

SECTION 11 - GENERAL COMMERCIAL ZONE (C3) REGULATIONS

11.1 GENERAL USE REGULATIONS

11.1.1 PERMITTED USES

No land, building, or structures shall be used or erected in the General Commercial Zone (C3) except for the following purposes;

- i) amusement arcades;
- ii) ambulance service establishment;
- iii) animal hospitals in wholly enclosed buildings;
- iv) assembly hall;
- v) automobile sales and service establishment;
- vi) automobile service station;
- vii) automobile washing establishment or carwash;
- viii) banks, credit unions, trust companies and other financial institutions;
- ix) boat and recreation vehicle sales, service and storage;
- x) bus terminals;
- xi) building supply business in wholly enclosed buildings;
- xii) church;
- xiii) clinic;
- xiv) commercial recreation and entertainment establishment;
- xv) communication facilities;
- xvi) community centre or public hall;
- xvii) convenience retail store;
- xviii) craft industries and specialty workshops;
- xix) day nursery and adult day care centres.

- xx) existing dwellings;
- xxi) garden supply centre;
- xxii) gas bar;
- xxiii) gift shop;
- xxiv) hotels;
- xxv) laundry or dry cleaning establishments, coin-operated or otherwise;
- xxvi) library;
- xxvii) motels;
- xxviii) music school;
- xxix) offices, general or professional;
- xxx) parking lot;
- xxxi) personal service shop;
- xxxii) post office;
- xxxiii) printing establishments;
- xxxiv) private club;
- xxxv) public or private transportation depots;
- xxxvi) restaurants;
- xxxvii) retail store;
- xxxviii) school;
- xxxix) service shop;
- xl) shopping centre excluding accessory dwelling units, in accordance with subsection 11.2.2;
- xli) studios;
- xlii) tavern;
- xliii) taxi service;
- xliv) undertaking establishments or funeral home;

- xliv) wholesale businesses;
- xlvi) accessory buildings or uses, including dwelling units above a commercial use other than an automobile use and outside display and sale of goods and materials but not outside storage.

11.1.2 PERMITTED BUILDINGS AND OTHER STRUCTURES

No building or structures shall be used or erected in the General Commercial Zone (C3) except for the following purposes:

- a) buildings and structures for the permitted uses serviced by a public water supply, sanitary sewage system and storm sewer system;
- b) accessory buildings and structures for the permitted uses, including dwelling units in the second storey of a commercial use and existing dwelling units associated with a commercial use above two stories and not located in the first storey.
- c) any existing dwelling, together with any alterations thereto made after the date of passing of this By-law.

11.1.3 MINIMUM LOT AREA Nil

11.1.4 MINIMUM LOT FRONTAGE

- a) automobile uses, boat and recreation vehicle sales, service and storage, building supply business, hotels, motels 30 metres
- b) all other uses nil

11.1.5 MAXIMUM LOT COVERAGE 80 percent

11.1.6 MINIMUM LANDSCAPED OPEN SPACE 5 percent

11.1.7 MAXIMUM BUILDING HEIGHT 10.6 metres

11.1.8 MINIMUM RETAIL FLOOR AREA 56.0 square metres

11.1.9 MINIMUM FRONT YARD DEPTH
 a) automobile uses, shopping centre, 12.2 metres

and all buildings and structures erected within the following areas:

- i) A triangular piece of property, bounded on the east by Manning Road; on the north by Tecumseh Road and on the south by The Canadian National Railway Right-of-way; and
- ii) FIRSTLY, on the north side of Tecumseh Road and bounded on the west by the west limit of the Town of Tecumseh; on the east by the west limit of Farm Lot 150, Concession 1, Town of Tecumseh; on the north by the Canadian National Railway Right-of Way; and on the south by Tecumseh Road.

