

August 3, 2001

## SECTION 3

### LAND USE DISTRICTS AND MAPS

#### LIST OF LAND USE DISTRICTS

3.1 For the purpose of this by-law, the following land use districts are hereby established and may hereinafter be referred to by their respective symbols:

LAND USE DISTRICTS	SYMBOLS	SECTION	
Residential District 1	R.1	7	
Residential District 2	R.2	8	
Residential District 3	R.3	9	
Residential District 30	R.30	9A	
Residential District 31	R.31	9B	
Residential District 4	R.4	10	
Residential District 40	R.40	10A	
Residential District 5	R.5	11	
Residential District 50	R.50	11A	
Residential District 6	R.6	12	
Residential District 60	R.60	12A	
Residential Downtown District	R.D.	12B	
Commercial District 1	C.1	13	
Commercial District 2	C.2	14	
Commercial District 3	C.3	15	
Commercial District 4	C.4	16	
Commercial District 40	C.40	16A	
Commercial District 41	C.41	16B	
Commercial District 5	C.5	17	
Commercial District 50	C.50	17A	
Commercial District 51	C.51	17B	
Commercial District 6	C.6	18	
Commercial District 7	C.7	18A	
Light Industrial M1.1	M1.1	19	
General Industrial M1.2	M1.2	19	
Prestige Industrial M 2.1	M2.1	19	
Business Park M2.2	M2.2	19	
Service Industrial M3.1	M3.1	19	
Enhanced Service Industrial M3.2	M3.2	19	
Service Node Industrial M3.3	M3.3	19	
Enhanced Service Industrial & Office	M3.4	19	
Combined Service Industrial M3.5	M3.5	19	<b>January 31, 2014</b>
Public Service District 1	PS.1	22A	
Public Service District 2	PS.2	22B	
University and College District	UC	23	
University and College Enhanced District	UC.1	23A	<b>December 31, 2016</b>
Open Space District 1	OS.1	24	
Open Space District 2	OS.2	25	
Open Space District 3	OS.3	26	
Development District 1	D.1	27	
Development District 2	D.2	28	

<b>LAND USE DISTRICT</b>	<b>SYMBOLS</b>	<b>SECTION</b>
Agricultural District 1	AG.1	28A
Agricultural Zone	A	28B
Agricultural Restrictive Zone AR		28C
Special District 1	SP.1	29
Special District 2	SP.2	30
Special District 3	SP.3	31
Special District 4	SP.4	32
Special District 5	SP.5	33
Special District 6	SP.6	34
Special District 7	SP.7	35
Special District 8	SP.8	36
Special District 9	SP.9	37
Special District 10	SP.10	38
Special District 11	SP.11	39
Special District 12	SP.12	40
Special District 13	SP.13	41
Special District 15	SP.15	43
Special District 16	SP.16	44
Special District 17	SP.17	45
Special District 18	SP.18	46
Special District 19	SP.19	47
Special District 20	SP.20	48
Special District 21	SP.21	49
Special District 22	SP.22	50
Special District 23	SP.23	51
Special District 24	SP.24	52
Special District 25	SP.25	53
Special District 26	SP.26	54
Special District 27	SP.27	55
Special District 28	SP.28	56
Special District 29	SP.29	57
Special District 30	SP.30	58
Special District 31	SP.31	59
Special District 33	SP.33	61
Special District 34	SP.34	62
Special District 35	SP.35	63
Special District 36	SP.36	64
Special District 37	SP.37	65
Special District 38	SP.38	66
Special District 39	SP.39	67
Special District 41	SP.41	69
Special District 42	SP.42	70
Special District 43	SP.43	71
Special District 45	SP.45	73
Special District 46	SP.46	74
Special District 47	SP.47	75
Special District 48	SP.48	76
Special District 49	SP.49	77
Special District 50	SP.50	78
Special District 51	SP.51	79
Special District 52	SP.52	80
Special District 54	SP.54	82
Special District 55	SP.55	83
Special District 56	SP.56	84
Special District 57	SP.57	85
Special District 58	SP.58	86
Special District 59	SP.59	87
Special District 60	SP.60	88
Special District 63	SP.63	91

<b>LAND USE DISTRICT</b>	<b>SYMBOLS</b>	<b>SECTION</b>
Special District 65	SP.65	93
Special District 66	SP.66	94
Special District 68	SP.68	96
Special District 69	SP.69	97
Special District 70	SP.70	98
Special District 71	SP.71	102
Special District 72	SP.72	103
Special District 73	SP.73	104
Special District 74	SP.74	105
Special District 75	SP.75	106
Special District 76	SP.76	107
Special District 77	SP.77	108
Special District 78	SP.78	109
Special District 79	SP.79	110
Special District 80	SP.80	111
Special District 81	SP.81	112
Special District 82	SP.82	113
Special District 83	SP.83	100
Special District 84	SP.84	114
Special District 85	SP.85	115
Special District 86	SP.86	116
Special District 87	SP.87	117
Special District 88	SP.88	119
Special District 89	SP.89	120
Special District 90	SP.90	121
Special District 91	SP.91	122
Special District 92	SP.92	123
Special District 93	SP.93	124
Special District 94	SP.94	118
Special District 95	SP.95	125
Special District 96	SP.96	126
Special District 97	SP.97	127
Special District 98	SP.98	128
Special District 99	SP.99	129
Special District 100	SP.100	130
Special District 101	SP.101	131
Special District 102	SP.102	132
Special District 103	SP.103	133
Special District 104	SP.104	134
Special District 105	SP.105	135
Special District 106	SP.106	136
Special District 107	SP.107	137
Special District 108	SP.108	138
Special District 109	SP.109	139
Special District 111	SP.111	141
Special District 112	SP.112	142
Special District 113	SP.113	143
Special District 114	SP.114	144
Special District 115	SP.115	145
Special District 116	SP.116	146
Special District 117	SP.117	147
Special District 118	SP.118	148
Special District 119	SP.119	149
Special District 120	SP.120	150
Special District 121	SP.121	151
Special District 122	SP.123	153
Special District 124	SP.124	154

**LAND USE DISTRICT****SYMBOLS****SECTION**

October 8, 2004

Special District 125	SP.125	155
Special District 126	SP.126	156
Special District 127	SP.127	157
Special District 129	SP.129	159
Special District 130	SP.130	160
Special District 131	SP.131	161
Special District 132	SP.132	162
Special District 133	SP.133	163
Special District 134	SP.134	164
Special District 135	SP.135	165
Special District 136	SP.136	166
Special District 137	SP.137	167
Special District 138	SP.138	168
Special District 139	SP.139	169
Special District 140	SP.140	170
Special District 141	SP.141	171
Special District 142	SP.142	172
Special District 143	SP.143	173
Special District 144	SP.144	174
Special District 145	SP.145	175
Special District 145M	SP.145M	175M
Special District 146	SP.146	176
Special District 147	SP.147	177
Special District 148	SP.148	178
Special District 149	SP.149	179
Special District 150	SP.150	180
Special District 151	SP.151	181
Special District 152	SP.152	182
Special District 153	SP.153	183
Special District 154	SP.154	184
Special District 156	SP.156	186
Special District 157	SP.157	187
Special District 158	SP.158	198
Special District 159	SP.159	199
Special District 160	SP.160	200
Special District 161	SP.161	201
Special District 162	SP.162	202
Special District 163	SP.163	203
Special District 164	SP.165	205
Special District 166	SP.166	206
Special District 167	SP.167	207
Special District 168	SP.168	208
Special District 169	SP.169	209
Special District 170	SP.170	210
Special District 171	SP.171	211
Special District 172	SP.172	212
Special District 174	SP.174	214
Special District 176	SP.176	189
Special District 177	SP.177	190
Special District 178	SP.178	191
Special District 179	SP.179	192
Special District 180	SP.180	193
Special District 181	SP.181	194
Special District 182	SP.182	195
Special District 183	SP.183	196
Special District 184	SP.184	197

**LAND USE DISTRICT****SYMBOLS****SECTION**

February 4, 2005

Special District 185	SP.185	215	
Special District 186	SP.186	216	
Special District 187	SP.187	217	
Special District 188	SP.188	218	
Special District 189	SP.189	219	
Special District 190	SP.190	220	
Special District 191	SP.191	221	
Special District 192	SP.192	222	
Special District 193	SP.193	223	
Special District 194	SP.194	224	
Special District 195	SP.195	225	
Special District 196	SP.196	226	
Special District 197	SP.197	227	
Special District 198	SP.198	228	
Special District 199	SP.199	229	
Special District 200	SP.200	230	
Special District 202	SP.202	232	
Special District 203	SP.203	233	
Special District 204	SP.204	234	
Special District 205	SP.205	235	
Special District 206	SP.206	236	
Special District 207	SP.207	237	
Special District 208	SP.208	238	
Special District 209	SP.209	239	
Special District 210	SP.210	240	
Special District 211	SP.211	241	
Special District 212	SP.212	244	
Special District 213	SP.213	242	
Special District 214	SP.214	243	
Special District 215	SP.215	245	
Special District 217	SP.217	247	
Special District 218	SP.218	248	
Special District 219	SP.219	249	
Special District 220	SP.220	250	
Special District 221	SP.221	251	
Special District 222	SP.222	252	
Special District 223	SP.223	253	
<del>Special District 224</del>	<del>SP.224</del>	<del>254</del>	(DELETED 04-230)
Special District 225	SP.225	255	
Special District 226	SP.226	256	
Special District 227	SP.227	257	
Special District 228	SP.228	258	
Special District 229	SP.229	259	
Special District 231	SP.231	261	
Special District 232	SP.232	262	
Special District 233	SP.233	263	
Special District 234	SP.234	264	
Special District 235	SP.235	265	
Special District 236	SP.236	266	
Special District 237	SP.237	267	
Special District 238	SP.238	268	
Special District 239	SP.239	269	
Special District 241	SP.241	271	
Special District 242	SP.242	272	
Special District 243	SP.243	273	
Special District 244	SP.244	274	

LAND USE DISTRICT	SYMBOLS	SECTION	
Special District 245	SP.245	275	<b>February 28, 2003</b>
Special District 246	SP.246	276	
Special District 247	SP.247	277	
Special District 248	SP.248	278	
Special District 249	SP.249	279	
Special District 250	SP.250	280	
Special District 251	SP.251	281	
Special District 252	SP.252	282	
Special District 254	SP.254	284	
Special District 255	SP.255	285	
Special District 256	SP.256	286	
Special District 257	SP.257	286	
Special District 258	SP.258	287	
Special District 260	SP.260	290	
Special District 261	SP.261	291	
Special District 263	SP.263	293	
Special District 264	SP.264	294	
Special District 265	SP.265	295	
Special District 266	SP.266	296	
Special District 267	SP.267	297	
Special District 268	SP.268	298	
Special District 269	SP.269	299	
Special District 270	SP.270	300	
Special District 271	SP.271	301	
Special District 272	SP.272	302	
Special District 273	SP.273	303	
Special District 274	SP.274	304	
Special District 275	SP.275	305	
Special District 276	SP.276	306	
Special District 277	SP.277	307	
Special District 278	SP.278	308	
Special District 279	SP.279	309	
Special District 280	SP.280	310	
Special District 281	SP.281	311	
Special District 282	SP.282	312	
Special District 283	SP.283	313	
Special District 284	SP.284	314	
Special District 285	SP.285	315	
Special District 286	SP.286	316	
Special District 287	SP.287	317	
Special District 288	SP.288	318	(OMB Order 0093 (January 20, 1999))
Special District 289	SP.289	319	
Special District 290	SP.290	320	
Special District 291	SP.291	321	
Special District 292	SP.292	322	
Special District 293	SP.293	323	
Special District 294	SP.294	324	
Special District 295	SP.295	325	
Special District 296	SP.296	326	(OMB File No. PL990829)
Special District 297	SP.297	327	
Special District 298	SP.298	328	
Special District 299	SP.299	329	
Special District 300	SP.300	330	(OMB Order No. 0147 Jan.30/01File PL001040)
Special District 301	SP.301	331	
Special District 302	SP.302	332	(OMB Order No. 0623, April 25,2001)
Special District 303	SP.303	333	(OMB File No. PL001311- May 3, 2001)

