Front Yard	0 m	0 m	7.5 m	0 m	3 m	6 m	15 m
Maximum Front Yard	18 m	14 m	n/a	2 m	3 m	n/a	15 m
Minimum Exterior Side Yard	0 m	0 m	7.5 m	0 m	0 m	6 m	15 m
Maximum Exterior Side Yard	18 m	14 m	n/a	0 m	3 m		15 m
Minimum Interior Side Yard	0 m	0	0	0 m	0 m	3 m	15 m
Minimum Rear Yard	7.5 m	7.5 m	7.5 m	0 m	0 m	7.5m	22.5 m
Minimum Yard abutting OS, ENV, FH, RN and R zones	4.5 m (1)	4.5 m (1)	4.5 m (1)	4.5 m (1)	4.5 (1)(2)	4.5 m (1)	n/a
Maximum and Minimum Floor Space Index	n/a	1 (3)	1 (3)	3 to 1 (3)	1 to 0.5 (3)	1 (3)	n/a
Maximum Residential Density	n/a	n/a	n/a		65 units per net ha		n/a
Maximum Height of Buildings	11 m	11 m	11 m	14 m (4)	20 m (4)	14 m (4)	11 m
Maximum Height within 10 m of a R or RN zone	n/a	n/a	n/a	11 m (4)	11 m (4)		n/a
Front and Exterior Side Yard Parking	permitted	permitted	n/a	n/a	n/a	not permitted	n/a
Minimum Indoor Amenity Area for Apartment Buildings containing 18 Dwelling Units or More	n/a	n/a	n/a	2 m ² per dwelling unit	2 m ² per dwelling unit		n/a
Landscaped Area	min 4.5 m between street and parking areas or driveways	min 4.5 m between street and parking areas or driveways	n/a	n/a	min 4.5 m between street and parking areas or driveways	min 4.5 m between street and parking areas or driveways	n/a
Maximum Lot Coverage	n/a	n/a	n/a	n/a	n/a	n/a	5%

(2011-116-ZO) (2013-113-ZO) (2014-117-ZO) (2016-144-ZO)

6.2.1 Qualifying Notes to Regulations

- (1) Any yard abutting an OS, R1, R2, R3, R4, ENV, FH, RN1, RN2, RN3, RN4, RN5, RM1 or RM2 Zone must be landscaped.
- (2) Loading and service areas shall be separated a minimum distance of 20 m from adjacent Residential Zones.
- (3) Floor Space Index (FSI) regulations apply to the mixed use developments only. **(2011-116-ZO)**
- (4) All buildings with a height of 10 m or greater shall be built within the angular plane as defined by this By-law. **(2011-116-ZO)**

6.3 Mixing Formula for the CM2 Zone

6.3.1 Where lands within a CM2 Zone have not been developed for commercial uses as of the date of passing of this By-law, the following shall apply:

- i) Residential uses may be the sole use of the lands
- ii) Where commercial uses are to be combined on the same lot as residential uses, from 30% to 60% of the lot area shall be developed for residential uses

6.4 Exceptions

6.4.1 Exceptions to the CG Zone

6.4.1.1 CG(1) Lot 19, Concession 7, southwest corner of Highway 48 and Felcher Boulevard, Block A, RP 4634, Schedule 27

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Offices
- ii) Clinics (excluding dental)
- iii) Convenience stores
- iv) Financial institutions
- v) Personal service establishments (excluding hairdressers, barber shops and laundromats)
- vi) Service establishments
- vii) Studios
- viii) Retail Opticians
- ix) Pharmacies

2. Regulations

No building or structure shall be located within 14 m of the easterly lot line of the subject lands

6.4.1.2 CG(2) Lots 32 and 33, Concession 8, Schedule 55 **(2010-096 ZO)**
(2013-115-ZO) (2013-157-ZO)

1. Permitted Uses

The only uses permitted on the subject lands shall be the following:

- i) Large Retail Store(s) having an individual GFA of not less than 371 m², with the exception that retail stores less than 371 m² in size shall be permitted up to an aggregate GFA of 1,858 m²
- ii) Eating Establishment(s), including drive-thru restaurant(s)
- iii) Gas Bar and Automobile Service Centre
- iv) Movie Theatre Complex
- v) Office(s)
- vi) Personal Service Establishment(s)
- vii) Light Industrial and/or Manufacturing provided the activity is operated exclusively within a wholly enclosed building
- viii) Hotel, Conference, Convention and/or Banquet Facility
- ix) Automotive Campus
- x) Commercial Recreation Establishment
- xi) Commercial Entertainment Establishment
- xii) Telecommunication Store/Outlet
- xiii) Accessory Uses, unless specifically prohibited by Section 6.4.1.2.2

2. Prohibited Uses

The following uses shall be specifically prohibited on the subject lands:

- i) Large Retail Store(s) that are under 371 m² in GFA, with the exception that retail stores less than 371 m² in size shall be permitted up to an aggregate GFA of 1,858 m²
- ii) Recreational Vehicle Sales and Service
- iii) Financial Institution, until such time as an Office Building having a minimum GFA of 4,460 m² occupying 3 or more functional storeys is constructed
- iv) Liquor and/or Beer Retail Stores and Outlets with the exception of an outlet of less than 93 m² in a portion of a Large Retail Store where the Large Retail Store has a minimum gross floor area of 5,575 m²
- v) Food Supermarket, a Food Store or Grocery Store

Notwithstanding the foregoing, the sale of groceries or similar food and retail products is permitted in a portion of a Large Retail Store where the Large Retail Store has a minimum GFA of 10,000 m², and no more than 2,500 m² of GFA of the Large Retail

Store is devoted to the sale of groceries or similar food and retail products

- vi) NOT IN USE (**2016-144-ZO**)
- vii) Clinic(s), Medical or Doctor Offices
- viii) Residential uses
- ix) Home Improvement Retail Store

3. Regulations

- i) Minimum Lot Area 0 m²
- ii) Minimum Lot Frontage 0 m
- iii) Minimum Front Yard 4.5 m
- iv) Minimum Rear Yard 4.5 m
- v) Minimum Interior Side Yard 0 m
- vi) Minimum Exterior Side Yard, except on Hoover Park Drive 4.5 m
- vii) Minimum Exterior Side Yard, Hoover Park Drive 0 m
- viii) Maximum Exterior Side Yard, Hoover Park Drive 4.5 m
- ix) Maximum FSI 1
- x) Maximum Building Height 20 m
- xi) Maximum Off-Street Parking 5.5 parking spaces per 93m² GFA
- xii) Drive-thru Restaurant Storage a minimum of 12 vehicle stacking to be provided in each drive-thru lane
- xiii) Minimum Landscaped Open Space adjacent to public highway road allowances, except Hoover Park Drive, where buildings may be permitted within the Minimum Landscaped Open Space Area 4.5 m
- xiv) Off-Street Loading Space Requirements - shall comply with the provisions of General Zoning By-law No. 87-34 as they existed

on the day prior to the effective date of this By-law, save and except as follows:

- a) Subsections 11(29) (c) and (d) of By-law No. 87-34 shall not apply
- b) Subsection 11 (29) (g)(i) 3) and 4) of By-law No. 87-34 shall not apply. Instead, for a building with a GFA of between 2,500 m² and 6,000 m², 3 loading spaces will be required. For a building with a GFA of more than 6,000 m², 4 loading spaces will be required

4. Special Regulations

- i) All development permitted on the subject lands may occur in the form of individual buildings or multiple occupancy buildings, provided that all retail/commercial units comply with the minimum and maximum size requirements established in this By-law for the subject lands
- ii) Where two or more adjacent properties are zoned and developed for Format Retail Commercial uses, the minimum and maximum GFA restrictions and the off-street parking requirements shall apply across all of the adjacent properties within the CG(2) Zone as if all of the individual landholdings were under one single ownership
- iii) A minimum of 40% of a street frontage will be framed by a building edge, and all street frontages within the CG(2) Zone cumulatively will have an average of at least 50% of the street frontage framed by a building edge. For the purposes of this Section 6.4.1.2, a street frontage will, in the cases of Hoover Park Drive and Highway No. 48, be deemed to be framed by a building edge when the front or side faces of the building face the street

In the case of the road at the southerly limit of the subject lands, any side of the building may face the street

For the Hoover Park Drive and Highway No. 48 frontages, the building setback shall be no greater than 4.5 m

For the road at the southerly limits of the CG(2) Zone, the building setback shall be no greater than 15 m
- iv) A Gas Bar and Automobile Service Centre shall only be permitted within that portion of the subject lands that is indicated as such on Schedule 55 to relate to this Section 6.4.1.2.4 (iv)

- v) An office building shall be the only permitted use within that portion of the subject lands that is indicated on Schedule 55 to relate to this Section 6.4.1.2.4 (v), provided that a landscaped open area and/or a single storey retail building that is designed to accommodate a minimum 3 storey functional office building with a minimum GFA of 4,645 m² shall be permitted as an interim use of that portion of the subject lands
- vi) At the completion of the development of that portion of the subject lands that is subject to the Holding (h-2) Symbol, Retail Store(s) shall not exceed an aggregate of 39,580 m² of GFA. Any additional Retail Store space, inclusive of additions to existing buildings, will require an amendment to this By-law
- vii) **NOT IN USE (2016-144-ZO)**

6.4.1.3 CG(3) Lot 19, Concession 78, 15102 Highway 48, north of Felcher Boulevard, Schedule 27

1. Permitted Uses

The only use permitted on the subject lands shall be:

A take-out restaurant

2. Regulations

6 off-street parking spaces

6.4.1.4 CG(4) northeast Tenth Line and Main Street, Schedule 49

1. Regulations

- i) Minimum Lot Area 10,500 m²
- ii) Minimum Setback from Front (westerly) Yard 3 m
- iii) Minimum Setback from Exterior (southerly) Side Yard 3 m
- iv) Minimum Setback from (northerly) side abutting a Residential Zone 4.5 m

6.4.1.5 CG(5) northwest Stouffville Road and Woodbine Avenue, Schedule 50

1. Permitted Uses

The only uses permitted on the subject lands shall be:

Gas Bar and Ancillary Commercial uses

6.4.1.6 **NOT IN USE (2018-137-ZO)**

- 6.4.1.7 CG(7) east of Ninth Line, south of Bloomington Road, Schedule 35
1. Permitted Uses
The only uses permitted on the subject lands shall be:
A Business Office, a Professional Office, and a Personal Service Establishment
 2. Regulations
 - i) Minimum (northerly) Side Yard Setback 0.93 m
 - ii) Minimum Front Yard Setback 0.28 m
- 6.4.1.8 CG(8) 6668 Main Street, Schedule 48 **(2013-113-ZO)**
1. Permitted Uses
The only use permitted on the subject lands shall be:
A Single Practitioner Professional Dental Office
 2. Regulations
 - i) Minimum Front Yard 9 m
 - ii) Minimum Interior Side Yard 3 m
 - iii) Minimum Exterior Side Yard 5 m
 - iv) Minimum Rear Yard 12 m
- 6.4.1.9 CG(9) 6038 Main Street, Schedule 48
1. Permitted Uses
The only uses permitted on the subject lands shall be:
Personal Service Establishments and Studios
 2. Regulations
 - i) Minimum Front Yard 5 m
 - ii) Minimum Interior Side Yard 4 m
 - iii) Minimum Exterior Side Yard 5 m
 - iv) Minimum Rear Yard 7 m
- 6.4.1.10 CG(10) 6085 Main Street, Schedule 56
1. Permitted Uses
The only uses permitted on the subject land shall be:
Municipal Office, Business Offices, and Professional Office

2. Regulations

- i) Minimum Front Yard 5 m
- ii) Minimum Interior Side Yard 1 m
- iii) Minimum Exterior Side Yard 3 m
- iv) Minimum Rear Yard 19 m
- v) Encroachment for Accessible Ramp 1 m

6.4.1.11 CG(11)(h-1) 5241 Stouffville Road, Schedule 54

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Gas Bar
- ii) Automobile Service Centre
- iii) Retail and Service Commercial Uses

6.4.1.12 CG(12) northwest Corner of Stouffville Road and Woodbine Avenue, Schedule 50 **(2010-042-ZO)**

1. Permitted Uses

The only uses permitted on the subject land shall be:

A restaurant with a drive-thru component

2. Regulatory Provisions

- i) Minimum Landscaped Area between a street and parking areas or driveways shall be 4 m
- ii) Minimum number of Parking Spaces required shall be 43
- iii) Minimum queue length for a restaurant with a drive-thru shall accommodate the stacking of a minimum of 20 vehicle spaces
- iv) Maximum Seating Capacity of a restaurant shall be 55

6.4.1.13 CG(13) 6568 Main Street, Schedule 48 **(2010-084-ZO)**

1. Permitted Uses

The only uses permitted on the subject lands shall be:

Business and professional offices

2. Regulations

- i) Minimum Front Yard 8 m
- ii) Minimum Easterly Side Yard 3 m

- iii) Minimum Westerly Side Yard 5 m
- iv) Minimum Rear Yard 25 m
- v) Maximum GFA Devoted to Office Use 110 m²

6.4.1.14 CG(14)(h-5) east of Tenth Line, North of Main Street, Schedule 49
(OMB PL100392) (2010-185-ZO) (2013-157-ZO)

1. Permitted Uses:

The only uses permitted on the subject lands shall be:

- i) Retail Store
- ii) Personal Service Establishment
- iii) Clinic
- iv) Office
- v) Institutional
- vi) Restaurant, inclusive of Take Out Restaurant
- vii) Financial Institution
- viii) Wine and/or beer retail outlets that represent brew-your-own facilities, or, specialty retail stores
- ix) Studio
- x) Animal Grooming Centre
- xi) Club
- xii) Convenience Store
- xiii) Fitness & Recreational Facilities
- xiv) Service Establishment
- xv) Veterinary Clinic

Note: The subject lands are within a Wellhead Protection Area and Are of High Aquifer vulnerability, and therefore, Section 2.11 of this By-law applies.