AND SECONDLY, on the south side of Tecumseh Road the lands are bounded on the west by the western limit of the Corporation of the Town of Tecumseh; on the east by the western limit of Shawnee Road; on the north by the southern limit of Tecumseh Road; and on the south by the line drawn 120 metres and parallel to the southern limit of Tecumseh Road.

b) All other cases Nil

11.1.10 MINIMUM SIDE YARD WIDTH

- a) Automobile uses, shopping centre 6.0 metres
- b) All other cases where the yard abuts a commercial zone and access is available to the rear yard by a public or private lane Nil
- c) All other cases where the yard abuts a commercial zone and no access is available to the rear yard except through the side yard 4.5 metres on one side of the main building
- d) Where the yard abuts a street
 - i) automobile uses, shopping centre 12.2 metres
 - ii) all other cases Nil
- e) Where the yard abuts a residential or holding residential zone 9.0 metres

11.1.11 MINIMUM REAR YARD DEPTH

- a) Where the building contains residential accommodation 10.6 metres

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| b) Where the yard abuts a residential or holding residential zone, except in the case of a shopping centre where the yard shall be 14 metres | 9.0 metres |
| c) Automobile uses, shopping centre | 7.6 metres |
| d) All other cases | Nil |

11.1.12 BUFFER STRIP

A buffer strip with a minimum width of three (3.0) metres shall be provided abutting the side and rear lot lines, where the General Commercial Zone abuts a residential or holding residential zone, in compliance with subsection 5.23.

11.1.13 PARKING REGULATIONS

In addition to the requirements specified in subsections 5.30 and 5.31 of this By-law, the following provisions shall apply:

- a) No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 0.6 metres of any street line.
- b) Required front and exterior side yards shall be kept open and unobstructed by any structure or parking area for motor vehicles, except for customer parking while being serviced during normal business hours.

11.1.14 LOADING SPACE REGULATIONS

In addition to the requirements specified in subsections 5.28 and 5.29 of this By-law, the following provisions shall apply;

- a) No loading space shall be located in nor open onto a front yard or any yard directly abutting a residential or holding residential zone. If all yards abut such zones then the loading space shall be allowed to open onto a side or rear yard.

11.1.15 OUTSIDE DISPLAY AND SALE OF GOODS AND MATERIALS

- a) The display for sale of finished goods, products or materials shall be permitted in the front yard;
- b) No outside display and sale shall be permitted in any required minimum yard setback directly abutting a residential or holding residential zone;
- c) The area used for outside display and sale shall not be more than twice the floor area above grade of the commercial building, or portion of any such building constructed

upon the lot, and used for the commercial purposes for which outside display and sale is permitted, and in any event, such area for outside display and sale shall not be more than thirty-five (35) percent of the lot area;

- d) Any outside display and sale shall comply with all other yard, setback and coverage requirements of this section;
- e) Any areas used for permitted outside display and sale shall be in addition to and separate from such areas as may be required by this By-law for the provision of off-street parking and loading spaces.
- f) The area used for outside display and sale shall be surfaced and maintained with either concrete, asphalt, crushed stone and other hard surface and dustless materials, or maintained as a lawn in a healthy growing condition; and
- g) Prior to the establishment of an area for the outside display and sale, the owner shall file in writing with the By-law Enforcement Officer a notice thereof giving full particulars including a sketch or survey of the lands to be used in relation to all buildings or other structures on the same lot.

11.1.16 OUTSIDE LIGHTING FACILITIES

Illuminated signs and exterior lighting installed on a lot to illuminate parking areas, driveways, loading areas, buildings or outside display and sale areas shall be so arranged as to direct light away from abutting lots and adjacent residential uses.

11.2 SPECIFIC USE REGULATIONS

In addition to the general regulations outlined in subsection 11.1, the following additional regulations shall apply to certain specific uses permitted in subsection 11.1.1.

11.2.1 AUTOMOBILE SERVICE STATION, GAS BARS, AUTOMOBILE WASHING ESTABLISHMENTS OR CAR WASHES AND AUTOMOBILE SALES AND SERVICE ESTABLISHMENTS

Notwithstanding any previous provisions of this By-law, where a lot is used for an automobile service station, gas bar, automobile washing establishment or car wash and automobile sales and service establishment, the following additional regulations shall apply:

a)	<u>Interior Lot</u>	<u>Corner Lot</u>
Minimum lot frontage	38.0 metres	38.0 metres
Minimum lot depth	30.0 metres	38.0 metres

- b) No portion of any pump island shall be located closer than four point five (4.5) metres from the street line of any street.

