

SECTION 6 – ZONE PROVISIONS

6.13 – General Commercial (C3) Zone

6.13 GENERAL COMMERCIAL (C3) ZONE

6.13.1 PERMITTED USES

No person shall within a General Commercial (C3) Zone use any land or erect, alter or use any building or structures except as permitted hereunder.

6.13.1.1 Dwelling unit in part of a non-residential building except as relates to 6.13.1.2.11 hereunder.

6.13.1.1.2 Home occupation

6.13.1.2 NON-residential uses

6.13.1.2.1 Assembly hall, place of entertainment or recreation

6.13.1.2.2 Administrative, business or professional office

6.13.1.2.3 Bank, trust company or other financial institution

6.13.1.2.4 Bus depot

6.13.1.2.5 Clinic

6.13.1.2.6 Day nursery

6.13.1.2.7 Dry cleaner establishment

6.13.1.2.8 Funeral home

6.13.1.2.9 Hotel

6.13.1.2.10 Laundry, including coin-operated laundry

6.13.1.2.11 Motor vehicle repair & service including gasoline bar

6.13.1.2.12 Outside Display & Storage of Goods & Materials as part of a permitted use herein

6.13.1.2.13 Parking lot

6.13.1.2.14 Printing or publishing establishment

6.13.1.2.15 Private club

6.13.1.2.16 Public use in accordance with 4.17 of this By-law

6.13.1.2.17 Retail commercial establishment

6.13.1.2.18 Service shop including personal service

6.13.1.2.19 Taxi stand

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6.13.1.2.20 Uses permitted in the Community Facility (CF) Zone

6.13.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with the provisions of this By-law..

6.13.1.4 REGULATIONS FOR RESIDENTIAL USES

The regulations for residential uses specified in 6.1 shall apply within the General Commercial (C3) Zone. In addition, the following requirements shall apply.

6.13.1.4.1 Secondary use

The residential uses permitted on a lot in a General Commercial (C3) Zone shall be secondary and incidental to the non-residential use of the lot.

6.13.1.4.2 Dwelling Units in non-residential buildings

6.13.1.4.2.1 Maximum number of dwelling units: 4

6.13.1.4.2.2 Dwelling unit area: minimum

6.13.1.4.2.2.1 Bachelor: 42 sq. metres

6.13.1.4.2.2.2 One bedroom: 55 sq. metres

6.13.1.4.2.2.3 Two bedrooms: 70 sq. metres

6.13.1.4.2.2.4 More than two bedrooms: 9 sq. metres for each bedroom above two bedrooms

6.13.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

6.13.1.5.1 Minimum lot area: 1,500 sq. metres plus 1,500 sq. metres per dwelling unit

6.13.1.5.2 Minimum lot frontage: 30 metres

6.13.1.5.3 Minimum ground floor area: none

6.13.1.5.4 Maximum lot coverage: 50 percent

6.13.1.5.5 Maximum height of building: 11 metres

6.13.1.5.6 Minimum landscaped open space: none

6.13.1.5.7 Minimum yards

6.13.1.5.7.1 Front yard depth

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6.13.1.5.7.1.1 Principal building: nil or 12 metres

6.13.1.5.7.1.2 Pump island: 4.5 metres

6.13.1.5.7.2 Exterior side yard width

6.13.1.5.7.2.1 Principal building: nil or 12 metres

6.13.1.5.7.2.2 Pump island: 4.5 metres

6.13.1.5.7.3 Interior side yard width: nil or 6 metres

6.13.1.5.7.4 Interior side yard abutting Residential Zone: 9 metres

6.13.1.5.7.5 Rear yard depth: 7.5 metres

6.13.1.5.7.6 Rear yard depth abutting Residential Zone: 10 metres

6.13.1.5.8 Driveways

6.13.1.5.8.1 Maximum width at front property line: 9 metres

6.13.1.5.9 Setback from centre line of street

6.13.1.5.9.1 Provincial highway: 30.4 metres

6.13.1.5.9.2 County road or collector road: 12.8 metres

6.13.1.5.9.3 Township road: 9.2 metres

6.13.1.6 REGULATIONS FOR OFF-STREET PARKING

Refer to Section 4.15

6.13.1.7 SPECIAL PROVISIONS

6.13.1.7.1 Planting strips and screens

Refer to Section 4.16

6.13.1.7.2 Open storage

The open storage of materials and supplies immediately available for sale shall be permitted in any yard on a lot in a General Commercial (C3) Zone.

OMB File No. R880022

C3-1 (Included in subsection 5.10)

5.10 That part of Lot 8, Concession 3 lying to the west of Cannifton Road shown as C3-1 on Schedule A1 shall be limited to the use as a used furniture retail establishment only.

