

The following provisions shall apply to the use of land and the construction of buildings in all C3 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Commercial Uses**

- a) assembly hall;
- b) bank and/or trust company;
- c) billiard parlour;
- d) bowling alley;
- e) coin-operated laundry;
- f) dog kennel;
- g) drive-in restaurant;
- h) dry-cleaning establishment;
- i) eating establishment;
- j) hotel;
- k) motel;
- l) motor vehicle body shop, only if wholly enclosed;
- m) motor vehicle rental agency;
- n) motor vehicle repair garage;
- o) motor vehicle sales room and lot;
- p) recreational vehicle sales and/or service outlet;
- q) retail store, which primarily serves vehicular traffic and the travelling public and which stores may be in the form of individual stores or small shopping centres;
- r) service shop;
- s) tavern;
- t) theatre;
- 10586 u) business, professional, administrative and/or government offices;
- 2019-62 v) public use.

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main commercial use in the building.

2. ZONE PROVISIONS

- (1) Lot Frontage (minimum) 30.0 m.
- (2) Front Yard Depth (minimum) 12.0 m.
- (3) Rear Yard Depth (minimum) 7.5 m.

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

- (4) Interior Side Yard Width (minimum) 4.5 m., except

Where the side yard abuts a lot which is located in a Residential Zone or RH Zone, a minimum side yard of 7.5 m. shall be provided, of which the 1.5 m. abutting the lot line shall be maintained as a landscaped area.

- (5) Lot Coverage (maximum) 50%
- (6) Building Height (maximum) 10.6 m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3a. OUTDOOR PATIO PROVISIONS

13390

Within this Part O, an outdoor patio shall be permitted when developed in association with a permitted eating establishment subject to the requirements of Section 24 of Part C.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

(1) Notwithstanding the provisions of Section 1 of this Part, within the area zoned C3-1, Non-Retail Commercial uses, as contained in Part Q, Section 1 are permitted, in addition to those uses listed in Section 1 of this Part. Such Non-Retail Commercial uses shall be subject to the zone regulations of Part Q, Section 2.

10413 (2) Notwithstanding but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-2 the wholesale store existing at the time of the passing of this By-Law shall be a permitted use.

13580 Notwithstanding, but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-2, a recreational facility shall be a permitted use.

2003-44 Notwithstanding, but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-2, a day nursery shall be a permitted use.

13580 Furthermore, notwithstanding the provisions of Subsections 2.(1), 2.(2), and 2.(4) of this Part O, within an area zoned C3-2, the minimum lot frontage shall be 29.4 m., the minimum front yard depth shall be 4.5 m., and the minimum east side yard depth shall be 1.4 m.

Furthermore, notwithstanding the provisions of Subsection 15.d) of Part C, within the area zoned C3-2, the parking area shall be constructed of crushed stone, slag or gravel with stormwater drainage facilities that comply with the requirements of the City.

(3) Notwithstanding the provisions of Section 2 of this Part, where a building or structure existed on a lot, in an area zoned C3, such building or structure may be extended, enlarged and/or improved, provided the yards existing at the date of passing of this By-Law are not reduced in depth; but where any such yards are larger in depth than required by this By-Law, such yards may be reduced to the minimum required by this By-Law, provided that maximum lot coverage required by Subsection 2(6) of this Part is not exceeded. Such existing building or structure may be changed to a use permitted in Section 1 of this By-Law, provided all other requirements of this By-Law are complied with.

(4) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing private clubs, at the locations listed below, are permitted, in addition to those uses listed in Section 1 of this Part. These existing private clubs shall be subject to the zone regulations of Part Y, Section 2 of this By-Law.

Location of Private Club

- a) 100 Station Street
- b) Dundas Street East

NOTE: Section 5 of By-Law Number 12977 has been amended by By-Law Number 13684 as follows:

- 13684 (5) Notwithstanding, but in addition to the uses permitted in this Part O, within the area zoned C3-3, a convenience store and, subject to the provisions contained in Part S, Section 2. of this By-Law, a motor vehicle gasoline bar and motor vehicle washing establishment, shall be permitted uses.
- 10413 (6) Notwithstanding but in addition to the provisions of this Part O, within the area zoned C3-4, the Brewers Retail Store, Wholesale Premises, Home Delivery Service and Area Administrative Office existing at the time of the passing of this By-Law, shall be permitted uses.
- 10413 (7) Notwithstanding the provisions of Subsection 2(3) and 2(4) within the area zoned C3-5 the minimum rear yard requirement shall not apply, and the minimum interior side yard width shall be 3.0 m.
- 10413 (8) Notwithstanding, but in addition to the uses permitted in this Part O, within the area zoned C3-6 the motor vehicle gasoline bar existing at the time of the passing of this By-Law shall be a permitted use.
- 10586 (9) Notwithstanding the provisions of Section 2(1) of this Part O, the minimum lot frontage for the lot zoned C3-7 shall be 27.5 m.
- 10586 (10) Notwithstanding the provisions of Section 2(1) of this Part O, the minimum lot frontage for the lot zoned C3-8 shall be 22.5 m.
- 2018-33 Notwithstanding the provisions of Subsections 1 (1), 2 (1), 2 (3) and 2 (4) of this Part O and Subsections 15 (1) a) of Part C, within the area zoned C3-8 a medical clinic shall be a permitted use, in addition to the uses permitted by Section 1 of this Part O, subject to a minimum lot frontage of 22.4 metres, a minimum rear yard depth of 4.5 metres, a minimum interior side yard width of 3.0 metres and a minimum aisle width of 7.0 metres.

NOTE: Section 11 of By-Law Number 12779 has been amended by By-Law Number 12906 as follows:

- 12906 (11) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-9, the following uses shall be permitted:
 - a bank and/or trust company;
 - business, professional, administrative and/or government office;
 - a coin-operated laundry;
 - a convenience store;
 - a drive-in restaurant;
 - a dry-cleaning establishment and/or distribution centre;
 - an eating establishment;
 - a motor vehicle rental agency;
 - a motor vehicle repair garage;
 - a motor vehicle sales room and lot;
 - a recreational vehicles sales and/or service outlet;
 - a self-serve motor vehicle washing establishment;
 - a service shop;
 - a bake shop;
 - a drug store;
 - a retail store; and
- 13732 - a veterinary hospital.

Furthermore, notwithstanding but in addition to the uses permitted within the area zoned C3-9, a motor vehicle gasoline bar shall be a permitted use, subject to the zone requirements of Part S, Section 2 of this By-Law.

11303 (12) Within an area zoned C3-10, in addition to the uses permitted in Section 1 of this Part O, the following uses are permitted:

- a) wholesale business;
- b) warehouse;
- c) repair shop;

provided that all such operations are conducted within a building and there is no outside storage of goods and materials, and that such uses shall not be characterized by emissions of dust, smoke, odours, noise or vibration. Furthermore, within an area zoned C3-10, and notwithstanding the provisions of Subsection 2(3) of this Part O, the minimum rear yard depth shall be 5.5 m. and the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

13334 (13) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-11, the permitted uses shall be restricted to the following:

- a convenience store;
- a motor vehicle gas bar, subject to the provisions of Part S; and,
- an eating establishment;

2003-70 - a retail store for the purpose of the sale or rental of home health care products, apparatuses and convalescent products;

2013-158 - a medical clinic; and

- a business, professional and/or administrative office.

13334 Notwithstanding the provisions of Subsection 2(4) of Part O, and of Subsection 2(4) of Part S, the minimum interior side yard width shall be 5.3 metres.

11517 (14) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-12 the permitted use shall be restricted to off-street parking in accordance with the provisions of Part C, Sections 14 and 15.

11602 (15) Deleted in its entirety and replaced with the following:

2004-57 (15) Notwithstanding the provisions of Sections 1(1) and 2 (4) of this Part O, within the area zoned C3-13 an ambulance service, an assembly hall, a bake shop, a bank and/or trust company, a dry cleaning establishment, an eating establishment, a business, professional and/or administrative office and/or government office, a commercial school, a medical clinic, a printing or publishing establishment, a motor vehicle body shop, a motor vehicle rental agency, a motor vehicle repair garage, a recreational vehicle sales and/or service outlet, a motor vehicle sales room and lot, a retail store which may be in the form of an individual store or multiple stores, a wholesale and/or retail sales and distribution centre, a service shop, a monument shop, and a taxi stand and dispatch centre shall be the only permitted uses, subject to a minimum 1.8 metre westerly interior side yard width.

11717 (16) Notwithstanding the provisions of Sections 2(2) and 2(4) of this Part O, within the area zoned C3-14, the minimum front yard depth shall be 1.9 m., the minimum interior side yard width (east side) shall be .381 m. Furthermore, within the area zoned C3-14, and notwithstanding the provisions of Part C, Section 14, the minimum number of required parking spaces shall be twenty six (26).

11925 (17) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-15, the permitted uses shall be restricted to the following: coin-operated laundry, dry cleaning establishment, motor vehicle body shop, only if

wholly enclosed, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, recreational vehicle sales and/or service outlet, and service shop.

11956 (18) Notwithstanding the provisions of Sections 2(3) and 2(4) of this Part O, within the area zoned C3-16, the minimum rear yard depth shall be 5.4 m., and the minimum interior side yard width shall be 5.4 m.

12331 (19) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-17, the permitted use shall be restricted to off-street parking in accordance with the provisions of Part C, Sections 14 and 15, and notwithstanding any provisions of this By-Law to the contrary, and pursuant to Section 38 of the Planning Act, S.O. 1983, such off-street parking use shall be permitted for a period of time not to exceed six months from the date of passing of By-Law Number 12331, at the expiry of which period of time the subject area shall be zoned RH- Residential Holding, and the use of the subject area shall be in accordance with the provisions of Part L of this By-Law.

12411 (20) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-18, the permitted uses shall be restricted to the following: assembly hall, bank and/or trust company, billiard parlour, bowling alley, coin-operated laundry, drive-in restaurant, dry cleaning establishment, eating establishment, motor vehicle rental agency, recreational vehicle sales and/or service outlet, retail store, which primarily serves vehicular traffic and the travelling public and which store may be in the form of individual stores or small shopping centres, service shop, tavern, theatre, business, professional, administrative and/or government offices, amusement arcade.

Furthermore, within an area zoned C3-18, and notwithstanding the provisions of Subsection 2(2) of this Part O, and Subsection 1(16) of Part B of this By-Law, the minimum front yard depth shall be 7.5 m., and the minimum outside side yard width shall be 9.0 m.

12491 (21) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-19, Motor Vehicle Commercial uses, as contained in Part S, Section 1 are permitted, in addition to those uses listed in Section 1 of this Part O. Such Motor Vehicle Commercial uses shall be subject to the zone requirements of Part S, Section 2.

NOTE: Section 22 of By-Law Number 12870 has been amended by By-Law Number 14222 as follows:

14222 (22) Notwithstanding and in addition to the provisions of Section 1(1) of this Part O, within the area zoned C3-20, a retail and wholesale building supplies and a garden supplies store, and a church shall also be permitted.

Furthermore, notwithstanding but in addition to the uses permitted within the area zoned C3-20, outside storage as part of retail and wholesale building supplies and garden supplies store shall be permitted provided that such storage area is not located closer to the street than the main building on the lot and is screened with landscaping and fencing from the street.

2001-141 (23) Notwithstanding and in addition to the provisions of Section 1 (1) of this Part O, within the area zoned C3 - 21, C7 - Motor Vehicle Commercial uses and self storage units shall be permitted.

Furthermore, notwithstanding the provisions of Section 2 (1) of this Part O within the area zoned C3 - 21, the minimum lot frontage shall be 17 m.

12661 (24) Notwithstanding the provisions of Sections 2(2), 2(3) and 2(4) of this Part O, and of Section 1(16) of Part B of this By-Law, within the area zoned C3-22, the following provisions shall apply to all permitted Highway Commercial uses:

- | | | |
|-------|------------------------------------|---------|
| (i) | Front Yard Depth (minimum) | 7.5 m. |
| (ii) | Outside Side Yard Width (minimum) | 12.0 m. |
| (iii) | Rear Yard Depth (minimum) | 3.5 m. |
| (iv) | Interior Side Yard Width (minimum) | 3.0 m. |

2009-48 Notwithstanding but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-22, a motor vehicle gasoline bar and a medical clinic, not including a drug rehabilitation centre, shall be a permitted use. Such motor vehicle gasoline bar use shall be subject to the zone requirements of Part S, Section 2 of this By-Law.

