

## Section 19 – Hamlet Commercial (HC)

### 19.1 Preamble

Within Hamlet Commercial Zone (HC), 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.

### 19.2 19.2.1. Permitted Principal Uses

- a) An automobile sales agency;
- b) An automobile service station;
- c) A bake shop;
- d) A public or private park;
- e) A bank and/or trust company;
- f) A business and/or professional office;
- g) A commercial recreational establishment such as a bowling or billiard establishment or other similar use;
- h) A convenience retail store;
- i) An eating establishment including a banquet hall;
- j) A funeral home;
- k) A gift shop;
- l) A hotel;
- m) A laundry and/or dry cleaning shop;
- n) A lawn, garden and farm equipment and supplies sales outlet;
- o) A medical clinic;
- p) A day nursery;
- q) A post office;
- r) A private or commercial club;
- s) A retail store;
- t) A service shop including a personal service shop;
- u) A tavern;
- v) A theatre, cinema or other place of entertainment; and/or
- w) A veterinary clinic

### 19.2.2. Permitted Accessory Uses

- a) Accessory building(s) to the above principal uses;
- b) A public or private parking area, including parking facilities associated with the principal use(s) permitted above;

- c) One dwelling unit in the form of an apartment as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Section 5.19 and 5.20; and/or
- e) Shipping containers where a building permit has been issued.

### 19.3 Zone Regulations

#### 19.3.1. For the property

- a) Lot Area: 4,000 square metres (0.99 acres) minimum;
- b) Lot Frontage: 45 metres (147.6 feet) minimum;
- c) Lot Coverage (all buildings): 40% maximum;
- d) Off-street parking shall be provided in accordance with Section 5.35;
- e) Off-street loading shall be provided in accordance with Section 5.36; and
- f) All means of ingress and egress shall have a minimum width of 6 meters (19.7 feet) and in the case of a corner lot, no means of ingress or egress shall be located within 15 meters (49.2 feet) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.

#### 19.3.2. For Principal Building-(for all uses except an Automobile Service Station)

- a) Front Setback: 8 metres (26.2 feet) minimum;
- b) Rear Setback: 6 metres (19.7 feet) minimum;
- c) Interior Side Setback: 3 metres (9.8 feet) minimum;
- d) Exterior Side Setback: 8 metres (26.2 feet) minimum;
- e) When abutting a residential zone:
  - i. Rear Setback: 9 metres (29.5 feet) with 1 metre (3.3 feet) planting strip adjacent to the lot line minimum; and
  - ii. Interior Side Setback: 5 metres (16.4 feet) with 1 metre (3.3 feet) planting strip adjacent to the lot line minimum; and
- f) Building Height: 11 metres (36.1 feet) maximum.

#### 19.3.3. Special Provisions for an Automobile Service Station

- a) Lot Frontage: 45 metres (147.6 feet) minimum;
- b) Lot Depth: 45 metres (147.6 feet) minimum;
- c) Front Setback: 15 metres (49.2 feet) minimum;
- d) Rear Setback: 7.5 metres (24.6 feet) minimum;
- e) Interior Side Setback: 3 metres (9.8 feet) minimum;
- f) When abutting a residential zone:
  - i. Rear Setback: 15 metres (49.2 feet) minimum;

- ii. Interior Side Setback: 15 metres (49.2 feet) minimum;
- iii. Mandatory Open Space: 4.5 metres (14.5 feet); and
- g) Exterior Side Setback: 15 metres (49.2 feet) minimum;
- h) Lot Coverage: 40% maximum;
- i) Building Height: 11 metres (36.1 feet) maximum;
- j) Light stands and signs (within any required yard): 2.5 metres (8 feet) from any street line minimum;
- k) Fuel pumps and pump islands (within any required yard): 6 metres (19.7 feet) from any street line minimum;
- l) Distance between access ramps: 12 metres (39.4 feet) minimum;
- m) Ramp setback from side lot line: 4.5 metres (14.5 feet) minimum;
- n) Ramp access setback from corner/intersection of street lines: 15 metres (49.2 feet) minimum;
- o) Ramp width: 7.5 metres (24.6 feet) minimum; and
- p) Interior angle between lot line and centreline of the ramp: between 70 and 90 degrees.

