

**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 04-037**

(As Amended by 05-074)

**A BY-LAW TO AMEND THE ZONING BY-LAW FOR 1002 CHEMONG ROAD**

**THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF ENACTS AS FOLLOWS:**

1. By-law 97-123 is amended by adding thereto the following section:

"SECTION 348

SPECIAL DISTRICT (SP.318)

348.1 For the purpose of this by-law, land use district "Special District 318" is hereby established and may be referred to as the symbol "SP.318".

**PERMITTED USES**

348.2 No person shall within an SP.318 district use any land or erect, alter or use any building or part thereof for any purpose other than:

- a) a department store
- b) a video rental establishment
- c) a personal service use
- d) a sub post-office
- e) a dry cleaning depot
- e) a place of assembly
- f) a restaurant
- g) a service station or gas bar
- h) a car wash
- j) a nursery or greenhouse
- k) a rental establishment

**REGULATIONS**

348.3 No person shall within an SP.318 district use any land or erect, alter or use any building or part thereof except in accordance with the following regulations:

TYPE		REQUIREMENT
a)	minimum lot area	6 hectares
b)	maximum floor area for a department store use	12,425 square metres
c)	maximum building height	2 storeys
d)	minimum building setback, side or rear lot line	15 metres
e)	minimum width of landscaped open space to be provided and maintained along lot lines, shall be in accordance with the following:	
	i) a street line	3 metres or as required by an approved Site Plan Agreement
	ii) a lot line abutting a residential district	3 metres or as required by an approved Site Plan Agreement
	iii) a lot line abutting an open space or development district	6 metres or as required by an approved Site Plan Agreement
	iv) along another lot line	3 metres or as required by an approved Site Plan Agreement
f)	for purposes of this By-law, the area designated as SP.318 shall be deemed to be a lot.	

348.4 SP.318 is hereby designated as a commercial district.”

2. **Map 3** forming part of Schedule 'A' to By-law 97-123 is amended by changing the area shown on the sketch attached hereto as Schedule 'A' from **D.2 and D.2 – 96 to SP. 318 – “H”, SP.318 – “H1”, SP.318 – “H2” and OS.2.**
3. Paragraph 3 deleted as per by-law 05-074
4. The “H1” – Holding Symbol shall be removed:
  - a) upon the approval of a site plan agreement pursuant to section 41 of the Planning Act;
  - b) upon the approval of a zoning by-law amendment to permit commercial development on the properties at 992, 988 and 982 Chemong Road; and
  - c) upon the approval of appropriate arrangements for the coordination and consolidation of development among the properties at 992, 988 and 982 Chemong Road and the adjoining properties.
5. The “H2” – Holding Symbol shall limit the use of lands to vehicle access and parking purposes, and shall be removed:
  - a) upon the approval of a zoning by-law amendment to permit commercial development and the properties at 992, 988, 982, 962, 956 and 952 Chemong Road; and
  - b) upon the approval of appropriate arrangements for the coordination and consolidation of development among the properties at 992, 988, 982, 962, 956 and 952 Chemong Road and the adjoining properties.
6. The By-law shall come into effect upon the approval of Official Plan Amendment No. 126, which serves to designate the subject lands for Major Shopping Centre purposes.

By-law read a first and second time this 8<sup>th</sup> day of March, 2004.

By-law read a third time and finally passed this 8<sup>th</sup> day of March, 2004.

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk