

## **SECTION 21 - GENERAL COMMERCIAL ZONE- C3**

The following provisions shall apply in all GENERAL COMMERCIAL ZONES C3:

No *PERSON* shall *HEREAFTER USE* any *BUILDING, STRUCTURE* or land nor *ERECT* any *BUILDING* or *STRUCTURE* except in accordance with the following provisions:

### **21.1 USES PERMITTED**

**21.1.1** All *USES* permitted in C1 and C2 ZONES.

#### **21.1.2 Commercial:**

A *HOTEL, TAVERN, (By-law 7108)*; a *PLACE OF ENTERTAINMENT*; an auctioneer's premises; a *SECOND HAND STORE*; a *VETERINARY CLINIC*; a *PARKING LOT*, a *TESTING/RESEARCH LABORATORY*; a *MOTOR VEHICLE REPAIR SHOP CLASS "A"*; a *CLINIC*, a *FUNERAL HOME*; an *ARTIST'S STUDIO*, a *CUSTOM WORKSHOP*, a *CONTRACTOR'S ESTABLISHMENT*; a *COMMERCIAL SCHOOL*; service or repair shops Class "A" and "B"; a *SALES AND RENTAL GARAGE*; a duplicating shop; a *PRINTING ESTABLISHMENT*; a hand laundry; a *FAST FOOD OUTLET (By-law 7108)*; a *DISTILLATION ESTABLISHMENT*; an *ARCADE (By-law 7569)*; a *RENTAL STORE*, a *LIGHT EQUIPMENT/MACHINERY RENTAL ESTABLISHMENT*; a *FLEA MARKET*; a *VOCATIONAL TRAINING CENTRE (By-law 10016)*; a *CALL CENTRE*; a *PROPANE TRANSFER FACILITY (By-law 2003-137)*

#### **21.1.3 Institutional USES:**

A museum, art gallery or observatory; a hostel, an *ATHLETIC/FITNESS CLUB*; a *FRATERNAL ORGANIZATION (By-law 9621)*; a *PRIVATE CLUB (By-law 9621)*; a union hall; an *ASSEMBLY HALL*; A *PLACE OF WORSHIP*.

### **21.2 AREA REQUIREMENTS**

#### **21.2.1 DWELLING UNITS:**

The minimum floor area of each *DWELLING UNIT* shall be in accordance with the following: **(By-law 9196)**

Bachelor - minimum 37 square metres

One Bedroom - minimum 45 square metres

Two Bedroom - minimum 55 square metres

More than Two Bedrooms - minimum 65 square metres.

#### **21.2.2 YARD Requirements:**

*REAR YARD* - minimum 4.5 metres

*SIDE YARD* - a minimum *SIDE YARD* of 4.5 metres shall be required except

where this Zone flanks any Commercial Zone (**By-law 7186**) or RZ ZONE.

**21.2.3 *PLANTING STRIP*: (By-law 10016)**

A landscaped strip of land, not less than 3.0 metres in width, consisting of trees, in accordance with Schedule D - Recommended Trees for Use in Planting Strips, ornamental shrubs, lawn and flowers shall be provided and maintained in healthy growing condition along the *FRONT LOT LINE* and, in the case of a *CORNER LOT*, along the exterior *SIDE LOT LINE* except where such *LOT LINE* is crossed by an access driveway. Any such *PLANTING STRIP* may be included in the calculation of the landscaped open area.

**Repealed by By-law 1999-131.**

**21.2.4 LANDSCAPED OPEN SPACE (By-law 2003-137)**

Minimum – 10 percent of *LOT AREA*, and all *YARD* areas other than driveways, walkways and *PARKING SPACES* shall be landscaped.

**21.3 EXCEPTIONS**

**21.3.1** Notwithstanding the requirements of Section 21.2.2 the following *YARD* requirements shall apply to the C3 ZONE bounded on the south by Thorold Road, on the north by Abbey Road and lying on both sides of Niagara Street North. (**By-law 2972**)

*FRONT YARD* - minimum 12 metres

*REAR YARD* - minimum 4.5 metres (**By-law 5819**)

*SIDE YARD* - a minimum *SIDE YARD* of 7.5 metres shall be required only where this Zone flanks any Non-Commercial Zone (**By-law 7186**)

**(C3 ZONE BOUNDED ON THE SOUTH BY THOROLD ROAD, ON THE NORTH BY ABBEY ROAD AND LYING ON BOTH SIDES OF NIAGARA STREET NORTH)**

**21.3.2 Deleted by By-law 10900.**

**21.3.3 Deleted by By-law 10900.**

**21.3.4** Notwithstanding the requirements of Section 16.2.2 the *BUILDINGS* erected or to be erected on *LOTS* 232 and 233 according to Registered Plan Number 10 for the Township of Crowland now in the City of Welland shall have a minimum *REAR YARD* of 1.5 metres rather than 4.5 metres. (**By-law 3479**)

**(16 STEEL STREET - ALSO SEE: 12.8.5)**

**21.3.5 Deleted by By-law 10900.**

**21.3.6 Deleted by By-law 10900.**

**21.3.7** Notwithstanding anything in this Section, the lands described in By-law 5485 shall be used only for the parking of motor vehicles. (No longer applies to *LOT* 117, Registered Plan 665 - See By-law 9233.)

**(PARKING LOT ON SOUTH SIDE OF ROGER DRIVE - LOT118 ONLY)**

**21.3.8 Deleted by By-law 10900.**

**21.3.9** Notwithstanding the provisions of Section 21, the lands described in By-law 9233 and shown in the Site Plan Agreement authorized by By-law 9232 shall be given an exemption to reduce the aisle width between a double row of parking from 18.9 metres to 18.5 metres, as required by the Geometric Design Standards for Parking in Schedule B.

***(PARKING LOT ON SOUTH SIDE OF ROGER DRIVE - LOT 117 ONLY)***

**21.3.10 Deleted by By-law 10900.**

**21.3.11 Deleted by By-law 10900.**

**21.3.12 C3-X1 ZONE (By-law 9921 and 2002-96) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 10890)**

a) The *USES* permitted in the H-C3-X1 ZONE shall be restricted to the offices of medical practitioners, a *CLINIC*, a medical laboratory, retail activities related to health care such as a pharmacy, and optician, a *DELICATESSEN* or sandwich shop and *ACCESSORY USES* thereto.

b) The Zone Provisions for the H-C3-X1 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	51.0 metres
Minimum <i>LOT AREA</i>	4,900 sq. metres
Minimum <i>FRONT YARD</i>	10 metres
Minimum <i>REAR YARD</i>	20 metres
Minimum <i>SIDE YARD</i>	8 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	10 percent
Maximum <i>LOT COVERAGE</i>	25 percent
Maximum <i>BUILDING HEIGHT</i>	18 metres

Parking and Loading requirements for the H-C3-X1 ZONE shall be those requirements as set out in Sections 5.20.24, 5.21, and 5.22 of By-law 2667.

***(570 KING STREET)***

**21.3.13 C3-X2 ZONE (By-law 10077 and 10872)**

1. That Part of *LOT 246*, formerly Township of Thorold, now in the City of Welland, known municipally as 632 South Pelham Road (the westerly 61 metres thereof) and shown on Schedule "A" of By-law 10077 as "Change to C3-X2 ZONE" is hereby rezoned C3-X2 ZONE.

2. That the *USES* permitted in the C3-X2 ZONE shall be as follows:

- a. *PERSONAL SERVICE ESTABLISHMENT*;
- b. a *DAY CARE FACILITY*;
- c. a *BUSINESS OFFICE*;
- d. an *ATHLETIC/FITNESS CLUB*;
- e. a *CLINIC*;
- f. a *COMMERCIAL SCHOOL*;
- g. an *ARTIST'S STUDIO*;
- h. a *VOCATIONAL TRAINING CENTRE*;
- i. an unlicensed coffee shop;
- j. one *DWELLING UNIT* on the main floor of the *EXISTING BUILDING*.