12673 (25) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-23, the permitted uses shall be restricted to the following: assembly hall; bake shop; bank and/or trust company; bowling alley; business, professional, administrative and/or government offices; commercial school; day-care centre; dry-cleaning and/or laundry establishment; eating establishment; medical clinic; public and private recreational facilities; retail store; service shop; theatre; veterinary hospital (but not including a dog kennel).

Notwithstanding the provisions of Subsection 2(6) of this Part O, within the area zoned C3-23, the maximum building height shall be 15 m.

Furthermore, within the area zoned C3-23, all development shall be in accordance with the site plan which forms part of this By-Law and is attached hereto as Appendix VIII.

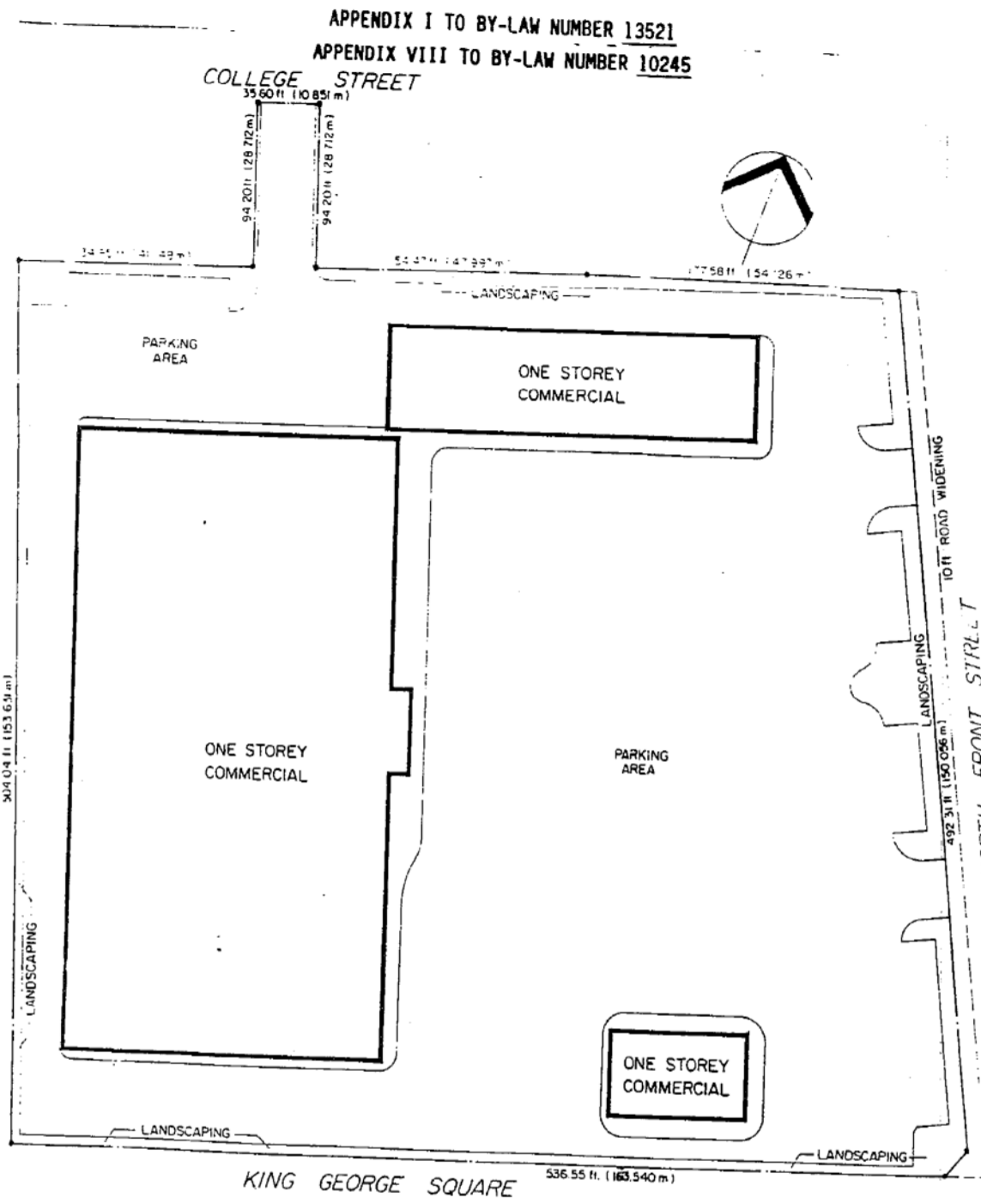
13521 Notwithstanding the requirements of Subsection 2(2) of this Part O, within the area zoned C3-23, the minimum outside side yard along the south side of the property only, shall be 8 m.

13764 (26) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-24, the permitted uses shall be restricted to the following: bank and/or trust company, eating establishment, tavern, business, professional, administrative and/or government offices, retail store which primarily services vehicular traffic and the travelling public and which stores may be in the form of individual stores or small shopping centre, and service shop.

12788 Furthermore, notwithstanding the provisions of Part C, Section 14 of this By-Law, within the area zoned C3-24, the minimum required number of parking spaces with respect to retail furniture, appliances, and/or interior decorating supplies and accessories stores shall be one (1) parking space for every 72.0 sq. m. of gross floor area.

12844 (27) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-25, permitted uses shall be restricted to an enclosed motor vehicle body shop, a motor vehicle rental agency, a motor vehicle repair garage, a motor vehicle sales room and lot, a recreational vehicle sales and/or service outlet and business, professional, administrative and/or government office.

12846 (28) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-26, the range of permitted uses shall be limited to a bank and/or trust company, a business, professional, administrative and/or government office, an eating establishment, and a retail and/or wholesale furniture, appliances and/or interior decorating supplies and accessories store.



Furthermore, notwithstanding the provisions of Section 14 of Part C, within the area zoned C3-26, a minimum of sixty five (65) parking spaces shall be required in conjunction with the building existing at the date of passing of this By-Law.

NOTE: Section 29 of By-Law Number 13766 has been amended by By-Law Number 13793 as follows:

O.M.B. ORDER DATED SEPTEMBER 6, 1995

13793 (29) Notwithstanding the provisions of Section 1.(1) of this Part O, within the area zoned C3-27, the permitted uses shall be restricted to:

- an assembly hall;
- bank and/or trust company;
- bowling alley;
- business, professional, administrative and/or government office;
- department store;
- drive-in restaurant;
- eating establishments;
- hotel;
- motel;
- motor vehicle rental agency, accessory to a hotel, motel, and/or assembly hall use;
- motor vehicle sales room and lot;
- recreational vehicle sales and/or service outlet;
- public and private recreational facilities;
- retail stores;
- service shops;
- tavern;
- theatre.

Furthermore, and notwithstanding the provisions of Subsection 2(6) of this Part O, within the area zoned C3-27, the maximum building height for a hotel shall be 15.0 metres. In addition, the gross floor area for business, professional, administrative and/or government offices shall be restricted to a maximum of 2787.0 sq. m.

13432 (30) Notwithstanding the provisions of Subsections 1(1), 2(1), 2(2), 2(3) and 2(4) of this Part O, and the provisions of Part C, Section 14, 15(1)a) and 15(1)c) within the area zoned C3-28, the following provisions shall apply:

13624 i) The permitted uses on the property shall be limited to the following:

- fabric and interior decorating supplies and accessories shop;
- service shop;
- business, administrative, and/or government office;
- two (2) professional offices.

13432 ii) Lot Frontage (minimum) 20.0 m.
iii) Outside Side Yard Width (minimum) 2.0 m.
iv) Rear Yard Depth (minimum) 1.4 m.
v) Interior Side Yard Width (minimum) 4.0 m.
vi) Required Parking Spaces (minimum) 11 spaces
vii) Every parking space shall have a minimum width of 2.4 m. and a minimum length of 5.5 m. No obstruction of a required parking space shall be permitted.

- viii) Ingress and egress directly to and from any off-street parking spaces shall be by means of a hard surfaced aisle having minimum width of 6.4 m.
- ix) In addition to the preceding a maximum gross floor area of 280.0 sq. m. shall be permitted.

13509 (31) Notwithstanding the requirements of Subsection 1(1) of this Part O, within the area zoned C3-29, the range of permitted uses shall be limited to a retail store, service shop, motor vehicle repair garage, motor vehicle sales room and lot, and motor vehicle rental agency.

13553 (32) Notwithstanding the requirements of Subsections 2.(1), and 2.(2) and 2.(4) of this Part O, within the area zoned C3-30, the following provisions shall apply:

- i) lot frontage (minimum) 26.6 m.
- ii) front yard depth (minimum) 3.25 m.
- iii) side yard width (minimum) 1.65 m.

