

12.1 USES PERMITTED

No person shall within any HC Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the HC uses presented in Table 12.1:

TABLE 12.1: USES PERMITTED
• a <i>dwelling unit</i> in a portion of a non-residential <i>building</i> , other than an <i>automobile service station</i> ;
• an <i>animal kennel</i> ;
• an <i>antique shop</i> ;
• an <i>assembly hall</i> ;
• an <i>auction establishment</i> ;
• an <i>automobile body repair shop</i> ;
• an <i>automobile service station</i> ;
• a bank or financial institution;
• a bingo hall;
• a bowling alley;
• a convenience store;
• a <i>dry cleaning establishment</i> ;
• an <i>eating establishment</i> ;
• a farm implement dealership;
• a farm produce retail outlet;
• a furniture and home appliance sales and service establishment;
• a <i>home improvement supply store</i> ;
• a <i>hotel</i> or <i>motel</i> ;
• a household power equipment sales and service establishment;
• a laundromat;
• a miniature golf course or driving range;
• a <i>motor vehicle dealership</i> ;
• a motor vehicle retail or wholesale parts outlet;
• a <i>motor vehicle washing establishment</i> ;
• a <i>parking lot</i> ;

TABLE 12.1: USES PERMITTED
• a <i>public garage</i> ;
• a <i>public use</i> , in accordance with the provisions of Section 5.22;
• a <i>recreation building (indoor sports)</i> ;
• a <i>retail nursery</i> .
• a <i>service shop</i> ;
• a <i>veterinary clinic</i> ;
• a <i>wholesale outlet</i> .

(Amended by By-Law 10-4592)

12.2 ZONE PROVISIONS

No *person* shall within any HC Zone use any *lot* or *erect*, *alter* or use any *building* or *structure* except in accordance with the provisions presented in Table 12.2:

TABLE 12.2: ZONE PROVISIONS				
Zone Provision	Dwelling Unit in a Portion of a Non-Residential Building	Non-Residential Uses	Automobile Service Station or Public Garage	Hotel or Motel
Lot Area Minimum	No Provision	450 m² (4,843.9 ft ²)	No Provision	1,125 m² (12,109.8 ft ²), provided that an additional 200 m² (2,152.9 ft ²) of <i>lot area</i> shall be provided for each <i>guest room</i> in excess of 4 <i>guest rooms</i>
Lot Frontage Minimum	No Provision	20 m (65.6 ft)	35 m (114.8 ft)	25 m (82 ft)

TABLE 12.2: ZONE PROVISIONS				
Zone Provision	Dwelling Unit in a Portion of a Non-Residential Building	Non-Residential Uses	Automobile Service Station or Public Garage	Hotel or Motel
Lot Depth Minimum	No Provision	30 m (98.4 ft)	45 m (147.6 ft)	
Front Yard Minimum Depth Exterior Side Yard: Minimum Width	No Provision	7.5 m (24.6 ft)	12 m (39.4 ft)	10 m (32.8 ft)
Rear Yard Minimum Depth	No Provision	7.5 m (24.6 ft)	10 m (32.8 ft)	7.5 m (24.6 ft)
Interior Side Yard: Minimum Width	No Provision	3 m (9.8 ft) provided that where the interior <i>side lot line</i> abuts a residential use of a Residential or Development Zone, the minimum interior <i>side yard</i> shall be 7.5 m (24.6 ft)	6 m (19.7 ft) provided that where the interior <i>side lot line</i> abuts a residential use or a Residential or Development Zone, the minimum interior <i>side yard</i> shall be 10 m (32.8 ft)	6 m (19.7 ft)
Setback Minimum Distance from the Centreline of an Arterial Road as shown on Schedule "B"	No Provision	20.5 m (67.3 ft)	25 m (82 ft)	23 m (75.5 ft)
Setback Minimum Distance from Property Boundary of Highway 401	No Provision	14 m (45.9 ft)		

TABLE 12.2: ZONE PROVISIONS				
Zone Provision	Dwelling Unit in a Portion of a Non-Residential Building	Non-Residential Uses	Automobile Service Station or Public Garage	Hotel or Motel
Lot Coverage for All Buildings Maximum	No Provision	40% of the <i>lot area</i>	20% of the <i>lot area</i>	40% of the <i>lot area</i>
Landscaped Open Space: Minimum	No Provision	15% of the <i>lot area</i>	15% of the <i>lot area</i>	30% of the <i>lot area</i>
Dwelling Unit Area, Minimum	45 m ² (484.4 ft ²)	No Provision		
Height of Building Maximum	No Provision	11 m (36.1 ft)		6 storeys
Parking and Accessory Buildings, Etc.	In accordance with the provisions of Section 5.19.			

12.2.1 PROHIBITED USES

Notwithstanding the *permitted uses* in Table 12.1, a *truck stop* or *truck transportation terminal* shall be prohibited in a Highway Commercial Zone.

(Added by By-Law 10-4592)

12.2.2 OPEN STORAGE REQUIREMENTS

No storage of goods or materials is *permitted* outside any *building* except that the *open storage* of goods or materials may be *permitted* to the rear of the *main building* provided that:

- 12.2.2.1 such *open storage* is *accessory* to the use of the main non-residential *building* on the *lot*;
- 12.2.2.2 such *open storage* complies with the *yard* and *setback* requirements of this Section;

12.2.2.3 such *open storage* shall be enclosed within a closed wooden, rigid plastic and/or metal fence extending at least **1.8 m** (5.9 ft) in *height* from the ground, constructed of new materials and in such a manner as to ensure that *open storage* use is visibly screened from the *street line* and any abutting residential use;

(Amended by By-Law 10-4592)

12.2.2.4 such *open storage* shall not cover more than 40% of the *lot area*, nor exceed twice the *ground floor area* of the *main building* on the *lot*;

(Amended by By-Law 10-4592)

12.2.2.5 Notwithstanding the *open storage* yard, *setback* and enclosure requirements, the *open storage* of finished goods or materials shall be *permitted* for the purposes of display or sale.

12.2.3 **REQUIREMENTS FOR PUMP ISLANDS**

Notwithstanding any other provisions of this By-law to the contrary, a *pump island* and canopy may be located within any *front yard* or *exterior side yard* provided:

12.2.3.1 the minimum distance between any portion of the *pump island* and canopy and any *lot line* shall be **5 m** (16.4 ft); and

12.2.3.2 where the *lot* is a *corner lot*, no portion of any *pump island* and canopy shall be located closer than **3 m** (9.8 ft) 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 distant **15 m** (49.2 ft) from the intersection of such lines.

12.2.4 **REQUIREMENTS FOR DRIVEWAYS FOR USES WITH PUMP ISLANDS**

Notwithstanding the provisions of Section 5.19.1.7 of this By-Law to the contrary, the following provisions shall apply to *driveways* for *uses* with *pump islands*:

(Amended by By-Law 10-4592)

12.2.4.1 the minimum width of a *driveway* along the *street line* shall be **5 m** (16.4 ft);

12.2.4.2 the maximum width of a *driveway* along the *street line* shall be **9 m** (29.5 ft);

12.2.4.3 the minimum distance between *driveways* measured along the *street line* intersected by such *driveways* shall be **7.5 m** (24.6 ft);

- 12.2.4.4 the minimum distance between a *driveway* and an intersection of *street lines*, measured along the *street line* intersected by such *driveway*, shall be **15 m** (49.2 ft);
- 12.2.4.5 the minimum distance between an interior *side lot line* and any *driveway* shall be **3 m** (9.8 ft);
- 12.2.4.6 the interior angle formed between the *street line* and the centreline of any *driveway* shall be not less than 60 degrees.

12.3 SPECIAL PROVISIONS

12.3.1 LOCATION: KING STREET WEST, HC-1

- 12.3.1.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-1 Zone use any *lot*, or *erect alter* or use any *building* or *structure* for any purpose except for the following:

an auction sales barn;
an *accessory single detached dwelling*

- 12.3.1.2 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any HC-1 Zone use any *lot*, or *erect, alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.1.2.1 RESIDENTIAL USES

- 12.3.1.2.1.1 That the provisions of the R1 Zone in Section 6.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.1.2.2 NON-RESIDENTIAL USES

- 12.3.1.2.2.1 That the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.2 LOCATION: WHITING STREET AND KING STREET, HC-2

12.3.2.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

an antique store;
 a bakery;
 a bank;
 a brewers retail outlet;
 a convenience store;
 an *eating establishment*;
 a farm produce retail outlet;
 a household power equipment sales and service establishment;
 a multi-disciplinary professional health care facility;
 a *parking lot*;
 a public *use* in accordance with the provisions of Section 5.21 hereof;
 a real estate office;
 a retail *nursery*;
 a *wholesale outlet*.