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C3-1 (Included in subsection 5.26)
(3076) 5.26 Notwithstanding the provisions of Sections 6.13.1, 6.13.1.5.1 and 6.13.1.5.2 to the contrary, on that part of Lot 4, Concession 3 shown as C3-1 on Schedule A1 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.26.1 PERMITTED USES

5.26.1.1 Administrative, business or professional office

5.26.2 REGULATIONS FOR NON-RESIDENTIAL USES

5.26.2.1 Minimum lot area: 935 square metres

5.26.2.2 Minimum lot frontage: 15 metres

OMB File No. R880022

C3-2 (Included in subsection 5.11)
5.11 That part of Lot 7, Plan 278 lying to the east of Centre Street shown as C3-2 on Schedule A1 shall be limited to the use as a refrigeration equipment and appliance sales, service and repair establishment only.

OMB File No. R880022

C3-3 (Included in subsection 5.12)
5.12 That part of Lot 7, Concession 4 lying to the east of River Road shown as C3-3 on Schedule A1 shall be limited to the use as a retail sales established for used household appliances.

C3-3 (Included in subsection 5.105)
(3428) 5.105 Notwithstanding the provisions of Sections 6.13.1.5.1, 6.13.1.5.7.1.1, 6.13.1.5.9.3, 6.13.1.5.7.3 to the contrary on that part of Lots 2 and 3, Concession 5, in the Township of Thurlow shown as C3-3 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.105.1 Minimum lot area: 2,023.5 square metres (.5 acres)

5.105.2 Minimum front yard setback for the principal building: 7.3 metres (24 feet)

5.105.3 Minimum setback from the centerline of the Township Road for the principal building: 16.5 metres (54 feet)

5.105.4 Minimum side yard setback for a detached accessory building abutting a Residential zone: 1.08 metres (3.5 feet)

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C3-4 (Included in subsection 5.13)
5.13 That part of Lot 17, Concession 4 lying to the north of County Road No. 6 shown as C3-4 on Schedule A5 shall be limited to the use as a real estate sales office only.

C3-4 (Included in subsection 5.109)
(3469) 5.109 Notwithstanding the provisions of Section 6.13.1.1 and 6.13.1.2 to the contrary, on that part of Lots 1 and 2, Concession 6, in the Township of Thurlow shown as C3-4 on Schedule A2 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.109.1 Residential uses permitted: none

5.109.2 The following non-residential uses WILL NOT be permitted on lands zoned Special General Commercial-4 (C3-4):

Assembly halls; place of entertainment or recreation; day nursery; hotel; private club; or uses currently permitted within the Community Facility (CF) Zone.

C3-5 (Included in subsection 5.124)
(3561) 5.124 Notwithstanding the provisions of Section 6.13.1.2 to the contrary, on that part of plan 278 as shown as C3-5 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.124.1 Permitted non-residential uses shall include a take-out restaurant within a permanent structure.

OMB File No. R880022

C3-5 (Included on subsection 5.31)
5.31 That part of Lot 2, Concession 6 shown as C3-5 on Schedule A2 may, in addition to the uses permitted in a C3 Zone, be used for the following:

- (i) A storage warehouse
- (ii) Open storage for dry fertilizer blending and manufacturing
- (iii) A retail garden centre
- (iv) A gasoline bar
- (v) Petroleum and propane storage
- (vi) A grain elevator and associated activities
- (vii) Building supplies
- (viii) Feed mill
- (ix) Bulk chemical storage
- (x) Liquid fertilizer storage

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C3-6 (Included in subsection 5.165)
(3713) 5.165 Notwithstanding the provisions of Section 6.13.1.2 to the contrary on that part of Lot 2, Concession 5, in the Township of Thurlow shown as C3-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

(3713)

5.165.1 Amended by By-law 2004-191 to replace in its entirety

(2004-191) File No: B-77-762

Lot 13, The Lane Lying South of Lot 13, Registered Plan No. 167 and Lot "A", Registered Plan No. 223, Village of Foxboro, formerly in the Township of Thurlow, (496 Ashley Street), now the City of Belleville, County of Hastings.

5.165.1 The permitted non-residential uses of the C3-6 zone shall be limited to a flower shop, beauty salon, professional office and a small engine sales and service business of outdoor power equipment.

C3-7 (Included in subsection 5.193)
(3892) 5.193 Notwithstanding the provisions of Sections 6.13.1.2, 6.13.1.5.2 and 6.13.1.5.7.4 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow (Parts 1, 2 and 3, Plan 21R-17196) shown as C3-7 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.193.1 Permitted non-residential uses:

- Administrative, business and professional office
- Day nursery
- Retail commercial establishment
- Group home
- Clinic
- Personal service shop

5.193.2 Minimum lot frontage: 28 metres (92 feet)

5.193.3 Minimum exterior side yard setback (north lot line): 15 metres (49 feet)

NOTE: Due to an ancient oversight C3-7 has been used twice. Please see **Subsection 5.180 in its entirety for additional amendment.**