LAND USE DISTRICT	SYMBOLS	SECTION	
			<b>October 8, 2004</b>
Special District 305	SP.305	335	
Special District 306	SP.306	336	
Special District 308	SP.308	338	(OMB File No. R020027)
Special District 310	SP.310	340	
Special District 311	SP.311	341	
Special District 312	SP.312	342	
Special District 313	SP.313	343	
Special District 314	SP.314	344	
Special District 315	SP.315	345	
Special District 316	SP.316	346	
Special District 317	SP.317	347	
Special District 318	SP.318	348	(OMB Order No. 1458)
Special District 321	SP.321	351	
Special District 322	SP.322	352	<b>November 28, 2006</b>
Special District 323	SP.323	353	<b>December 31, 2010</b>
Special District 324	SP.324	354	<b>November 28, 2006</b>
Special District 325	SP.325	355	<b>February 29, 2008</b>
Special District 326	SP.326	356	<b>November 28, 2006</b>
Special District 327	SP.327	357	
Special District 328	SP.328	358	<b>February 29, 2008</b>
Special District 329	SP.329	359	
Special District 330	SP.330	360	
Special District 331	SP.331	361	
Special District 332	SP.332	362	
Special District 333	SP.333	363	
Special District 334	SP.334	364	
Special District 335	SP.335	365	
Special District 336	SP.336	366	<b>December 31, 2009</b>
Special District 337	SP.337	367	<b>February 29, 2008</b>
Special District 338	SP.338	368	
Special District 339	SP.339	369	
Special District 340	SP.340	370	
Special District 341	SP.341	371	<b>December 31, 2010</b>
Special District 342	SP.342	372	
Special District 343	SP.343	373	
Special District 344	SP.344	374	Repealed – 15-036
Special District 345	SP.345	375	
Special District 346	SP.346	376	
Special District 347	SP.347	377	
Special District 348	SP.348	378	<b>January 31, 2013</b>
Special District 349	SP.349	379	
Special District 350	SP.350	380	
Special District 351	SP.351	381	
Special District 353	SP.353	383	<b>December 31, 2010</b>
Special District 354	SP.354	384	<b>January 31, 2013</b>
Special District 355	SP.355	385	
Special District 356	SP.356	386	
Special District 357	SP.357	387	<b>December 31, 2015</b>
Special District 358	SP.358	388	
Special District 359	SP.359	389	
Special District 360	SP.360	390	
Special District 361	SP.361	391	
Special District 362	SP.362	392	
Special District 363	SP.363	393	<b>December 31 2017</b>
Special District 364	SP.364	394	<b>December 31 2016</b>
Special District 365	SP.365	395	
Special District 366	SP.366	396	

### **MAP INDEX, LEGEND - SCHEULE "A"**

**3.2** The map index, legend and maps attached hereto as Schedule "A" together with the notations, references and other information shown thereon are hereby incorporated in and declared to form part of this by-law to the same extent as if fully described herein. The Corporation of The City of Peterborough is hereby divided into the land use districts shown on the said maps. (92-58, 94-158)

**3.2.1** The 'F' symbol, attached to a zoning district indicates that the property is subject to flooding, either in whole or in part and no development may take place unless it is consistent with the Flood Plain policies of Section 3.4 of the City of Peterborough Official Plan. (08-086)

### **BOUNDARIES**

**3.3** The following provisions shall apply in determining the boundaries of the land use districts shown on the maps:

- (1) Where a boundary line is shown as following a railway, street, lane or walkway the boundary line shall be deemed to follow the centre line of such railway, street, lane or walkway,
- (2) Where a boundary line is shown as the shoreline of the Otonabee River, Trent Canal, Little Lake or other water course such boundary line shall be deemed to be the high water mark of the water course,
- (3) A boundary line shall otherwise be determined by reference to the scale or actual dimension shown on the maps, provided that where a boundary line as shown appears to follow the limit between two lots or separate parcels of land, such limit, shall be deemed to be the boundary line,

### **ALTERNATIVE REGULATIONS - SCHEDULE "B"**

**3.4** The alternative regulations set forth and attached hereto as Schedule "B" are hereby incorporated in and declared to form part of this by-law to the same extent as if fully described herein.

Where a suffix, consisting of numbers and letters from the alternative regulations follows a land use district symbol on a map of Schedule "A", the alternative regulations corresponding to such numbers and letters shall apply in place of the regulations prescribed herein for the particular land use district.

### **MORE THAN ONE SYMBOL**

**3.5** If more than one land use district symbol is shown on a map to apply to an area, a lot within the area may be used for a purpose permitted in any of the land use districts so represented by such symbols provided the regulations prescribed for that particular purpose shall apply thereto.

### **CERTIFICATE OF OCCUPANCY**

**3.6** No person shall change the type of use of any land or any building covered by this by-law without first having applied for and having obtained a certificate of occupancy.

**3.7** The application for a certificate of occupancy shall be made to a Zoning Officer in the form attached hereto as Schedule "C".



**3.4 ALTERNATIVE REGULATIONS - Schedule B**

**1. MINIMUM LOT AREA**

- a. 10 hectares
- b. 4 hectares
- c. 3,715 sq.m
- d. 1,855 sq.m
- e. 1,390 sq.m
- f. 925 sq.m
- g. 740 sq.m
- h. 695 sq.m
- j. 650 sq.m
- k. 555 sq.m
- m. 465 sq.m
- n. 370 sq.m
- o. 275 sq.m
- p. 185 sq.m
- q. 1.6 hectares
- r. 325 sq.m

**2. MINIMUM LOT WIDTH**

- a. 150 m
- b. 120 m
- c. 90 m
- d. 60 m
- e. 30 m
- f. 27 m
- g. 24 m
- h. 22 m
- j. 21 m
- k. 18 m
- m. 15 m
- n. 12 m
- o. 9 m
- p. 7.6 m
- q. 6 m
- r. 10.6 m
- s. 13.5 m

**3. MINIMUM LOT AREA PER DWELLING UNIT**

- a. 1,390 sq.m
- b. 925 sq.m
- c. 740 sq.m
- d. 695 sq.m
- e. 555 sq.m
- f. 465 sq.m
- g. 370 sq.m
- h. 325 sq.m
- j. 275 sq.m
- k. 230 sq.m
- m. 205 sq.m
- n. 185 sq.m
- o. 160 sq.m
- p. 139 sq.m
- q. 115 sq.m
- r. 92 sq.m
- s. 69 sq.m
- t. 46 sq.m
- u. 250 sq.m
- v. 415 sq.m
- w. 169 sq.m
- x. 400 sq.m
- y. 60 sq.m

**4. MINIMUM LOT DEPTH**

- a. 150m
- b. 120m
- c. 90m
- d. 60m
- e. 45m
- f. 38m
- g. 30m
- h. 27m
- j. 24m
- k. 22m
- l.
- m. 25m

**5. MAXIMUM BUILDING COVERAGE**

- a. 100%
- b. 90%
- c. 75%
- d. 60%
- e. 50%
- f. 40%
- g. 30%
- h. 25%
- j. 20%
- k. 15%
- m. 10%
- n. 35%
- o. 55%
- p. 45%

**6. MINIMUM LANDSCAPED OPEN SPACE**

- a. 30%
- b. 40%
- c. 50%
- d. 60%
- e. 70%
- f. 5%
- g. 10%
- h. 15%
- j. 20%
- k. 25%

**7. MAXIMUM LOT COVERAGE BY OPEN PARKING AREAS; DRIVEWAYS; & VEHICLE MOVEMENT AREAS**

- a. 10%
- b. 20%
- c. 30%
- d. 40%
- e. 50%
- f. 60%
- g. 35%
- h. 45%

**8. MINIMUM BUILDING SETBACK - SIDE LOT LINE (MAIN BUILDING)**

- a. 1.2m
- b. 1.8m
- c. 2.4m
- d. 3m
- e. 3.6m
- f. 4.5m
- g. 6.1m
- h. 0.9m per storey
- j. 1.2m per storey
- k. 1.5m per storey
- m. 7.6m
- n. 9m
- o. 12m
- p. 15m
- q. One-half (1/2) the height of the building.
- r. The height of the building.
- s. One-half (1/2) the average height of two adjoining buildings.
- t. The average height of two adjoining buildings.
- u. 0.8 m
- v. 1.2 m
- w. 0.6 m for the side with the attached garage
- x. 0.6 m on one side, 0 m on the other side, but in no case less than 1.2 m from a building on an adjoining lot
- y. 0.6m on one side for an attached garage
- z. 0.6m on one side, 1.2m on the other side, but in no case less than 1.8m from a building on an adjoining lot.

**9. MINIMUM BUILDING SETBACK - SIDE LOT LINE (ACCESSORY BUILDING)**

- a. 0.6m
- b. 1.2m
- c. 1.8m
- d. 3m
- e. 4.5m
- f. One-half (1/2) the height of the building.
- g. The height of the building.

**3.4 ALTERNATIVE REGULATIONS - Schedule B**

**10. MINIMUM BUILDING SET BACK - REAR LOT LINE**

- a. 6m
- b. 7.6m
- c. 9m
- d. 12m
- e. 15m
- f. 22m
- g. 30m
- h. One-half (1/2) the height of the building.
- j. The height of the building.
- k. 3m
- l. 2.2m
- m. 7m

**11. MAXIMUM HEIGHT (MAIN BUILDING)**

- a. 6m
- b. 7.6m
- c. 9m
- d. 10.5m
- e. 12m
- f. 15m
- g. 1 storey
- h. 2 storeys
- j. 3 storeys
- k. 4 storeys
- m. 5 storeys
- n. 6 storeys
- o. 7 storeys
- p. 8 storeys
- q. 9 storeys
- r. 10 storeys

**12. MAXIMUM HEIGHT (ACCESSORY BUILDING)**

- a. 3m
- b. 3.6m
- c. 4.5m
- d. 6m
- e. 1 storey
- f. 2 storeys

**13. MINIMUM FLOOR AREA PER DWELLING UNIT**

- a. 65 sq.m
- b. 74 sq.m
- c. 83 sq.m
- d. 92 sq.m
- e. 102 sq.m
- f. 110 sq.m
- g. 120 sq.m
- h. 130 sq.m
- j. 139 sq.m
- k. 56 sq.m
- l. 52 sq.m

**14. MINIMUM DISTANCE BETWEEN PARKING AREA OR VEHICLE ACCESS AREA & LOT LINE**

- a. 1.5m
- b. 3m
- c. 4.5m
- d. 6m
- e. 9m
- f. 12m
- g. 15m
- h. 0m

**15. MAXIMUM BUILDING FLOOR AREA RATIO**

- a. 0.25
- b. 0.50
- c. 0.75
- d. 1.00
- e. 1.50
- f. 2.00
- g. 2.50
- h. 3.00
- j. 3.50
- k. 4.00
- m. 4.50
- n. 5.00

**16. MINIMUM LOT WIDTH PER DWELLING UNIT**

- a. 3.6m
- b. 4.2m
- c. 4.5m
- d. 4.8m
- e. 5.4m
- f. 6m
- g. 6.7m
- h. 7.3m
- i. 7.6m
- j. 7.9m
- k. 8.5m
- l. 9.1m
- m. 25m

**17. MINIMUM BUILDING FLOOR AREA**

- a. 370 sq m
- b. 740 sq m
- c. 1,110 sq m
- d. 1,480 sq m
- e. 1,850 sq m
- f. 2,220 sq m

**18. MINIMUM BUILDING AREA**

- a. 370 sq m
- b. 740 sq m
- c. 1,110 sq m
- d. 1,480 sq m
- e. 1,850 sq m
- f. 2,220 sq m
- g. 2,600 sq m
- h. 2,970 sq m

**19. MINIMUM MOTOR VEHICLE PARKING SPACE RATIO PER DWELLING UNIT**

- a. 0.25 space per dwelling unit
- b. 0.50 space per dwelling unit
- c. 0.75 space per dwelling unit
- d. 1.00 space per dwelling unit
- e. 1.25 space per dwelling unit
- f. 1.50 space per dwelling unit
- g. 1.75 space per dwelling unit
- h. 2.00 space per dwelling unit

**20. MINIMUM AISLE WIDTH FOR 90 DEGREE PARKING**

- a. 6.0m

Application #  
Fee

**CITY OF PETERBOROUGH  
APPLICATION FOR  
OCCUPANCY PERMIT**

1. Street No. Lot No.  
Reg. Plan No. Side, Between &

2. Owner Phone  
Address  
Tenant Address  
Phone

3. Lot Dimensions Area

4. Total Floor Area Square Metres No. of Stories

5. Present Use

Whole Building Part of Building  
Floor Area

6. Proposed Use

Whole Building Part of Building  
Floor Area No. of Employees  
Commencement Date No. of Parking Spaces Provided

7. I, of  
in the County of do hereby certify:

- (A) That I am (the owner), (the tenant), (the authorized agent) of the above named;
- (B) That I have a personal knowledge of the particulars above stated; and
- (C) that all information and statements given on this application are true to the best of my knowledge and belief.

Application by  
(Owners or Agents Signature)  
Address  
Date Received  
By

APPROVAL RECOMMENDED:  
Fire Prevention Office / Date  
Building Inspector / Date  
City Clerk / Date  
Zoning Officer / Date

**OCCUPANCY PERMIT**

**3.8** A certificate of occupancy shall be in the form attached hereto as Schedule \*D\*.

**Schedule \*D\***

**Permit No.**

**CITY OF PETERBOROUGH**

**OCCUPANCY PERMIT**

Permission is hereby granted to

of

to use the

for the purposes of

for

Dated at Peterborough

this      day of                      19

Zoning Officer

### 3.9 Exceptions:

Where a suffix, consisting of a number, follows a land use district symbol on a map of Schedule A, the exception regulations, corresponding to such a number, shall be paramount.

#### Exception Number Provisions

- .1 This land or premises shall not be used for a place of amusement. (By-law 1982-171)
- .2 In addition, this land may be used for an office. (By-law 1983-123)
- .3 In addition, a convenience retail store, having a floor area of not more than 160 square metres may be permitted and the required landscaping strip need not be provided along the west and north limits of the district. (By-law 1984-42)
- .4 Notwithstanding the provisions of Section 4.3.2, a driveway may be located within 6.1 metres of a window to a habitable room in an apartment dwelling or a group dwelling. (By-law 1984-94)
- .5 Notwithstanding the provisions of Section 6.28, a minimum lot depth of 42 metres shall be required (By-law 1984-80)
- .6 Notwithstanding the provisions of Section 10.2(j), the maximum lot coverage by open parking areas, driveways and vehicle movement areas shall not exceed 33% of the area of the lot. (By-law 1984-94) (By-law 17-058)
- .7 Permitted use (e) and regulation (h) are deleted from the provisions of Section 17A. Regulation (j) is amended from 9 metres to 3 metres. (By-law 1984-93)
- .8 Maximum building floor area 930 square metres  
Maximum commercial floor area 465 square metres (By-law 1984-107)
- .9 Notwithstanding any other provision, landscaped open space is not required to be provided along the easterly limit of the property. (By-law 1984-180)
- .10
  - 1) Notwithstanding the provisions of Section 4.3.2, a motor vehicle parking space shall not be located within 5 metres of a window to a habitable room.
  - 2) Notwithstanding the provisions of Section 4.2(A), the minimum parking space requirement shall be 1.0 per dwelling unit.
  - 3) Notwithstanding the provisions of Section 4.3.2, a motor vehicle parking space and driveway may be located within 1.5 metres of a side lot line or rear lot line. (By-law 1985-7).
- .11 In addition, this land may be used for a wholesale and retail establishment for the sale of furniture and home furnishings. (By-law 1985-102)
- .12
  - 1) Notwithstanding the provisions of Section 12.2(b), the minimum lot area per dwelling unit shall be 78 square metres.
  - 2) Maximum number of storeys - 12. (93-14)
- .13 In addition, this land may be used for a retail establishment for the sale of fish, marine, amphibious and aquatic animals; food, aquariums, accessories and services related to the foregoing, limited to a maximum floor area of 233 square metres. (By-law 87-230)
- .14 Notwithstanding the provisions of the Section 10, a maximum of 24 dwelling units shall be permitted on the lot and the maximum number of dwelling units per building shall not exceed 10. The northerly 7.3 metres of the property described as part of lots 5 and 6 Registered Plan 6G, 832 Armour Road, may be used for access to property to the east. (By-law 1985-148)
- .15 Notwithstanding any other provision, the maximum commercial floor area shall not exceed 557.4 square metres. (By-law 1985-159)
- .16 In addition to the landscaping requirements set out in Section 11.2, the lands lying between the easterly lot line and a line drawn parallel to and 24 metres westerly therefrom shall remain as landscaped open space and the existing slopes and vegetation shall be maintained. (By-law 1985-159)
- .17 Deleted (99-99)
- .18 Notwithstanding any other provision, 110 dwelling units are permitted on this site. (1985-178)
- .20
  - 1) Notwithstanding the provisions of Section 4.3.2, a motor vehicle parking space and driveway may be located

- within 1.5 metres of a side lot line or rear lot line.
- 2) Notwithstanding the provisions of Section 11.2(e), the northerly minimum building setback - side lot line shall not be less than 1.2 metres. (By-law 1986-12)
- .21 Notwithstanding the provisions of Section 238.3(b), the maximum floor area for commercial purposes on Lot 9, Registered Plan 135 shall be 67.5 square metres. (By-law 1986-101)
- .22 The rear 18 metres of SP.23 District shall only be used for landscaped open space and parking. (1986-139)
- .23 No person shall erect, alter or use any building or part thereof without municipal water services and municipal sanitary sewers unless an undertaking is given to the City of Peterborough agreeing to connect to the municipal public water system and sanitary sewer system if and when the services become available. (1986-150 & 1986-152)
- .24 Deleted (By-law 96-138)
- .25 In addition, this land may be used for an office and a financial institution.
- Notwithstanding the provisions of Sections 16.3(d) and (e), the maximum building floor area shall be 4,459 square metres and the maximum building height for all uses shall be two storeys. (By-law 1987-111)
- .26 In addition, this land may be used for a Childrens Aid Society. (By-law 1987-143)
- .27 Notwithstanding any other provision, the minimum lot width requirements of the district shall not apply. (1988-295)
- .28 In addition, the second storey may be used for offices and a decorative board fence between 1.8 metres and 2.4 metres shall be provided and maintained along a lot line abutting a residential district. (1987-247)
- .29 In addition this lot may be used for the retail sales of boats, trailers, travel trailers and mobile homes.
- Notwithstanding the provisions of Section 27.2(d), the floor area may be increased by not more than 105 square metres. (1987-257)
- .30 Section 6.29 shall not apply. (By-law 1988-68)
- .31 Notwithstanding the provisions of Section 23.1, the only uses permitted are (a), (b), (c), and (d).
- Notwithstanding any provision of Section 23.2, the minimum lot width shall be 12.8 metres; the minimum building setback - north side lot line shall be 0.35 metres; landscaped open space and planting strips are not required to the north of the existing building and the required parking for the lot shall be provided within 160 metres of the building. (1988-78)
- .32 Notwithstanding the provisions of Section 4.2, a minimum of 2.0 parking spaces per dwelling unit shall be provided and maintained on the lot. (By-law 1988-98)
- .34 Notwithstanding the provisions of Section 9.2, a converted dwelling containing not more than 4 dwelling units shall be located only within the existing building as shown as "Building Area Location" on the plan attached hereto as Schedule "B" to the By-law. (By-law 1988-287)
- .36 Notwithstanding the provisions of Section 16.3(g), a fence may be provided in-lieu of landscaped open space. (By-law 1988-111)
- .37 Deleted (By-law 96-138)
- .38 Notwithstanding the provisions of Section 6.21, the height of the total building, including mechanical penthouse shall be not more than 30 metres above lot grade. (By-law 1988-126)
- .39 Notwithstanding the provisions of Section 13.1, uses (m) and (n) are prohibited, and an animal hospital or office of a veterinarian is permitted.

Notwithstanding any other provision, an animal hospital or office or a veterinarian will be restricted to the treatment of animals weighing less than 90 kilograms.

The provision of Landscaped Open Space along the Parkhill Road street line may be permitted in a location on the boulevard until such time as the boulevard is required for municipal purposes; thereafter the Landscaped Open Space shall be provided in accordance with the regulations of the By-law. (1988-125)

- .40 In addition this land may be used for the following:
- i) a vehicle stereo installation establishment
  - ii) a small electronic and electrical appliance repair and service establishment.
  - iii) a retail establishment for the sale, service and repair of appliances, with a maximum floor area of 265m<sup>2</sup> (2852 ft<sup>2</sup>).

Notwithstanding the provisions of Section 294.3(a), the maximum floor area for a video rental establishment shall be 265 square metres. (By-law 98-90) (By-law 16-029)

- .41 Notwithstanding any other provision, the sole permitted use of this district shall be for parking of motor vehicles. (By-law 1988-144)

- .42 Notwithstanding the provisions of Section 16A.2, the only permitted use of the District shall be for the parking and display of motor vehicles.

Notwithstanding the provisions of Section 16A.4 (f), landscaped open space of a minimum width of 1.5 metres shall be provided and maintained along the west lot line. (By-law 1988-155)

- .43 Notwithstanding the provisions of Section 10.1, use (e) is prohibited and an apartment dwelling containing 46 up to dwelling units as condominiums pursuant to the Condominium Act or successor legislation is permitted.

Notwithstanding any other provision, the minimum lot area per dwelling unit shall be 198 square metres and the maximum lot coverage by open parking areas and driveways and vehicle movement areas shall be 33%. Any apartment building constructed on the site shall not exceed two storeys. The construction of any apartment building constructed on the site shall be undertaken wholly within the footprint of the existing building on the site (as of July 18, 1988.) (By-law 1988-154)

- .44 Notwithstanding the provisions of Section 10.2 (e), the minimum building setback - side lot line shall be 3.2 metres. (By-law 1988-156)

- .45 Notwithstanding the provisions of Section 6.8, the minimum building setback from the centre line of Armour Road shall be 10.06 metres. (By-law 1988-166)

- .46 Notwithstanding the provisions of Section 13.1, uses (g) (j) and (k) are prohibited and a retail establishment for the sale of floral and horticultural supplies; art supplies; jewellery; photographic supplies, antiques and optical supplies; a bakeshop; a studio or craft workshop; and an office excluding a veterinarian office are permitted.

Notwithstanding any other provisions, the permitted uses shall only be permitted within the buildings as shown as "Building Area" on the Building Area plan designated as Schedule "B" attached hereto.

Notwithstanding the provisions of Section 13.2, the maximum commercial floor area shall not exceed 81.7 square metres. Section 13.2 (b) shall not apply.

Notwithstanding of the provisions of Section 4.2, five parking spaces shall be provided within the District and a loading space shall not be required within the District. (By-law 1988-167)

- .47 Notwithstanding any other provisions, a dwelling unit may be occupied by not more than six residents.

Notwithstanding the provisions of Section 12.2(b), the maximum number of dwelling units permitted is 84. (By-law 1988-190)

- .48 Notwithstanding the provisions of Section 8.2, the minimum lot area shall be 458 square metres; the minimum lot area per dwelling unit shall be 229 square metres; the minimum lot width shall be 12.2 metres and the minimum lot width per dwelling unit shall be 6.1 metres.

Notwithstanding the provisions of Section 6.11, the minimum building setback from the centre line of Bellaire Street shall be 13.2 metres. (By-law 1988-207)

- .49 Notwithstanding the provisions of Section 6.11, the minimum building setback from the street line shall be 3.2 metres. (By-law 1988-288)

- .50 Notwithstanding the provisions of Section 6.29, the minimum building setback - rear lot line shall be 3.7 metres. (By-law 1988-255)

.51 In addition this land may be used for a day nursery.

Notwithstanding the provisions of Section 6.7, the existing main building which is setback 15.3 metres from the centre line of Brealey Drive and the existing accessory building which is setback 15.9 metres from the centre line of Brealey Drive may be used for any of the permitted uses of this District.

Notwithstanding the provisions of Section 13.2(o), the minimum building setback - rear lot line of an accessory building shall be 1.42 metres. (By-law 1988-253)

.52 Section 6.28 shall not apply. (By-law 1988-255)

.53 Notwithstanding the provisions of Section 8.2, the minimum lot width shall be 10.1 metres; the minimum lot width per dwelling unit shall be 5.0 metres; the minimum building setback - side lot line (south) shall be 0.52 metres and the minimum floor area per dwelling unit of one of the dwelling units shall be 50 square metres. (1988-291)

.54 Deleted (By-law 96-138)

.55 Notwithstanding the provisions of Section 9.2, the minimum lot width shall be 6.4 metres and the minimum lot width per dwelling unit shall be 1.6 metres. (By-law 1988-295)

.56 Notwithstanding the provisions of Section 24.1, a curling rink, a skating rink, a swimming pool, a golf driving range and a miniature golf course are prohibited. (By-law 1988-294)

.57 Notwithstanding the provisions of Section 7.2 (d), the minimum building setback - side lot line (east) shall be 0.35 metres and notwithstanding Section 6.11 (b) the building setback shall be 2.6 metres from the street line. (By-law 1989-21)

.58 Notwithstanding the provisions of Section 13.2 (j) the minimum building setback - rear lot line shall be 5.3 metres. (By-law 1989-20)

.59 Notwithstanding the provisions of Section 8, no buildings or structures shall be permitted on the property within the area defined by the limit of the 100 year floodline of the Otonabee River. (By-law 89-75)

.60 Deleted (By-law 96-138)

.61 Notwithstanding the provisions of Section 18.1, the permitted uses (q), (r), (s), (u), (x), (ag) (b) and (am) are prohibited.

Notwithstanding the provisions of Sections 4.2 and 4.6, no motor vehicle parking spaces or loading space need be provided. (By-law 89-146)

.62 Notwithstanding the provisions of Section 16.1, the sole permitted use of this district shall be for a retail establishment for the sale of motor vehicles as an extension to the use at 107 Aylmer Street North.