2. Regulations

- i) Maximum size of a retail store or personal service establishment - 835 m²
- ii) Notwithstanding Section 2 (ii) above, the Maximum size of a supermarket, hardware store or drug store - 3,950 m²
- iii) Maximum Size of an individual office use - 835 m²

- iv) Maximum Aggregate GFA of Retail and Service Commercial Uses - 8,360 m²
- v) Minimum Aggregate GFA of Retail and Service Commercial uses - 4,500 m²
- vi) Maximum Height - 17 m, however, no building within 10 m of an abutting residential zone shall exceed 11 m in height

6.4.1.15 CG(15)(h-1) 15186 Highway 48, Schedule 27 **(2011-103-ZO)**

1. Permitted Uses

The only uses permitted on the subject property shall be:

- i) Offices
- ii) Studios

6.4.1.16 CG(16) 6043 Main Street, Schedule 56 **(2013-071-ZO)**

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Office
- ii) Accessory Dwelling Unit
- iii) Single Detached Dwelling

2. Regulations

- | | |
|--|-------|
| i) Minimum Front Yard | 8.5 m |
| ii) Minimum Interior Side Yard | 1 m |
| iii) Minimum Exterior Side Yard | 0 m |
| iv) Minimum Rear Yard | 7.5 m |
| v) Minimum Rear Yard
Landscaped Area Width | 1.2 m |
| vi) Minimum Side Yard
Landscaped Area Width | 0 m |

6.4.2 Exceptions to the CL Zone

6.4.2.1 CL(1) 14635 Ninth Line, east of Ninth Line, south of Mitchell Avenue, Schedule 29

1. Permitted Uses

The only commercial use permitted on the subject lands shall be:

A Convenience Store

2. Regulations

The GFA devoted to the commercial use on the ground floor shall be between 97 and 197 m²

6.4.2.2 CL(2) east of Ninth Line, north of Hoover Park Drive, Schedule 56
(2010-105-ZO) (2011-171-ZO)

1. Permitted Uses

- i) Business and Professional Offices
- ii) Medical and/or Dental Clinic
- iii) Retail Store
- iv) Financial Institution
- v) Personal Service Establishment
- vi) Restaurant, inclusive of a take-out restaurant
- vii) Service Station, including a car wash
- viii) Dwelling Units Above other Permitted Uses

2. Regulations

- i) Building Area
 - a) Maximum GFA of all uses 550 m²
 - b) Maximum GFA area of any individual use 300 m²
- ii) Landscaped Area
 - a) A minimum 4.5 m landscaped buffer shall be provided between any parking area/travel aisles and the adjacent property line.

6.4.3 Exceptions to the CV Zone

6.4.3.1 CV(1)(h-1) 15532 Highway 48, Lot 22, Concession 7, Schedule 20

1. Permitted Uses

The only uses permitted on the subject lands shall be those existing as of the effective date of this By-law. With the removal of the Holding Symbol (h-1), the only uses permitted on the subject lands shall be:

- i) Business Offices
- ii) Clinics

- iii) Convenience Stores restricted to a maximum GFA of 320 m² devoted to the sale or display of goods
- iv) Financial Institutions
- v) Professional Offices
- vi) Personal Service Establishments
- vii) Service and Repair Shops
- viii) Studios

6.4.3.2 CV(2) 15223 Highway 48, Schedule 28

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Retail Store
- ii) Single detached dwelling

2. Regulations

The permitted single detached dwelling shall be subject to the regulations relating to RV Zone.

6.4.3.3 CV(3)(h-1) 14620 Woodbine Avenue, Schedule 23

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Single detached dwelling
- ii) Office
- iii) Sale, repair and service of small engines and equipment occurring exclusively within the interior of a building

6.4.3.4 CV(4) 2985 Vivian Road, Schedule 10

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Auto Body Shop
- ii) Convenience Store
- iii) Personal Service Establishment
- iv) Public Garage
- v) Retail Store

- vi) Two Existing Dwelling Units

6.4.4 Exceptions to the CM1 Zone

6.4.4.1 CM1(1) 6233, 6237, 6241 and 6245 Main Street, Schedule 56 **(2013-128-ZO)(2016-057-ZO)**

1. Permitted Uses

The only permitted uses on the subject lands shall be the following:

- i) Apartment Building – maximum 67 dwelling units
- ii) Office
- iii) Financial Institution
- iv) Personal Service Establishment
- v) Retail Store
- vi) Studio

2. Regulations

For the purposes of this zone, the Front Yard is Main Street.