12.3.2.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.2.2.1 DEFINITION OF MULTI-DISCIPLINARY PROFESSIONAL HEATH CARE FACILITY shall include:

chiroprapist
 chiropractor
 herbologist
 iridologist
 massage therapy
 medical doctor
 naturopath
 nurse practitioner
 nutritionist
 physical therapist
 reflexologist

12.3.2.2.2 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

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12.3.3 LOCATION: NORTHWEST CORNER OF VICTORIA AND WONHAM STREETS, HC-3

12.3.3.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-3 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a business support service in accordance with Section 12.3.3.2.1;
a *commercial school*;
a dance studio;
an electronics or data processing establishment;
a medical/dental office;
a public *use* in accordance with Section 5.22 hereof;
a retail outlet or business office *accessory* to a *permitted use*;
a *studio* in accordance with Section 12.3.3.2.2.

12.3.3.2 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any HC-3 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.3.2.1 DEFINITION OF BUSINESS SUPPORT SERVICE

A Business Support Service means a *use* which primarily and directly supplies goods and services required by business and industry as an integral component of their day to day operation, and includes *uses* such as personal services, blueprinting, drafting and photocopying services, industrial cleaning supplies and janitorial services, an office supply establishment, file storage and management services, computer services and similar offices and services whose function is oriented to business and industry as opposed to the general public.

12.3.3.2.2 DEFINITION OF STUDIO

A *studio* means the workplace of an artist or craftsman, including a painter, sculptor, photographer, woodworker, where goods or items are produced in small quantity or to special order, for sale at retail from the premises.

12.3.3.2.3 That any development in the area affected by the Regulatory Flood Line is subject to the regulations of the Upper Thames River Conservation Authority.

12.3.3.2.4 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.4 **LOCATION: PART OF LOT 12A, BLOCK 83, PLAN 279, BELL STREET & WONHAM STREET, HC-4**

12.3.4.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-4 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses permitted* in Section 12.1 to this By-Law;
a *place of worship*.

12.3.4.2 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any HC-4 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.4.2.1 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.5 **LOCATION: LOTS 10 TO 17 (INCLUSIVE), BLOCK 98, REGISTERED PLAN 279, HC-5**

12.3.5.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-5 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses permitted* in Section 12.1 to this By-Law;
a *truck transportation terminal*.

12.3.5.2 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any HC-5 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.5.2.1 NUMBER OF TRUCKS PERMITTED ON SITE

Maximum 10 trucks

12.3.5.2.2 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.6 **LOCATION: PART LOT 142, BLOCK 27, PLAN 279, KING STREET WEST
& WHITING STREET, HC-6**

12.3.6.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-6 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses permitted* in subsection 12.1 to this By-Law;
a *supermarket/food store*;
a *medical centre accessory* to a *supermarket/food store*.

12.3.6.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-6 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.6.2.1 DEFINITION OF A SUPERMARKET/FOOD STORE

A *Supermarket/Food Store* means a *building* used for the sale primarily of food products.

12.3.6.2.2 DEFINITION OF GROSS LEASABLE COMMERCIAL FLOOR AREA

Gross Leasable Commercial Floor Area means the area in which tenants pay rent for what area commonly referred to as stalls and which is exclusive to tenant occupancy including basement, mezzanines and upper floors, measured from the centre line of joint partitions and from outside wall faces. *Gross leasable commercial floor area* excludes outside garden displays, any public assembly area, *parking area*, sidewalks, landscaped areas, private and public washrooms, loading and unloading areas, halls, boiler rooms, and mechanical and electrical storage areas.

12.3.6.2.3 COMMUNITY SHOPPING CENTRE

The *gross leasable commercial floor area* for a community shopping centre containing *permitted uses* in the HC-6 Zone shall be not less than **930 m²** (10,010.8 ft²) and not greater than **4,645 m²** (50,000 ft²).

12.3.6.2.4 FUTURE DEVELOPMENT

All future development in the HC-6 Zone shall be subject to Site Plan Control, in accordance with Section 41 of The Planning Act, R.S.O. 1990, as amended.

12.3.6.2.5 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

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12.3.7 LOCATION: PART LOT 18. CONCESSION 2 (WEST OXFORD), HC-7

12.3.7.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-7 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

an antique and gift shop;
 an *assembly hall*;
 a banquet hall;
 an *eating establishment*;
 a *hotel*;
 a lounge;

12.3.7.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-7 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.7.2.1 NUMBER OF HOTEL UNITS

Maximum **48**

12.3.7.2.2 FLOOR AREA OF BANQUET HALL

Maximum **235 m²** (2,529.6 ft²)

12.3.7.2.3 FLOOR AREA OF EATING ESTABLISHMENT

Maximum **390 m²** (4,198.0 ft²)

12.3.7.2.4 FLOOR AREA OF LOUNGE

Maximum **165 m²** (1,776.1 ft²)

12.3.7.2.5 FLOOR AREA OF ASSEMBLY HALL

Maximum **100 m²** (1,076.4 ft²)

12.3.7.2.6 RETAIL FLOOR AREA OF ANTIQUE AND GIFT SHOP

Maximum **560 m²** (6,028.0 ft²)

12.3.7.2.7 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.8 LOCATION: CANTERBURY AND HARRIS STREETS, HC-8

12.3.8.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-8 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses permitted* in Section 12.1 to this By-law.

a residential unit in the upper portion of a Non-Residential *building*, other than an *automotive service station*.

12.3.8.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-8 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.8.2.1 EXTERIOR SIDE YARD

Minimum width **4.5 m (14.8 ft)**

12.3.8.2.2 SETBACK

Minimum distance from centreline
of *Arterial Road* **12.5 m (41.0 ft)**

12.3.8.2.3 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

12.3.9 LOCATION: SOUTHWEST CORNER OF HARRIS STREET AND CLARKE ROAD, HC-9

12.3.9.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-9 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses permitted* in Section 12.1 to this By-Law;
an automotive and household supplies retail store;
a *business or professional office*;
a drug store;
a *dry cleaning establishment*;
a health club;
a *personal service shop*;
a photographic studio;
a *supermarket/food store*.

12.3.9.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-9 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.9.2.1 DEFINITION OF A SUPERMARKET/FOOD STORE

A Supermarket/Food Store means a *building* used for the sale primarily of food products.

12.3.9.2.2 DEFINITION OF AN AUTOMOTIVE AND HOUSEHOLD SUPPLIES RETAIL STORE:

An Automotive and Household Supplies Retail Store means a *building* used for the sale of products/supplies for the operation and maintenance of automobiles and households.

12.3.9.2.3 DEFINITION OF GROSS LEASABLE COMMERCIAL FLOOR AREA

Gross Leasable Commercial Floor Area means the area in which tenants pay rent for what area commonly referred to as stalls and which is exclusive to tenant occupancy including basements, mezzanines and upper floors, measured from the centre line of joint partitions and from outside wall faces. *Gross leasable commercial floor area* excludes outside garden displays, any public assembly area, parking area, sidewalks, landscaped areas, private and public washrooms, loading and unloading areas, halls, boiler rooms, and mechanical and electrical storage areas.

(Added by OMB Order 2764,
dated September 29, 2006)

12.3.9.2.4 COMMUNITY SHOPPING CENTRE

The *gross leasable commercial floor area* for a community shopping centre containing *permitted uses* in the HC-9 Zone shall not be greater than **4,645 m²** (50,000 ft²).

12.3.9.2.5 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by OMB Order 2764,
dated September 29, 2006)

12.3.10 LOCATION: PART LOT 19, CONCESSION 1 (WEST OXFORD), HC-10

12.3.10.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-10 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following, which may take the form of a shopping centre:

an antique shop;
 an automotive and household supplies retail store;
 an *automobile service station*;
 a bakery;
 a *convenience store*;
 a *dry cleaning establishment*;
 an *eating establishment*;
 a furniture and appliance sales and service establishment;
 a *fitness club* or health club;
 a home improvement supply store;
 a household power equipment sales and service establishment;
 a *personal service establishment*;
 a photographic studio;
 a laundromat;
 a printing shop;
 a *retail store*;
 a *service shop*;
 a supermarket/food store;
 a *veterinary clinic*.