Notwithstanding any provision of Section 16.3, an extension to the building at 107 Aylmer Street North having a minimum building setback - rear lot line shall be 5.40 metres and the minimum building setback - side lot line shall be 1.58 metres. (By-law 89-158)

.63 Notwithstanding any provision of Section 7.2, the minimum lot width shall be 8.0 metres

The minimum building setback - side lot line (south) shall be 0 metres for 639 Center Street.

The minimum building setback - side lot line (north) shall be 0 metres for 637 Center Street to accommodate the existing semi-detached residential building. (89-235)

.64 Notwithstanding the provisions of Section 8.2, minimum lot area shall be 390 square metres; the minimum lot area per dwelling unit shall be 195 square metres; the minimum lot width shall be 17 metres; the minimum lot width per dwelling unit shall be 8.5 metres; and that the minimum lot depth shall be 23.2 metres.

Notwithstanding the provisions of Section 6.29, the minimum building set back - rear lot line shall be 0.732 metres.

Notwithstanding the provisions of Section 6.8, the minimum street setback from Reid Street shall be 14.58 metres;

Notwithstanding the provisions of Section 6.11, the minimum street setback from London Street shall be 10.607 metres

Notwithstanding the provisions of Section 4, the "parking area" and "driveway area" will be located in accordance within the areas shown on Schedule "B" as attached to By-law 89-211.



- .65 In addition this land may be used as a bank.  
Notwithstanding the provisions of Section 13.2(d), the maximum commercial floor area per building shall be 470 square metres.  
(By-law 89-213)
- .66 In addition this land may be used as a telephone and cable utility service station. (By-law 89-300)
- .67 In addition this land may be used for water processing and bottling for the purpose of retail and wholesale distribution and the rental repair of water dispenser cooling units. (By-law 89-301)
- .68 Notwithstanding the provisions of Section 10.1 (c) and Section 10.2 (b), residential condominium development containing a maximum of 72 residential dwelling units is permitted, and not more than 30 dwelling units are permitted per building. (By-law 89-305)
- .69 Notwithstanding the provisions of Section 8, the subject property may be used for a two unit dwelling, if contained within the structure existing on the date of passing of this amending by-law. (By-law 89-328)
- .70 Notwithstanding the provisions of Section 10.1(c), an apartment dwelling may contain not more than 40 dwelling units. (By-law 89-309)
- .71 Notwithstanding the provisions of Section 8.2, the minimum lot width shall be 15.5 metres; the minimum lot width per dwelling unit shall be 7.75 metres; and the maximum number of storeys shall be 2 1/2.
- .72 Deleted (By-law 96-138)  
Notwithstanding the provisions of Section 6.10, the minimum building setback from the centreline of Braidwood Avenue shall be 12.2 metres. (By-law 89-330)
- .73 Notwithstanding the provisions of Section 16, the sole permitted use of this district shall be for a hotel with a maximum building height of 2 storeys. (90-15)
- .74 In addition, this land may be used for an office and a clinic, and the office use shall be limited to 743 square metres of floor area. (90-94)
- .75 In addition this land may be used for:  
a) clinic  
b) an art school, music school, dance school, fine arts school  
c) a gymnasium or health club (92-162)
- .76 Deleted (By-law 96-138)
- .77 Notwithstanding the provisions of Section 17.2, the minimum building setback - side lot line (east) shall be 0.06 metres; the minimum building setback - rear lot line shall be 0.6 metres; and regulation 17.2 j), k) and l) shall not apply. (90-149)
- .78 Notwithstanding the provisions of Section 9.1, the subject property may be used for a 3 unit dwelling, if contained within the structure existing on the date of passing of this amending by-law.  
  
Notwithstanding the provisions of Section 9.2 (f) and (g), the minimum building setback - side lot line (west) shall be 0.78 metres and the minimum building setback - rear lot line, in association with the existing 1 storey garage, shall be 0.451 metres.  
  
Notwithstanding the provisions of Section 6.11, no building or part thereof shall be erected, altered or used within 5.3 metres of the street line of Brock Street. (90-239)
- .79 Notwithstanding the provisions of Section 4.2(A), no person shall within this district, use any land, or erect, alter or use any building or part thereof for any purpose unless motor vehicle parking space is provided and maintained at a ratio of 0.5 spaces per dwelling unit.  
  
Notwithstanding the provisions of Section 11.2 (j)(ii), the minimum floor area per dwelling unit other than a bachelor dwelling unit shall be 46 square metres plus 14 square metres for each habitable room in excess of 4. (90-264)
- .80 Notwithstanding the provisions of Section 16.1, no person shall within this district use any land or erect, alter or use any building or part thereof for any purpose other than:  
a) a motel  
b) a restaurant (90-265)

.81 Notwithstanding the provisions of Section 4.3.2, in this district, a motor vehicle parking space or driveway, shall not be located within 2.0 metres of a window to a habitable room in the existing apartment dwelling. (91-45)

.82 Notwithstanding the provisions of Section 9.1, no person, shall within this district, use any land or erect, alter or use any building or part thereof for any purpose other than:  
a) a two unit dwelling  
b) three unit dwelling.

Notwithstanding the provisions of Section 9.2 (c), the minimum lot width shall be 19 metres.

Notwithstanding the provisions of Section 9.2 (f), the minimum building setback - side lot line (north) shall be 0.7 metres.

Notwithstanding the provisions of Section 4.3.2, within this district a motor vehicle parking space or driveway shall not be located within 2.0 metres of a window to a habitable room in an apartment dwelling. (90-283)

.83 Notwithstanding the provisions of Section 8.1, no person shall within this district use any land or erect, alter or use any building or part thereof for any purpose other than:  
a) a two unit dwelling  
b) a barber shop restricted to the main floor of the building, having not more than 55 square metres of floor area.

Notwithstanding the provisions of Section 8.2 (c), the minimum lot width shall be 17.0 metres.

Notwithstanding the provisions of Section 8.2 (d), the minimum lot width per dwelling unit shall be 13.5 metres. (90-282)

.84 Notwithstanding the provisions of Section 22.2 (d), no minimum building setback - rear lot line shall be required within this district. (90-301)

.85 Deleted (By-law 96-138)

.86 Notwithstanding the provisions of Section 8.1, no person shall within this district use any land or erect, alter or use any building or part thereof for any purpose other than a two unit dwelling contained within the structure existing on April 2, 1991.

Notwithstanding the provisions of Section 8.2 (a), (b), (c) and (d), no person shall within this district use any land or erect, alter or use any building or part thereof except in accordance with the following:

(a) minimum lot area	-	536 square metres
(b) minimum lot area per dwelling unit	-	268 square metres
(c) minimum lot width	-	15.8 metres
(d) minimum lot width per dwelling unit	-	7.9 metres

Notwithstanding the provisions of Section 6.10 (14), no building or part thereof shall be erected, altered or used within 13.8 metres of the centreline of High Street.

Notwithstanding the provisions of Section 6.18.2 (a), the minimum building setback - rear lot line of an accessory building shall be 0.335 metres. (91-81)

.87 Notwithstanding the provisions of Section 27.1, no person shall within this district use any land, or erect, alter or use any building or part thereof for any purpose other than an established use.

The provisions of Section 27.2 shall not apply to this district. (91-307)

.88 Notwithstanding the provisions of Section 6.8 (3.1), no building or part thereof shall be erected, altered, or used within 10.06 metres of the centre line of Bethune Street.

Notwithstanding the provisions of Section 18.2(f), landscaped open space of a minimum width of 3 metres shall be provided and maintained along a lot line abutting a residential or development district.

Notwithstanding the provision of Section 18.2(c), a window in a habitable room in a dwelling unit may be 0 metres from the easterly side lot line. (91-80)

.89 Notwithstanding the provisions of Section 121.2 (c), an apartment dwelling may contain not more than 30 dwelling units.

Notwithstanding the provisions of Section 121.3 (b), the minimum lot area per dwelling may be 140 square metres provided not less than 40% of the required motor vehicle parking spaces are provided below grade. (91-132)

- .90 Deleted (By-law 96-138)
- .91 Notwithstanding the provisions of Section 9.2 (a), the minimum lot area shall be 635 square metres.
- Notwithstanding the provisions of Section 9.2 (b), the minimum lot area per dwelling unit shall be 155 square metres.
- Notwithstanding the provisions of Section 9.2 (f), the minimum building setback - side lot line (east) shall be 2.2 metres.
- Notwithstanding the provisions of Section 4.2(A), a minimum of 4 parking spaces shall be provided and maintained within this land use district.
- Notwithstanding the provisions of Section 4.3.2, not more than four motor vehicles shall be parked on a lot within 6 metres of the street line.
- Notwithstanding the provisions of Section 6.7, no building or part thereof shall be erected, altered, or used within 5.95 metres of the street line of Ashburnham Drive. (91-195)
- .92 In addition this land may be used for:
- a) a convenience retail store
  - b) a video rental outlet
  - c) a personal services establishment
  - d) a gymnasium or health club
  - e) a bakeshop
- provided that, for uses (a), (b) and (c) the maximum floor area per commercial purpose shall be 232.5 square metres. (91-308)
- .93 Notwithstanding the provisions of Section 4.2, a maximum of 10 of the required motor vehicle parking spaces may be located other than on the same lot as the use or purpose in connection with which such spaces are required, provided that such spaces are provided and maintained within 60 metres of the lot. (91-303)
- .94 Deleted (By-law 96-138)
- .95 Notwithstanding the provision of Section 9.1, no person shall within this district use any land or erect, alter or use any building or part thereof for any purpose other than a three unit dwelling.
- Notwithstanding the provisions of Section 9.2 (a), the minimum lot area shall be 550 square metres.
- Notwithstanding the provisions of Section 9.2 (b), the minimum lot area per dwelling unit shall be 180 square metres.
- Notwithstanding the provisions of Section 9.2 (c), the minimum lot width shall be 13.7 metres.
- Notwithstanding the provisions of Section 9.2 (d), the minimum lot width per dwelling unit shall be 4.57 metres. (92-107)
- .96 Notwithstanding the provisions of Section 28.1, no person shall within this district use any land or erect, alter or use any building or part thereof for any purpose other than an established use.
- Notwithstanding the provisions of Section 28.2, the minimum lot area shall be 465 square metres, and the minimum lot width shall be 15.24 metres. (92-04)
- .97 Deleted (By-law 99-01)
- .98 Within this district, no building except for a platform, may be erected, altered, or used within 3 metres of the easterly top of bank of Jackson Creek. (92-32)
- .99 Notwithstanding the provisions of Section 250.3(g)(ii), the minimum width of landscaped open space to be provided and maintained along the easterly side lot line shall be 1.5 metres. (92-138)
- .102 In addition, this land may be used for:
- a) one dwelling unit having a minimum floor area of 37 square metres.
  - b) the following purposes, ancillary to the existing abutting church use:
    - (i) an office
    - (ii) a meeting room
- Notwithstanding the provisions of Section 4.10, any required motor vehicle parking spaces may be provided and maintained, on the abutting church lands. (92-175)

- .103 In addition, this land may be used for an office for the administration of programs providing special care services to persons residing both on and off site. Such office use shall have a maximum floor area of 185 square metres, and be restricted to the first storey of a building. (93-08)
- .104 Notwithstanding the provisions of Section 4.6.2, a commercial vehicle loading space shall be at least 2.5 metres by 5.5 metres and have a minimum vertical clearance of 3 metres, and further that such space shall be readily accessible and useable at all times. (93-168)
- .105 a) Notwithstanding the provisions of Section 22.2 (e), landscaped open space of a minimum width of 2 metres along the front lot line (Glenforest Boulevard), and 3 metres along all other lot lines, shall be provided and maintained.
- b) Notwithstanding the provisions of Section 22.2 (d), the minimum building setback - side lot line (west) shall be 3 metres. (93-126)
- .106 In addition this land may be used for a hardware store.
- Notwithstanding the provisions of Section 13.2(c), the maximum floor area for a hardware store shall be 465 square metres.
- Notwithstanding the provisions of Section 13.2 (d), the maximum commercial floor area per building shall be 465 square metres.
- Notwithstanding the provisions of Section 4.2, a minimum of 15 motor vehicle parking spaces shall be provided and maintained within this land use district. (93-141)
- In addition this land may be used for a video rental establishment and a martial arts instructional school.
- Notwithstanding the provisions of Section 13.2(c) the maximum floor area for a martial arts instructional school shall be 2,500 square feet. (97-67)
- .107 Deleted (By-law 96-138)
- .108 Within this land use district, the maximum number of storeys shall be 4 (four).
- Notwithstanding the provisions of Section 12.2 (c), the minimum lot area per dwelling unit shall be 46 square metres.
- Notwithstanding the provisions of Section 12.2 (f), the maximum building coverage shall be 50%.
- Notwithstanding the provisions of Section 4.2, the minimum parking space requirement, for dwelling units occupied entirely by elderly persons, shall be 1 per 2 dwelling units. (93-140)
- .110 In addition this land may be used for an establishment for the retail sale and repair of footwear, not to exceed a maximum of 140 square metres of floor area. (94-131)
- .111 Notwithstanding the provisions of Section 291.3(c), the maximum floor area per commercial purpose for either a clinic or an office of a real estate broker shall be 745 square metres. (94-07)
- .113 In addition this land may be used for a communications and broadcasting establishment. (94-58)
- .114 In addition this land may be used for a club house or lodge hall, and a Lodging House limited to a maximum of six Lodgers. (02-060) (17-058)
- .115 Deleted (By-law 96-138)
- .116 In addition this land may be used for an indoor archery range. (94-117)
- .117 In addition this land may be used for a dwelling unit containing up to 9 dwelling units. (95-8)
- .118 In addition this land may be used for a personal service use. (95-14)
- .119 Deleted (06-182)

- .120 Deleted (06-182)
- .121 In addition this land may be used for an establishment for the retail sale of fishing supplies, not to exceed a maximum of 185 square metres of floor area. (95-30)
- .122 In addition this land may be used for a retail establishment for the sale or rental of furniture and appliances. (96-53)
- .123 In addition this land may be used for:
- i) a food store
  - ii) an office
  - iii) a clinic
  - iv) an automated banking machine
  - v) an autobody repair establishment
  - vi) a muffler, auto glass or other motor vehicle repair establishment.
- A food store, office or clinic use will be limited to a maximum of 235 square metres of floor area per commercial purpose. (96-50)
- .124 In addition this land may be used for:
- i) a rental establishment excluding a video rental establishment
  - ii) an establishment for the retail sale of trucks. (96-76)
- .125 In addition this land may be used for a bottling establishment. (96-82)
- .126 In addition this land may be used for:
- a) a museum, and
  - b) an office provided the floor area does not exceed 745 square metres. (96-160)
- .127 In addition this land may be used for an establishment for the retail sale of furniture and accessories, limited to a maximum of 465 square metres of floor area. (96-107)
- .129 Notwithstanding the provisions of Section 16.3(c), the minimum building setback - side lot line (east) shall be 0.6 metres.
- Notwithstanding the provisions of Section 16.3(g), landscaped open space of a minimum width of 0.6 metres shall be provided and maintained along the easterly and westerly lot lines provided such open space may be interrupted by driveways. (96-139)
- .130 In addition this land may be used for:
- a) an office, excluding an office of a veterinarian;
  - b) a clinic;
  - c) a funeral home; and,
  - d) a dwelling unit.
- Notwithstanding the provisions of Section 22.2(d), the minimum building setback - side lot line (south) shall be 0.6 metres and the minimum building setback - rear lot line shall be 1.5 metres. (97-02)
- .131 Notwithstanding the provisions of Section 291.3 (d), the minimum required building set back from the westerly side lot line shall be 3 metres.
- Notwithstanding the provisions of Section 291.3 (j)(ii), the minimum required width of landscaped open space along the west lot line shall be 3 metres. (98-15)
- .132 In addition this land may be used for a retail establishment for the sale of pets, pet foods, products and services, provided such use not exceed a maximum of 465 square metres of floor area per commercial purpose. (97-41)

- .133 Notwithstanding the provisions of Section 4.2 (D) (5), a minimum of 15 motor vehicle parking spaces shall be provided on the lot.

Notwithstanding the provisions of Section 22.2 (e), the minimum width of landscaped open space to be provided and maintained along a lot line shall be as follows, except as interrupted by driveways:

- a) south lot line 0 metres
- b) west lot line 1.5 metres

Notwithstanding the provisions of Section 22.2 (d), the minimum building setback from a rear lot line shall be 3 metres.

Notwithstanding the provisions of Section 6.9, the minimum building setback from the street line of Romaine Street shall be 1.8 metres.

Notwithstanding the provisions of Section 6.11, the minimum building set back from the street line of Mervin Avenue shall be 5.18 metres. (99-111)

- .134 In addition this land may be used for:

- a) a food store
- b) an office
- c) a clinic
- d) a drug store
- e) an automated banking machine

The maximum floor area per commercial purpose for use (a), (b), (c) and (d) shall be 235 square metres.

Notwithstanding the provisions of Section 298.3 (c) the minimum building set back from a side lot line shall be as follows:

- i) east side lot line 7.63 metres (98-51)
- ii) west side lot line 5.3 metres

- .135 Deleted (By-law 99-03)

- .136 Notwithstanding the provisions of Section 291.3(c), the maximum floor area for a clinic use shall be 335 square metres per commercial purpose.

Notwithstanding the provisions of Section 291.3(d), the minimum westerly side yard shall be 6 metres.

Notwithstanding the provisions of Section 291.3(e), the minimum rear yard shall be 6 metres.

Notwithstanding the provisions of Section 291.3(j)(ii), minimum landscaped open space shall be provided as follows:

- i) along a lot line abutting a commercial land use district
  - 0 metres
- ii) along Lansdowne Street - 3 metres
- iii) along High Street - 1.5 metres

provided such space may be interrupted by driveways. (98-17)

- .137 Notwithstanding the provisions of Section 6.19(b), a platform may extend not more than 4.5 metres, and a stairway from the platform may extend not more than 6 metres, into the building setback from a rear lot line. (98-19)

- .138 Notwithstanding the provisions of Section 6.11, the minimum building setback from the street line shall be 4.5 metres.

Notwithstanding the provisions of Section 7.2(c), the minimum lot depth shall be 18 metres. (98-67)

- .139 In addition this land may be used as a property maintenance contractor=s establishment.

Northwithstanding the provisions of Section 291.3(c), the maximum floor area per commercial purpose for either a clinic or an office of a real estate broker shall be 743 square metres.

Notwithstanding the provisions of Section 291.3(j) a minimum width of landscaped open space of 8.9 metres shall be required along a lot line abutting a residential district. (98-52)

- .140 In addition this land may be used for:
- i) a retail establishment for the sale of books and related accessories, having a maximum floor area of 2,000 square metres.
  - ii) a dry-cleaning establishment - Class 1.
  - iii) a retail establishment for the sale of beer, wine or liquor as a new (additional) use of the property having a maximum floor area of 800 square metres. (00-68)

Notwithstanding the provisions of Section 291.3(d), the minimum building setback from the easterly side lot line shall be 6 metres.

Notwithstanding the provisions of Section 29.1.3(j), no landscaped open space shall be required along the easterly side lot line. (98-85) (OMB File R980157/Order No. 1558)

- .141 Notwithstanding anything else contained in this By-law an unenclosed deck having a maximum height of 3.0 metres, and a minimum setback of 6.0 metres from the rear lot line shall be permitted. (99-46)
- .143 Notwithstanding the Section 6.19 and the provisions of the platform definition (Section 1), an unenclosed deck, having a maximum height of 2.44 metres and a minimum setback of 5.3 metres from the rear lot line, shall be permitted. (98-101)
- .144 Notwithstanding Section 6.19 and the provisions of the platform definition (Section 1), an unenclosed deck having a maximum height of 3.35 metres and a minimum setback of 6.0 metres from the rear lot line, and a secondary unenclosed deck having a maximum height of 2.75 metres and a minimum setback from the rear lot line of 5.3 metres, shall be permitted. (98-101)
- .145 Notwithstanding the provisions of Section 6.5, this land may be used for a single unit dwelling.

The provisions of Section 7.2 (b) shall not apply to this land.

Notwithstanding the provisions of Section 7.2(d), the minimum building setback from a side or rear lot line shall be 7.6 metres. (98-144)

- .146 In addition this land may be used for:
- a) an office
  - b) a clinic
  - c) a bank, financial institution or loan company
  - d) a personal service use
  - e) a printing business.

Notwithstanding the provisions of Section 250.3, the maximum floor area per commercial purpose for uses (a) to (e), above, shall be 235 square metres.

Notwithstanding the provisions of Section 250.3 (a), the minimum lot width shall be 45 metres.

Notwithstanding the provisions of Section 250.3 (c) (i), the minimum required building setback from an east side lot line shall be 3 metres.

Notwithstanding the provisions of Section 250.3 (f) (iii), the minimum required width of landscaped open space shall be 3 metres. (99-32)

- .147 In addition this land may be used for an electronic and electrical appliance repair and service establishment having a maximum floor area of 50 square metres (99-45)

- .149 Notwithstanding the provisions of Section 303.3(a), the minimum lot area per dwelling unit shall be 200 square metres.

Notwithstanding the provisions of Section 303.3(b), the minimum lot width per dwelling unit shall be 6.7 metres.

Notwithstanding the provisions of Section 303.3(k), one driveway shall be provided and maintained per dwelling unit having a maximum width at the street line of 3 metres. (99-103)

- .150 Notwithstanding the provisions of Section 6.10, the minimum building setback from the centreline of Frances Stewart Road shall be 14.0 metres. (99-97)

- .151 Notwithstanding the provisions of Section 298, the following shall apply:
- a) An office or clinic up to 300m<sup>2</sup> in size shall be permitted;
  - b) A library, museum or art gallery shall not be permitted;
  - c) The maximum building coverage shall be 46%;
  - d) The minimum landscaped open space shall be 7% of the lot area. (replaced by 12-134)
  - e) A specialty toy and book store with a maximum floor area of 438m<sup>2</sup> shall be permitted. (15-157)
  - f) Notwithstanding the provisions of Section 6.7 Building Setback – Arterial Streets, no building or part thereof shall be erected, altered or used within 23 metres of the centre line of Lansdowne Street West (15-157)
  - g) A Bank, Financial Institution, or Loan Company shall be permitted (16-036)
- .152 Notwithstanding anything else contained in this by-law, landscaped open space of a minimum width of 20.0 metres shall be maintained adjacent to the Ashburnham Drive street line, unless interrupted by driveways. In addition, the existing berm located to the north of the emergency access road from Ashburnham Drive shall be maintained at an average elevation of not less than 205 metres. (OMB Order File No. R960349)
- .153 Notwithstanding the provisions of Section 7.2 (e)(i), there shall be no minimum building setback from a side lot line, and the minimum distance between buildings on abutting lots shall be 2.4 metres.
- Notwithstanding the provisions of Section 7.2 (e)(ii), the minimum building setback - rear lot line shall be 4.6 metres. (99-151)
- .154 Notwithstanding the provisions of Section 8.2 (b), there shall be no minimum building setback from a side lot line, and the minimum lot area per dwelling unit shall be 370 square metres.
- Notwithstanding the provisions of Section 8.2 (d), the minimum lot depth shall be 43 metres.
- Notwithstanding the provisions of Section 8.2 (e)(i), the minimum distance between buildings on abutting lots shall be 2.4 metres.
- Notwithstanding the provisions of Section 8.2 (e)(ii), the minimum building setback - rear lot line shall be 15 metres. (99-151)
- .155 Notwithstanding the provisions of Section 16.3 (f), landscaped open space including a planting strip having a minimum width of 6 metres of which not more than 1 metre may be driveway, shall be provided and maintained along the north lot line. (00-17)
- .156 In addition this land may be used for a food store having a maximum floor area of 55 square metres.
- Notwithstanding the provisions of Section 4.2(3), one motor vehicle parking space shall be provided and maintained on the lot, for a food store use. (00-041)
- .157 (Deleted by By-law 15-157).
- .158 Notwithstanding the provisions of Section 4.3.1 (b)(i), the minimum aisle width serving motor vehicle parking spaces having angle of 76-90 degrees for any parking spaces located within the minimum setback from the River Road streetline shall be 5.7 metres. (00-046)
- .159 Notwithstanding the provisions of Sections 9 and 10, a Lodging House, shall be limited to a maximum of 5 (five) Lodgers. (00-047) (17-058)
- .160 In addition this land may be used as a Lodging House, limited to a maximum of 5 Lodgers. (00-062) (17-058)
- .162 a) Notwithstanding the provisions of Section 6.11, the minimum building setback from the street line shall be:
- i) for a dwelling, excepting a garage or carport 4.5 metres
  - ii) for a garage or carport 6.0 metres
- b) In this District, an unenclosed verandah may project up to:
- i) 1.5 metres into the minimum building setback from a street line
  - ii) 0.3 metres into the minimum building setback from a side lot line provided a minimum separation of 1.8 metres is maintained from any building or verandah on an adjoining lot. (14-111)



