

Section 6.41 – District Commercial (C3) Zone

(Replaced by Bylaw No. 1662)

The intent of the C3 Zone is to permit commercial and service uses to serve the community as a whole.

6.41.01 Permitted Uses

The following **uses** and no others are permitted in the C3 Zone:

- (1) **Accessory buildings and structures**, subject to Section 3.05;
- (2) **Animal hospital** in an enclosed **building**;
- (3) **Auction**;
- (4) **Automobile parts and accessories sale, installation and repair**;
- (5) **Automobile repair and service facility, minor** on land legally described as Lot 47, Section 80, Esquimalt District, Plan 12203 (2988 Jacklin Road);
- (6) **Automobile repair and service facility, minor** as an **accessory use** on land legally described as Lot 2, Section 73, Esquimalt District, Plan 5988; a portion of Lot 2, Section 73, Esquimalt District, Plan 5988; a portion of Lot 2, Section 73, Esquimalt District, Plan 5039, except that part in Plan 7390; a portion of Lot B, Section 73, Esquimalt District, Plan 8234; and a portion of Lot 1, Section 73, Esquimalt District, Plan 7390 (as shown on the map attached to and forming part of this Bylaw as Schedule "I") (860 Attree Avenue);
- (7) **Automobile repair and service facility, minor** limited to a maximum of 20% of the **gross floor area** of the **building** in which it is located, on land legally described as Lot 1, Section 80, Esquimalt District, Plan 29395 (2924 Jacklin Road); and Lot A, except that part east of the centre line of Reference Plan 49711, Section 74, Esquimalt District, Plan 49712 (790 Kelly Road); and the portion of Lot B, Section 74, Esquimalt District, Plan 49710, lying west of the centre line of Reference Plan 49711 (2945 Jacklin Road, Westshore Town Centre);
- (8) **Bakery**;
- (9) **Business support service**;
- (10) **Car wash**;
- (11) **Catering**;
- (12) **Charitable facility**;
- (13) **Commercial nursery and greenhouse**;
- (14) **Community garden**;
- (15) **Cultural facility**;

- (16) **Dwelling unit**, limited to a maximum of one per **lot**, and **accessory** to any of the **principal uses** permitted in this **Zone**, provided that:
 - (a) If located on the same storey as the commercial **use**, the **dwelling unit** is located to the rear of the commercial **use**; and
 - (b) The **dwelling unit** is fully separated from the commercial **use** with the main street access to the **dwelling unit** being entirely separated from that of the related commercial **use**;
- (17) **Film production studio**;
- (18) **Financial institution**;
- (19) **Fitness centre**;
- (20) **Funeral parlour**;
- (21) **Gasoline service station**;
- (22) **General Industrial Uses**, limited to sheet metal cutting and fabrication, and restricted to one such use on the property legally described as Lot 1, Section 99, Esquimalt District, Plan EPP19681; PID No.;028-851-323 (1016 McCallum Road) in the portions as shown shaded on Plan No.1 attached to and forming part of this Bylaw;
- (23) Groundwater extraction, processing, packaging, warehousing and retail sale, on land legally described as Lot 1, Section 73, Esquimalt District, Plan 10023, Except Parts in Plan VIP69580 (895 Station Avenue);
- (24) **Group daycare** with a maximum capacity of 90 children on the **lot** legally described as Lot 1, Section 72, Esquimalt District, Plan EPP24286 (2780 Veterans Memorial Parkway);
- (25) **Hotel**;
- (26) **Household equipment and appliance service and repair**;
- (27) **Library**;
- (28) **Licensed premises**;
- (29) **Liquor store**;
- (30) **Medical Clinics** and accessory related commercial uses;
- (31) **Office**;
- (32) One **dwelling unit** per **lot** that is **accessory** to any of the **uses** permitted in this **Zone**, provided that:
 - (a) If located on the same level as the commercial **use** it will be located behind the commercial **use**; and
 - (b) It is fully separated from the commercial **use** with the main street access to the **dwelling unit** being entirely separated from that of the related commercial **use**;