- c) Where the lot is a corner lot, no portion of any pump island shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in the exterior side lot line each such point being a distant 15 metres from the intersection of such lines.
- d) The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall not be less than nine (9.0) metres, or in the case of the intersection of two arterial streets the minimum distance shall not be less than fifteen (15.0) metres.
- e) The minimum distance from any portion of any ingress or egress ramp to any side lot line which abuts any other lot shall not be less than three (3.0) metres.
- f) The width of any ingress or egress ramp along any street line shall be not more than ten and one-half (10.5) metres or less than seven point six (7.6) metres.
- g) The minimum distance between ramps shall be not less than nine (9.0) metres.
- h) The minimum interior angle of any ramp to the street line shall be greater than sixty (60) degrees and less than ninety (90) degrees.
- i) All parts of the ingress and egress ramp shall be maintained with a cement, or asphalt binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.
- j) Land which is not used for buildings, ramps or paving shall be landscaped.
- k) Any permitted outside display and sale area, or vehicular access thereto, involving the storage parking or display of motor vehicles for the purpose of sale, lease, rental, washing, service or repair, or any primary means of vehicular access to any constructed and maintained with a stable surface which shall have a cement or asphaltic binder and shall include provisions for adequate drainage facilities.

11.2.2 SHOPPING CENTRE

- a) Location

A shopping centre is a permitted use within that portion of the C3 zone shown on Schedule "A", Map 2 situated in the northwest sector of the Town of Tecumseh between the town boundary and the intersection of Lesperance Road and Riverside Drive.

- b) Minimum Lot Area 8361 square metres
- c) Minimum Lot Frontage 60 metres
- d) Minimum Lot Depth 60 metres
- e) Maximum Lot Coverage 25 percent
- f) Minimum Landscaped Open Space 10 percent

g) All other C3 Zone provisions shall apply.

11.2.3 SINGLE FAMILY DETACHED DWELLING AND NON-RESIDENTIAL BUILDING ON THE SAME LOT

Where a single-family detached dwelling is permitted in a Zone, other than a Residential Zone, such dwelling shall not be erected, altered or used within 3 metres of a Non-Residential building. However, in no case shall a single-family detached dwelling be erected, altered or used on the same lot within 7.6 metres of an automobile service station, automobile sales and service establishment or gas bar.

11.2.4 ACCESSORY RESIDENTIAL DWELLING UNITS

a) Minimum Floor Area

i)	Bachelor Unit	37.0 square metres
ii)	One Bedroom Unit	56.0 square metres
iii)	Two Bedroom Unit	65.0 square metres
iv)	Three Bedroom Unit	84.0 square metres
v)	Each Additional Bedroom	9.0 square metres

b) Access

There shall be pedestrian access to each dwelling unit from an adjacent street or lane and shall be for the sole use of the occupants of the said dwelling units and shall be separate from the access to the commercial portion of the building.

c) Minimum landscaped Open Space

50% of the floor area used for residential purposes.

d) Parking for Dwelling Units

In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one and one-half parking spaces per dwelling unit shall be provided on the same lot.

e) Exception

No commercial building wherein gasoline, or any other highly flammable, toxic or explosive products are handled in quantity shall have contiguous dwelling units. Where such dwelling units exist and the use of the commercial establishment changes to a use involving the aforesaid mentioned products the said dwelling units shall immediately cease to be occupied as dwelling units and shall not be used as dwelling units as long as

the aforesaid mentioned products are handled in quantity in the commercial area of the building.

f) Maximum Density - Accessory Dwelling Units

15 units per net hectare.

11.2.5 EXISTING DWELLING UNITS ASSOCIATED WITH A COMMERCIAL USE ABOVE TWO STORIES AND NOT LOCATED IN THE FIRST STOREY

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| a) Minimum Front Yard Depth | 7.6 metres |
| b) Minimum Side Yard Width | |
| a) where the yard abuts a street | 7.6 metres |
| b) all other cases | 7.6 metres |
| c) Minimum Rear Yard Depth | 7.6 metres |
| d) Minimum Landscaped Open Space | 30 percent |
| e) Minimum Floor Area | |
| i) Bachelor Unit | 37.0 square metres |
| ii) One Bedroom Unit | 56.0 square metres |
| iii) Two Bedroom Unit | 65.0 square metres |
| iv) Three Bedroom Unit | 84.0 square metres |
| v) Each Additional Bedroom | 9.0 square metres |
| f) Maximum Density | 62 units per gross hectare |

11.2.6 HOTELS OR MOTELS

a) Distance between Buildings

Where two or more buildings are erected on the same lot, the minimum distance between two external walls facing and parallel to each other, both of which contain openings or windows to habitable rooms, shall be 15 metres; provided that where only one of the walls contains openings or windows to habitable rooms the distance may be reduced to 7.6 metres, and where neither wall contains openings or windows to habitable rooms, the distance may be reduced to 3 metres.

b) Courts

Where a building erected on a lot is in a court form, the distance between the opposite walls of the building forming the court shall not be less than 21 metres.

c) Exterior Wall

Where the exterior wall of a guest room contains a habitable room window such wall shall be located no closer than 7.6 metres to any interior side or rear lot line.

11.3 EXCEPTIONS

The special regulations contained in this subsection 11.3 shall apply to the area or areas defined below:

11.3.1 DEFINED AREA C3-1 as shown on Schedule "A", Map 1 to this By-law.

a) a parking area and recreation area and facilities accessory to an existing apartment building;

b) Permitted Buildings and Structures

i) buildings and structures for the uses permitted in subsection 11.3.1 a).

ii) accessory buildings and structures for the uses permitted in subsection 11.3.1 a).

11.3.2 DEFINED AREA C3-2 as shown on Schedule "A" Map 2 to this By-law.

a) Other Permitted Use

a single family detached dwelling;

b) Other Permitted Buildings and Structures

the existing buildings and structures.

11.3.3 DEFINED AREA C3-3 as shown on Schedule "A", Map 5 to this By-law.

a) Other Permitted Use

a trucking business including the stockpiling of granular materials, and accessory uses thereto in addition to all other uses permitted in the General Commercial Zone (C3).

b) Other Permitted Buildings and Structures

the existing buildings and structures.

11.3.4 DEFINED AREA C3-4 as shown on Schedule "A", Map 5 to this By-law.

a) Other Permitted Use

an automobile body repair shop in addition to all other uses permitted in the General Commercial Zone (C3).

b) Other Permitted Buildings and Structures

the existing buildings and structures.

11.3.5 DEFINED AREA C3-5 as shown on Schedule "A", Map 23 to this By-law.

a) Other Permitted Use

a workshop in addition to all other uses permitted in the General Commercial Zone (C3).

b) Other Permitted Buildings and Structures

i) buildings and structures for the uses permitted in subsection 11.3.5 a);

ii) accessory buildings and structures for the uses permitted in subsection 11.3.5 a).

11.3.6 DELETED BY BY-LAW 2198

11.3.7 DEFINED AREA C3-7 as shown on Schedule "A", Map 23 to this By-law.

a) Other Permitted Use

a contractor's yard and shop in addition to all other uses permitted in the General Commercial Zone (C3);

b) Other Permitted Buildings and Structures

the existing buildings and structures.

11.3.8 DEFINED AREA C3-8 as shown on Schedule "A", Map 4 to this By-law.

a) Permitted Uses

i) offices, general or professional;

ii) retail store;

iii) restaurant;

iv) gift shop;

v) personal service shop;

- vi) studios;
- vii) printing establishment;
- viii) clinic, excluding a veterinary clinic;
- ix) banks, credit unions, trust companies, and other financial institutions;
- x) day nursery;
- xi) existing dwellings;
- xii) accessory buildings or uses, including dwelling units above a commercial use, and outside display and sale of goods and materials but not outside storage.

b) Permitted Buildings and Structures

- i) buildings and structures for the uses permitted in subsection 11.3.8 (a);
- ii) accessory buildings and structures for the uses permitted in subsection 11.3.8 (a).

11.3.9 DEFINED AREA C3-9 as shown of Schedule “A”, Map 5 to the By-law.

a) Permitted Use

a parking lot.

b) Permitted Buildings and Structures

no buildings and structures are permitted.

c) Buffer Strip

A buffer strip with a minimum width of 0.9 metres shall be provided abutting the side lot lines, where the General Commercial (C3-9) Zone - “C3-9” abuts a residential zone, in compliance with subsection 5.23 of this By-law.

11.3.10 DEFINED AREA C3-10 as shown on Schedule “A”, Map 18 to the By-law.

a) Permitted Uses

- i) The uses permitted in subsection 11.1.1 of this By-law with the exception of restaurants, taverns, hotels and residential uses;
- ii) accessory uses.

b) Permitted Buildings and Structures

Buildings and structures for the permitted uses.

c) Zoning Provisions

All lot and building requirements shall be in accordance with subsection 11.1.3 to 11.2, respectively, of this by-law, with the exception of the following site specific regulations:

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| i) | Maximum Building Height | one storey |
| ii) | Minimum Front Yard Depth | nil |
| iii) | Minimum Side Yard Width | |
| | a) where the yard abuts a commercial zone | nil |
| | b) where the yard abuts a street | nil |
| | c) where the yard abuts a residential zone | 6.0 metres |
| iv) | Minimum Rear Yard Depth | |
| | a) where the yard abuts a commercial zone | nil |
| | b) where the yard abuts a residential zone | 6.0 metres |
| v) | Buffer Strip | |
| | A buffer strip with a maximum width of six (6.0) metres shall be provided abutting the side and rear lot lines, where the General Commercial Zone C3-10 abuts a residential or holding residential zone, in compliance with subsection 5.23. | |
| vi) | Parking Regulations | |
| | Notwithstanding any other requirement of this by-law to the contrary, there shall be no minimum parking space setback requirement or buffer strip requirement along Revland Drive where a parking space abuts Revland Drive. | |

11.3.11 DEFINED AREA C3-11 as shown on Schedule “A”, Map 18 to the By-law.

a) Permitted Uses

- i) Commercial self-storage units;
- ii) parking area;
- iii) accessory uses.

b) Permitted Buildings and Structures

Buildings and structures for the permitted uses.

c) Zone Provisions

All lot and building requirements shall be in accordance with subsection 11.1.3 to 11.2, respectively, of this by-law, with the exception of the following site specific regulations:

- i) Maximum Building Height one storey
- ii) Minimum Front Yard Depth nil
- iii) Minimum Side Yard Width
 - a) where the yard abuts a commercial zone nil
 - b) where the yard abuts a street nil
 - c) where the yard abuts a residential zone 6.0 metres
- iv) Minimum Rear Yard Depth
 - a) where the yard abuts a commercial zone nil
 - b) where the yard abuts a residential zone 6.0 metres
- v) Buffer Strip

A buffer strip with a minimum width of six (6.0) metres shall be provided abutting the side and rear lot lines, where the General Commercial Zone C3-11 abuts a residential or holding residential zone, in compliance with subsection 5.23.
- vi) Parking Regulations

Notwithstanding any other requirement of this by-law to the contrary, there shall be no minimum parking space setback requirement or buffer strip requirement along Revland Drive where a parking space abuts Revland Drive.
- vii) Outside Storage

Outside storage shall be prohibited within the C3-11 zone.

11.3.12 DEFINED AREA C3-12 as shown on Schedule “A”, Map 6, of this By-law.

a) Permitted Uses

- i) a landscaping business;

- ii) banks, credit unions, trust companies and other financial institutions
- iii) clinic;
- iv) commercial recreation and entertainment establishment;
- v) convenience retail store;
- vi) craft industry and specialty workshops;
- vii) day nursery and adult day care centres;
- viii) offices, general or professional;
- ix) personal service shop;
- x) music school;
- xi) laundry or dry cleaning establishments, coin-operated or otherwise;
- xii) restaurants;
- xiii) private club;
- xiv) private school;
- xv) animal hospitals in wholly enclosed buildings;
- xvi) accessory uses.

b) Permitted Buildings and Structures

- i) Buildings and structures for uses permitted in subsection 11.3.12 a).

