

**SECTION 16**

**HIGHWAY COMMERCIAL ZONE (C3)**

**16.1 Permitted Uses**

Explanatory Note: See the servicing limitations of Sections 16.2.11 and 5.34.

- a beer/liquor store, including an on-premises brewing/ wine-making establishment;
- a building supply outlet and related hardware sales;
- a bus depot;
- a commercial recreational use;
- a convenience store;
- a dry cleaning depot or establishment;
- a farm equipment sales, service, and repair establishment;
- a farm produce sales outlet;
- a farm supplies outlet;
- a farmers' market;
- a funeral home;
- a furniture and/or appliance store;
- a garden centre and nursery establishment;
- a laundromat;
- a lawn and garden equipment sales, service, and repair establishment;
- a medical clinic;
- a motel;
- a movie video rental/sales establishment;
- a parking lot;
- a personal service shop;
- a public building;
- a public park;
- a recreational vehicle sales, service, and repair establishment;
- a steel and equipment distributor;
- a taxi stand;
- a truck depot;
- a truck sales, service, and repair establishment;
- an animal clinic;
- an auction sales facility;
- an automobile gas bar;
- an automobile parts distributor;
- an automobile repair establishment;
- an automobile sales and service establishment;
- an automobile service station;
- an eating establishment, restaurant or take-out;
- an equipment sales and rental establishment;
- an existing dwelling subject to Section 13;

an institutional use;  
an outdoor miniature golf establishment;  
uses, buildings and structures accessory to the permitted uses, including an accessory office use and an accessory retail outlet.

**16.2 Zone Regulations**

16.2.1 Lot Area, Minimum 1000 square metres  
except where sanitary sewers are not available, the minimum lot area shall be sufficient to accommodate a septic system approved by the appropriate authority, and such lot area shall not be less than: 1850 square metres

16.2.2 Lot Frontage, Minimum 30 metres

16.2.3 Front Yard, Minimum 10 metres

16.2.4 Interior Side Yard, Minimum 6 metres

16.2.5 Exterior Side Yard, Minimum 10 metres

16.2.6 Rear Yard, Minimum 7.5 metres

16.2.7 Lot Coverage, Maximum 40 percent

16.2.8 Building Height, Maximum 10 metres

16.2.9 Landscaped Open Space, Minimum 20 percent

16.2.10 Planting Strip

A planting strip shall be provided in accordance with Section 5.21 adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot with a dwelling thereon.

16.2.11 Servicing Requirements

(a) Where municipal water and/or sewage services are not available, no highway commercial use shall be permitted which requires municipal water and/or sewage services.

(b) No highway commercial use shall be permitted unless all requirements of the appropriate authority for sewage disposal are complied with.

16.2.12 Automobile Service Station

In accordance with Section 10.3.

16.2.13 Loading Space Requirements, Parking Requirements, etc.  
In accordance with Section 5.

16.2.14 Outdoor Storage  
In accordance with Section 10.2.13.

16.2.15 Outdoor Display Area  
In accordance with Section 10.2.14.

### **16.3 Special Zones**

#### **16.3.1 C3-1 (formerly C3) (revised by By-law No. 204-2000)**

- (a) Location: Lots 25, 26, 28 and 29, Registered Plan \_\_\_\_ (draft plan 31T92001), Milverton Ward
- (b) Notwithstanding any provision of this By-law to the contrary, the land in the “C3-1” zone may also be used for the following uses, in addition to the uses permitted in the “C3” zone:
  - a mini-storage establishment;
  - a millwrighting operation;
  - a cold storage plant;
  - an assembly hall;
  - a private or commercial club;
  - a custom workshop.
- (c) Notwithstanding the provisions of Section 16.2.8 of By-law No. 30-1999 to the contrary, the maximum building height for the land described as part of Lot 416, Registered Plan No. 363 in the Milverton Ward of the Township of Perth East, more particularly described as Lots 25 and 26 on the draft approved plan of subdivision identified as Draft Plan 31T92001, which land is shown in hatching on the attached map, Schedule “A” (Schedule “A” to By-law No. 204-2000), shall be 15 metres.
- (d) Notwithstanding the provisions of Section 16.2.6 of By-law No. 30-1999 to the contrary, the minimum rear yard for the land described as part of Lot 416, Registered Plan No. 363 in the Milverton Ward of the Township of Perth East, more particularly described as Lots 25 and 26 on the draft approved plan of subdivision identified as Draft Plan 31T92001, which land is shown in hatching on the attached map, Schedule “A” (Schedule “A” to By-law No. 204-2000), shall be 7.5 metres or equal to building height, whichever is the greater.
- (e) Notwithstanding the provisions of Section 5.17.2 of By-law No. 30-1999 to the contrary, one of the permitted ingress/egress driveways along Mill Street to the land described as Lot 416, Registered Plan No. 363 in the Milverton Ward of the Township of Perth East, more particularly described as Lots 25 and 26 on the draft approved plan of subdivision identified as Draft Plan 31T92001, which land is shown in hatching on the attached map, Schedule “A” (Schedule “A” to By-law No. 204-2000), shall have a maximum width of

not greater than 30 metres.

- (f) All other provisions of this By-law, as amended, shall apply.

**16.3.2 C3-2** (revised by By-law No. 213-2003)

- (a) Location: Part Lot 16, Concession 7, (Millbank) Mornington Ward (formerly RC-3)
- (b) Notwithstanding the provisions of By-law No. 30-1999 to the contrary, the land in the "C3-2" zone shall be used only for a farm machinery and equipment sales and service establishment, a transport terminal, a fuel sales outlet, and accessory uses.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.3 C3-3** (revised by By-laws 209-2002 and 203-2015)

- (a) Location: Part of Lot 16, Concession 7, (Millbank) Mornington Ward (formerly HC-11)
- (b) Notwithstanding any provision of this By-law to the contrary, the land in the "C3-3" zone shall be used only for retail stores, personal service shops, financial institutions, business or professional offices, clinics, a carpentry workshop, one residential unit, and accessory uses, including indoor storage.
- (c) Notwithstanding any provision of this By-law to the contrary, the minimum required Exterior Side Yard shall be 6 metres.
- (d) All other provisions of this By-law, as amended, shall apply.

**16.3.4 C3-4**

- (a) Location:
  - Part Lot 40, Concession 1, South Easthope Ward (formerly C-2)
  - Part Lot 41, Concession 1, South Easthope Ward (formerly C-6)
  - Part Lot 41, Concession 1, South Easthope Ward (formerly M1-3)
  - Part Lot 6, Concession 1, Ellice Ward (formerly C-6)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-4" shall be used only for an automobile sales and service establishment, an automobile repair establishment and accessory uses.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.5 C3-5**

- (a) Location: Part Lot 39, Concession 1, South Easthope Ward (formerly C-3)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-5" shall be used only for a tourist establishment, a single-detached dwelling, a home occupation, and a bed and breakfast establishment.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.6 C3-6**

- (a) Location: Part Lot 41, Concession 1, South Easthope Ward (formerly C-13)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-6" shall be used only for a personal service shop, a business or professional office, a repair shop, small engine repair, a contractor's shop, storage and wholesale not including any retail, a model railroad hobby business, a single-detached dwelling, and a home occupation, provided that all non-residential uses shall be conducted within the existing 111.5 square metre building situated on the southerly portion of the property.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.7 C3-7**

- (a) Location:  
Part Lot 15, Concession 1, Ellice Ward  
(formerly C-1)  
Part Lot 15, Concession 1, Ellice Ward  
(formerly M1-5)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-7" shall be used only for a recreational vehicle sales and service establishment, an automobile sales and service establishment and an automobile repair establishment, but shall not include an automobile service station as a main use or associated with any other permitted use.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.8 C3-8**

- (a) Location: Part Lot 6, Concession 1, Ellice Ward (formerly C-2)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-8" shall be used only for a business or professional office.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.9 C3-9**

- (a) Location:  
Part Lot 6, Concession 1, Ellice Ward (formerly C-7)  
Part Lot 6, Concession 1, Ellice Ward (formerly C-8)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-9" shall be used only for a retail store, a personal service shop, a clinic, a business or professional office, an automobile service station, an automobile sales and service establishment, a parking lot, and accessory uses including dwelling units in a portion of the non-residential building provided the commercial use is not an automobile service station or an automobile sales and service establishment.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.10 C3-10**

- (a) Location: Part Lot 6, Concession 1, Ellice Ward (formerly C)
- (b) Notwithstanding any provision of this By-law to the contrary, the area zoned "C3-10" shall be used only for a garden centre and nursery establishment, commercial greenhouses, a retail store, and one single-detached dwelling.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.11 C3-11**

- (a) Location: Part of Lot 1, Concession 3, Ellice Ward (formerly C-3)  
Part of Lot 1, Concession 3, Ellice Ward (formerly C-4)
- (b) Notwithstanding any provision of this By-law to the contrary, the permitted uses on the land in the "C3-11" zone shall be an automobile sales establishment, automobile service station, retail stores, personal service shops, public garages, financial institutions, business or professional offices, clinics, eating establishments, hotels, and funeral homes.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.12 C3-12**

- (a) Location: Part of Lot 1, Concession 3, Ellice Ward (formerly C3-5)
- (b) Notwithstanding any provision of this By-law to the contrary, the land in the "C3-12" zone shall be used only for an automobile sales establishment, a carpentry shop/woodworking business, and accessory uses, excluding any accessory residential use. The permitted carpentry shop/woodworking business shall have a maximum gross floor area of 200 square metres and shall not be permitted any outdoor storage of material or goods.
- (c) All other provisions of this By-law, as amended, shall apply.

**16.3.13 C3-13 (added by By-law No. 212- 2001)**

- (a) Location: Part of Lot 41, Concession 1, South Easthope Ward
- (b) Notwithstanding the provisions of Sections 16.1 of By-law No. 30-1999 to the contrary, the only permitted uses on the land in the "C3-13" zone as shown on Key Map 47 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "A" to By-law No. 212-2001) shall be an automobile sales and service establishment, an automobile repair establishment, a woodworking/cabinet making and paint shop business, and accessory uses.
- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

**16.3.14 C3-14 (added by By-law No. 214-2004 and revised by By-law 203-2017)**

- (a) Location: Lot 11 and part of Lot 25, Plan No. 363, Milverton Ward
- (b) Notwithstanding the provisions of Section 16.1 of By-law No. 30-1999 to the contrary, the following uses shall be permitted on the land in the "C3-14" zone as shown on Key Map 13 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "A" to By-law No. 214-2004):
  - (i) a mixed-use commercial and townhouse/apartment residential

development. Driveway access to any residential use developed on the Lot 25 portion of the subject land shall be by a driveway to Main Street through the Lot 11 portion of the subject land and the residential use shall be subject to the provisions of Section 14 of By-law No. 30-1999, excepting Section 14.2.2.

- (c) All other provisions of By-law No. 30-1999, as amended, shall apply.

**16.3.15 C3-15** (added by By-law No. 212-2009)

- (a) Location: Lot 7, Plan 393, South Easthope Ward
- (b) Notwithstanding the provisions of Section 16 of By-law No. 30-1999 to the contrary, the only permitted uses on the land in the "C3-15" zone as shown on Key Map 47 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "A" to By-law No. 212-2009) shall be a single dwelling unit, a business or professional office (not including a medical clinic, massage therapist, veterinary clinic or similar use) and accessory uses.
- (c) Notwithstanding any other provisions of this by-law to the contrary a minimum of 14 parking spaces shall be provided on the lands in the "C3-15" zone as shown on Key Map 47 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "A" to By-law No. 212-2009).
- (d) All other provisions of By-law No. 30-1999, as amended, shall apply.

**16.3.16 C3-16** (added by By-law 212-2010)

- (a) Location: Part of Lot 222 and part of Church Alley, Plan 363, Milverton Ward
- (b) Notwithstanding any provisions of By-law No. 30-1999 to the contrary, an accessory residential unit may be permitted within the existing building, in the "C3-16" zone as shown on Key Map 12 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "A" to By-law No. 212-2010).
- (c) Notwithstanding any other provisions of this By-law to the contrary, an accessory residential unit shall only be permitted provided that the commercial use in the building is not an automobile/vehicle repair establishment, an automobile/vehicle body repair and painting establishment or a farm or small implement repair facility.
- (d) All other provisions of this By-law, as amended, shall apply.

**16.3.17 C3-17** (added by By-law 205-2016)

- (a) Location: Part of Lot 16, Concession 7 (described as Pt. \_\_\_\_\_ on RP 44R-\_\_\_\_\_, Millbank) (formerly Township of Mornington)
- (b) Notwithstanding the provisions of Section 17.1 of By-law No. 30-1999 to the contrary, additional permitted uses described as follows shall be permitted on the land in the "C3-17" zone as shown on Key Map 8 of Schedule "A" to By-law No. 30-1999 (also shown on Schedule "A" to By-law No. 205-2016):
- (i) a furniture warehousing and retailing business;
  - (ii) a home decorating store;
  - (iii) a home improvement store;
  - (iv) accessory uses.
- (c) Notwithstanding the provisions of Section 16.2 of By-law No. 30-1999 to the

- contrary, manufacturing and/or finishing/refinishing of furniture associated with an existing furniture warehousing and retailing business on the same lot shall be permitted in accordance with the "Millbank Family Furniture Feasibility Study" dated February 23<sup>rd</sup>, 2017 prepared by R.J. Burnside & Associates Limited, and subject to the following Minimum Yard Requirements:
- (i) to any lot line: 10m
  - (ii) to any lot line that abuts a Residential Zone: 30m
- (d) All other provisions of this By-law, as amended, shall apply.