#### 19.3.4. For Accessory Buildings

- a) Front Setback: 8 metres (26.2 feet) minimum;
- b) Rear Setback: 1.5 metres (4.9 feet) minimum;
- c) Interior Side Setback: 1.5 metres (4.9 feet) minimum;
- d) Exterior Side Setback: 8 metres (26.2 feet) minimum;
- e) Building Height: 4.5 metres (14.8 feet) maximum;
- f) Gross Floor Areas shall be:
  - i. The minimum gross floor area in accordance with the Ontario Building Code.
  - ii. The maximum gross floor area shall not exceed 98 square metres (1,055 square feet); and
- g) Access to an accessory dwelling unit shall be separate from access to a commercial use.

#### 19.4 General Provisions

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the Hamlet Commercial Zone (HC).

19.5 Special Hamlet Commercial Zone (HC)

All other provisions of the By-law shall apply except as specified by each special zoning requirement.

19.5.1 Special Hamlet Commercial-1 (HC-1)

The lands subject to this By-law amendment are described as follows:

- Part Lot 8, Concession I

Notwithstanding any provisions of this By-law to the contrary, on lands zoned HC-1 the following special provisions shall apply:

That Section 19.5.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

19.5.1.1 Permitted Uses

- a) Non-Residential - a bakery shall be permitted, in addition to other permitted Hamlet Commercial uses.

19.5.2 Special Hamlet Commercial-2 (HC-2)

The lands subject to this By-law amendment are described as follows:

- Part Lot 8, Concession II

Notwithstanding any provisions of this By-law to the contrary, on lands zoned HC-2 the following special provisions shall apply:

That Section 19. 5.2 be added to the By-law to regulate the use of the land with respect to the following provisions.

19.5.2.1 Permitted Uses

- a) Residential:
  - i. A dwelling house containing a maximum of seven dwelling units shall be permitted.
- b) Non-Residential in addition to other permitted Hamlet Commercial uses:
  - i. A restaurant;
  - ii. A public use;
  - iii. A business office; or
  - iv. A retail outlet as an accessory to the residential use.

19.5.3 Special Hamlet Commercial-3 (HC-3)

The lands subject to this By-law amendment are described as follows:

- Part Lot 35, Concession VIII

Notwithstanding any provisions of this By-law to the contrary, on lands zoned HC-3 and shown on Schedule 'B' attached, the following special provisions shall apply:

That Section 19.5.3 be added to the By-law to regulate the use of the land with respect to the following provisions.

19.5.3.1 Permitted Uses

- a) Non-Residential in addition to other permitted Hamlet Commercial uses:
  - i. Personal service shop; or
  - ii. Retail store.

19.5.4 Special Hamlet Commercial-4 (HC-4) By-law 2004-46

The lands subject to this By-law amendment are described as follows:

- Part Lot 20, Concession IV
- Part of Part 3 on RP 39-R1613
- 3311 Burnham St N., Camborne, plus
- Part 1 on RP 39R-12355 via By-law 2010-49 and plus
- Part 1 on RP 39R-12736 via By-law 2012-30

Notwithstanding any provisions of this By-law to the contrary, on lands zoned HC-4 following special provisions shall apply:

That Section 19.5.4 be added to the By-law to regulate the use of the land with respect to the following provisions.

19.5.4.1 Permitted Uses

- i. A bake shop;
- ii. A post office;
- iii. A retail store;
- iv. A convenience retail store;
- v. A service shop;
- vi. A personal service shop;
- vii. A farm supply dealer;
- viii. A business and/or professional office;
- ix. A medical clinic;
- x. A gift shop;
- xi. A day nursery;
- xii. A veterinary clinic;
- xiii. A public or private parking area including parking facilities associated with the principal use(s) permitted under this section;
- xiv. One dwelling or one dwelling unit in the form of an apartment as an accessory use in buildings in which commercial uses are permitted; and/or
- xv. A craft shop.