12.3.10.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any HC-10 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

12.3.10.2.1 *Gross Leasable Commercial Floor Area* Restrictions – Before January 1, 2014

Prior to January 1, 2014, the following restrictions shall apply:

	Maximum
i) Automotive and Household Supplies Retail Store	4,645 m² (50,000 ft ²)
ii) Supermarket/Food Store	1,710 m² (18,400 ft ²)
iii) Non-Food Oriented Retail Establishments	3,716 m² (40,000 ft ²)
iv) Service Commercial Establishments	1,394 m² (15,000 ft ²)

(Added by By-Law 10-4587,
 as approved by OMB File PL101296)

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- | | | |
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| v) | <i>Gross Leasable Commercial Floor Area</i> for a Non-Food Oriented Retail Establishment | <p>Minimum
 325 m² (3,500 ft²) per, establishment except that a maximum of 464.5 m² (5,000 ft²) of total Non-Food Oriented Retail Establishments may have a minimum <i>gross floor area</i> of less than 325 m² (3,500 ft²) per establishment</p> |
|----|--|--|

12.3.10.2.2 *Gross Leasable Commercial Floor Area* Restrictions – After January 1, 2014
 After January 1, 2014, the following restrictions shall apply:

- | | | |
|------|--|---|
| | | Maximum |
| i) | Automotive and Household Supplies Retail Store | 4,645 m² (50,000 ft ²) |
| ii) | Supermarket/Food Store | 3,252 m² (35,000 ft ²) |
| iii) | Non-Food Oriented Retail Establishments | 3,716 m² (40,000 ft ²) |
| iv) | Service Commercial Establishments | 1,394 m² (15,000 ft ²) |
| | | Minimum |
| v) | <i>Gross Leasable Commercial Floor Area</i> for a Non-Food Oriented Retail Establishment | <p>325 m² (3,500 ft²) per, establishment except that a maximum of 464.5 m² (5,000 ft²) of total Non-Food Oriented Retail Establishments may have a minimum <i>gross floor area</i> of less than 325 m² (3,500 ft²) per establishment</p> |

12.3.10.2.3 DEFINITION OF AN AUTOMOTIVE AND HOUSEHOLD SUPPLIES RETAIL STORE

An Automotive and Household Supplies Retail Store means a building or part of a *building* used for the sale of products/supplies for the operation and maintenance of automobiles and households, and may include an associated *automobile service station*, gas bar, car wash and garden centre.

(Added by By-Law 10-4587,
 as approved by OMB File PL101296)

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12.3.10.2.4 DEFINITION OF A SUPERMARKET/FOOD STORE

A Supermarket/Food Store means a *building* or part of a *building* used for the sale primarily of food products, and may include accessory retail and service *uses* and a garden centre.

12.3.10.2.5 DEFINITION OF GROSS LEASABLE COMMERCIAL FLOOR AREA

Gross Leasable Commercial Floor Area means the area in which tenants pay rent for what area commonly referred to as stalls which is exclusive to tenant occupancy, including *basements*, mezzanines and upper floors, measured from the centre line of joint partitions and from outside wall faces. *Gross Leasable Commercial Floor Area* excludes outside garden displays, any public assembly area, *parking area*, sidewalks, landscaped areas, private and public washrooms, loading and unloading areas, halls, boiler rooms, and mechanical/electrical storage areas.

12.3.10.2.6 DEFINITION OF SERVICE COMMERCIAL ESTABLISHMENTS:

Service Commercial Establishments means those uses permitted in the HC-10 zone excluding an automotive and household supplies retail store, a supermarket/food store, and non-food oriented retail establishments.

12.3.10.2.7 DEFINITION OF NON-FOOD ORIENTED RETAIL ESTABLISHMENTS:

Non-Food Oriented Retail Establishments means the following *uses* permitted in the HC-10 zone: antique shop, bakery, *convenience store*, a furniture and appliance sales and service establishment, a home improvement supply store, a household power equipment sales and service establishment, and a *retail store*.

12.3.10.2.8 The area zoned HC-10 shall continue to be treated as one lot for purposes of zoning regulations, despite future land division, part lot control exemption or plan of subdivision/condominium.

12.3.10.2.9 Required *parking* shall be calculated at a rate of 1 *parking space* per **20 m²** (215.3 ft²) of *Gross Leasable Commercial Floor Area*.

12.3.10.3 That all the provisions of the HC Zone in Section 12.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 10-4587,
as approved by OMB File PL101296)

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12.3.11 **LOCATION: PART BLOCK 66, PLAN 41M-309 & PARTS 1 & 2,
REFERENCE PLAN 41R-9999 (HC-11) (KEY MAP 9)**

12.3.11.1 Notwithstanding any provision of this By-law to the contrary, no *person* shall within any HC-11 Zone *use any lot, or erect, alter or use any building or structure* for any purpose except the following:

all uses permitted in Section 12.1 of this By-law

12.3.11.2 Notwithstanding any provisions of this By-law to the contrary, no *person* shall within any HC-11 Zone *use any lot, or erect, alter or use any building or structure* except in accordance with the following provisions:

12.3.11.2.1 LOT AREA

Minimum **178 m² (1,916 ft²)**

12.3.11.2.2 LOT FRONTAGE

Minimum **8.5 m (27.9 ft.)**

12.3.11.2.3 LOT DEPTH

Minimum **21.3 m (69.9 ft.)**

12.3.11.2.4 INTERIOR SIDE YARD

Minimum Width **2.7 m (8.9 ft.)**

12.3.11.2.5 SETBACK

Minimum Distance from the Centreline
of an Arterial Road as shown on
Schedule "B" **18 m (59 ft.)**

12.3.11.2.6 PARKING SPACES

Minimum 1

12.3.11.2.7 LOADING SPACES

Minimum 0

(Added by By-Law 21-5128)

12.3.11.2.9 ACCESSIBLE SPACES

Minimum 0

12.3.11.2.10 MUNICIPAL SERVICES

No municipal water and no municipal sanitary sewers.

12.3.11.2.11 That all provisions of the HC Zone in Section 12.2 of this By-law, as amended, shall apply, and further that all other provisions of this By-law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

(Added by By-Law 21-5128)

12.3.12 **LOCATION: Part Block 66, Registered Plan 41M-309, (HC-12) (Key Map 9)**

12.3.12.1 Notwithstanding any provisions of this By-law to the contrary, no *person* shall within any HC-12 Zone *use any lot, or erect, alter or use any building or structure* for any purpose except for the following:

all *uses* permitted in Section 12.1 to this By-law;
a place of worship

12.3.12.2 Notwithstanding any provision of this By-law to the contrary, no *person* shall within any HC-12 zone *use any lot, or erect, alter or use any building or structure* for any purpose except in accordance with the following provisions:

12.3.12.2.1 Height of Building

Maximum 15 m (49.2 ft.)

12.3.12.2.2 That all the provisions of the HC Zone in Section 12.2 to By-Law Number 04-4160, as amended, shall apply, and further that all other provisions of By-Law Number 04-4160, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

(Added by By-Law 22-5221)

12.3.13 LOCATION: 146 CULLODEN ROAD, HC-13 (KEY MAP 2)

12.3.13.1 Notwithstanding any provision of this By-law to the contrary, no *person* shall within any HC-13 Zone *use any lot, or erect, alter or use any building or structure* for any purpose except for the following:

all *uses* permitted in Section 12.1 to this By-law;
 a *business service establishment*;
 a commercial school;
 a *personal service establishment*.

12.3.13.2 Notwithstanding any provision of this By-law to the contrary, no *person* shall within any HC-13 zone *use any lot, or erect, alter or use any building or structure* for any purpose except in accordance with the following provisions:

12.3.13.2.1 Total Gross Floor Area of Eating Establishments

Maximum **975 m²** (10,494.8 ft²)

12.3.13.2.2 Parking Spaces

Minimum 94

12.3.13.2.3 Accessible Parking Spaces

Minimum 4

12.3.13.3 That all the provisions of the HC Zone in Section 12.2 to By-Law Number 04-4160, as amended, shall apply, and further that all other provisions of By-Law Number 04-4160, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 22-5233)

12.3.14 LOCATION: PART LOT 22, CONCESSION 2, WEST OXFORD, HC-14 (KEY MAP 2)

12.3.14.1 Notwithstanding any provisions of this By-law to the contrary, no *person* shall within any 'HC-14' Zone *use any lot, or erect, alter or use any building or structure* for any purpose except for the following:

all *uses* permitted in Section 12.1 to this By-law;
 a *retail store* for the sale of industrial work apparel;
 a *personal service establishment*

(Added by By-Law 24-5300)

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12.3.14.2 Notwithstanding any provision of this By-law to the contrary, no *person* shall within any ‘HC-14’ zone *use any lot, or erect, alter or use any building or structure* for any purpose except in accordance with the following provisions:

12.3.14.2.1 Total Gross Floor Area for Eating Establishments

Maximum **590 m²** (6,351 ft²)

12.3.14.2.2 Number of Queue Spaces for a Drive-Through Window

Minimum **10**

12.3.14.2.3 Parking Spaces

Minimum **79**

12.3.14.3 That all the provisions of the ‘HC’ Zone in Section 12.2 to By-Law Number 04-4160, as amended, shall apply, and further that all other provisions of By-Law Number 04-4160, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 24-5300)