c) Zone Provisions

All lot and building requirements shall be in accordance with subsection 11.3.3 to 11.2, respectively, of this by-law, with the exception of the following site specific regulations:

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| i) | Minimum Landscaped Open Space | 15 percent |
| ii) | Minimum Front Yard Depth | |
| | a) For main buildings | 9 metres |
| | b) For an outdoor patio | Nil |

iii) Buffer Strip

Notwithstanding the requirements of subsection 11.1.12, a buffer strip with a minimum of 1.2 metres and consisting of a solid privacy fence and/or continuous unpierced hedgerow shall be provided abutting the side and rear lot lines, in accordance with subsection 5.23.

iv) Parking

Notwithstanding the requirements of subsection 5.30, a minimum of 47 parking spaces shall be provided.

v) Outside Storage

The only outdoor storage shall be outdoor storage associated with the landscaping business and shall be limited to the parking/storage of vehicles, trailers and equipment related to the landscaping business.

11.3.13 DEFINED AREA C3-13 as shown on Schedule “A”, Map 1, of this By-Law.

a) Permitted Uses

- i) Multi-unit residential uses containing no greater than 43 dwelling units and one live-work unit;
- ii) One live-work unit located in the first storey fronting onto Tecumseh Road;
- ii) Accessory uses.

b) Permitted Building and Structures

- i) One multi-unit dwelling containing no greater than 43 dwelling units and one live-work unit;
- ii) Accessory buildings and structures.

c) Zone Provisions

All lot and building requirements shall be in accordance with subsection 11.1.3 to 11.2, respectively, of this by-law, with the exception of the following site specific regulations:

- i) Maximum Building Height 20.0 metres
- ii) Minimum Front Yard Depth For The First Four Storeys Nil

- iii) Minimum Front Yard Depth For The Fifth Storey 9.0 metres
- iv) Minimum Eastern Side Yard Width 4.5 metres
- v) Minimum Western Side Yard Width 6.6 metres
- iv) Minimum Rear Yard Depth For The First Four Storeys 42.0 metres
- v) Minimum Rear Yard Depth For The Fifth Storey 63.0 metres

d) Accessory Use Provisions

Accessory buildings, structures or uses in the C3-13 zone shall be in accordance with subsection 5.25 of this by-law, except that the minimum western side yard width established by 11.3.13 c) v) shall also apply to any accessory buildings or structures.

e) Other Zone Provisions

The provisions of subsections 5.33 11.1.8 and 11.1.12 of this By-law shall not apply to lands zoned C3-13.

11.3.14 DEFINED AREA C3-14 as shown on Schedule “A”, Map 1, of this By-Law.

a) Permitted Uses

- i) Multi-unit residential uses containing no greater than 51 dwelling units and one live-work unit;
- ii) One live-work unit located in the first storey fronting onto Tecumseh Road;
- iii) Accessory uses.

b) Permitted Building and Structures

- i) One multi-unit dwelling containing no greater than 51 dwelling units and one live-work unit;
- ii) Accessory buildings and structures.

c) Zone Provisions

All lot and building requirements shall be in accordance with subsection 11.1.3 to 11.2, respectively, of this by-law, with the exception of the following site specific regulations:

i)	Maximum Building Height	20.0 metres
vi)	Minimum Front Yard Depth For The First Four Storeys	Nil
iii)	Minimum Eastern Side Yard Width	3.6 metres
iv)	Minimum Western Side Yard Width	4.7 metres
v)	Minimum Rear Yard Depth For The First Four Storeys	42.0 metres

d) Front and Rear Yard Depths for Fifth Story

The fifth storey of the apartment building shall be set back a minimum of 9.0 metres from the northerly face of the fourth storey of the building and a minimum of 9.0 metres from the southerly face of the fourth storey.

e) Accessory Use Provisions

Accessory buildings, structures or uses in the C3-14 zone shall be in accordance with subsection 5.25 of this by-law, except that the minimum eastern side yard width established by 11.3.14 c) iv) shall also apply to any accessory buildings or structures.

f) Other Zone Provisions

The provisions of subsections 5.33, 11.1.8 and 11.1.12 of this By-law shall not apply to lands zoned C3-14.