19.5.5A Special Hamlet Commercial-5A (HC-5A) By-law 2009-23

The lands subject to this By-law amendment are described as follows:

- Part Lot 13 & 14, Concession 1, and Part of Road Allowance
- being Parts 1 & 2 on RP 39R-612,
- save and except Part 1 on RP 39R-1312
- and save and except Parts 1 & 2 on RP 39R-10212
- County Road 45

Notwithstanding Section 19.2 of By-law 2001-58 to the contrary the only uses permitted on lands zoned HC-5A shall be the following:

That Section 19.5.5A be added to the By-law to regulate the use of the land with respect to the following provisions.

a) Permitted Uses

- i. A bake shop;
- ii. A post office;
- iii. A retail store;
- iv. A retail landscaping and garden supply centre;
- v. A convenience retail store;
- vi. A service shop including a personal service shop;
- vii. A lawn, garden and farm equipment supply sales outlet;
- viii. A supermarket; [defined in Sec. e below];
- ix. A home improvement centre; [defined in Sec. f below];
- x. A laundry and/or dry cleaning shop;
- xi. An eating establishment including a banquet hall;

- xii. A bank and/or trust company;
- xiii. A business and/or professional office;
- xiv. A theatre or cinema;
- xv. A commercial recreational establishment such as a bowling or billiard establishment or other similar use;
- xvi. A funeral home;
- xvii. A medical clinic;
- xviii. A private or commercial club;
- xix. A gift shop;
- xx. A day nursery;
- xxi. A veterinary clinic;
- xxii. A public or private parking area, including parking facilities associated with the principal use(s) permitted under this section;
- xxiii. An automobile service station;
- xxiv. An automobile sales agency;
- xxv. A warehouse;
- xxvi. A tavern;
- xxvii. A hotel;
- xxviii. One accessory dwelling unit; and/or
- xxix. An accessory building or use to the above uses

- b) Notwithstanding Section 5.31.2 xvii) and Section 19.3 to the contrary, no building, structure or parking area shall be located closer than 10 metres (33 feet) to a residential zone. The 10 metre (33 feet) wide area shall be landscaped in accordance with an approved Site Plan prior to development.
- c) The maximum combined gross floor area permitted for retail commercial uses in the HC-5-H Zone shall be 0.14 hectares (0.34 acres). For purposes of this section, a retail commercial use shall include the following uses listed in Section 19.5.5a) i), iii), v), vii, viii), ix), xix).
- d) For purposes of this By-law a "Warehouse" shall mean a building or structure or part thereof used for the storage and distribution of goods, wares, merchandise, substances, articles or things and may include an accessory retail use provided that the retail component occupies less than 15% of the gross floor area of the warehouse use, but does not include a cartage or express truck terminal.
- e) For purposes of this By-law a "Supermarket" shall mean an establishment primarily engaged in retailing a balanced line of food, such as canned, dry and frozen foods; fresh fruits and vegetables; fresh and prepared meats; fish, poultry, dairy products, baked products and snack foods. These establishments also typically retail a limited line of non-food household products, such as household paper products, toiletries and non-prescription drugs."
- f) For purposes of this by-law a "Home Improvement Centre" shall mean a building, structure or part thereof in which home building/design and garden products and the provision of related services are offered for sale. Goods offered for sale may include but are not limited to lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies, flowers and plants, shrubs, trees or similar vegetation.
- g) The retail landscaping and garden supply centre shall not include any permanent buildings or structures and shall be limited to the retail sale of finished product only.
- h) Notwithstanding Section 19.3, the maximum building height in the Special Hamlet Commercial-5A (HC-5A-H) Holding Zone shall be 8 metres (26.2 feet).

