

**SECTION 6**

**SUPPLEMENTARY REGULATIONS**

**CITY AND P.U.C.**

**6.1** None of the provisions of this by-law prevents the use of any land or the erection, alteration or use of any building or part thereof by:

- a) The Corporation of the City of Peterborough (the "City");
- b) A municipal services corporation, established under Section 203 of the Municipal Act, 2001:
  - a. which is wholly owned by the City; or
  - b. for which the City is the majority shareholder;
- c) A Local Housing Corporation for which the City is the majority shareholder; or by
- d) The Peterborough Police Services Board. (By-law 24-040).

**6.2 CHANGE OF USE OR ALTERATION OF BUILDING (92-57)**

**6.2.1 Lawfully Existing Use** Nothing in this by-law shall apply to prevent the change of a lawfully existing use to a use which is permitted within the zoning district, provided that the extent of any non-conformity to the provisions of this By-law will not increase as a result of the change of use.

**6.2.2 Lawfully Existing Building** Nothing in this By-law shall apply to prevent the alteration of a lawfully existing building, which results in an increase in its exterior dimensions, provided that such alteration itself complies with the provisions of this By-law and is used for a purpose permitted by this By-law.

**UNDERSIZED LOT**

**6.3** Where a lot has less than the lot width, lot width per dwelling unit, depth, area or lot area per dwelling unit required in the land use district in which it is located, and has existed and been continuously held in separate ownership in its entirety since prior to January 1, 1991, such lot may be used, and a building may be erected, altered or used thereon, for a purpose permitted in the district provided that:

- i) all other regulations are complied with, and
- ii) such lot has at least 80% of the required lot width, lot width per dwelling unit, depth, area or lot area per dwelling unit, and
- iii) in the event that the lot is located in a residential district, a maximum of 4 dwellings units are located thereon. (94-32)

**6.3.1** Where a lot in a registered plan of subdivision, registered after January 1, 1991, has less than the lot width, lot width per dwelling unit, depth, area or lot area per dwelling unit required in the land use district in which it is located, such lot may be used, and a building may be erected, altered or used thereon, for a purpose permitted in the district provided that:

- i) all other regulations are complied with, and
- ii) such lot has at least 95% of the required lot width, lot width per dwelling unit, depth, area, or lot area per dwelling unit. (By-law 91-28)

**WATER AND SEWER REQUIRED**

**6.4** Except in an open space or development district, no person shall erect, alter or use any building for any use permitted by this by-law other than agriculture, park, nursery, or salvage yard unless public water distribution and wastewater collection facilities are available to the lot.

**BUILDING LOT MUST ABUT STREET**

**6.5** No building or part thereof shall be erected, altered or used on any land which does not abut a street.

**BUILDING SETBACK - CONTROLLED ACCESS ARTERIALS**

**6.6** No building or part thereof shall be erected, altered or used within 45 metres of the centre line of a controlled access arterial street.

**EXCEPTIONS**

**6.6.1** Notwithstanding section 6.6, no building or part thereof shall be erected, altered or used within 33.5 metres of the centre line of The Parkway from the intersection of The Queensway and The Parkway northerly to the intersection of Lansdowne Street and The Parkway. (By-law 1975-136)

**6.6.2** Notwithstanding Section 6.6, no building or part thereof shall be erected, or used within 33.5 metres of the centreline of The Parkway to the rear of 783 Sherbrooke Street. (By-law 1985-213)

**6.6.3** Notwithstanding Section 6.6, no building or part thereof shall be erected, altered or used within 33.5 metres of the centreline of The Parkway to the rear of 795 Sherbrooke St. (By-law 1987-181)

**BUILDING SETBACK - ARTERIAL STREETS**

**6.7** No building or part thereof shall be erected, altered or used within 24.4 metres of the centre line of an arterial street.

**EXCEPTIONS**

**6.8** Notwithstanding section 6.7, no building or part thereof shall be erected, altered or used within the minimum distance of the centre line set forth opposite the following arterial streets.

