

**SECTION 22: HIGHWAY COMMERCIAL NODE HCN ZONE****22.1 Permitted Uses**

The following uses are permitted in the Highway Commercial Node HCN Zone;

- (1) light manufacturing carried on entirely in wholly enclosed buildings and which are not obnoxious or incompatible with other permitted uses by reason of the emission of odour, dust, smoke, noise, gas, fumes, cinders, vibration refuse matter or water-carried waste;
- (2) automobile sales and rental establishment;
- (3) printing and/or publishing establishment;
- (4) warehouse;
- (5) retail store for: furniture, appliances carpets and flooring, plumbing supplies, decorating supplies (paint and wallpaper), light fixtures, and similar home furnishing or home improvement products; to a maximum floor area for such use of 1,390 square metres;
- (6) retail store (other than a store referred to in clause (5)) having a maximum floor area of 185 square metres provided that the combined floor area of all such stores in one building shall not exceed 390 square metres;
- (7) office;
- (8) accessory buildings and structures to the foregoing permitted uses and in accordance with the provisions of Section 22.3.

**22.2 Zone Provisions**

No person shall use any land or erect or use any building or structure in a Highway Commercial Node (HCN) Zone except in accordance with the applicable provisions of section 6 General Provisions and with the following:

(a) Minimum Lot Area (hectares)	2.5 or as existing on December 1, 1990;
(b) Minimum Lot Frontage (metres)	150
(c) Building Line (Front Yard) (metres)	24
Building Line (Side Yard abutting a street) (metres)	15
(d) Minimum Rear Yard Setback (metres)	15
(e) Minimum Side Yard Setback (metres)	15
(f) Maximum Lot Coverage (percent of lot area)	15

(g) Environmental Requirements:

Every lot and use shall be in compliance with the applicable provisions of the Public Health Act and the Environmental Protection Act and the regulations made thereunder, and with all requirements of the Regional Niagara Public Health Department.

22.3 Accessory Buildings and Structures in a HCN Zone

Accessory buildings and structures in a HCN Zone are permitted in accordance with the following provisions:

- (a) No accessory building or structure shall be used for human habitation;
- (b) An accessory building or structure is not permitted within any minimum front yard or side yard abutting a street;
- (c) The minimum distance from an accessory building or structure to a rear or a side lot line shall be 3 metres; however, where such rear or side lot line abuts a Residential Zone, or residential use, or Agricultural Zone, any accessory building or structure shall be a minimum of 6 metres from said lot line.

22.4 Open Storage in a HCN Zone

The open storage of goods and materials is permitted subject to the following:

- (a) Open storage shall be directly related to the permitted use on any lot;
- (b) Open storage shall not be permitted in any front yard, any side yard abutting a street or any yard abutting a Residential Zone or residential use;
- (c) Open storage areas shall be totally fenced, and screened from public view; which screening (other than landscaping) shall be not less than 1.5 metres nor more than 2.5 metres in height, and open storage shall not exceed the actual height of such screening.

22.5 Loading Space in a HCN Zone

Loading spaces are subject to the following provisions:

- (a) Loading spaces shall not be permitted in any front yard or any side yard abutting a street;
- (b) Loading spaces in a rear yard or side yard shall be screened from view from a street;
- (c) Loading spaces in a rear or side yard shall not be located within 3 metres of a lot line.

22.6 Provisions for Landscaping in a HCN Zone

Every lot in a HCN Zone shall be subject to the following requirements:

- (a) Minimum Landscaped Open Space (percent of lot area) 25
- (b) Required Planting Strips:

- (i) adjacent to front lot line and side lot line abutting a street having a minimum width of 5 metres; and
- (ii) adjacent to any other lot line having a minimum width of 3 metres.

**22.7 Provisions for Parking in a HCN Zone**

In addition to the parking requirements in Section 6.15, the following requirements apply in the HCN Zone:

- (a) All parking areas, loading areas, driveways and access and egress areas shall have a cement or asphalt binder or other permanent type of surfacing;

**22.8 Provisions for Exterior Treatment**

No exterior walls that face a street, are exposed to public view from a street, or constitute the principal point of public entry shall be constructed of concrete blocks unless the same are decorative masonry blocks or are used in a decorative pattern form or are surfaced with stucco.

**22.9 Special Provisions**

In accordance with Section 5.1.3, the following special provisions shall apply to those lands shown on the zoning schedules as having reference to the corresponding special provision number:

**HCN-1 2055 Kottmeier Road**

Notwithstanding the provisions of the Highway Commercial Node HCN Zone, in addition to the permitted uses of the HCN Zone, the lands indicated as HCN-1 on Schedule A3 may be used as a construction trades establishment.

**HCN-2 1946 Hwy. 20**

Notwithstanding the provisions of the Highway Commercial Node HCN Zone, in addition to the permitted uses of the HCN Zone, the lands indicated as HCN-2 on Schedule A3 may be used as a drive-in theatre.

**HCN-3 Part of Twp. Lot 147, West Side of Kottmeier Road**

Notwithstanding the provisions of Section 22.2 of the Highway Commercial Node HCN Zone, the lands indicated as HCN(H)-3 on Schedule A3 shall be subject to the following special provisions:

- (a) Minimum Lot Area (hectares) 1.25
- (b) Minimum Lot Frontage (metres) 76.2

\*\* Holding Provision removed, Pt 2, 59R-13649 by By-law 68-2008, July 8, 2008.\*\*

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