For the purpose of this By-law "unlicensed" shall mean not licensed by the Liquor Licence Board of Ontario.

For the purpose of this By-law the parking standard to be applied to an unlicensed coffee shop shall be the standard for a *RESTAURANT*.

- 3. That the Zone Provisions for the C3-X2 ZONE shall be the Zone Provisions of the General Commercial Zone (C3).

**(632 SOUTH PELHAM ROAD)**

**21.3.14 Deleted by By-law 10900.**

**21.3.15 Deleted by By-law 10900.**

**21.3.16 Deleted by By-law 10900.**

**21.3.17 C3-X6 ZONE (By-law 10347, 2004-28)**

- 1. That Part of *BLOCK H.H.* Plan 564 more particularly described as Parts 1, 4 and 6, Plan 59R-825, known municipally as 300 Lincoln Street East and as shown on Schedule "A" attached to By-law 10347 as "Change to C3-X6 ZONE" is hereby rezoned C3-X6 ZONE.
- 2. That Part of *BLOCK "HH"*, Plan 564 known municipally as 390 Lincoln Street being Parts 1, 2 and 3, Plan 59R-10634, and as shown on Schedule "A" of By-law 2004-28 as "Change to C3-X6 ZONE" is hereby rezoned C3-X6 ZONE.
- 3. The *USES* permitted in the C3-X6 ZONE shall be those permitted in the C3 ZONE.
- 4. The Zone Provisions of the C3-X6 ZONE shall be those required in the C2

ZONE.

**(300 AND 390 LINCOLN STREET)**

**21.3.18 Deleted by By-law 10900.**

**21.3.19 C3-X8 ZONE (By-law 10611) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10765)**

1. Part of *LOT* 241, Former Township of Thorold now City of Welland, known municipally as 150 Thorold Road, and shown as "Change to H-C3-X8 ZONE" on Schedule "A" attached to By-law 10611 be and the same is hereby rezoned H-C3-X8 ZONE.

That the *USES* permitted in the C3-X8 ZONE shall be restricted to the following *USES*: *RETAIL STORE, PERSONAL SERVICE ESTABLISHMENT; DRY CLEANING AND LAUNDRY DEPOT; CONVENIENCE STORE; BUSINESS OFFICE; a CLINIC; a SECOND HAND STORE; CUSTOM WORKSHOP; DWELLING UNITS* located above ground floor commercial space.

2. That the Zone Provisions for the C3-X8 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	48 metres
Minimum <i>LOT DEPTH</i>	48 metres
Minimum <i>FRONT YARD</i>	18 metres
Minimum <i>REAR YARD</i>	7.5 metres
Minimum <i>SIDE YARD</i>	7.5 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	15 percent
Maximum <i>BUILDING HEIGHT</i>	2 storey

3. That all other provisions of By-law 2667 as amended, save and except those which conflict with By-law 10611. shall apply to the C3-X8 ZONE.

**(150 THOROLD ROAD)**

**21.3.20 C3-X9 ZONE (By-law 11323)**

1. That Part of *LOT* 1, Concession 12, former Township of Pelham, now in the City of Welland known municipally as 589 South Pelham Road and Part of *LOT*1, Concession 12, former Township of Pelham, now in the City of Welland (Part 6, Plan 59R-10143) known municipally as 595 South Pelham Road and shown on Schedule "A" of By-law 11323 as "Change to C3-X9 ZONE" is hereby rezoned C3-X9 ZONE;
2. The *USES* permitted in the C3-X9 ZONE shall be as follows:

*A HOTEL; a PARKING LOT; a MOTOR VEHICLE REPAIR SHOP CLASS "A"; a CAR WASHING ESTABLISHMENT; an AUTOMOBILE SERVICE*

*STATION; a RECREATIONAL ESTABLISHMENT; a RETAIL STORE, PERSONAL SERVICE ESTABLISHMENT; a RESTAURANT; a FAST FOOD OUTLET; SALES AND RENTAL GARAGE; MOTOR VEHICLE REPAIR SHOP CLASS "B" only in conjunction with and ACCESSORY to a new motor vehicle dealership; a DAY CARE FACILITY; a BUSINESS OFFICE; an ATHLETIC/FITNESS CLUB; a PLACE OF WORSHIP; a DEPARTMENT STORE; a SUPERMARKET; a SECOND HAND STORE; CLINIC (By-law 2007-130).*

3. The Zone Provisions for the C3-X9 ZONE shall be as follows:

Minimum <i>FRONTAGE</i>	87 metres
Minimum <i>LOT AREA</i>	10,200 square metres
Minimum <i>FRONT YARD</i> Setback	4.4 metres
(South Pelham Road)	
Minimum <i>SIDE YARD</i> Setback (south)	9.0 metres
(adjacent to 321 Autumn Crescent)	
Minimum <i>SIDE YARD</i> Setback (south)	7.5 metres
(adjacent to 361 and 371 Autumn Crescent)	
Minimum <i>REAR YARD</i> Setback (west)	7.6 metres
(adjacent to 361 Autumn Crescent)	
Minimum <i>REAR YARD</i> Setback (west)	5.5 metres
(adjacent to Oakcrest Avenue Extension)	
Maximum <i>LOT COVERAGE</i>	40 percent
<i>LANDSCAPED OPEN SPACE</i>	Minimum - 10 percent of the <i>LOT AREA</i> . For the purposes of this Section a <i>LANDSCAPED OPEN AREA</i> shall mean an open and unobstructed space on a <i>LOT</i> which is suitable for the growth and maintenance of grass, flowers, shrubs and other landscaping and includes the part of the <i>LOT</i> unoccupied by any <i>BUILDINGS</i> or <i>STRUCTURES</i> but does not include any

surfaced walk or any driveway, ramp or motor vehicle parking area, whether surfaced or not.

*PLANTING STRIP*

A landscaped strip of land, not less than 3.0 metres in width, consisting of trees, in accordance with Schedule D - Recommended Trees for USE in *PLANTING STRIPS*, ornamental shrubs, lawn and flowers shall be provided and maintained in healthy growing condition along the *FRONT LOT LINE*, *REAR LOT LINE* and, in the case of a *CORNER LOT*, along the exterior *SIDE LOT LINE* except where such *LOT LINE* is crossed by an access driveway. Any such *PLANTING STRIP* may be included in the calculation of the *LANDSCAPED OPEN AREA*.

4. That notwithstanding Schedule B of By-law 2667 - Geometric Design Standard for Parking the minimum aisle width for 90° parking will be 7.18 metres.

***(595 SOUTH PELHAM ROAD)***

**21.3.21 Deleted by By-law 2010-51.**

**21.3.22 Lands Zoned H-C3 (By-law 2009-21)**

That Lot 4, Plan 655 and shown on Schedule "A" of By-law 2009-21 as "Change to H-C3 ZONE" is hereby rezoned H-C3 ZONE.

***(114 THOROLD ROAD)***

**21.3.23 H-C3-X11 ZONE (By-law 2010-5) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2010-49)**

1. That Part of Lot 22, Concession 4, former Township of Crowland, now in the

City of Welland and shown on Schedule "A" attached to By-law 2010-5 as "Change to H-C3-X11 ZONE" is hereby rezoned H-C3-X11 ZONE.

2. That the *USES* permitted in the H-C3-X11 ZONE shall be those permitted in the C3 ZONE.
3. That the ZONE provisions of the H-C3-X11 ZONE shall be those of the C3 ZONE save and except the following:

Where a *DAYLIGHTING TRIANGLE* exists at the southeast corner of the subject lands, the requirement for a 3.0 metre *PLANTING STRIP* is eliminated.

4. Notwithstanding Section 5.20, the minimum number of *PARKING SPACES* shall be eighty (80).

**(810 EAST MAIN STREET)**