

SECTION 27

HIGHWAY SERVICE COMMERCIAL (HS) ZONE

27.1 GENERAL PURPOSE OF THE HS ZONE

This Zone provides for and regulates a range of commercial and service uses which cater to the needs of the travelling public. They tend to be located on major arterial roads with high traffic volumes at major entrances to the City. Offices are not generally permitted. (Z.-1-202871)

Uses which may be permitted in the Highway Service Commercial Zone are differentiated through zone variations on the basis of their function, intensity and potential impacts. The main HS Zone variation permits a restricted range of automobile-oriented, convenience commercial and service uses which are appropriate for all areas. An expanded range of uses may be permitted in appropriate locations through the use of zone variations. The HS1 (larger assembly uses), HS2 (automotive), HS3 (commercial recreation) and HS4 (hotel/motel) can be applied in appropriate locations. Application of a zone variation may be restricted due to the amount of traffic generated and/or the effect of the uses on the adjacent land uses.

27.2 PERMITTED USES

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any HS Zone variation for any use other than the following uses:

1) HS

The following are permitted in the HS Zone variation:

- a) Animal hospitals;
- b) Automotive uses, restricted;
- c) Convenience service establishments;
- d) Convenience stores;
- e) Duplicating shops;
- f) Financial institutions;
- g) Personal service establishments;
- h) Restaurants;
- i) Video rental establishments;
- j) Brewing on Premises Establishment. (Z.-1-021027)

2) HS1

The following are permitted uses in the HS1 Zone variation:

- a) Any use permitted in the HS Zone variation;
- b) Assembly halls;
- c) Private clubs;
- d) Taverns.

3) HS2

The following are permitted uses in the HS2 Zone variation:

- a) Any use permitted in the HS Zone variation;
- b) Automobile repair garages;
- c) Taxi establishments.

4) HS3

The following are permitted uses in the HS3 Zone variation:

- a) Any use permitted in the HS Zone variation;
- b) Commercial recreation establishments.

5) HS4

The following are permitted uses in the HS4 Zone variation:

- a) Hotels;
- b) Motels;
- c) Restaurants.

27.3 REGULATIONS

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any HS Zone variation except in conformity with the regulations as set out in Table 27.3.

27.4 SPECIAL PROVISIONS

The following zone variations apply to unique or existing situations and are not the standard HS Zone variations. If a regulation or use is not specified, the list of permitted uses and/or the regulations of Section 27.2 and/or Section 27.3 shall apply.

a) HS Zone Variation

HS(1)

- a) Additional Permitted Use:
 - i) Home improvement and furnishing stores.

HS(2) 2101 Aldersbrook Road

- a) Permitted Uses:
 - i) Any use in the HS Zone variation except automotive uses, restricted;
 - ii) any use in the CC, CC1, and CC2 Zone variation;
 - iii) Offices.
(Z.-1-93180)

HS(3)

- a) Prohibited Uses:
 - i) Automotive uses, restricted.
(O.M.B. File #R920575 - Appeal #1017 June 4, 1993)

HS(4)

- a) Permitted Uses:
 - i) Bake shops;
 - ii) Clinics;
 - iii) Convenience service establishments;
 - iv) Day care centres;
 - v) Duplicating shops;
 - vi) Emergency care establishments;
 - vii) Financial institutions;
 - viii) Offices;
 - ix) Personal service establishments;
 - x) Restaurants;
 - xi) Retail stores;
 - xii) Service and repair establishments;
 - xiii) Studios;
 - xiv) Taverns.
(Z.-1-94225)

HS(5)

- a) Additional Permitted Use:
 - i) Parking for uses permitted in the HS Zone.
(Z.-1-99700)

HS(6)

- a) Permitted Uses:
 - i) Animal hospitals,
 - ii) Convenience service establishments;
 - iii) Convenience stores;
 - iv) Duplicating shops;
 - v) Financial institutions;
 - vi) Personal service establishments;
 - vii) Restaurants;
 - viii) Video rental establishments;
 - ix) Brewing on premises establishment.
(Z.-1-061493)

HS(7)

- a) Additional Permitted Use:
 - i) Self-storage establishment
- b) Regulations:
 - i) Front Yard Depth (m) 3.0 metres (9.84 feet)
(Maximum)
 - ii) Interior Side and Rear Yard Depth (m) 1.0 metres (3.28 feet)
Minimum for a Self-storage establishment
 - iii) Interior Side Yard Depth (m) Minimum for all other permitted uses 3.0 metres (9.84 feet)
 - iv) Height (m) Maximum for a Self-storage establishment 5.0 metres (16.40 feet)
 - v) Building Length Along Dundas Street Related to Lot Frontage (%) 42 percent
(Minimum)
 - vi) Notwithstanding Section 4.18 2)a) to the contrary, an outdoor patio associated with a restaurant shall be permitted provided it is separated from lands zoned for residential purposes by a building
(Z.-1-091850)