- .164 Notwithstanding the provisions of Section 59.2 (d) (ii), the minimum building setback from the rear lot line ( existing City limit) shall be 0 metres. (00-132)
- .165 Notwithstanding the provisions of Section 22.2 (c), the minimum building setback from the south side lot line shall be 3 metres.  
Notwithstanding the provisions of Section 6.11, the minimum building setback from the westerly 60 metres of the Howden Street street line, shall be 3 metres. (00-093)
- .166 Notwithstanding the provisions of Section 298.3(c), the following minimum building setbacks shall apply:
- |      |                    |           |
|------|--------------------|-----------|
| i)   | east side lot line | 12 metres |
| ii)  | west side lot      | 0 metres  |
| iii) | rear lot line      | 6 metres  |
- Notwithstanding the provisions of Section 298.3(g)(ii), no landscaped open space shall be required along the west side lot line.
- Notwithstanding the provisions of Section 298.3(d), the maximum building coverage shall be 40%. (00-131)
- Notwithstanding the requirements of Section 4.2, the minimum required parking for retail commercial purposes shall be 1 parking space per 30 m<sup>2</sup> of floor area.
- Notwithstanding the minimum setback from the rear lot line, a minimum of 3 m shall be permitted along the northerly rear lot line to accommodate an architectural wall, a 2.7 m setback shall be permitted for a patio and a 4 m setback shall be permitted for an overhead canopy. (16-160)
- .167 Notwithstanding the provisions of Section 7 and 8, the existing dwelling may contain 1 or 2 dwelling units.  
In addition this land may be used as a dwelling containing a maximum of 6 bachelor dwelling units.  
Notwithstanding the provisions of Section 4.2(A), a minimum of two (2) motor vehicle parking spaces shall be required for the foregoing use, if all units are occupied exclusively by disabled adults. (00-106)
- .168 In addition this land may be used as a three unit dwelling. (00-122)
- .170 In addition, this land may be used as a warehouse membership club with a gross leasable area of 13,800 sq. m. (148,547 sq. ft.) and an accessory gas bar. Ground buildings or structures shall be constructed or installed above the finished surface flood elevation of 191.79 metres, Canadian Geodetic Datum. Transportation, paved parking, landscaping, light standards, cart corrals, roads, pedestrian access and egress, sidewalks, above-ground transformers, directional signage, and any underground and above-ground utilities and stormwater management accessory infrastructure and similar type use are permitted to be constructed below this elevation. (01-007 and 06-057)
- .171 In addition, this land may be used for the following:
- |     |   |
|-----|---|
| i)  | a technical services establishment, with an office component having a maximum floor area of 400 square metres |
| ii) | a food store having a maximum floor area of 3,800 square metres   |
- Notwithstanding the provisions of Section 18A.3 (c), there shall be no minimum floor area per commercial purpose listed in Section 18A.2 (a), provided that the total floor area of all such purposes, excluding a food store, shall not exceed 700 square metres (01-030).
- .172 In addition this land may be used as an establishment for the retail, repair, rental and servicing of telecommunication devices and accessories.  
Notwithstanding the provisions of Section 298.3 (c) the minimum building setback from the west side lot line shall be 0.6 metres.  
Notwithstanding the provisions of Sections 298.3 (f) and (g), landscaped open space shall be provided and maintained in accordance with the following:
- |      |                    |            |
|------|--------------------|------------|
| i)   | east side lot line | 0 metres   |
| ii)  | west side lot line | 0.6 metres |
| iii) | rear lot line      | 1.5 metres |
| iv)  | street line        | 3 metres   |
- Notwithstanding the provisions of Section 293. (d), the maximum building coverage shall be 35%. (01-003)
- .173 Notwithstanding the provisions of Section 17.2 (a), the minimum lot width shall be 13 metres. (01-005)

- .174 Notwithstanding the provisions of Section 9B.3 (e) (ii), the minimum building setback from the south rear lot line shall be 6.2 metres. (01-006)
- .175 In addition, this land may be used for a clinic having a maximum floor area of 475 square metres (01-084)
- .176 Notwithstanding the provisions of Section 298.3, the following regulations shall apply:  
a) maximum building floor area - 240 square metres  
b) minimum building setback - east side lot line - 2.9 metres  
c) maximum building height - 1 storey  
Notwithstanding the provisions of Section 6.11, the minimum building setback from the Edwards Street street line shall be the lesser of the existing setback or 1.5 metres (01-061)
- .177 In addition, this land may be used as an establishment for the repair and servicing of appliances.  
  
Notwithstanding the provisions of Section 4.6.2 (B), there shall be no commercial vehicle loading space in connection with the foregoing use (01-062)
- .178 a) Notwithstanding the provisions of Section 6.11, the minimum building setback from the street line shall be:  
i) For a dwelling, excepting a garage or carport 4.5 metres  
ii) For a garage or carport 6.0 metres  
  
b) In this District, an unenclosed verandah may project up to:  
i) 1.5 metres into the minimum building setback from a street line.  
ii) 0.3 metres into the minimum building setback from a side lot line.  
  
c) In this District, an open deck/platform, not exceeding 3.5 metres in height, may extend not more than 4.5 metres into a minimum building setback from a rear lot line (OMB Order 1561)
- .180 Notwithstanding the provisions of Section 18A.3(d), the minimum building setback from the west side lot line shall be 3 metres.  
  
Notwithstanding the provisions of Section 18A.3(e), the maximum building coverage shall be 31% (01-194, OMB File PL010417).
- .181 In addition this land may be used as a video rental establishment.
- .183 Notwithstanding the provisions of Section 298.3, the maximum building floor area per commercial storey shall be 115 square metres.  
  
Notwithstanding the provisions of Section 6.9 (a), a gas bar overhead canopy may extend to the Clonsilla Avenue street line.  
  
In addition, this land may be used for:  
i) a retail convenience store;  
ii) a gas bar;  
iii) an autoglass, muffler or other motor vehicle repair establishment.(01-121)
- .184 Notwithstanding the provisions of Section 271.2 and 271.3, a clinic or office having a maximum floor area of 560 square metres, and a dwelling unit are permitted. (amended 10-064)  
  
Notwithstanding the provisions of Section 4.10, a maximum of twelve (12) of the required motor vehicle parking spaces may be located other than on the same lot as the use in connection with which such spaces are required, provided that such spaces are provided and maintained within 60 metres of the lot. (01-036)  
  
Notwithstanding the provisions of Section 271.3, the maximum building height is 2 storeys and the minimum sideyard setback shall be 0.7m from the northerly side lot line. (10-164)

- .185 i) Notwithstanding the provisions of Section 303.3(a), the minimum lot area per dwelling unit shall be 200 square metres.
- ii) Notwithstanding the provisions of Section 303.3(b), the minimum lot width per dwelling unit shall be 6.7 metres.
- iii) Notwithstanding the provisions of Section 303.3(k), one driveway shall be provided and maintained per dwelling unit having a maximum width at the street line of 3 metres. (99-103).
- iv) Notwithstanding Section 6.11, no building or part thereof shall be erected, altered or used within 3 metres of the street line of a local street for the northeast street line of Block 180 as shown on Draft Plan of Subdivision 15T-98502. (OMB Decision 0336)
- .186 i) Notwithstanding Section 6.9, no building or part thereof shall be erected, altered or used within 17 metres of the centre line of a collector street, with the exception of Lots 5, 69, 77, 85, 159 and 166 as shown on Draft Plan of Subdivision 15T-98502, where the distance shall be 15 metres.
- ii) Notwithstanding Section 6.11, no building or part thereof shall be erected, altered or used within 3 metres of the street line of a local street for the following lots as shown on Draft Plan of Subdivision 15T-98502: Lots 14, 24, 27, 33, 46, 50, 97, 98, 120, 139, 140, and 164". (OMB Decision 0336)
- .187 Notwithstanding the provisions of Section 298.3 (c), the minimum building setback from the west side lot line shall be 3 metres.
- Notwithstanding the provisions of Section 298.3 (g), the minimum width of landscaped open space to be provided and maintained along the south side lot line shall be 6 metres, and along the west side lot line, shall be 3 metres. (02-091)
- .188 In addition, this land may be used as a furniture upholstery establishment.
- Notwithstanding the provisions of Section 4, two motor vehicle parking spaces, having a minimum width of 2.2 metres, shall be provided, associated with the foregoing use. (02-092)
- .189 In addition this land may be used as a personal service establishment, contained within the existing dwelling and having a maximum floor area of 150 square metres. (02-126)
- .190 Notwithstanding the provisions of Section 6.11 (a), no building or part thereof shall be erected, altered or used within 3 metres of a streetline, which does not contain a driveway serving the lot. (02-125)
- .191 In addition, this land may be used as a surface parking lot associated with the clinic established at 707 Charlotte Street.
- Notwithstanding the provisions of Section 22B.2 (e), a minimum width of landscaped open space of 6 metres shall be required to be provided and maintained along the east side lot line, associated with the foregoing. (03-006)
- .192 Notwithstanding the provisions of Section 291.3 (d), the minimum building setback along the west side lot line shall be 3 metres;
- Notwithstanding the provisions of Section 291.3 (h) (i), the minimum width of landscaped open space along the north side lot line shall be 3 metres. (02-160)
- .193 In addition, this land may be used as a clinic having a maximum floor area of 235 square metres.
- .194 In addition, this land may be used as a clinic, having a maximum floor area of 150 square metres within the existing dwelling. (03-030)
- .196 In addition, this land may be used for an office or a clinic having a maximum floor area of 140 square metres per purpose, provided that the floor area of office or clinic use shall not exceed 300 square metres of floor area. (03-072)
- .197 Notwithstanding the provisions of Section 23.2 (h), the minimum width of landscaped open space to be provided and maintained along lot lines, shall be in accordance with the following:
- |      |                      |                    |
|------|----------------------|--------------------|
| i)   | north side lot lines | 0 metres           |
| ii)  | north rear lot lines | 0 metres           |
| iii) | south side lot lines | 30 metres (03-214) |
- .198 Notwithstanding the provisions of Section 19.2, no landscaped open space shall be required to be provided and maintained along the south side lot line. (03-116)
- .199 In addition, this land may be used for:
- i) an office or a clinic, having a maximum floor area of 235 square metres per commercial purpose and having a total

maximum floor area for all such purposes of 745 square metres.

- ii) bank, loan company or financial institution, having a maximum floor area of 745 square metres for all such purposes;

Notwithstanding the provisions of Section 298.3 (d), the maximum building coverage shall be 30%.

Notwithstanding the provisions of Section 298.3 (g) (i), a minimum 7.5 metre width of landscaped open space shall be provided and maintained along the south side lot line. (03-155)

.200 Notwithstanding the provision of Section 19.2, the maximum building coverage shall be 65%.

Notwithstanding the provisions of Section 4.10, a maximum of thirty (30) of the required motor vehicle parking spaces may be located other than on the same lot as the use in connection with which such spaces are required, provided that such spaces are provided and maintained within 60 metres of the lot.

.201 Notwithstanding the provisions of Section 18A.3 (g) (iii), landscaped space shall not be required to be provided and maintained along the north side lot line and the south rear lot line. (03-142, as per Memo from Alan Barber, City Solicitor to John Kennedy, City Clerk, February 19, 2013).

.201A i) Notwithstanding the provisions of Sections 7 and 8, this land may be used as either a single or two unit dwelling, provided such use is restricted to the building existing on the date of the passage of the implementing by-law.

ii) Notwithstanding the provisions of Section 4.2, a minimum of two motor vehicle site parking spaces shall be provided and maintained within the western portion of the district. (03-214 as per Memo from Alan Barber, City Solicitor to John Kennedy, City Clerk, February 19, 2013).

.202 In addition, this land may be used for a convenience retail store, having a maximum floor area of 93 square metres. (03-238)

.203 Notwithstanding the provisions of Section 18A.3I, the minimum floor area per commercial purpose listed in 18A.2(a) shall be 600 square metres.

Notwithstanding the provisions of Section 18A.3(d), the minimum building setback from the north rear lot line shall be 0.6 metres.

Notwithstanding the provisions of Section 18A.3 (g) (iii), no landscaped open space shall be required along the following lot lines:

- i) north side lot line (Monaghan Road)
- ii) south side lot line (Monaghan Road)
- iii) north-west rear lot line (Monaghan Road)
- iv) west side lot line (Lansdowne Street West); and
- v) north rear lot line (04-010)

.204 In addition, this land may be used as a multi-suite residence containing up to seven (7) residential suites provided that 0.5 motor vehicle parking spaces per suite shall be provided and maintained on the lot. (04-020)

In addition, this land may not be used as a church. (04-020)

.205 Notwithstanding the provisions of Section 6.8 (13) (a), the minimum building setback from the center line of Parkhill Road shall be 10 metres, limited to the dwelling existing at the date of the passage of the implementing by-law.

For purposes of this By-law, the area designated as R.1, R.2 – 205 shall be deemed to be a lot. (04-009)

.206 Notwithstanding the provisions of Section 8.2 (b), the minimum lot area per dwelling unit shall be 195 square metres.

Notwithstanding the provisions of Section 8.2 I, the minimum lot width per dwelling unit shall be 4.5 metres.

Notwithstanding the provisions of Section 8.2 (e) (i), the minimum building setback from the west side lot line shall be 2.4 metres.

Notwithstanding the provisions of Section 8.2 (e) (i), the minimum building setback from the east side lot line, limited to the southeast limit of the building, shall be 0 metres.