C3-8 (Included in subsection 5.194)
(3892) 5.194 Notwithstanding the provisions of Sections 6.13.1.2, and 6.13.1.5.2 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow (Parts 4, 5 and 6, Plan 21R-17196) shown as C3-8 on Schedule A attached hereto the following

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special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

- 5.194.1 Permitted non-residential uses:
- Administrative, business and professional office
 - Day nursery
 - Retail commercial establishment
 - Group home
 - Clinic
 - Personal service shop

5.194.2 Minimum lot frontage: 28 metres (92 feet)

C3-9 (Included in subsection 5.195)

(3892) 5.195 Notwithstanding the provisions of Section 6.13.1.5.2 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow as shown C3-9 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.195.1 Minimum lot frontage: 27 metres (89 feet)

C3-10 (Included in subsection 5.198)

(3893) 5.198 Notwithstanding the provisions of Sections 6.13.1.2 and 6.13.1.5.1 to the contrary on that part of Lot 2, Concession 5, Township of Thurlow, shown as C3-10 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the C3 zone established by By-law 3014:

5.198.1 Non-residential use permitted in addition to all of the other non-residential uses in the C3 Zone: restaurant (including take-out)

5.198.2 Minimum lot area: 1983 square metres (.49 acres)

C3-11

(98-137) File No.: B-77-589

Lots 12 and 13, Plan 223, Pt. Lot 1, Concession 5, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.3 Notwithstanding the Provisions of Section 6.13.1.5.7.4 on that part of Lots 12 and 13, Plan 223, part of Lot 1, Concession 5, City of Belleville, shown as C3-11, the following restrictions shall apply:

6.13.1.7.3.1 Minimum interior side yard setback from the north property boundary: 3.65 metres

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C3-11

(98-163) File No.: B-77-597
Part of Lots 12 and 13, Registered Plan No. 223, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.4 Notwithstanding and in addition to the provisions of Section 6.13.1.2 within the area zoned C3-11, a cabinet makers shop, and related showroom shall be permitted use.

C3-12

(2004-137) File No.: B-77-757
Part of Lot 1, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.4 (a) Notwithstanding the provisions of Subsection 5.109.2, within the area zoned C3-12 a motor vehicle dealership and lot shall be a permitted use in addition to the uses of Subsection 6.13.1.2 permitted by Subsection 5.109.2. For the purpose of this By-Law a motor vehicle dealership and lot shall mean a building and associated area of land the purpose of which is for the display or sale, or both, of new and/or used motor vehicles that are in a licensable condition, but does not include a wrecking or salvage yard or scrap yard.

C3-12-h HOLDING PROVISIONS

(2004-137) *i) File No.: B-77-757
Part of Lot 1, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.13.1.7.4 (b) Notwithstanding the provisions of Subsection 6.13.1.2, within the area zoned C3-12-h no person shall erect or occupy any building or structure or use and building or structure and land for any purposes, other than the use that existed on the date 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 site plan control approval in accordance with Section 41 of the Planning Act, R.S.O., as amended, has been granted to the satisfaction of the municipality.

C3-13

(2005-46) File No.: B-77-768
Part of Lots 5 and 6, Registered Plan No. 124, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.5 The permitted non-residential uses of the C3-13 zone shall be limited to a convenience store, an administrative, business or professional office and a retail commercial establishment.

C3-14

(2007-150) File No.: B-77-826
Part of Lot 2, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

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6.13.1.7.6 Notwithstanding the provisions of Subsection 6.13.1.2, within the area zoned C3-14, mini-storage units shall be permitted, in addition to the uses of Subsection 6.13.1.2 permitted by Subsection 5.109.2.

(2011-35)

6.13.1.7.7 Amended by By-law 2012-201

(2012-201)

6.13.1.7.7 Amended by By-law 2014-05 by deleting it in its entirety and replacing it with the following:

C3-15

(2014-05) File No.: B-77-951

Part of Lot 2, Concession 6, (580 Ashley Street), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.7 Notwithstanding the provisions of Subsection 6.13.1.2, within the area zoned C3-15, an eating establishment and a veterinarian clinic shall be permitted uses, in addition to the uses of Subsections 5.31 and 6.13.1.2.

Notwithstanding the provisions of Subsections 4.15.6 and 4.16.3, within the area zoned C3-15, the parking area's driveway/aisle shall be separated from the south property line by a minimum 1.0 metre wide landscaped strip.

C3-16

(2018-143) File No.: B-77-1055

RP 278, Part of Block B, (209 Cannifton Road North), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.8 Notwithstanding the provisions of Subsection 6.13.1.2 within the area zoned C3-16, a maximum of one refreshment vehicle licensed by the City of Belleville is a permitted use. If a refreshment vehicle is the only permitted use located on the property, outside display & storage of goods and materials will not be permitted.

(2018-144) Temporary Use By-Law (expires September 10, 2019) for the purpose of allowing two storage trailers.