

## **SECTION 19 – C3 - HIGHWAY COMMERCIAL ZONE**

Within the Highway Commercial (C3) Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **19.1 PERMITTED USES**

- agricultural and heavy equipment supply sales and repair dealer
- auction hall
- automobile sales or rental agency
- automobile service station
- bakery
- brewery
- building supply outlet
- carwash
- chip wagon under licenced by the Municipality
- clinic
- commercial club
- commercial garage
- commercial recreation centre
- commercial school
- contractor's yard
- convenience store
- equipment sales, rental and repair establishment
- financial services
- funeral home
- furniture and appliance dealer
- gas bar
- hotel
- institutional uses
- marine/snowmobile sales and service establishment
- meeting or assembly hall
- mini-storage facility
- mobile home or travel trailer sales and service establishment
- motel

- nursery/garden centre/greenhouse
- office
- parking lot
- pharmacy
- place of entertainment
- post office
- printing establishment
- recreational establishment
- retail establishment,
- restaurant, including a drive-through or take-out restaurant
- service outlet
- supermarket
- tavern or liquor licensed premises
- theatre
- tourist establishment
- transportation depot
- veterinary clinic in a wholly enclosed building
- warehouse
- wholesale outlet
- buildings, structures and uses accessory to a permitted use

## **19.2 ZONE REGULATIONS**

<b><u>Provisions</u></b>	<b><u>No Municipal Water or Sewer</u></b>	<b><u>Municipal Water and Sewer</u></b>
Minimum lot area	2000 m <sup>2</sup> (21528 ft <sup>2</sup> )	Nil
Minimum lot frontage	30 metres (98.43 feet)	23 metres (75.9 feet)
Minimum front yard	12 metres (39.4 feet)	7.5 metres (24.6 feet)
Minimum rear yard	12 metres (39.4 feet)	7.5 metres (24.6 feet)
Minimum side yard	6 metres (19.7 feet)(a)	3 metres (9.8 feet)(c)
Minimum exterior side yard	12 metres (39.4 feet)	7.5 metres (24.6 feet)
Maximum building height	13 metres (42.7 feet)	13 metres (42.7 feet)

Minimum landscaped open space	10 % (b)	10 % (b)
Maximum lot coverage	40 %	40 %
Maximum gross leasable floor area (d)	1,850 m <sup>2</sup> (19,914. ft <sup>2</sup> )	1,850 m <sup>2</sup> (19,914. ft <sup>2</sup> )

**Footnotes:**

- (a) Where an interior side yard abuts a residential zone such interior side yard shall be a minimum of 12 metres (39.4 ft.).
- (b) Minimum landscaped open space shall include a solid fence a minimum of 1.5 metres (4.9 feet) in height constructed of wood, metal or equivalent material along any lot line that abuts a residential zone.
- (c) Where an interior side yard abuts a residential zone such interior side yard shall be a minimum of 6 metres (19.7 ft.).
- (d) Maximum gross leasable floor area shall only apply to building supply outlets, furniture and appliance dealers, retail establishments, supermarkets, and wholesale outlets

**19.2.1 Automobile Services Stations**

According to the provisions of Section 6.6 of this By-Law.

**19.2.2 Outside Display and Storage**

Outside display and storage of goods and materials shall:

- (a) Shall not be closer not than 2 metres (6.6 ft.) To the front lot line;
- (b) Shall not be located closer than 2 metres (6.6 ft.) to an interior side or rear lot line where the lot line abuts a lot zoned for commercial or industrial purposes or 6 metres (19.7 ft.) of an interior side or rear lot line where the lot line abuts a lot zone for other than commercial or industrial purposes;
- (c) Shall not exceed 30 percent lot coverage; and,

(d) Shall not occupy any required parking or area.

### **19.3 GENERAL PROVISIONS**

All special provisions of Section 6 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the Highway Commercial (C3) Zone.

### **19.4 SPECIAL PROVISIONS**

#### **19.4.1 C3 Special Exception Zones**

Notwithstanding any other provision of this By-law to the contrary, on those lands delineated as being a C3 special exception zone the following provisions shall apply:

a) **C3-1** (2651 County Road 43)

i. Permitted Uses Limited to the following:

- automobile service station
- bank
- butcher shop
- clinic
- commercial garage
- contractor
- gas bar
- nursery
- office
- personal service
- rental outlet
- retail store
- service outlet
- take-out restaurant
- vehicle sales and storage
- warehouse
- accessory dwelling unit

b) **C3-2** (Lot 20, Con 6 – 715-020-180-03)

i. Permitted Uses Limited to the following:

- mini-storage warehouse (maximum 30 storage units)

- office
- retail store (excluding motor vehicle sales)
- service outlet (excluding motor vehicle sales)

c) **C3-3** (2963 County Road 43)

- i. Permitted Uses Limited to the following:
- bank
  - clinic
  - commercial club
  - contractor's establishment
  - office
  - personal service
  - private club
  - private school
  - recording studio
  - rental outlet
  - retail store
  - service outlet
  - takeout restaurant
  - vehicle sales and storage
  - veterinary establishment
  - accessory dwelling
  - accessory dwelling unit

d) **C3-4-h** (2695 County Road 43)

- i. Permitted Uses Limited to the following:
- office
  - retail store
  - accessory dwelling unit

ii. Removal of Holding:

The holding symbol shall be removed from the lands affected, provided the following items have been satisfactorily addressed: execution of a site plan control agreement

e) **C3-5** (320, 330 & 340 Nursery Road); **C3-5-h** (632 Van Buren Street)

- i. Permitted Uses Limited to the following:
- automobile service station

- commercial garage
- fuel storage
- greenhouse
- nursery
- rental outlet
- restaurant
- retail store accessory to an Industrial use
- service outlet
- vehicles sales and storage
- accessory dwelling
- accessory dwelling unit

ii. Removal of Holding:

The holding symbol shall be removed from the lands affected, provided the following items have been satisfactorily addressed: execution of a site plan control agreement

f) **C3-6** (2540 County Road 43 & 71604027646)

i. Permitted Uses Limited to the following:

- building supply centre
- greenhouse
- motel
- nursery
- office
- recording studio
- rental outlet
- restaurant
- retail store
- service outlet
- vehicle sales and storage
- veterinary establishment
- warehouse
- accessory dwelling
- accessory dwelling unit

- ii. Interior Side Yard (minimum) 36 metres  
on the west side of the property

g) **C3-7-h** (Lot 30, Con 3 – Townline at Kingdom Road)

- i. Additional Permitted Uses include:
- manufacturing of trailers
  - (Temporary) snow storage facility
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Note: The temporary snow storage facility shall be permitted on the property for a period of not more than three (3) years, ending on **November 24<sup>th</sup> 2011**

ii. Removal of Holding:

The holding symbol shall be removed from the lands affected, provided the following items have been satisfactorily addressed: execution of a site plan control agreement, including a stormwater management plan for the snow storage facility

h) **C3-8** (230 – 234 County Road 44 & 71604016012)

- i. Additional Permitted Use include:
- research establishment
  - workshop

i) **C3-9** (2790 Bedell Road)

- i. Front Yard (minimum)                      8.5 m

j) **C3-10** (646 River Road)

- i. Permitted Use Limited to the following:
- butcher shop
  - commercial club
  - greenhouse
  - motel
  - nursery
  - recording studio
  - rental outlet
  - restaurant
  - retail store
  - service outlet
  - veterinary establishment
  - accessory dwelling

- accessory dwelling unit

k) **C3-11 – Reserved**

l) **C3-12** (286 County Road 44)

i. Permitted Use Limited to the following:

- clinic
- commercial club
- health services
- office
- personal service
- private club
- rental outlet
- retail store
- service outlet
- accessory dwelling unit

ii. Interior Side Yard (Minimum)

- for a structure and rear parking lot abutting a residential zone 3 m
- for a front yard parking lot abutting a residential yard 1.5 m
- for a structure abutting a commercial zone 7 m

iii. Isle Width (Minimum) 6 m

iv. Planting Area (Minimum) (abutting a commercial zone) 1 m

v. Privacy Fence 1.8 m high shall be constructed in the planting area or along the side lot line abutting a residential zone

vi. Parking Spaces (minimum) 13, including one accessible parking space shall be provided

vii. No loading zone required

m) **C3-13** (11 Somerville Road)

i. "Accessory Dwelling" and "Accessory Dwelling Unit" shall not be permitted uses on this property

ii. one (1) "Dwelling Unit" shall be a permitted use on this property



n) **C3-14** (2868-2878 County Road 43 - South Branch Mall)

- i. Additional Permitted Uses include:
  - shopping centre
- ii. Notwithstanding any other provision of this By-law to the contrary, on the lands zoned C3-14, where a lawful consent is granted, pursuant to the provisions of the *Planning Act*, as amended, for the purpose of severing a multi-occupancy commercial building for freehold ownership of individual commercial units, the lands shall be deemed to continue to be one lot for the purposes of interpreting and administering this By-law

o) **C3-15** (2670-2678 County Road 43 - Cornerstone Mall)

- i. Additional Permitted Uses include:
  - wholesale outlet or any establishment licensed to serve alcoholic beverages are not permitted uses on these lands
- ii. Notwithstanding any other provision of this By-law to the contrary, on the lands zoned C3-15, where a lawful consent is granted, pursuant to the provisions of the *Planning Act*, as amended, for the purpose of severing a multi-occupancy commercial building for freehold ownership of individual commercial units, the lands shall be deemed to continue to be one lot for the purposes of interpreting and administering this By-law

p) **C3-16** (209 & 211 Elvira Street)

- i. The single detached dwelling and all yards, lot frontage, lot coverage and building height existing on **February 8<sup>th</sup> 1999**, shall be deemed to be in compliance with the provisions of this By-law.

q) **C3-17-h** (719 010 460 00, 719 010 460 03)

- i. Additional Permitted Use includes:
  - an establishment which includes, in addition to a public garage, the sale of tires, batteries, and accessories, building supplies, hardware, housewares, small appliances, sporting goods, garden supplies and miscellaneous items
- ii. Removal of Holding:

The holding symbol shall be removed from the lands affected, provided the following items have been satisfactorily addressed: registration of a site plan control agreement.

r) **C3-18** (Lot 40, Con 3 – 721-015-243-02)

- i. Permitted Uses Limited to the following:  
- gas bar

s) **C3-19** (4022 County Road 43)

- i. Permitted Uses Limited to the following:  
- motel and restaurant

t) **C3-20** (4059 County Road 43)

- i. Permitted Uses Limited to the following:  
- gas bar

u) **C3-21** (4400 Rideau River Road)

- i. Permitted Uses Limited to the following:  
- gas bar

v) **C3-22** (Block 41, Plan 1101 – Rideau Estates)

- i. Permitted Uses Limited to the following:  
- a neighbourhood commercial centre to include only the following uses:
- business office
  - convenience store
  - eating establishment
  - merchandise service shop
  - personal service shop
  - restaurant, take-out
  - retail store
  - secondhand shop

w) **C3-23** (809 & 811 County Road 43 and 1 & 2 Kimberly Avenue)

- i. Permitted Uses Limited to the following:  
- antique shop

- bakery
- butcher shop
- clinic
- convenience store
- day care nursery
- delicatessen
- donut shop
- electronics shop
- financial institution
- fitness centre
- gas bar as an accessory use
- gift shop
- grocery
- hair salon
- office
- photographic store
- post office
- printing shop
- real estate office
- service outlet
- travel agency

x) **C3-24** (701 South Gower Drive)

i. Additional Permitted Uses include:

- a bingo theatre

ii. Parking Spaces (Minimum)

1 space per 2 persons or 1 space per 4 m<sup>2</sup> of floor area, whichever is greater

iii. Yard Requirements (Minimum)

- Front Yard 30 m
- Side Yard (North Lot Line) 45 m

y) **C3-25** (4048 County Road 43)

i. Additional Permitted Use includes:

- flea market

ii. Definition:

"Flea Market" shall mean a building in, and or an open area of land on which stalls or sales areas are set aside and rented or otherwise provided and which are intended for use by various individuals to sell articles that are predominantly homemade, home grown, hand crafted, second hand and or antique

- iii. Location - no flea market use, stall, sales area or accessory storage areas shall be located anywhere except in the main building (former building supply outlet building) and/or the asphalt paved parking spaces as existing on **April 15<sup>th</sup> 1998**
- iv. Landscape Strip - except for an immediate entrance and/or exit lane, a grassed landscape strip of not less than 10 metres in width with not less than four trees having a spacing of not less than 20 metres from each tree centre shall be maintained adjacent to any improved street. The minimum height of each of the aforementioned four trees shall be 1.0 metres
- v. Parking Spaces (Minimum): 200

z) **C3-26 and C3-26-h** (1303 & 1315 Kingdom Road)

- i. Permitted Uses Limited to the following:
  - automotive and recreational vehicle sales and service
  - automobile service station
  - bank or other financial institution
  - building supply outlet
  - commercial school
  - convenience store
  - existing use
  - farm implement and supply dealer
  - gas bar
  - greenhouse/nursery
  - office
  - parking lot
  - public facility
  - rental outlet
  - repair shop
  - retail store with a gross floor area no greater than 1850 m<sup>2</sup>
  - accessory buildings, structures and uses to the aforementioned permitted uses
- ii. Prohibited Uses:

- accessory dwelling
- accessory dwelling unit
- uses prohibited by Provincial law due to being obnoxious or dangerous by reason of fire, explosion, noise, smoke or odour

iii. Removal of Holding:

The holding symbol shall be removed from the lands affected, provided the following items have been satisfactorily addressed:

- registration of a site plan control agreement

aa) **C3-27** (2970 County Road 43 – former Canadian Tire)

i. the following additional uses shall be permitted:

- assembly hall
- custom workshop
- garden centre
- home improvement store
- large format retail store
- personal service business
- pet grooming business
- place of worship
- shopping centre

bb) **C3-28** (2950 County Road 43 – Lapointe/ Raina)

i. the following additional uses shall be permitted:

- existing uses
- nursing home
- senior's centre
- personal service shop
- retirement home

ii. on the lands zoned C3-28 the following definition shall apply:

"Retirement Home" shall mean a residence providing accommodation primarily for retired persons or couples, where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall, but where common facilities for the preparation and

consumption of food can be provided, and common lounges, recreation rooms and medical care facilities may also be provided.

- iii. Notwithstanding the provisions of Subsection 6.35.1 to the contrary, on the lands zoned C3-28, the following parking requirements shall apply:

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>
Retirement Home	0.5 parking spaces per unit
Nursing Care Facility	1 space per 4 beds

- iv. Removal of Holding:

The holding symbol shall be removed in accordance with the provisions of the *Planning Act*; provided that the following item is addressed:

- registration of the executed site plan control agreement, approved by the Municipality.

- cc) **C3-29** (4032 County Road 43 – Rose)

- i. Minimum Interior Side Yard (East Side)                      nil metres

- dd) **C3-30** (2840 County Road 43 / 308 & 312 King Street - Schiber)

- i. a "Personal Service Shop" shall be an additional permitted use