For purposes of this By-law, the area designated as R.1, R.2 – 206 shall be deemed to be a lot. (04-009)

- .207 In addition, this land may be used for an office or a clinic. (04-043)
- .208 Notwithstanding the provisions of Section 10.2(c), the minimum lot area per dwelling unit shall be 155 square metres.
- Notwithstanding the provisions of Section 10.2(g), the maximum building coverage shall be 35%.
- Notwithstanding the provisions of Section 10.2(j), the maximum lot coverage by open parking areas, driveways and vehicles movement areas shall be 40%.
- Notwithstanding the provisions of the Section 4.2(a), a minimum of 1.5 motor vehicle parking spaces per dwelling unit shall be provided and maintained on the lot. (04-135)
- .209 Notwithstanding the provisions of Section 18.2(d), the minimum width of landscaped open space including a planting strip, to be provided along the south side and rear lot lines shall be 1.5 metres. (04-066)
- .210 In addition, this land may be used for a clinic having a maximum floor area of 235 square metres per commercial purpose.
- Notwithstanding the provisions of Section 18A.3(c), a maximum floor area of 1650 square metres may be comprised of retail establishments having a minimum floor area of 235 square metres per purpose.
- Notwithstanding the provisions of Section 18A.3(d)(ii), the minimum building setback from the east side lot line (Lansdowne Street West) shall be 3 metres.
- Notwithstanding the provisions of Section 18A.3(g)(iii), landscaped open space having a minimum width of 1.5 metres shall be required along a street line and the east side lot line (Lansdowne Street West). (04-136)
- .211 Notwithstanding the provisions of Sections 7.2(b), the minimum lot are shall be 3000 square metres. (04-078)
- .212 In addition this land may be used as an office having a maximum floor area of 235 square metres.
- In this district, a maximum of 50 dwelling units shall be permitted, comprised of a maximum of 15 bachelor/studio apartments, and a minimum of 25 one bedroom apartments and 8 two bedroom apartments.
- Notwithstanding the provisions of Section 12.83(a), the minimum lot area per dwelling unit shall be 100 square metres.
- Notwithstanding the provisions of Section 4.3, the minimum width of a motor vehicle parking stall shall be 2.5 metres.”
- .213 In addition, this land may be used for a medical clinic.
- .214 Notwithstanding Section 18.A(2)(aa), this land may not be used as a Church. Notwithstanding the provisions of Section 18A.3(c), the minimum floor area per commercial purpose listed in 18A.2(a) shall be 300 square metres. The provisions of Section 18A.3(c) shall not apply to the following retail establishments: (a) furniture and appliances; (b) building products; and (c) automotive parts and supplies. Notwithstanding the provisions of section 18A.3(d)(ii), the minimum building set back from the west side lot line shall be 3.6 metres. (04-196)
- .215 Notwithstanding the provisions of Section 18.2(d), the minimum width of landscaped open space to be provided and maintained along the north side lot line shall be the lesser of the existing or 3 metres. (04-230)
- .216 In addition this land may be used for the following purposes, subject to a maximum floor area of 235 square metres per commercial purpose:
- (i) a convenience retail store;
  - (ii) a personal service establishment; and
  - (iii) a clinic.
- .217 In addition, this land may be used for a three unit dwelling.
- Notwithstanding the provisions of Section 8.2(j), the maximum lot coverage by open parking areas, driveways and vehicle movement areas shall be 45%.
- Notwithstanding the provisions of Section 4.3 (b)(i), the minimum width of a motor vehicle parking space shall be 2.5 metres.
- .218 Notwithstanding the provisions of Section 16.3 (f), the minimum width of landscaped open space to be provided and maintained along a lot line abutting a residential district shall be 3 metres.
- .220 Notwithstanding the provisions of Section 303.2(a), a maximum of seven (7) dwelling units shall be permitted in a row

dwelling. (amended June 1, 2009 as per memo from J. Hart, dated July 15, 2005)

- .221 Notwithstanding the provisions of Section 10.1, a Lodging House is not a permitted use. (17-058)
- Notwithstanding the provisions of Section 10.2 (a), the maximum number of dwelling units per building is 23.
- Notwithstanding the provisions of Section 10.2 (c), the minimum lot area per dwelling unit is 175 square metres.
- Notwithstanding the provisions of Section 10.2 (f), the minimum building setbacks are as follows:
- i) north side lot line – 30 metres
  - ii) west side lot line - 7 metres
- Notwithstanding the provisions of Section 4.2, a minimum of one (1) parking space per dwelling unit may be provided for each unit designated as an affordable housing dwelling unit through a Municipal Capital Facility Agreement. All other dwelling units shall be subject to the provisions of Section 4.2 and a minimum of 1.75 spaces per dwelling unit shall be provided. Sufficient land area shall be reserved to accommodate such additional parking spaces.
- .222 In addition, this land may be used for:
- i) a bank, financial institution or loan company
  - ii) a home improvement outlet
- Notwithstanding Section 298.2 w), this land may not be used for a church or a place of assembly.  
Building locations and flood proofing shall comply with the permit requirements of Otonabee Conservation.
- .223 Notwithstanding the provisions of Section 342.3 (c) the minimum building setback from the property municipally known as 1010 Parkhill Road, and from a lot line abutting an OS.1-Open Space District, shall be 6.1 metres.  
Notwithstanding the provisions of Section 342.3 (e) (i), the minimum width of landscaped open space to be provided and maintained along the Parkhill Road streetline shall be 1.5 metres.
- Notwithstanding the provisions of Section 342.3 (e) (ii), the minimum width of landscaped open space to be provided and maintained along a lot line abutting an OS.1-Open Space District shall be 6.1 metres.
- Notwithstanding the provisions of Sections 342.3 (e) (iii), the minimum width of landscaped open space to be provided and maintained adjacent to the properties municipally known as 1034 and 1026 Parkhill Road shall be 1.5 metres.
- .225 Notwithstanding any other provision, a minimum 3m landscaped buffer consisting of a 2m high privacy fence and vegetative planting, be provided adjacent to the mutual property line between the subject land and the rear lot line of the properties known as 594 and 600 Maniece Ave.
- .226 Notwithstanding the provisions of Section 8 the following provisions shall apply:
- i) the maximum lot coverage by open parking areas, driveways; and vehicle movement areas is 30%;
  - ii) the minimum building setback from the rear lot line is 7m; and
  - iii) in addition, this land may be used as a three unit dwelling.
- .227 Notwithstanding the provisions of Section 24, a driveway connecting Crawford Drive to the parking area to the north, is permitted within the floodplain (area below the flood elevation of 191.79 metres).
- .228 Notwithstanding the provisions of Section 11 the following provisions shall apply:
- iii) the maximum number of dwelling units is 90;
  - iv) the maximum number of storeys is 3;
  - v) the maximum lot coverage by open parking, driveways and vehicle movement areas is 35%”
- .229 Notwithstanding the provisions of Section 298.3, the minimum lot width shall be 26m; the maximum building coverage shall be 27%; the minimum landscaped open space shall be 13% of the area of the lot; the minimum width of the landscaped open space strip shall be 0.3m between the building and the easterly lot line; and the minimum building setback shall be 0.3m from the easterly lot line.
- .231 Notwithstanding the provisions of Section 16.3, the following additional regulations shall apply for a hotel use:
- i. the minimum building setback from the easterly side lot line shall be 1.8m for a hotel use.
  - ii. the minimum width of a landscaped space/planting strip along a lot line abutting a residential or development district shall be 3 metres along the westerly side lot line and 1.5 metres along the easterly side lot line and rear lot line for a hotel use.
- .232 In addition, this land may be used for a multi-suite residence.
- Notwithstanding the provisions of Section 11.2, the following regulations also apply:

- i. the minimum lot width shall be 7.6m
- ii. the minimum building setback from the side lot line shall be 2m per storey
- iii. the minimum building setback from the rear lot line shall be 20m
- iv. the maximum lot coverage by open parking, driveways and vehicle movement areas shall be 40%.

Notwithstanding the provisions of Section 4.2, 0.75 motor vehicle spaces shall be provided and maintained per residential suite.

- .233 Notwithstanding Section 4.2 (B), motor vehicle parking spaces shall be provided and maintained at the ratio of 1 space per 12m<sup>2</sup> of floor area.

Notwithstanding Section 4.10, a minimum of 95 motor vehicle parking spaces shall be provided and maintained on the lot, and any additional required parking spaces shall be provided and maintained within 425m of the lot. (07-105)

- .236 Notwithstanding Section 13.1, lands within the flood plain may be used only for the purpose of landscaping and vehicle movement and parking.

Notwithstanding Section 13.1 j), a food store shall not be a permitted use on these lands.

Notwithstanding Section 13.2 c) and d), this land may also be used for a drug store with a maximum floor area of 1580m<sup>2</sup> (17,000 sq. ft.). (08-086)

- .238 In addition, this land may also be used for a funeral home and/or a place of assembly. (08-085)

- .241 Notwithstanding the provisions of Section 271.3b) and Section 4.3, a driveway with a minimum width of 2.7m shall be permitted.(08-164)

- .242 Notwithstanding the provisions of Section 18A.3c), the following retail establishments shall be permitted with a floor area of less than 700 square metres per commercial purpose:

- a) a retail establishment for the sale of furniture and appliances
- b) a retail establishment for the sale of pets, pet accessories and related services
- c) a retail establishment for the sale of computers and components in conjunction with computer repair and/or rental (08-150)

- .244 a) A bank, loan company, or financial institution shall be a permitted use;  
b) A library, museum or art gallery shall not be permitted. (12-135)

- .245 In addition,  
a) An office or clinic up to 300 m<sup>2</sup> in size shall be permitted;  
b) A bank or financial institution shall be permitted.

Notwithstanding the permitted uses in Section 298.2, a library, museum or art gallery shall not be permitted. (13-007)

- .246 Notwithstanding the provisions of Section 373.3 h), a minimum 0m landscaped open space shall be provided along the Reid Street and McDonnell Street street lines.(09-036)

- .247 In addition, this land may be used for a gymnasium or health club, a personal service establishment and a veterinary office (excluding boarding or kennel use). (09-064)

- .248 In addition, this land may be used for a large format drug store with a maximum floor area of 1725m<sup>2</sup>. (09-093)

- .249 Notwithstanding the permitted uses of Section 18A.2, a supermarket with a maximum gross floor area of 3716m<sup>2</sup> shall be permitted.(09-177)

- .250 Notwithstanding the minimum building setback from a rear lot line as identified in Section 371.3c), the northeast corner of the main building is permitted to be setback a minimum of 6.6m from the rear lot line. (10-033)

- .251 Notwithstanding the permitted uses in Section 271.2(b), a 'clinic' shall not be a permitted use. (10-032)

- .252 Notwithstanding the permitted uses in Section 7, in addition, an office for administration and education activities associated with the clinic use at 707 Charlotte Street shall be permitted.

Notwithstanding Section 4.10, a minimum of 2 motor vehicle parking spaces shall be provided and maintained on the lot, and any additional required parking spaces shall be provided and maintained within 250m of the lot.

Notwithstanding Section 7.2e), the minimum building setback from the westerly side lot line for the existing building shall be 1.09m and 0.3m for an open fire escape.(10-100)

.253 Notwithstanding the parking requirements of Section 34.3 m), a minimum of 1.5 parking spaces per unit shall be provided and maintained on site. (10-141)

.254 Notwithstanding the uses listed in Section 18.1, a gas bar shall be a permitted use.(10-165)

.255 Notwithstanding the provisions of Section 125.2 l), a service station shall not be permitted.

Notwithstanding the provisions of Section 125.3 b), the maximum floor area per commercial use shall be 200 square metres.

Notwithstanding the provisions of Section 125.3 c), the maximum commercial floor area shall be 2,000 square metres.(10-164)

.256 Notwithstanding the provisions of Sections 6.9 and 6.11, the minimum building setback from the street line shall be:

- i) for a dwelling, excepting a garage or carport 4.0 metres
- ii) for a garage or carport 6.0 metres

In this District, an unenclosed verandah may project up to:

- i) 2.0 metres into the minimum building setback from a street line.(10-164)

.257 Notwithstanding the requirements of Sections 4 and 13, the following shall apply:

- a) the minimum building setback from the easterly side lot line shall be 0.9m;
- b) the landscaped open space strip requirement along Armour Road shall be eliminated;
- c) the minimum parking requirement shall be 7 spaces for a restaurant with less than 30 seats;
- d) the minimum aisle width requirement for parking areas shall be 5m;
- e) the minimum lot width shall be 14.5m.(10-166)

.258 Notwithstanding the provisions of Sections 4.3.1 a):

- i) the minimum aisle width shall be 6.1m
- ii) each required parking space shall be at least 2.7 metres by 5.5 metres

Notwithstanding the provisions of Section 4.6.2, required on-site parking spaces may also serve as a vehicle loading space.