HS(8)

- a) Permitted Uses:
 - i) Animal hospitals;
 - ii) Brewing on premises establishment;
 - iii) Duplicating shops;
 - iv) Financial institutions, without a drive-through facility;
 - v) Personal service establishments;
 - vi) Self-storage establishment;
 - vii) Video rental establishments.
- b) Regulations:
 - i) Interior Side and Rear Yard Depth (m) 1.0 metres
Minimum for a Self-storage establishment (3.28 feet)

- ii) Height (m) Maximum for a Self-Storage Establishment (Z.-1-091850) 5.0 metres (16.40 feet)
- HS (9)
 - a) Additional Use:
 - i) Retail fishing supply and service store within the existing building
 - b) Regulations:
 - i) Existing Number of Parking Spaces
 - ii) Gross Floor Area 300 square metres (maximum)
Retail fishing and service store (Z.-1-122094)
- HS(10) 915-919 Commissioners Road East
 - a) Additional Permitted Use:
 - i) Retail Store up to a maximum gross floor area of 111 m² in existing building at 919 Commissioners Road East.
 - b) Regulations:

Off-street Parking for all permitted uses in the existing buildings: Fifty-one (51) spaces. (Z.-1-212944)
- HS(11) 876 Wellington Road
 - a) Additional Permitted Uses
 - i) Home Improvement and Furnishing Stores
 - ii) Service Trade
 - b) Regulations
 - i) Lot Frontage (minimum) 9.1m (29.85ft)
 - ii) Interior Side Yard (northerly) (minimum) 0m (0ft)
 - iii) Interior Side Yard (southerly) (minimum) 0.25m (0.82ft)
 - iv) Landscaped Open Space (minimum) 0%
 - v) Parking (minimum) As existing to serve all permitted uses in the building existing on the date of the passing of this bylaw
 - vi) Open Storage is Prohibited (Z.-1-222987)
- HS(12) 600 Oxford Street West
 - a) Additional Permitted Uses
 - i) Offices,
 - ii) Retail Stores
 - iii) Commercial Recreation Establishments

- b) Regulations
 - i) Location of Permitted Uses: Permitted uses shall be restricted to the existing buildings.
 - ii) West Interior Side Yard Setback (Minimum) 1.25 metres
 - iii) East Interior Side Yard Setback (Minimum) 4.05 metres
 - iv) Existing Landscaped Open Space (Minimum) 8%
 - v) Parking Setback from the Ultimate Road Allowance (Minimum) 0.0m
 - vi) Existing Number of Parking Spaces totalling 71 (Z.-1-223011)

b) HS1 Zone Variation

HS1(1) Zone

- a) Regulation:
 - i) Lot Frontage (Minimum) (Z.-1-99684) 22.0 metres (72.1 feet)

HS1(2) Tempo Area

- a) Permitted Uses:
 - i) Automotive uses, restricted;
 - ii) Convenience service establishments;
 - iii) Convenience stores;
 - iv) Personal service establishments;
 - v) Automobile repair garages;
 - vi) Vehicle repair garage;
 - v) Private club.
- b) Regulations:
 - i) Lot Area (m²) Maximum .8ha (2 ac.)
 - ii) Lot Depth (m) Maximum 350m (1148 ft.)
 - iii) Outdoor storage (%) Maximum 10
 - iv) On properties abutting Colonel Talbot Road (Highway 4) and, Highway 401, or portions thereof, there shall be no outdoor storage. (Z-1-051390)

HS1(3)

- a) Permitted Uses:
 - i) Automotive uses, restricted;
 - ii) Convenience service establishments
 - iii) Convenience stores
 - iv) Personal service establishments
 - v) Automobile repair garages
 - vi) Vehicle repair garage
 - vii) Private Club
- b) Regulations
 - i) Lot Area (maximum) As existing on the date of the the passing of the by-law
 - ii) Lot Depth 350 m (1148 ft.)