13594 (33) Notwithstanding the provisions of Section 1. of this Part O, within the area zoned C3-31, the permitted uses shall be limited to a Motor Vehicle Sales Room and Lot.

13644 (34) Notwithstanding the provisions of Section 1 of this Part O within the area zoned C3-32, the permitted uses shall be limited to a parking area and/or driveways associated with the commercial use located on the same property and immediately to the east of the subject lands. Such parking shall be surplus to the required parking which shall be provided on the lands zoned C3 fronting on North Front Street, and known municipally as 336 North Front Street.

Furthermore, notwithstanding the provisions of Subsection 2(3) and 2(4) of this Part O, within the area zoned C3-32, the area adjacent to and across the full width of the rear lot line shall be maintained as a landscaped area to a minimum depth of 37 m. Such landscaped area shall consist of grass, trees, shrubs, and privacy fencing.

13832 (35) Notwithstanding the provisions of Section 1. (1) of this Part O, within the area 2011-152 zoned C3-33, a dairy processing facility and a veterinary hospital shall be permitted uses, in addition to those uses listed in Section 1. of this Part O.

13866 (36) Notwithstanding, and in addition to the permitted uses contained in Section 1. of this Part O, within the area zoned C3-34, a car washing establishment shall also be a permitted use.

Furthermore, the development of a car washing establishment shall be subject to the provisions of Section 2, Part S.

O.M.B. ORDER DATED SEPTEMBER 6, 1995

13763 (37) Notwithstanding, but in addition to the provisions of Section 1. of this Part O, within the area zoned C3-35, a retail gardening supply store shall be a permitted use.

14043 (38) Notwithstanding, but in addition to the provisions of Section 1. of this Part O, within the area zoned C3-36, Recreational Facilities shall be a permitted use.

99-47 (39) Notwithstanding the provisions of Section 1(1) and 2(3) of this Part O, within the area zoned C3-37, the following provisions shall apply:

- (i) the permitted uses on the property shall be limited to the following:

- bank and/or trust company
- coin-operated laundry
- dry cleaning establishment
- eating establishment
- motor vehicle rental agency
- motor vehicles sales room and lot
- retail store
- service shop
- business, professional, administrative and/or government office;

(ii) rear yard depth (minimum) 16 m on one side and 30 m on the other side.

98-86 (40) Notwithstanding the provisions of Part B, Section 1(17) and Section 1(1) of this Part O, within the area zoned C3-38, the permitted uses shall be limited to: a motor vehicle repair garage, repair and assembly shop, warehouse and wholesale business.

Furthermore, a 3.0 m building and parking area setback from the wetland as identified by the E - Environmental Control zone shall be required.

Furthermore, development shall be permitted on private services and shall require the provision of municipal services at such time as services are available.

98-116 (41) Notwithstanding the provisions of Section 1 (1) of this Part O within the area zoned C3-39, the following uses shall be permitted: assembly hall, bank and/or trust company, bowling alley, coin-operated laundry, dog kennel, drive-in restaurant, dry cleaning establishment, eating establishment, hotel, motel, motor vehicle body shop, only if wholly enclosed, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, recreational vehicle sales and/or service outlet, retail store, service shop, theatre, business, professional, administrative and/or government offices.

98-117 (42) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-40 the following uses shall be permitted:

- (i) assembly hall, bank and/or trust company, billiard parlour, bowling alley, coin-operated laundry, drive-in restaurant, dry-cleaning establishment, eating establishment, hotel, motel, motor vehicle rental agency, motor vehicle sales room and lot, recreational vehicles sales and/or service outlet, retail store, service shop, theatre, business professional, administrative and/or government offices.

FURTHERMORE, notwithstanding, but in addition to provisions of Section 24 of Part C, within the lands zoned C3-40, an outdoor patio associated with an eating establishment shall not be permitted in the rear or side yards adjacent to the north and west property lines.

FURTHERMORE, within the lands zoned C3-40, a 3.0 m landscaped buffer shall be provided along the lot line adjacent to the escarpment and the toe of the slope. This buffer area may include drainage facilities below the toe of the slope and shall include landscaping and buffering.

2000-94 (42) Notwithstanding and addition to the provisions of Section 1(1), within the area zoned C3-41, a veterinary hospital shall be a permitted use.