- (33) **Parking facility;**
- (34) **Personal service establishment;**
- (35) **Recreation facility, indoor;**
- (36) **Recycling depot;**
- (37) **Restaurant;**
- (38) **Restaurant, drive-through, except on lots that abut Goldstream Avenue;**
- (39) **Retail store;**
- (40) **School;**
- (41) **Shopping centre;**
- (42) **Taxi office;**
- (43) **Training and education facility;**
- (44) **Transportation terminal;**
- (45) **Unenclosed storage, subject to Section 3.13, as an accessory use to a principal use permitted in this Zone;**
- (46) **Uses accessory to a principal use permitted in this Zone;**
- (47) **Uses permitted by Section 3.01 of this Bylaw; and**
- (48) **Within that portion of the lands shown shaded on the map attached as Schedule "S", the following uses:**
 - (a) **Automobile body and paint shop;**
 - (b) **Automobile rental and sale facility, major;**
 - (c) **Automobile rental and sale facility minor;**
 - (d) **Automobile repair and service facility, major;**
 - (e) **Automobile repair and service facility, minor;**
 - (f) **Contractor service;**
 - (g) **Equipment sales, service, repair and rental, minor; and**
 - (h) **Warehouse.**

6.41.02 Subdivision Lot Requirements

- (1) No **lot** having a **lot area** less than 695 m² (7,480.9 ft²) may be created by subdivision.
- (2) No **lot** having a **lot width** less than 16 m (52.5 ft) may be created by subdivision.

6.41.03 Density of Development

The **floor area ratio** may not exceed 4.5.

6.41.04 Lot Coverage

Lot coverage of all **buildings** and **structures** may not exceed 75%.

6.41.05 Height and Size of Principal Use Buildings

No **building** or **structure** may exceed a **height** of six storeys.

6.41.06 Setbacks

- (1) No **building** or **structure** may be located:
 - (a) Within 7.5 m (24.6 ft) of any **front lot line** or **exterior side lot line**; or
 - (b) Within 6 m (19.7 ft) of any **interior side lot line** where the **interior side lot line abuts a Residential Zone** or a **Multiple Family Residential Zone**; or
 - (c) Within 3 m (9.8 ft) of any **rear lot line**.
- (2) If the area between the **front building line** and the **front lot line** and **exterior side lot line**, exclusive of access driveways, is landscaped, the minimum **setbacks** in respect of the **front lot line** and **exterior side lot lines** may be reduced to 4.5 m (14.8 ft).
- (3) If the **rear lot line abuts a Residential Zone** or a **Multiple Family Residential Zone**, the minimum **setback** in respect of the **rear lot line** must be increased to at least 6 m (19.7 ft).

6.41.07 Landscape Screening

In addition to the regulations contained in Section 3.21 of this Bylaw the following requirements apply to landscape screening in the C3 Zone.

- (1) A continuous **landscape and screening area** not less than 3 m (9.8 ft) wide must be provided along the developed portion of each side of the **lot** which **abuts a highway**. This landscaping may be interrupted at boulevard crossings, or to provide necessary pedestrian access to a **building** or for viewing shop windows;
- (2) Except in those portions where a **building abuts a lot line**, screen planting at least 1.8 m (5.9 ft) high in a strip at least 1.5 m (4.9 ft) wide, or a solid decorative fence at least 1.8 m (5.9 ft) high must be provided along all **rear lot lines** or **side lot lines** separating the developed portion of the **lot** from any **Residential Zone** or **Multiple Family Residential Zone**, whether such property be separated by a **highway** or not.
- (3) Despite Articles (1) and (2) where the **lot abuts a highway** with a **residential use** across the street a 1.8 m (5.9 ft) high landscaping screen or solid decorative fence must be provided along the **front lot line** if parking is placed in front of the **building**. If the parking is placed behind the **building** a 3 m (9.8 ft) continuous landscape strip will be sufficient.