(1.1) Armour Road west side	(a)	Moir Street to Maria Street	16 metres
(1.2) Armour Road east side	(a)	Moir Street to a point 30 metres south of Euclid Street	16 metres
	(b)	From a point 30 metres south of Euclid to a point 47 metres south of Euclid	15 metres
	(c)	From a point 47 metres south of Euclid Street to Maria Street	16 metres
	(d)	From Dafoe Drive (formerly Television Road southerly for a distance of 90 metres	21 metres (By-law 1981-114)
(2.1) Aylmer Street east side	(a)	Canadian National Railway near Dublin Street to Lansdowne Street	16 metres (By-law 1978-35)
(2.2) Aylmer Street west side	(a)	Canadian National Railway near Dublin Street to Perry Street	16 metres
	(b)	Perry Street to Lake Street	10 metres
	(c)	Lake Street to a point 27.4 metres north of Romaine St	16 metres
	(d)	from a point 27.4 metres north of Romaine Street to Romaine Street	11.23 metres
	(e)	Romaine Street to Lansdowne Street	16 metres (By-law 1979-98*)
(3.1) Bethune Street west side	(a)	Canadian National Railway near London Street to Perry Street	16 metres
(3.2) Bethune Street east side	(a)	Canadian National Railway near London Street to a point 30 metres north of Charlotte Street	16 metres
	(b)	From a point 30 metres north of Charlotte Street to Charlotte Street	10 metres
	(c)	Charlotte Street to Perry Street	16 metres (By-law 1975-83)
(4) Charlotte Street	(a)	Park Street to easterly limit	10 metres
	(b)	Park Street to westerly limit	16 metres
(4.1) Chemong Road east side	(a)	from the north limit of SP.135 District to the south limit of SP.135 District	55 metres (By-law 1980-13)
(5) Clonsilla Avenue	(a)	Southeast side from Charlotte Street to Western Avenue	16 metres
(5.1) Erskine Avenue east side		From Lansdowne Street to a point 200 metres south of Lansdowne Street	16 metres (By-law 1984-121)
(6) Fairbairn Street	(a)	City limit to Parkhill Road	16 metres

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(7.1) George Street east side	(a)	Water Street to London Street	16 metres
	(b)	London Street to Canadian Pacific Railway	10 metres
	(c)	Canadian Pacific Railway to Lansdowne Street	16 metres
(7.2) George Street west side	(a)	Water Street to London Street	16 metres
	(b)	London Street to Canadian Pacific Railway	10 metres
	(c)	Canadian Pacific Railway to the north limit of 337 George Street South	16 metres
	(d)	337 George Street South	12 metres
	(e)	From the south limit of 337 George Street South to the north limit of 431 George Street South	16 metres
	(f)	431 George Street South	12 metres
	(g)	South limit of 431 George Street South to Lansdowne Street	16 metres (By-law 1981-139)
	(h)	from a point 18 metres north of Ware Street to Ware Street	11.6 metres (By-law 1985-9)
	(i)	From a point 9 metres north of Ware Street to Ware St.	10.5 metres (By-law 1986-101)
(8) Hunter Street	(a)	Rubidge Street to Bethune Street	16 metres
	(b)	Bethune Street to Otonabee River	10 metres
	(c)	Otonabee River to Rogers Street	15.2 metres
	(d)	Rogers Street to Armour Road	16 metres
(9) Lansdowne Street	(a)	Goodfellow Road to High Street	16 metres
	(b)	High Street to Park Street south side	16 metres
	(c)	Park Street to Lock Street, north side	16 metres
	(d)	Lock Street to Otonabee River	16 metres
(10) McDonnel Street	-		16 metres
(11.1) Monaghan Road east side	(a)	Parkhill Road to Arndon Avenue	16 metres
	(b)	Arndon Avenue to a point 66 metres south of Arndon Avenue	15 metres
	(c)	From a point 66 metres south of Arndon Avenue to Johnston Drive	16 metres (By-law 1985-61*)
(11.2) Monaghan Road west side	(a)	Parkhill Road to a point 7 metres north of Brown Street	16 metres
	(b)	From a point 7 metres north of Brown Street to Brown Street	10 metres
	(c)	Brown Street to Johnston Drive	16 metres (By-law 1981-73)

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(12)	Park Street	(a)	Reid Street to Cameron Street	16 metres
(13)	Parkhill Road	(a)	Fairbairn Street to Otonabee River	16 metres
		(b)	Otonabee River to east city limit	16 metres
		(c)	First lot east and west of Chandler Crescent, south side	30 metres
(14)	Reid Street	(a)	Chemong Road to Park Street, west side	16 metres
		(b)	Chemong Road to Simcoe Street, east side	16 metres
		(c)	Simcoe Street to Charlotte Street, east side	10 metres
		(d)	Charlotte Street to Park Street, east side	16 metres
(15)	Rubidge Street	(a)	Reid Street to Park Street, east side	16 metres
		(b)	Reid Street to Simcoe Street, west side	16 metres
		(c)	Simcoe Street to Charlotte Street, west side	10 metres (By-law 75-39)
		(d)	Charlotte Street to King Street, west side	16 metres
		(e)	277 Rubidge Street	12.86 metres
		(f)	A point 15.1 metres south of King Street to Park Street west side	16 metres (By-law 89-103)
(16)	Sherbrooke Street	(a)	Otonabee River to Bethune Street	10 metres
		(b)	Bethune Street to Clonsilla Avenue	16 metres
		(c)	1676 Sherbrooke Street to 1684 Sherbrooke Street	35 metres (By-law 1981-49)
		(d)	827 Sherbrooke Street	19.8 metres (OMB ORDER - April 11/85)
		(e)	783 Sherbrooke Street	18 metres (By-law 1985-213)
(17)	Water Street	(a)	George Street to Murray Street	16 metres
		(b)	Murray Street to C.P.R.	10 metres (By-law 1980-17)

**BUILDING SETBACK - COLLECTOR STREETS**

**6.9** No building or part thereof shall be erected, altered or used within 19 metres of the centre line of a collector street.

**EXCEPTIONS**

**6.10** Notwithstanding section 6.9, no building or part thereof shall be erected, altered or used within the minimum distances of the centre line set forth opposite the following collector streets:

(1)	Albert Street	(a) Monaghan Road to Park Street	16 metres
(2)	Aylmer Street	(a) Wolsely Street to Parkhill Road	16 metres
(3)	Barnardo Avenue	-	16 metres
(4)	Braidwood Avenue	(a) Monaghan Road to Lock Street	16 metres
(4.1)	Broadway Boulevard	(a) between Grange Way and Rowberry Boulevard	14.5 metres for a dwelling, excepting an attached garage or carport
			17.5 metres for an attached garage or carport; and,
			13 metres for a verandah
		(b) Between Rowberry Boulevard and Marsh Avenue	13 metres for a dwelling, excepting an attached garage or carport;
			16 metres for an attached garage or carport; and,
			11.5 metres for a verandah (11-143)
(5)	Cameron Street north side	(a) Canadian National Railway to Park Street South	16 metres (1988-32)
	Cameron Street south side	(a) from C.N.R. right of way to a point 90.8 metres east	15.24 metres (1988-32)
(5.1)	Crawford Drive	(a) 828 Crawford Drive	32.9 metres (1988-32)
		(b) North side from a point 30.1 metres west of Robert Road to a point 111.3 metres west of Robert Road	22.5 metres (1988-32)
(6)	Chamberlain Street	(a) Goodfellow Road to Park Street	16 metres
(7)	Crescent Street	(a) Perry Street to Lock Street	16 metres
(8)	Donegal Street	(a) Parkhill Road to Park Street	16 metres
(9)	Douro Street	(a) Rogers Street to Armour Road	16 metres
(10)	Dumble Avenue	-	16 metres

(10.1) Denure Drive	a) south of Sherbrooke Street	16.7 metres
	b) north of Sherbrooke Street	6 metres from street line (97-128)
(11) Erskine Avenue	(a) Crawford Drive to The Queensway	16 metres
(11.1) Flitton Avenue	(11-143) (deleted by 12-137)	
(12) Frank Street	(a) Western Avenue to Monaghan Road	16 metres
(12.1) Glenforest Boulevard	(a) east side from Sherbrooke Street to a point 41 metres south of Fair Avenue	16 metres (1995-154)
	(b) south side from a point 40 metres east of Woodglade Boulevard to a point 135 metres east of Woodglade Boulevard.	16 metres (96-136)
	(c) west side from a point 142 metres north of Sherbrooke Street to a point 230 metres north of Sherbrooke Street and from a point 370 metres north of Sherbrooke Street to a point 480 metres north of Sherbrooke Street	16 metres (98-133)
(13) Goodfellow Road	(a) West side	16 metres
	(b) East side from Sherbrooke Street to a point 38 metres south of Sherbrooke Street	11.5 metres
	(c) East side from a point 38 metres south of Sherbrooke Street to Lansdowne Street	16 metres (OMB ORDER-Apr 11/85)
(14) High Street	-	16 metres
(15) Highland Road	-	16 metres
(16) Hunter Street	(a) Reid Street to Park Street	16 metres
(17) King George Street	(a) Monaghan Road to Lock Street	16 metres
(17a) Kawartha Heights Blvd	(a) West of Woodglade Boulevard	16.7 metres (1984-8)
(18) Lock Street	(a) Crescent Street to King George Street	16 metres
(18.1) Marsh Avenue		13 metres for a dwelling, excepting an attached garage or carport;  16 metres for an attached garage or carport; and,  11.5 metres for a verandah (11-143)
(19) McFarlane Street	-	16 metres
(20) McLennan Street	-	16 metres
(21.1) Park Street east side	(a) Wolsely Street to Reid Street	16 metres
(21.2) Park Street west side	(a) Wolsely Street to McDonnell Street	16 metres
	(b) McDonnell Street to a point 19.8 metres south of McDonnell Street	10 metres
	(c) From a point 19.8 metres south of McDonnell St. to Reid St.	16 metres (1986-117)
(22.1) Perry Street north side	(a) Park Street to Crescent Street	16 metres

(22.2) Perry Street south side	(a) Park Street to Bethune Street (b) Bethune Street to Aylmer Street (c) Aylmer Street to Crescent Street	16 metres 10 metres 16 metres (1979-98*)
(23.1) Rogers Street east side	(a) From Douro Street to a point 19.2 metres south of Douro Street (b) From a point 19.2 metres south of Douro Street to Maria Street	16 metres 16 metres
(23.2) Rogers Street west side	(a) Douro Street to Maria Street	16 metres (1986-118)
(24.1) Romaine Street south side	(a) Monaghan Road to Lock Street	16 metres (1978-35)
(24.2) Romaine Street north side	(a) Monaghan Road to a point 27 metres west of Aylmer Street (b) From a point 27 metres west of Aylmer Street to Aylmer Street (c) Aylmer Street to Lock Street	16 metres 14.9 metres 16 metres (1978-35)
(24.2.1) Rowberry Boulevard	From Broadway Boulevard to a point 30 metres southeast of Grange Way	13 metres for a dwelling, excepting an attached garage or carport;  16 metres for an attached garage or carport; and,  11.5 metres for a verandah, (11-143)
(24.3) Weber Street east side	(a) From a point 95 m south of Lansdowne Street West, to a point 150m south of Lansdowne Street West	3 metres (05-217)
(25) Weller Street	(a) Sherwood Crescent to Park Street	16 metres
(26) Western Avenue	-	16 metres
(27.1) Wolsely Street north side	(a) From Fairbairn Street to a point 83 metres east of Fairbairn Street (b) From a point 83 metres east of Fairbairn Street to a point 119 metres east of Fairbairn Street (c) from a point 119 metres east of Fairbairn Street to Barnardo Avenue	16 metres  15 metres 16 metres
(27.2) Wolsely Street south side	-	16 metres (1984-94)
(28) Street A as shown on Schedule A to this by-law		28 metres (1984-92)
(29) Woodglade Boulevard	(a) east side from a point 120 metres south of Glenforest Boulevard to a point 200 metres south of Glenforest Boulevard.	16 metres (96-136)

**BUILDING SETBACK - LOCAL STREETS**

**6.11** (a) No building or part thereof shall be erected, altered or used within 6 metres of the street line of any portion of a local street which is 20 metres or wider in width.

(b) No building or part thereof shall be erected, altered or used on a lot abutting a local street which is less than 20 metres in width;

i) within 6 metres of the street line; or

ii) within the same distance from the street line as any existing building situate on an adjoining lot; whichever regulation results in a lesser setback. (1987-68)

**EXCEPTIONS**

**6.12** Notwithstanding section 6.11, no building or part thereof shall be erected, altered or used within the minimum distances of the centre line set forth opposite the following local streets;

(0.1) Aberdeen Avenue	(a) Aylmer Street to Benson Avenue	14metres (1985-196)
(1.1) Arndon Avenue south side	(a) From Monaghan Rd. to a point 35 metres east of Monaghan Rd.	15.8 metres
(1.2) Bethune Street	(a) Perry Street to Lake Street	12 metres
(1.3) Borden Avenue	-	19 metres
(1.4) Brock Street	(a) Bethune Street to Dickson Street	10 metres
(1.5) Brown Street north side	(a) From a point 40 metres west of Monaghan Rd. to Monaghan Rd.	10 metres (1985-61)
(2) Chambers Street	-	10 metres
(2.1) High Street	(a) Lansdowne Street to Borden Avenue	19 metres (1983-123)
(3) King Street	(a) Bethune Street to Otonabee River	10 metres
(3.1) King Street south side	(a) From Rubidge Street to a point 35.2 metres west	10.86 metres
(3.5) Lake Street north side	(a) Bethune Street to Aylmer Street	10 metres (89-103)
(4.1) London Street south side	(a) George Street to a point 100 metres west of George Street	10 metres
(4.2) Louis Street	-	10 metres (1988-4)
(5) Murray Street	(a) Bethune Street to Water Street	10 metres
(6) Queen Street	-	10 metres
(6.1) Rye Street west side	(a) From a point 95m south of Lansdowne St. W. to a point 150m south of Lansdowne St. W.	3 metres (05-217)
(7) Sheridan Street	-	10 metres
(8.1) Simcoe Street south side	(a) From a point 30 metres west of Reid Street, to Reid Street  (b) From Rubidge Street to a point 36.0 metres east	10 metres  11 metres (90-149)
(8.2) Simcoe Street	(a) Bethune Street to Otonabee River	10 metres (1981-42)
(9) St. Luke's Avenue	-	13.7 metres (1974-14)
(9.1) Townsend Street	(a) Park Street to Rubidge Street	10 metres (1981-76)



(10)	Cricket Place north side	(a) From a point 28.9 metres east of Driscoll Terrace to Driscoll Terrace	10.2 metres (1978-34)
(11)	Driscoll Terrace east side	(a) From a point 36 metres north of Cricket Place to Cricket Place	6.8 metres (1978-34)
(12)	REPEALED BY BY-LAW 1983-40		
(13)	Leahy's Lanewest side	(a) Spencley's Lane northerly for a distance of 30 metres	12 metres (1980-65)
(14)	Stewart Street east side	(a) from Dublin Street southerly for a distance of 22 metres	14 metres (1980-65)
(15)	Dublin Street south side	(a) from Stewart Street easterly for a distance of 34 metres	14 metres (1980-65)
(16)	Otonabee Place	-	15 metres (1981-20)
(17)	Street B as shown on Schedule A to this by-law	-	45 metres (1984-92)
(18)	Ware Street north side	From a point 30 metres east of George Street to George Street	11.9 metres (1985-9)
(19)	Princess Street	(a) 61 Princess Street	15.0 metres (1985-87)
(20)	Victoria Ave south side	(a) from Reid Street to a point 14.3 metres east of Reid Street	11.5 metres
		(b) from a point 14.3 metres east of Reid Street to a point 26.5 metres east of Reid St.	10.0 metres
		(c) from a point 26.5 metres east of Reid St. to a point 60 metres east of Reid St.	11.5 metres (1987-49)
(21)	Street 'A' as shown on Schedule 'A' to this By-law	(a) north side from a point 40 metres east of Woodglade Boulevard to a point 75 metres east of Woodglade Boulevard.	13 metres (96-136)
(22)	Tamblin Way	(a) east side from Hancox Court to a point 32 metres north of Hancox Court and from a point 130 metres north of Hancox Court to a point 165 metres north of Hancox Court	13 metres (98-133)
(23)	Young Street west side	(a) from a point 15.5m south of Braidwood Avenue to a point 71m south of Braidwood Avenue	3 metres (08-113)

**PITS PROHIBITED**

**6.13** The making or establishment of pits and quarries within The Corporation of The City of Peterborough is prohibited.

**PROHIBITED BUILDING MATERIALS**

**6.14** The following building materials shall not be used for the finishing exterior surface of any wall of a building

- (a) building paper, or
- (b) asphalt roll-type siding;

**PLANTING STRIP**

**6.16** A planting strip required by this by-law shall consist of an unpierced and unbroken hedgerow of suitable evergreens or perennial shrubs and shall conform to the following regulations:

- (a) minimum width of planting strip 1.5 metres
- (b) minimum planned height of hedgerow 1.8 metres
- (c) a planting strip may form part of any required landscaped open space
- (d) a planting strip may be interrupted where a driveway or walkway crosses;
  - i) a maximum distance of 3 metres from a driveway,
  - ii) a maximum distance of 1.5 metres from a walkway.

**ACCESSORY USES**

**6.17** Where this by-law provides that land may be used or a building may be erected, altered or used for a purpose, that purpose shall include accessory uses or accessory buildings.

**RESIDENTIAL ACCESSORY BUILDINGS**

**6.18** Notwithstanding any other provisions in this by-law the minimum required building setbacks for an accessory building in a residential district shall be as follows:

NUMBER OF DWELLING UNITS ON LOT	MINIMUM DISTANCE TO REAR OF DWELLING	MINIMUM DISTANCE FROM SIDE OR REAR LOT LINE	MAXIMUM HEIGHT	MAXIMUM COVERAGE
1 or 2	1.2 metres	0.6 metres	4.3 metres	10%
3 to 15	2.4 metres	2.4 metres	4.3 metres	10%
16 or more	3 metres	3 metres	4.3 metres	10%

**PROJECTIONS AND OVERHANGS**

**6.19** Notwithstanding any provisions of this by-law to the contrary

- a) eaves, cornices, canopies, awnings, roofs and chimneys having a maximum width of 2.4 metres may extend a distance of not more than 0.6 metres into a building setback (02-099)
- b) in a residential district a platform may extend not more than 3 metres into a building setback from a rear lot line, not more than 1.5 metres into a building setback from a street line and not more than 0.9 metres into a building setback from a side lot line
- c) in a residential district that permits a building containing 3 or more dwelling units an open external fire escape or stairway may project a distance of not more than 1.5 metres into a building setback from a side lot line
- d) in a residential district, a deck, with or without stairs, may extend not more than 3.0 metres into a minimum building setback from a rear lot line (02-099)
- e) No person shall place, locate or grow any tree, shrub or plant or place or construct any earth embankment, fence, wall or other obstruction on land abutting two intersecting streets and within 21.3 metres of the intersection of the centre lines of such streets to a height in excess of 76 centimetres above the elevation of the point of intersection of the centre lines
- f) A building, trailer, sign, scaffold, or material incidental to construction on the lot where it is situated may be located in a minimum yard while work is in progress.@

**SATELLITE DISHES**

- 6.20**
- a) A satellite dish shall be located a minimum of 1.2 metres from a rear or a side lot line, and shall not be located in the area between a street line and the roof line of a building and shall have a maximum dish diameter of 3.0 metres.
  - b) A satellite dish mounted on a structure located more than 0.6 metres from the roof line of a building shall have a maximum height of 4.57 metres.
  - c) A satellite dish, located on a lot containing a building of four storeys or more, shall be mounted on the roof of the building.

### **EQUIPMENT ON ROOF**

**6.21** A bulk-head, elevator housing, air conditioning duct, water tank, machinery room, satellite dish or other roof construction shall not be considered in calculating the height of a building provided such construction is less than 6.1 metres in height and does not occupy more than 30 per cent of the area of the roof. (92-150)

### **PROJECTIONS ON ROOF**

**6.22** A flag-pole, railing, steeple, aerial, chimney, satellite dish or other projection above the roof may extend beyond the maximum permitted height of a building provided the area of the base of the projection does not exceed 5 per cent of the building area. (92-150)

### **6.23 HOME-BASED BUSINESS (96-77)**

Notwithstanding any other provisions contained in this Zoning by-law, home-based business shall be permitted subject to the following:

- a) no person who is not a resident of the dwelling unit shall be engaged in a home-based business;
- b) except as provided in paragraph (c) there shall be no display of goods, exterior storage, or any other external evidence (including noise, glare or odour) associated with a home-based business;
- c) signage shall be permitted to identify a home-based business provided that such signage is non-luminous, is attached to the dwelling unit or any associated accessory buildings, and that the total sign area of such signage for all home-based businesses within the dwelling unit does not exceed 0.2 square metres;
- d) the total building floor area of all home-based businesses within a dwelling unit and any associated accessory buildings shall not exceed 46 square metres of which not more than 28 square metres may be located within accessory buildings;
- e) retail sales, excepting customer ordered sales, shall be limited to those goods or articles which are produced within the dwelling unit or any associated accessory buildings;
- f) any home-based business involving instructional activity shall be limited to a maximum of five (5) students at any one time;
- g) the following shall not be permitted as a home-based business:
  - i) a restaurant
  - ii) a home day care which is required to be licenced pursuant to the *Day Nurseries Act*
  - iii) an office of a veterinarian
  - iv) a taxi service
  - v) a public garage
  - vi) a dog boarding kennel
  - vii) a commercial dog kennel
  - viii) a salvage yard

**6.24** Deleted by By-law 91-28

### **UNITS - PROHIBITED LOCATIONS**

**6.25** Deleted by By-law 18-048

### **SPECIAL BUILDING SETBACK - DOWNTOWN**

**6.26** Within the blocks bounded by George Street, Simcoe Street, Aylmer Street and Murray Street, no building or part thereof shall be erected in the area of a block enclosed by lines drawn parallel to and 30 metres from the street lines forming the perimeter of the block. (By-law 1982-12)

**6.27** Deleted by By-law 17-058

### **BUILDING SET BACK - LOT WITHOUT REAR LOT LINE**

**6.29** No building or part thereof shall be erected, altered or used within 4.5 metres of the point of intersection of two side lot lines on a lot which does not have a rear lot line.

### **BODY RUB PARLOUR**

**6.30** A body-rub parlour is prohibited as a permitted use or as an accessory use, unless the property or place is specifically zoned to permit its use as a body-rub parlour.

### **ADULT ENTERTAINMENT PARLOUR**

**6.31** An adult entertainment parlour is prohibited as a permitted use or as an accessory use, unless the property or place is specifically zoned to permit its use as an adult entertainment parlour. (1985-140)

### **GROUP HOMES (1986-163)**

**6.32.1** A group home shall not be located within 300 metres, as measured between the nearest property line, of any other group home, domiciliary care home, other establishment providing residential sheltered, specialized or group care other than a hospital, nursing home, home for the aged or foster home.

**6.32.2** A Group Home in which not more than 6 persons, exclusive of supervisory or attendant staff, reside shall be permitted in a dwelling in all areas of the City of Peterborough subject to the following: (99-98)

6.32.2.1 The Group Home shall meet the distance separation criteria of Section 6.32.1

6.32.2.2 The Group Home shall comprise the sole occupancy of the dwelling.

6.32.2.3 The dwelling for the group home shall only be permitted in a Residential District that permits a single unit, a two unit or a three unit dwelling.

6.32.2.4 The dwelling in which the group home is to be located shall conform to all the regulations of the Residential District in which it is located.

6.32.2.5 Notwithstanding any other provisions as recited in Section 6.32, and the other provisions of this by-law, not more than two persons convicted under the *Young Offenders Act* shall be accepted as residents in any group home.

**ADDITIONAL RESIDENTIAL UNIT (By-law 23-087)**

**6.33.1** Notwithstanding anything contained in this by-law, one additional residential unit shall be a permitted use in any Building used exclusively for residential purposes within the C.B.D. except for a Principal Dwelling Unit that is a Single Unit Dwelling, Semi-detached Dwelling, or a Row Dwelling, provided that such additional residential unit shall comply with the following regulations:

- a) maximum number of additional residential units per building - 1
- b) maximum floor area - 55 square metres
- c) notwithstanding Section 4.2(A), 1 (one) motor vehicle parking space shall be required for an additional dwelling unit.

**6.33.2** In the C.B.D., an Additional Residential Unit within a Single Unit Dwelling, Semi-detached Dwelling or Row Dwelling shall be subject to the regulations of Section 6.33.3.

**6.33.3** Notwithstanding anything contained in this By-law, Additional Residential Units shall be permitted subject to the following regulations:

- a) A maximum of two (2) Additional Residential Units shall be permitted within the following types of Principal Dwelling Units, OR a maximum of one (1) Additional Residential Unit shall be permitted within the following types of Principal Dwelling Units where a maximum of one (1) Additional Residential Unit is located within a residential Accessory Building on a parcel of land associated therewith:
  - i. A Single Unit Dwelling
  - ii. A Semi-detached Dwelling Unit; or,
  - iii. A Row Dwelling Unit.
- b) Additional Residential Units shall not be permitted within a floodway as defined in the Provincial Policy Statement, 2020, or any successor thereof.
- c) An Additional Residential Unit located in an accessory building shall comply with Section 6.18 (Residential Accessory Buildings).
- d) An access route for firefighting shall be provided so that:
  - i. A fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from the vehicle to the primary entrance to the Additional Residential Unit shall not exceed 90 metres, and the unobstructed path of travel for the firefighter from the vehicle to the primary entrance of the Secondary Suite shall not exceed 45 metres, or
  - ii. An alternative is proposed that is acceptable to the Peterborough Fire Services and the City of Peterborough, Building Services Division.
  - iii. An unobstructed path of travel to the primary entrance to the Additional Residential Unit shall be a minimum of 0.9m wide with a maximum crossfall of 5% and a maximum longitudinal slope of 8%;
- e) Additional Residential Units shall be serviced by public water distribution and wastewater collection facilities. Where municipal water distribution and wastewater collection services are not otherwise required by this By-law for a Principal Dwelling Unit, the use of private services to support Additional Residential Units will be permitted.
- f) Maximum floor area for an Additional Residential Unit: Less than the Floor Area of the Principal Dwelling Unit.

- g) Maximum Number of Bedrooms for an Additional Residential Unit: 2
- h) Motor Vehicle Parking for an Additional Residential Unit shall be provided and maintained as follows:
  - i. The Principal Dwelling Unit shall comply with the regulations of Section 4 (Parking, Loading and Driveways);
  - ii. No additional parking shall be required for an Additional Residential Unit located in Area 1 as designated on Schedule E(1) to this By-law. One (1) motor vehicle parking space, sized in accordance with Section 4.3.1, shall be required for each Additional Residential Unit located in Areas 2 and 3as designated on Schedule E(1) to this By-law;
  - iii. Notwithstanding the provisions of Section 4 to the contrary, tandem parking spaces to facilitate an Additional Residential Unit shall be permitted.
- j) An Additional Residential Unit shall not be counted as a Dwelling Unit when interpreting regulations in this By-law that pertain to the number of Dwelling Units in a Building or on a Lot.

**BACHELOR DWELLING UNIT WITHIN C.B.D. (92-58)**

**6.34** Notwithstanding anything contained in this by-law, a bachelor dwelling unit located within the C.B.D. may have a minimum floor area of 28 square metres.

**SALVAGE YARDS (93-43)**

**6.35** A salvage yard shall have the following requirements:

**6.35.1 Fencing**

- a) a fence shall be provided and maintained which is constructed of a closed board or equivalent material, provides a visual barrier, and encloses the yard on all sides;
- b) such fence shall be a minimum of 2.4 metres in height;
- c) such fence shall have a minimum of two gates each having a clear width of 3.5 metres, leading to public streets to permit the entry of fire department and emergency vehicles.

**6.35.2 Materials**

- i) No salvage or other material shall be piled or placed in any salvage yard to a height in excess of the fence enclosing such yard.

**OUTDOOR WOODBURNING FURNACE (97-86)**

**6.36** Notwithstanding any other provision of this By-law, an outdoor woodburning furnace shall only be permitted to be located within an agricultural land use district, and shall comply with the following regulations:

- i) minimum setback from
  - a) a lot line abutting a residential land use district permitting a single or two unit dwelling 60 metres
  - b) any other lot line 30 metres
- ii) the installation of such unit shall require a building permit

**MINIMUM FLOOR AREA (By-law 97-123)**

**6.37** Except as otherwise provided in this By-law, the Minimum Floor Area for a dwelling unit shall be as follows:

- i) bachelor dwelling unit 37 square metres
- ii) dwelling unit other than a bachelor dwelling unit 56 square metres plus 14 square metres for each habitable room in excess of four.

**NO OPEN DISPLAY OF GOODS OR MERCHANDISE (By-law 97-123)**

**6.38** Except as otherwise provided in this By-law, there shall be no open display of goods or merchandise.

**DWELLING UNITS ON SUBDIVIDED LOTS**

**6.39** In any residential district, where a lot which contains two or more dwelling units is subdivided into lots which contain only one dwelling unit, each such subdivided lot shall comply with all of the regulations of this by-law, excepting that there shall be no minimum requirement for:

- a) lot area per dwelling unit;
- b) lot width per dwelling unit; and
- c) building setback from any side lot line which separates the subdivided lots, for so long as the subdivided lot contains only one dwelling unit.

**TEMPORARY BUILDINGS - COMMERCIAL DISTRICT AND OPEN SPACE DISTRICTS**

**6.40** Any use of land within a commercial district, an OS.1 and an OS.2 district which involves a temporary building shall be prohibited, unless approved by a minor variance or an amendment to this by-law. A tent may be erected to support a permitted use for no more than ten days. (00-114)