(maximum)

- iii) Open Storage (maximum) 10% of the lot area restricted to a location within the rear yard
- iv) Permitted Buildings And Structures Existing buildings and structures as of the date of the passing of the date of the passing of the by-law, and buildings and structures outside of areas susceptible to flooding, subject to the *Conservation Authorities Act*. (Z.-1-081684)

HS1(4) 800 Exeter Road

- a) Additional Permitted Use:
 - i) Apartment-Hotel.
- b) Regulations:
 - i) Maximum floor area devoted to dwelling units (Z.-1-122066) 60%

HS1(5) 689 Oxford Street West

- a) Permitted Use:
 - i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.
- b) Regulation:
 - i) Existing number of parking spaces. (Z.-1-223042 – OLT-22-004282)

c) HS2 Zone Variation

HS2(1)

- a) Additional Permitted Use:
 - i) Retail Store in the existing building only, having a maximum gross floor area of 529.5 square metres (5,700 square feet). (Z.-1-061454)

HS2(2)

- a) Permitted Uses:
 - i) Any use permitted in the HS(6) Zone variation;
 - ii) Taxi establishments. (Z.-1-061493)

HS2(3)

- a) Additional Permitted Uses:
 - i) Offices;
 - ii) Medical/dental offices;
 - iii) Clinics;
 - iv) Laboratory;
 - v) Retail stores; and
 - vi) Liquor, beer and wine stores. (Z.-1-061529)

HS2(4)

- a) Additional Permitted Uses:
- i) Automobile sales and service establishments;
 - ii) Offices;
 - iii) Medical/dental offices;
 - iv) Clinics;
 - v) Laboratory;
 - vi) Retail stores; and
 - vii) Liquor, beer and wine stores.
(Z.-1-061530)

HS2(5)

- a) Additional Permitted Use:
- i) Automobile Rental Establishment.
(Z.-1-061539)

HS2(6)

- a) Additional Permitted Uses:
- i) Offices;
 - ii) Medical/dental offices;
 - iii) Clinics;
 - iv) Laboratory;
 - v) Retail stores; and
 - vi) Liquor, beer and wine stores.
- b) Regulations:
- i) Lot Frontage (Minimum) 13.7 metres
 - ii) Exterior Side Yard (Minimum) 1.4 metres
 - iii) Landscaped Open Space (%) (Minimum) 12.0 %
 - iv) Lot Coverage (%) (Maximum) 33.0 %
 - v) Total Parking Spaces (Minimum) 17 spaces
 - vi) Front and Exterior Side Yard Parking Area Setback From the Street (Z.-1-101932) 0.0 metres

HS2 (7) 981 & 983 Wonderland Road South

- a) Regulations:
- i) Front Yard Depth (Maximum) 2.2 metres (7.2 feet)
 - ii) Exterior Side Yard Depth (Maximum) 3 metres (9.8 feet)
 - iii) Rear Yard Setback Depth (Maximum) 5 metres (16.4 feet)
(Z.-1-122129)

HS2(8) 425 Wharnccliffe Road South

- a) Additional Permitted Uses:
- i) Automobile sales and service establishments;
 - ii) Offices;

- iii) Medical/dental offices;
 - iv) Clinics;
 - v) Laboratory;
 - vi) Retail stores; and
 - vii) Liquor, beer and wine stores
 - vii) Clinics, Methadone, dispensing methadone to no more than 200 clients per day.
(Z.-1-122145)
- HS2(9) 607 Wellington Road
- a) Additional Permitted Uses
 - i) Offices in the existing building;
 - ii) Medical/Dental Offices in the existing building;
 - iii) Clinics in the existing building;
 - iv) Laboratory in the existing building;
 - v) Retail Stores in the existing building; and,
 - vi) Liquor, beer and wine stores in the existing building.
 - b) Regulations
 - i) Lot frontage (existing building) 22.8 metres
(Minimum)
 - ii) Interior Yard (existing building) 0 metres
(Minimum)
 - iii) Parking (Minimum) As existing to serve the building existing on the date of passing of the by-law.
(Z.-1-162538)
- HS2(10) 1021 Wonderland Road South
- a) Additional permitted uses:
 - i) retail store
 - b) Regulation[s]
 - i) A total of 56 parking spaces shall be required for the existing building
(Z.-1-172589)
- HS2(11) 450 Wharnccliffe Road South
- a) Additional Permitted Uses:
 - i) Office
 - ii) Medical/Dental Office
 - iii) Clinic
 - iv) Laboratory
 - v) Retail store
 - vi) Liquor, beer, and wine store
 - b) Regulations:
 - iv) Number of parking spaces for all permitted uses in the existing building (Minimum): 13
 - v) Exterior Side Yard Parking Area Setback from required road allowance for the existing building (Minimum): 1.5m
(Z.-1-212952)

HS2(12) 421 Wharncliffe Road South

- a) Regulations:
 - i) Seven (7) drive-through stacking spaces (minimum)
 - ii) Front Yard Depth (minimum) – 4.0 metres (Z.-1-263467)

d) HS3 Zone Variation

HS3(1)

- a) Permitted Uses:
 - i) Any use permitted in the HS(6) Zone variation;
 - ii) Commercial recreation establishments. (Z.-1-061493)

HS3(2) 689 Oxford Street West

- a) Permitted Use:
 - i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.
- b) Regulation:
 - i) Existing number of parking spaces. (Z.-1-223042 – OLT-22-004282)

e) HS4 Zone Variation

HS4(1)

- a) Permitted Uses:
 - i) Any use in the HS1 and the HS4 zone variation;
 - ii) Medical/dental offices;
 - iii) Offices;
 - iv) Printing establishments;
 - v) Laboratories;
 - vi) Clinics.
- b) Regulations:
 - i) Height 23.0 metres (75.5 feet)
(Maximum)
 - ii) Front Yard Depth 6.7 metres (22.0 feet)
(Minimum)
 - iii) Rear and Side Yard 3.0 metres (9.8 feet)
Depth (Minimum)

HS4(2)

- a) Permitted Uses:
 - i) Any use in the ASA1 and HS4 Zone when subject lands are combined with 1609 Dundas Street. A stand alone commercial use with access to Spruce Street is not permitted.
- b) Regulations:
 - i) Lot Area 3,950 square metres
(Minimum) (42,519 square feet)
 - ii) Lot Depth 61 metres
(Minimum) (200 feet)
 - iii) Lot frontage will be defined as frontage onto an arterial road.
 - iv) No vehicular access will be provided to the side street.

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|----|-----------------------------|--|---|
| | v) | Rear Yard
(Minimum) | 12 metres (39.37 feet) for
uses other than a motel use |
| c) | Regulations for a Motel use | | |
| | i) | Interior Yard
(Minimum) | 1.8 metres
(5.9 feet) |
| | ii) | Exterior Yard
(Minimum) | 3 metres
(9.8 feet) |
| | iii) | Rear Yard
(Minimum) | 3 metres
(9.8 feet) |
| | iv) | Parking will be calculated at 1 space for each existing unit
and 1.25 spaces for each new unit for a total of 48 parking
spaces. | |
| | v) | Height
(Maximum)
(Z-1-031118- OMB modifications) | 8 metres (26.25 feet) |

HS4(3)- Deleted by council (2004-12-06)

HS4(4)

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| a) | Permitted Use: | |
| | i) | Restaurant.
(Z.-1-051344) |

HS4(5)

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| a) | Regulations: | | |
| | i) | Height
(Maximum) | 21.0 Metres (68.8 feet) |
| | ii) | Rear Yard Setback
(Minimum) | 3.0 Metres (9.8 feet) |
| | iii) | Loading Spaces
(Minimum)
(Z.-1-061485) | 2 spaces |

TABLE 27.3
HIGHWAY SERVICE COMMERCIAL (HS) ZONE
REGULATIONS FOR HS ZONE VARIATIONS

Column	A	B	C	D	E	F
Line 1	ZONE VARIATIONS	HS	HS1	HS2	HS3	HS4
2	PERMITTED USES	See Section 27.2(1)	See Section 27.2(2)	See Section 27.2(3)	See Section 27.2(4)	See Section 27.2(5)
3	LOT FRONTAGE (m) MINIMUM	30.0	30.0	30.0	40.0	40.0
4	LOT DEPTH (m) MINIMUM	30.0	30.0	30.0	40.0	40.0

Column	A	B
5	FRONT & EXTERIOR SIDE YARD DEPTH (m) MINIMUM	6.0 metres (19.7 feet) plus 1.0 metre (3.3 feet) per 3.0 metres (9.8 feet) of main building height or fraction thereof above the first 3.0 metres (9.8 feet)
6	ABUTTING A RESIDENTIAL ZONE	6.0 metres (19.7 feet) plus 1.5 metres (4.9 feet) for each 4.0 metres (13.1 feet) of building height or fraction thereof above the first 4.0 metres (13.1 feet)
7	INTERIOR SIDE & REAR YARD DEPTH (m) MINIMUM - ABUTTING A NON-RESIDENTIAL ZONE	3.0 metres (9.8 feet) plus 1.5 metres (4.9 feet) for each 4.0 metres (13.1 feet) of building height or fraction thereof above the first 4.0 metres (13.1 feet) from any other non-residential zone boundary and 0.0 metres within the same HS zone.
8	LANDSCAPED OPEN SPACE (%) MINIMUM	15

Column	A	B	C	D	E	F
9	LOT COVERAGE (%) MAXIMUM	30	30	30	25	30
10	HEIGHT (m) MAXIMUM	8.0	15.0	8.0	8.0	15.0