- | | |
|---|----------------------|
| i) Maximum GFA
(all non-residential uses) | 768 m ² |
| ii) Minimum Lot Area | 2,712 m ² |
| iii) Minimum Lot Frontage | 48 m |
| iv) Minimum Front Yard | 0 m |
| v) Minimum Exterior Side Yard | 2.8 m |
| vi) Maximum FSI | 2.87 |
| vii) Maximum Height | 18 m |
| viii) Maximum Height within 10 m of
a Residential Zone | 11 m |
| ix) Front and Exterior Side Yard Parking | Not Permitted |
| x) Minimum Landscaped Area abutting
a Residential Zone | 0.9 m |
| xi) Minimum of Number of Off-Street
Parking Spaces | 77 |
| xii) Minimum Number of Loading Spaces | 1 small space |
| xiii) Minimum Distance of Loading Area
abutting a Residential Zone | 10.5 m |

xiv) Minimum Indoor Amenity Area	105 m ²
xv) <u>Maximum Angular Plane</u>	
Centre Line - Main Street to Top of Tower	62 ^o
Centre Line – Main Street to top of Stepped Building	59 ^o
Centre Line - Lloyd Street to top of Tower	72 ^o
Centre Line – Lloyd Street to top of Stepped Building	70 ^o
South Property Line to top of Stepped Building	50 ^o

6.4.5 Exceptions to the CM2 Zone

6.4.5.1 CM2(1) east of Baker Hill Boulevard, north of Main Street, Schedule 47 **(2018-125-ZO)(2020-041-ZO)**

1. Permitted Uses

The only uses permitted on the subject lands shall be the following:

- a. Townhouse Dwelling
- b. Back-to-Back Townhouse
- c. Street Townhouse
- d. Connected Live/Work Use

2. Qualifying Notes to Permitted Uses

(1) The only uses permitted in a Connected Live/Work Use Townhouse unit shall be the following:

- i) Business Services
- ii) Commercial School
- iii) Home Occupation
- iv) Office
- v) Personal Service Establishment
- vi) Private Home Day Care
- vii) Service Establishment
- viii) Studio

(2) Medical, dental and veterinary offices are not permitted in a

Connected Live/Work Use Townhouse unit.

- (3) For the purposes of this Bylaw and notwithstanding Section 9, Definitions in Bylaw 2010-001-ZO "Connected Live/Work Use" is a dwelling unit where the ground floor or portions thereof may be used for commercial purposes by the occupant of the dwelling unit, and where the commercial and residential components are accessed by a common internal staircase or corridor. "Connected Live/Work Use" is permitted only within the townhouse dwellings with direct frontage on Main Street as noted on Schedule 2 to this Bylaw.

e. Regulations

Maximum Number of Dwelling Units:	147 units
Maximum number of Connected Live/Work Use Units	31 units
Minimum Lot Frontage per Dwelling Unit	5.5m
Minimum Lot Area Per Dwelling Unit	87.0m ²
Maximum Yard Adjacent to Main Street	3.5m
Minimum Yard Adjacent to Baker Hill Boulevard	6.0m
Minimum Front Yard Setback for Interior Dwelling Units	2.5m
Maximum Porch Encroachment into Front Yard	2.5m
Minimum Rear Yard Adjacent to Ludwig Court	5.0m
Minimum Interior Side Yard (easterly lot line)	3.0m
Minimum Rear Yard Block "A"	5.0m
Minimum Yard Adjacent to Rowbotham Gate	3.0m
Minimum Separation Between Townhouse Blocks	2.0m
Minimum Common Landscape Amenity Area	1700.0m ²
Maximum Height	11.0m (1)
Minimum Parking Spaces for Street Townhouse Dwelling	2.0 spaces/unit

plus 0.25
spaces for
visitors

f. Qualifying Notes for Regulations

- (1) For the purposes of this By-law, maximum height shall not include any mechanical room and stairwell accessing the rooftop amenity area.

6.4.5.2 CM2(2) Lot 1, Concession 8, 5402 Main Street, Schedule 47 **(2013-061-ZO)**

1. Permitted Uses

- i) Financial institution
- ii) Retail Store
- iii) Restaurant
- iv) Office
- v) Commercial School
- vi) Private Club
- vii) Commercial Recreation
- viii) Personal Service Establishment
- vix) Liquor and/or Beer Retail stores and Outlets
- x) Commercial Recreation Establishment
- xi) Animal Grooming Centre
- xii) Fitness and Recreation Facilities
- xiii) Accessory Uses

2. Regulations

For the purposes of this zone, the Front Yard is Main Street:

- i) Minimum Yard to Baker Hill Boulevard 3.7 m
- ii) Rear Yard 0 m
- iii) Interior Side Yard 0 m
- iv) Setback of Loading Docks and Service Areas - a minimum distance of 20 m from adjacent Residential Zones
- v) Parking Areas and Travel Aisles - minimum 1 m landscaped area between all parking areas and travel aisles on the subject lands and adjacent public highways and Residential Zones

- vi) Maximum Height 20 m
- vii) Maximum FSI 0.6

6.4.5.3 CM2(3) Lot 1, Concession 8, north of Main Street, 25 Baker Hill Boulevard, Schedule 47 **(2013-061-ZO)**

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Apartment Building and accessory uses
- ii) Maximum Number of Apartment Units – 139 units

2. Regulations

- i) Minimum Front Yard 28 m
- ii) Minimum Rear Yard 18 m
- iii) Interior Side Yard
(Abutting a Residential Zone) 9 m
(Abutting a Flood Hazard Zone) 10 m
- iv) Setback of Loading Docks and Service Areas min. 20 m from adjacent Residential Zone
- v) Landscaped Area (Between all Parking Areas and Travel Aisles on the subject land and adjacent Public highways and Residential Zones) min. 4.5 m
- vi) Maximum Building Height 21.2 m
- vii) Maximum FSI 1.62

6.4.5.4 CM2(4) 5945 Main Street, Schedule 55

1. Regulations

These regulations apply only to a Gas Bar.

- i) Minimum Front Yard 19 m
- ii) Minimum Height of Building(s) 1 storey
- iii) Front Yard Parking permitted
- iv) Minimum Landscaped Area between the street, parking areas or driveways 0
- v) Minimum Number of Parking Spaces 6.6 per 100 m²

vi) Minimum FSI n/a

6.4.5.5 CM2(5) 33 Weldon Road, Schedule 55 (2013-113-ZO)

1. Permitted Uses

An Automatic Car Wash shall be an additional use permitted on the subject lands.

6.4.5.6 CM2(6) 5991 Main Street, Schedule 55

1. Permitted Uses

The only uses permitted on the subject lands shall be the following:

- i) Accessory Dwelling Units
- ii) Dwelling Units on the second floor above permitted commercial uses
- iii) Offices
- iv) Clinics
- v) Commercial Entertainment Establishments
- vi) Convenience Store
- vii) Financial Institution
- viii) Hotel
- ix) Institutional Zone uses
- x) Personal Service Establishments
- xi) Private Club
- xii) Restaurant
- xiii) Retail Store

2. Regulations

- i) Minimum Setback to Main Street 0 to 3 m
- ii) Minimum Setback to Ninth Line 0.6 to 3 m
- iii) Minimum Setback of Off street 4.5 m
Parking to Residential Lots
- iv) Minimum Landscaped Areas 4.5 m
between parking areas and adjacent
public highways

- v) A minimum 2.2 m acoustical privacy fence is required between the subject lands and adjacent residential lots
- vi) Minimum Height of Buildings 1 storey
- vii) Minimum FSI n/a

6.4.5.7 CM2(7) 5945 Main Street, Schedule 55

1. Regulations

- i) Maximum Front Yard 30 m
- ii) Front Yard Parking permitted

6.4.5.8 CM2(8) 5827 Main Street, Schedule 47 (2010-092-ZO)

1. Permitted Uses

The following shall be the only permitted uses on the subject lands:

- i) Animal Grooming Centre
- ii) Assembly Hall
- iii) Automotive Sales and Services Uses
- iv) Club
- v) Commercial Recreation Use
- vi) Commercial School
- vii) Conference, convention or banquet facility
- viii) Convenience Store
- ix) Dry Cleaning Establishment
- x) Financial Institution
- xi) Fitness and Recreation Facilities
- xii) Funeral Home
- xiii) Garden Supply Establishment
- xiv) Gas Bar
- xv) Government Services
- xvi) Hotel
- xvii) Library
- xviii) Manufacturing, or Assembling or Processing
- xix) Office

- xx) Personal Service Establishment
- xxi) Place of Amusement
- xxii) Place of Worship
- xxiii) Public Garage
- xxiv) Restaurant
- xxv) Retail Store
- xxvi) Service Establishment
- xxvii) Shopping Centre
- xxviii) Studio
- xxix) Take Out Restaurant
- xxx) Veterinary Clinic
- xxxi) Wholesale Sales and Distribution

2. Regulations

- | | |
|--|--|
| i) Minimum Lot Area | 0 m ² |
| ii) Minimum Lot Frontage | 0 m |
| iii) Minimum Front Yard | 3 m |
| iv) Maximum Front Yard | 3 m |
| v) Minimum Exterior Side Yard | 0 m |
| vi) Maximum Exterior Side Yard | 3 m |
| vii) Minimum Interior Side Yard | 0 m |
| viii) Minimum Rear Yard | 0 m |
| ix) Minimum Yard abutting OS,
ENV, FH, RN and R Zones | 4.5 m |
| x) Maximum & Minimum FSI | 1 to 0.25 |
| xi) Maximum Height of Buildings | 20 m or
6 storeys |
| xii) Maximum Height within 10m | 11 m or 3 storeys
whichever is lesser |
| xiii) Front & Exterior Side Yard Parking | not permitted |
| xiv) Required Landscaped Area | min. 4.5 m between
street and parking
areas or driveways |

6.4.5.9 CM2(9), 5827 Main Street, Draft Plan of Subdivision 19T(W)-17.003 and Draft Plan of Condominium CDM 17.002, Schedule 55 **(2018-109-ZO)**

1. Permitted Uses

- i) Street Townhouse Dwelling
- ii) Private Park

2. Qualifying Notes to Permitted Uses

For the purpose of this zone, the property will be considered as a single lot and the front lot line will be Main Street.