#### 19.5.5.2 Removal of the Holding – H Symbol

- a) That development of the lands zoned OS-2-H, OS-3-H, UR1-8B-H, UR1-9-H & HC-5-H shall not proceed until such time as the “H” symbol has been removed in accordance with the provisions of the Planning Act. The “H” Holding symbol may be removed following completion of the following:
- b) A Site Plan and Site Plan Agreement has been entered into between the developer and the Township in accordance with the provisions of the Planning Act. The Site Plan and Site Plan Agreement shall address, where appropriate, such issues as access, traffic impact, site grading and drainage, site servicing, landscaping, lighting, fencing, waste management, emergency access, market impact study (if required) and any other matters provided for in the Township Site Plan Control By-law and Section 41 of the Planning Act.
- c) That Zoning By-law No. 2001-58 is hereby amended to give effect to the foregoing and that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or hereinafter dealt with.

#### 19.5.5B Special Hamlet Commercial-5B (HC-5B) By-law 2010-14

The lands subject to this By-law amendment are described as follows:

- Part Lot 34, Con VIII
- Part Lots 1 & 3 in Block I on Registered Plan 30,
- Parts 1 & 2 on RP 39R-12176
- 7147 Lake St., Bewdley

That Section 19.5.5b be added to the By-law to regulate the use of the land with respect to the following provisions:

##### 19.5.5B.1 Permitted Uses

That the permitted uses as found in Section 19.2 of By-law 2001-58 shall remain in respect of the Special Hamlet Commercial-5B (HC-5B) zone.

That Section 19.5.5B be added to the By-law to regulate the use of the land with respect to the following provisions.

##### 19.5.5B.2 Zone Regulations

- a) For All Principal Buildings or Uses Except an Automobile Service Station:
  - i. Lot area - 0.145 acres;
  - ii. Lot frontage - 20.93 metres (68.66 feet);
  - iii. Rear setback as illustrated on RP 39R-12176;
  - iv. Interior side setback as illustrated on RP 39R-12176; and
  - v. Off-street parking – zero spots permitted.

That Zoning By-law No. 2001-58, as otherwise amended, is hereby amended to give effect to the foregoing, that Zoning By-law No. 2001-58, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or thereafter dealt with.

#### 19.5.6 Special Hamlet Commercial-6 (HC-6) zone not used

## 19.5.7 Special Hamlet Commercial-7 (HC-7) By-law 2012-29

The lands subject to this by-law amendment are described as follows:

- Part Lot 20, Concession IV
- Part 1 & 2 on RP 39R-2062
- 3438 Albert's Alley, Camborne

That Section 19.5.7 be added to the by-law to regulate the use of the land with respect to the following provisions:

### 19.5.7.1 Zone Regulations

#### a) For Property:

- i. Lot Area - 0.4 hectares (0.5 acres) minimum;
- ii. Lot Frontage - 42.36 meters (139 feet) minimum; and
- iii. Front Yard - 5.48 meters (18 feet) minimum.

#### b) Permitted Uses

- i. A bake shop;
- ii. A post office;
- iii. A retail store;
- iv. A convenience retail store;
- v. A service shop including a personal service shop;
- vi. A lawn, garden and farm equipment & supplies sales outlet;
- vii. A laundry and/or dry cleaning shop
- viii. An eating establishment including a banquet hall;
- ix. A tavern;
- x. A hotel;
- xi. A bank and/or trust company;
- xii. A business and/or professional office;
- xiii. A theatre, cinema or other place of entertainment;
- xiv. A commercial recreational establishment such as a bowling or billiard establishment or other similar use;
- xv. A funeral home;
- xvi. A medical clinic;
- xvii. A private or commercial club;
- xviii. A gift shop;
- xix. A day nursery;
- xx. A veterinary clinic;
- xxi. A public or private parking area, including parking facilities associated with the principal use(s) permitted in this section;
- xxii. An automobile service station;
- xxiii. An automobile sales agency;
- xxiv. An accessory building or use to the above; or
- xxv. One dwelling unit in the form of a single detached residential dwelling.

No other accessory dwelling units shall be permitted.

Although a range of uses are permitted on the property, the existing and proposed use of the lands for a professional office and single detached dwelling shall not change without a review of the technical issues surrounding a change of use such as, but not limited to servicing, access, drainage, parking and other Zoning By-law provisions. Site Plan Approval will be required should a change of use is proposed.

#### c) Parking Provisions

- i. Dwelling unit - 1 parking space per dwelling unit