2002-29 (43) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-42, the following uses shall be permitted: business, professional and/or administrative offices; service shops; banks and/or trust companies; rental and service business and mini-storage warehousing.

Further, notwithstanding the provisions of Section 2 of this Part O, within the area zoned C3-42, the yards that existed at the time of passing of the By-Law shall be deemed to comply with the provisions of the By-Law.

2002-30 (44) Notwithstanding the provisions of Subsections 2 (1) and 2 (4) of this Part O, within the area zoned C3-43, the minimum lot frontage shall be 29.2 m and the minimum west interior side yard width shall be 1.5 m.

2002-64 (45) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-44-h, the following uses shall be permitted: ambulance service, bank and/or trust company, bowling alley, coin-operated laundry, dry cleaning establishment, eating establishment, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, recreational vehicle sales and/or service outlet, retail store, service shop, business, professional, administrative and/or government offices, motor vehicle gasoline bar, motor vehicle service station, and motor vehicle washing establishment.

Such C7 - Motor Vehicle Commercial uses shall be subject to the zone requirements of Part S, Section 2.

The 'h' holding symbol shall be removed at such time as an Environmental Assessment has been completed and mitigation measures have been implemented, if necessary, to the satisfaction of the municipality.

(NOTE TO FILE: By-Law Number 2002-123, passed August 12, 2002, removed the 'h' holding symbol **only from the lands described as** Parts 1, 2, 3 and 4, Plan 21R-19880, City of Belleville, County of Hastings.)

2002-60 (46) Notwithstanding the provisions of Subsection 1 (1) of this Part O, within the area zoned C3-45, the following uses shall be permitted: a motor vehicle gasoline bar, motor vehicle washing establishment, and convenience store in addition to the currently permitted commercial uses which include: bank and/or trust company; eating establishment; tavern; business, professional, administrative and/or government offices, retail store which primarily services vehicular traffic and the traveling public and which stores may be in the form of individual stores or small shopping center, and service shop. Such C7 - Motor Vehicle Commercial uses shall be subject to the zone requirements of Part S, Section 2.

2002-108 (47) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-46, an ambulance service shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part O.

2003-07 (48) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-47, a motor vehicle gasoline bar, motor vehicle washing establishment and a convenience store shall be permitted uses in addition to those uses permitted by Section 6, Subsection (41) of this Part O.

2004-59 (49) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-48, a retail/wholesale fuel distribution business and the associated on-site storage of tank trucks shall be a permitted use in addition to those uses permitted by Section 1, Subsection (1) of this Part O.

2004-164 (50) Notwithstanding the provisions of Subsections 1(1), 2(3), 2(4) of this Part O, and Section 14 of Part C, within the area zoned C3-49, retail stores, which may be in the form of individual stores or a small shopping centre, an eating establishment, service shop, bank and/or trust company, business, professional and/or

2011-4 administrative offices, a medical clinic, not including a drug rehabilitation centre and recreational facilities shall be the only permitted uses subject to a minimum interior (south) side yard width of 6.0 metres, a minimum rear (west) yard depth

of 6.0 metres and the following permitted floor areas for the building existing on the date of the passage of this By-Law:

- gross leaseable floor area for a shopping centre (maximum) 5,100 square metres (based on 5.5 parking spaces per 93 sq. m.);
- gross floor area for a retail store (maximum) 5,569 square metres (based on 1 parking space per 18.5 sq. m.); and gross floor area for all other permitted uses, save and except for an eating establishment (maximum) 8,428 square metres (based on 1 parking space per 28 sq. m.).

Notwithstanding the provisions of Subsection 6(50) of this Part O, within the area zoned C3-49-h, no person shall erect any building or structure or use any building, structure or land for any purpose, other than the uses that existed on the day of the passage of this By-Law. The "h" holding symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O., 1990, as amended, provided that the following have been addressed:

- for the 'Stage I' lands (i.e. west side of the subject lands) the satisfactory completion of a peer review of the Phase I/Phase II and Phase III Environmental Site Assessments prepared by Quinte-Eco Consultants Inc. for the purpose of providing oversight regarding the process and to ensure that the methodology utilized meets current standards and protocols;
- for the 'Stage II' lands (i.e. the building existing on the date of the passage of this By-Law) the satisfactory completion of the said peer review and the completion of the environmental remediation required for the site;
- that Quinte-Eco Consultants Inc. provide a warranty to the City, to the satisfaction of the City Solicitor, that the Phase I/II Reports prepared for the 'Stage I' and 'Stage II' lands and the Phase III workplan were conducted in accordance with industry standards, represent sound engineering practice and accurately reflect the current conditions on the site and that the City may rely on such findings and Reports as if such Reports were produced for the City by Quinte-Eco Consultants Inc; and the resubmission and acceptance by the City of a revised Transportation Impact Study.

2005-45 (NOTE TO FILE: By-Law Number 2005-45, passed March 14, 2005, removed the "h" holding symbol **from a portion of the lands described as** Part of Lots 1, 16, 17, 25, 26, 27 and 28 and all of Lots 2, 3, 4, 5, 6, 15 and 18, Plan Q-558, designated as Plan No. 21R-3648, City of Belleville, County of Hastings.)

2007-47 (NOTE TO FILE: By-Law Number 2007-47, passed March 26, 2007, removed the "h" holding symbol **from a portion of the lands described as** Part of Lots 1, 16, 17, 25, 26, 27 and 28 and all of Lots 2, 3, 4, 5, 6, 15 and 18, Plan Q-558, designated as Plan No. 21R-3648, City of Belleville, County of Hastings.)

2011-4 Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-49-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The "h" holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the following site plan deficiencies has been addressed:

- the postponement of interest charge via the signing of Instrument No. HT90883;
- a widening of the road allowance along the entire Sidney Street frontage and a daylight triangle at the southeast corner of Sidney Street and Bridge Street West shown as Part 1 on Plan 21R-21498 and its dedication to the City; and
- a widening of the road allowance along a portion of the Wellington Street frontage and a daylight triangle at the southwest corner of Wellington Street and Bridge Street West shown as Part 2 and 3 on Plan 21R-21498 and its dedication to the City.

2011-36 (NOTE TO FILE: By-Law Number 2011-36, passed March 14, 2011, removed the "h" holding symbol **from the lands described as 161 Bridge Street West, City of Belleville, County of Hastings.**)

2007-149 (51) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-h, no person shall erect any building or structure or use the land for any purpose other than the uses existing on the day of the passing of the C3-h zone. The 'h' holding symbol shall not be removed from the C3-h zone until it has been demonstrated to the satisfaction of the municipality that adequate sanitary sewer capacity and minimum municipal water is available and that stormwater has been properly managed."

2010-32 (52) Notwithstanding the provisions of Subsection 2 (6) of this Part O, within the area zoned C3-50, the maximum permitted height shall be 15.25 metres.

2010-201 (53) Notwithstanding the provisions of Subsection 1 (1) of this Part O, within the area zoned C3-51, a medical clinic, not including a drug rehabilitation centre, shall be a permitted use in addition to the other uses permitted by Subsection 1 (1).

2012-49 (54) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-52, a medical clinic, not including a drug rehabilitation centre, and a mini storage facility, with no outside storage, shall be permitted uses in addition to the uses permitted by Subsection 1(1).

2012-188 (55) Notwithstanding the provisions of Subsections 1(1), 2(2) and 2(3) of this Part O and Subsection 1(16) of Part B, within the area zoned C3-53, eight (8) residential dwelling units shall be permitted, in addition to the uses permitted by Subsection 1(1), subject to minimum front and outside side yards of 7.5 metres, respectively, and a minimum 30 metre setback between the railway property limit and the closest wall of a residential building.

2013-66 (56) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-54, a church shall be a permitted use in addition to the uses permitted by Subsection 1(1).

2015-20 (57) Notwithstanding the provisions of Subsections 1 (1), 2 (2), and 4 of this Part O, within the area zoned C3-55, a medical clinic and a veterinary hospital shall be permitted uses in addition to the permitted uses of Subsection 1 (1). A minimum front yard depth of 2.5 m shall apply to a second main building, generally located to the south of the property's east entrance, and a retail store shall require a minimum of one (1) parking space per 24 sq. m. of gross floor area.

2015-35 (58) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-56, inside storage shall be a permitted use in addition to the uses permitted by Subsection 1(1).

2016-83 (59) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-57, the only permitted use shall be a commercial parking lot subject to no open storage occurring.