3. Regulations

- | | | |
|-------|--|--|
| i) | Maximum Number of Units | 75 Dwelling Units |
| ii) | Minimum Lot Area | 90 metres ² per Dwelling Unit |
| iii) | Minimum Dwelling Width | 5.5 metres per Dwelling Unit |
| iv) | Minimum Front Yard | 6.0 metres |
| v) | Minimum Interior Side Yard | 0.0 metres |
| vi) | Minimum Exterior Side Yard | 6.0 metres |
| vii) | Minimum Rear Yard | 6.5 metres |
| viii) | Maximum Building Height | 12.5 metres |
| ix) | Minimum Width of Laneway Right-of-Way | 6.5 metres |
| x) | Minimum Number of Visitor Parking Spaces | 19 Parking Spaces |

6.4.5.10 CM2(10), northwest Stouffville Road and Highway 48, Schedule 46 **(2018-137-ZO)**

1. Permitted Uses

The only uses permitted on the subject lands shall be:

- i) Retail Store
- ii) Office
- iii) Medical Office
- iv) Street Townhouse Dwelling
- v) Townhouse Dwelling
- vi) Back-to-Back Townhouse Dwelling
- vii) Stacked Townhouse Dwelling
- viii) Apartment Building

- ix) Dwelling Unit Above a Commercial Use
- x) Day Care Centre
- xi) Long Term Care Facility
- xii) Senior Citizen's Home
- xii) Club
- xiv) Combined Live Work Use
- xv) Connected Live Work Use
- xvi) Commercial School
- xvii) Convenience Store
- xviii) Drive Thru Facility (1)
- xix) Financial Institution
- xx) Fitness and Recreation Facility
- xxi) Personal Service Establishment
- xxii) Place of Amusement
- xxiii) Restaurant
- xxiv) Service Establishment
- xxv) Studio
- xxvi) Take Out Restaurant
- xxvii) Veterinary Clinic

Qualifying Notes to Permitted Uses

- (1) Drive thru facility is permitted in conjunction with permitted uses, subject to Section 3.25.4.

2. Prohibited Uses

The following uses shall be specifically prohibited on the subject lands:

- i) Gas bar and automotive service centre

3. Regulations

- i) Minimum Lot Area 0.4ha
- ii) Minimum Lot Frontage 30m
- iii) Minimum Front Yard 0m (1)
- iv) Maximum Front Yard 5m (1)
- v) Minimum Rear Yard 7.5m
- vi) Minimum Interior Side Yard 0m
- vii) Minimum Exterior Side Yard 0m(1)
- viii) Maximum Exterior Side Yard 5m(1)
- ix) Maximum Setback from
Stouffville Road, Main Building 56m

x)	Maximum Setback from Highway 48, Main Building	63m
xi)	Minimum Building Height	2 functional storeys
xii)	Maximum Building Height	10 storeys
xiii)	Minimum Height of First Storey	4.5m
xiv)	Minimum Floor Space Index	0.34
xx)	Maximum Floor Space Index	2.0
xxi)	Minimum Indoor Amenity Area for Apartment Buildings	2m ² per dwelling unit

Qualifying Notes to Regulations

- (1) Setbacks may be increased to comply with environmental restrictions without an amendment to this By-law.

4. Drive-Thru Facility Queuing Lanes

Notwithstanding the provisions of Section 3.25.4, Queuing Lanes shall not be permitted between the building served by the Queuing Lane and the front (Stouffville Road) lot line.

5. Walkways

- (a) Direct walkway access to the public sidewalk shall be provided for buildings fronting Stouffville Road. Walkways shall be a minimum 1.5 metres in width.
- (b) A continuous network of walkways shall provide for on-site pedestrian circulation with adequate connections with parking lots, public sidewalks and other buildings on site.

6. Site Plan Control

No building shall be erected on any part of the lands referred to in Schedule "1" appended to this By-law except in accordance with an approved Site Plan prepared by an Architect and approved by the Town of Whitchurch-Stouffville.

7. Landscape requirements in Parking Areas

- (a) Parking areas must contain a minimum of five percent (5%) of their area as Landscaped area within the areas designated for parking.

- (b) Parking areas, facing public street frontages must be separated by a 4.5m wide landscaped area. Driveways and walkways accessing the parking area from the public street are permitted to cross the landscaped area.

8. Definitions

Main Building: The largest building on the subject lands measured by gross floor area.

6.4.5.11 CM2(11) 5917 Main Street Stouffville, Schedule 55 (2020-026-ZO)

1. Regulations

- i) Maximum front yard 3.7 m
- ii) Minimum front yard 0.85 m
- iii) Maximum Floor Space Index 2.9
- iv) Maximum residential density 230 units per net hectare
- v) Maximum building height 28.0 m (1)
- vi) Minimum landscaped area
between street and parking
areas or driveways 1.3m

2. For the purposes of this By-law, section 6.2.1 (4) shall not apply.

3. For the purposes of this By-law, section 6.3 shall not apply

4. Special Regulation

A minimum of 387 m² of the total ground floor area shall be dedicated to commercial uses.

5. Qualifying Notes for Regulations

- (1) For the purposes of this By-law, the maximum building height shall not include any mechanical penthouse, service rooms, service/mechanical equipment, screens, rooftop solar panels, stairwell enclosure accessing the rooftop area and any associated structure.

6.4.5.12 CM2 (12) 5531 Main Street Stouffville, Schedule 55 (2021-045-21)

1. Regulations

- | | | |
|------|---|--------------------------------------|
| i) | Maximum Front Yard | 4 metres |
| ii) | Minimum Side Yard from Open Space (OS) Zone | 0 metres |
| iii) | Maximum and Minimum Floor Space Index | 2.67 to 0.5 FSI (1) |
| iv) | Maximum Residential Density | 314 units per net hectare |
| v) | Maximum Height of Building | 57.8 metres |
| vi) | Minimum Indoor Amenity Area for Apartment Buildings containing 18 Dwelling Units or More | 1.5 m ² per dwelling unit |
| vii) | Permitted Encroachments for silt, belt courses, cornices, eaves, gutters, chimneys, pilasters, canopies, or similar non-structural architectural features | To the lot line |

2. Qualifying Notes to Regulations

- (1) Floor Space Index (FSI) regulations apply to the mixed use developments only. (2011-116-ZO).

3. Special Regulations to the CM2(12) Zone

- i) Subsection 6.2.1 (4) of By-law 2010-001-ZO shall not apply. Buildings in CM2(12) Zone shall be exempt from all angular plane policies.
- ii) Subsection 6.3.1.ii) of By-law 2010-001-ZO shall not apply. Where commercial uses are to be combined on the same lot as residential uses, a minimum commercial Gross Floor Area of 800 m² shall be provided.

4. Parking Regulations

- i) Minimum Number of Apartment Building Parking Spaces – 1.06 parking spaces per dwelling unit for residents plus 0.25 parking spaces per dwelling unit for visitors

6.4.6 Exceptions to the CR Zone

6.4.6.1 CR(1) east side of McCowan, north of Markham - Whitchurch-Stouffville Townline, Schedule 54

1. Permitted Uses

The following shall be additional uses permitted on the subject lands:

- i) Accessory Dwelling
- ii) Campground
- iii) Outdoor Recreation
- iv) Private Camp
- v) Private Parks
- vi) School
- vii) Motel
- viii) Golf course
- ix) Driving Range
- x) Miniature Golf Range
- xi) Hotel

2. Regulations

- | | |
|--------------------------|-------|
| i) Minimum Lot Area | 10 ha |
| ii) Minimum Frontage | 120 m |
| iii) Minimum Front Yard | 15 m |
| iv) Minimum Rear Yard | 22 m |
| v) Minimum Side Yard | 15 m |
| vi) Maximum Lot Coverage | 5% |

6.4.6.2 CR(2) east side of Woodbine Avenue, south of Davis Drive, Schedule 3

1. Permitted Uses

The only uses permitted on the subject lands shall be the following:

- i) Outdoor Recreation
- ii) Driving Range
- iii) Batting Cages
- iv) Miniature Golf Range

- v) Recreational Air Support Structure

2. Regulations

- i) Maximum GFA 4,045 m²
- ii) Maximum Height 13.7 m
- iii) Required Parking Spaces 149

6.4.7 Exceptions to the CMB Zone

6.4.7.1 CMB(1) 5292 Aurora Road, 15283 and 15307 Highway 48, Schedule 21
(2014-117-ZO)(2016-037-ZO)

1. Permitted Uses

- i) All uses in the CMB Zone
- ii) Shopping Centre

2. Regulations

- i) Maximum Building Height 12 m
- ii) Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to the lands subject to this exception:
 - a) The lands shall be deemed to be one lot
 - b) “Drive thru facility” is permitted in conjunction with permitted uses, except for a restaurant, subject to Section 3.25.4
 - c) Parking may be permitted in the front and exterior side yards
 - d) No part of a parking area other than a driveway may be located closer than 7 m to the easterly limit of the planned width of road allowance for Highway 48
 - e) Loading spaces shall be fully enclosed; and, two loading spaces, shall be required for a shopping centre with a GFA between 2,401 m² and 7,500 m²
 - f) Include an enclosed loading space in the list of areas excluded from the calculation of GFA
- iii) The portions of the lands subject to this exception within the Well Head Protection Area 10 Year Time of Travel shall be subject to Section 2.11.1.1