Notwithstanding the provisions of Section 6.11, the minimum building setback shall be 10m from the centre line of Stewart St.

Notwithstanding the provisions of Section 18, the minimum building height shall be 3 storeys.

.259 Notwithstanding the provisions of Section 125.2 l), a service station shall not be permitted.

Notwithstanding the provisions of Section 125.2 , a gas bar shall be permitted.

Notwithstanding the provisions of Section 125.3 b), the maximum floor area per commercial use shall be 200 square metres.

Notwithstanding the provisions of Section 125.3 h), landscaped open space of a minimum width of 6 metres shall be provided and maintained on a lot line abutting a residential or development district and landscaped open space of a minimum width of 1.5 metres with planting strips shall be provided and maintained along all other lot lines.

.260 Deleted (13-136)

.261 Deleted (13-136)

.262 Notwithstanding the provisions of Sections 8.2 and Section 4:

- i) the minimum lot area per dwelling unit shall be 103m<sup>2</sup>
- ii) the minimum lot width per dwelling unit shall be 4.8m
- iii) the minimum lot depth shall be 19m
- iv) the minimum building setback from the side lot line on the northerly side shall be 0.9m
- v) the maximum lot coverage by open parking areas, driveways and vehicle movement areas shall be 24%
- vi) the minimum number of parking spaces shall be 1 space per unit



.263 In addition, an office with a max. floor area of 300m<sup>2</sup> shall be permitted.

.264 In addition, this land may be used for a three unit dwelling.

Notwithstanding Sections 4 and 8, the following shall apply:

- a) the minimum lot width per Unit shall be 3.4m
- b) the minimum setback for 5 parking spaces from the side lot line shall be 0.0m
- c) a minimum of 1.5 parking spaces per unit shall be provided on site

.265 Notwithstanding the permitted uses listed in Section 18.1, the following uses shall not be permitted; until safe access and safe parking is provided:

- a) a nursing home
- b) a day nursery
- c) a Lodging House
- d) a dwelling unit
- e) a home for the aged
- f) a police station, jail or fire hall

Notwithstanding the provisions of Section 6.8, no building or part thereof shall be erected, altered or used within the 14.8m of the centre line of Aylmer Street.

The minimum height of a building shall be 2 storeys (17-058)

.266 Notwithstanding the provisions of Section 4 and Section 6.25:

- i. A minimum of 5 parking spaces shall be provided and maintained on site;
- ii. Up to two tandem parking spaces shall be permitted on a lot in conjunction with a three unit dwelling;
- iii. A driveway width of up to 9m to permit up to 3 parking spaces at the street line;
- iv. A reduction in the width of the landscaped strip from 1.5m to 1m along the westerly side lot line for parking and driveway area;
- v. Relief from Section 6.25 to permit a ceiling height of 0.94m above grade for a unit in the basement of a residential building.

.267 Notwithstanding the provisions of Section 4 and Section 18A.3:

- i. up to one retail establishment with a minimum floor area of 460m<sup>2</sup> (5000 sq. ft) versus 700m<sup>2</sup> (7500 sq. ft.) to recognize one smaller unit established within the existing building;
- ii. an increase in the maximum building coverage from 30% of the lot area to 39% of the lot area, to recognize the existing building;
- iii. a parking ratio of 1 space per 20m<sup>2</sup> of gross leasable floor area, in accordance with Section 4.2B(i) of the Zoning By-Law; and
- iv. notwithstanding the list of permitted uses in the C.7 Zoning District, a museum or art gallery shall not be permitted.

.268 Notwithstanding the provisions of Section 298:

- i. a convenience retail store with a maximum floor area of 300m<sup>2</sup>, in association with a gas bar shall also be permitted
- ii. for the purpose of this exception, a 'gas bar' means any land, buildings or part thereof used as a retail outlet for the sale of motor fuel, oil and accessories, but does not include the sale of motor vehicle parts or servicing or repairs to motor vehicles.
- iii. a library, museum or art gallery shall not be permitted.

.269

- i. in addition this land may be used for a Hospice.
- ii. the minimum building setback shall be 0.8m from Reid Street to recognize the location of the existing building.
- iii. the minimum building setback shall be 3m from the southerly lot line

.270 Notwithstanding the provisions of the R.4 Zoning District,

- i. a maximum number of 27 dwelling units per building shall be permitted;
- ii. a minimum lot area per dwelling unit of 175 square metres per unit shall be permitted;
- iii. a minimum building setback of 9 metres or 3 metres per storey from the rear lot line, whichever is greater, shall be required;
- iv. a maximum lot coverage by open parking areas, driveways and vehicle movement areas of 30% shall be permitted.

.271 In addition, a commercial parking lot shall also be a permitted use.

- .272 Notwithstanding the Regulations of Section 9.2 and Section 4, the following shall apply:
- i. a Minimum Lot Width Per Unit of 5m
  - ii. a Minimum Building Setback from the side lot line (north side) of 0m
  - iii. a Minimum Building Setback from the rear lot line of 4.8m
  - iv. a Minimum Parking Space dimension of 2.7m by 5.5m
  - v. a Minimum Driveway Width of 5.8m
- .273 In addition, this land may be used for automobile sales and service establishment.
- .275 Notwithstanding the permitted uses of the SP.264 Zoning District, the following uses are not permitted:
- a) a convenience retail store
  - b) a video rental establishment
- Notwithstanding the permitted uses of the SP.264 Zoning District, a gymnasium or health club is also permitted.
- .276 Notwithstanding the permitted uses listed in Section 274.2, the following uses shall not be permitted:
- a) a day nursery
  - b) a school
- Notwithstanding the provisions of Section 274.3 g), the maximum building floor area for each use listed in 274.2 (o) is 250m<sup>2</sup>. Section 274.3 h) does not apply. (13-015).
- .277 Notwithstanding the Minimum Required Parking as listed in Section 4, a Bottling Establishment with a maximum floor area of 64m<sup>2</sup> shall be exempt from on-site parking. (13-028)
- .278 Notwithstanding the provisions of Section 6.11 in this District an unenclosed verandah may project up to 2.0 metres into the minimum building setback from a street line. (13-039)
- .279 Notwithstanding the provisions of Section 4.2B(i), the minimum parking space requirements for the subject lands shall be 1/25 square metres of gross leasable area.
- Notwithstanding the minimum floor area per commercial purpose required in Section 18A.3(c), the minimum floor area requirements for retail establishments listed in 18A.2(a) shall be as follows:
- i) a maximum floor area of 1700 square metres may be occupied by retail establishments with floor areas between 150 square metres and less than 500 square metres each;
  - ii) a maximum floor area of 1750 square metres may be occupied by retail establishments with floor areas between 500 square metres and 700 square metres each. (13-038)
- .280 Notwithstanding the regulations of Sections 4 and 9, the following shall apply:  
The minimum lot area per dwelling unit shall be 150 square metres; the minimum side yard setback from the north side lot line shall be 0.71m; the minimum lot width per dwelling shall be 4m.  
A maximum of 2 parking spaces can be located less than 6 metres to a window to a habitable room; a minimum parking ratio of 1 parking space per dwelling unit shall be established and maintained on site; parking spaces shall comply with minimum dimensions of 2.5m by 5.5m. (13-081)
- .281 Notwithstanding the permitted uses of Section 19.1 (M3.5 Zoning District), the following uses are also permitted:
- a) financial institution
  - b) restaurant (13-127)
- .282 Notwithstanding the permitted uses of Section 19.1 (M3.5 Zoning District), a dog kennel shall not be permitted. (13-127)
- .283 Notwithstanding the permitted uses of the Zoning District, a retail establishment for the sale of furniture with a maximum floor area of 2800 m<sup>2</sup> is also permitted. (13-138)
- .284 Notwithstanding the provisions of Section 6.25, a ceiling height of 0.9 m above grade shall be permitted for a unit in the basement of a residential building. (13-144)
- .285 Notwithstanding the provisions of Section 298.3, the minimum sideyard setback and the minimum width of the landscaped open space from the westerly lot line shall be 6m; and a minimum of 9m of landscaped open space shall be provided and maintained along the southerly lot line. (13-172)
- .286 In addition to the permitted uses, the following shall also be permitted:
- i. a bank, loan company or financial institution
  - ii. a home improvement outlet with a minimum floor area of 700m<sup>2</sup>
  - iii. up to one retail establishment for the sale of used clothing, used household items and related used accessories with a minimum floor area of 700m<sup>2</sup>
- Notwithstanding the list of permitted uses, a police station, a library, a museum, an art gallery or a cinema shall not be permitted. (14-013)
- .287 Notwithstanding the provisions of the R.4 Zoning District,
- i. a maximum of 42 dwelling units shall be permitted;

- ii. a minimum lot area per dwelling unit of 210 square metres per unit shall be permitted;
  - iii. a minimum building setback of 3 metres per storey from the rear lot line, shall be required;
  - iv. a maximum building coverage of 35% of the lot area shall be permitted;
  - v. a maximum lot coverage by open parking areas, driveways and vehicle movement areas of 30% shall be permitted;
  - vi. notwithstanding the permitted uses, a Lodging House shall not be permitted. (14-040) (17-058)
- .288 Notwithstanding the provisions of the R.3 Zoning District,
- i. a minimum lot area of 1900m<sup>2</sup> shall be required;
  - ii. a minimum lot area of 470m<sup>2</sup> per unit shall be required;
  - iii. a minimum setback of 3m from the side lot line shall be required;
  - iv. a minimum setback of 30m from the rear lot line shall be required;
  - v. a maximum lot coverage by open parking areas, driveways and vehicle movement areas of 30% of the lot area shall be permitted; and
  - vi. notwithstanding the permitted uses, a Lodging House shall not be permitted. (14-041) (17-058)
- .289 Notwithstanding the provisions of Section 4, parking may be provided off-street within 50m of the subject property, in accordance with the minimum parking requirements of Section 4. (14-060)
- .290 Notwithstanding the Minimum Building Setback, a minimum 15m building setback shall apply from the southerly side lot line. (14-068)
- .291. Notwithstanding the provisions of Section 4, parking may be provided off-street within 50m of the subject property, in accordance with the minimum parking requirements of Section 4.  
Notwithstanding the provisions of Section 18.2, landscaped open space including a planting strip shall not be required along the westerly lot line. (14-087)
- .292 Notwithstanding the permitted uses, a Lodging House is not permitted. (14-086) (17-058)
- .293 Notwithstanding the permitted uses, a Lodging House is not permitted and notwithstanding the regulations of the R.3 Zoning District and the provisions of the Zoning By-Law related to parking, the minimum lot area per dwelling unit shall be 170m<sup>2</sup>; the minimum setback from the intersection of two side lot lines shall be 4m; and a maximum of 2 x 2 tandem parking spaces shall be permitted within 0m from the westerly lot line. (14-119) (17-058)
- .294 Notwithstanding the provisions of Section 6.25, a ceiling height of 0.6m above grade shall be permitted for a unit in the basement of a residential building. (15-143)
- .295 Notwithstanding the permitted uses, “a bank, financial institution or loan company” is a permitted use. Notwithstanding the regulations of the SP.268 Zoning District, the maximum building coverage shall be 23% of the lot area and the minimum landscaped open space shall be 0%. (14-130)
- .296 Notwithstanding the permitted uses, “an office with a maximum floor area of 300m<sup>2</sup>” is a permitted use. Notwithstanding the parking regulations of Section 4 – Parking Regulations a minimum of 1 parking space per residential unit shall be provided and maintained. (15-037)
- .297 Notwithstanding the permitted uses, one discount variety store with up to 950m<sup>2</sup> of floor area shall be permitted. (15-043)
- .298
- .299 Notwithstanding the permitted uses, an office with a maximum floor area of 150m<sup>2</sup> and a personal service use are permitted. Notwithstanding the provisions of Section 4, a minimum of 1 parking space per residential unit shall be permitted. (15-130)
- .300 Notwithstanding the provisions of Section 4, the maximum width of the driveway at the street shall be 8.1m; and notwithstanding the provisions of Section 6.25 a minimum ceiling height of 0.8m above grade shall be permitted for a dwelling unit in the basement. (15-151)
- .301 A clinic may be permitted to have a maximum floor area of 300m<sup>2</sup>. (By-law 16-030)
- .
- .303 Notwithstanding the permitted uses, a library, museum or art gallery shall not be permitted. (By-law 16-046)

- .304 Notwithstanding the permitted uses, an Emergency Shelter and a Multi-Suite Residence shall be permitted uses. Notwithstanding Regulations to the contrary, the following Regulations shall apply to the lands:

Regulation	Exception
Minimum Setback From side lot line From rear lot line	3m 9.6m
Minimum width of landscaped open space along all lot lines	1 m
Section 6.26 – Special Building Setbacks – Downtown	Exempt Approx. 9.6m from rear lot line
Section 6.34 Min. Size of Bachelor Dwelling Unit	Minimum of 18m <sup>2</sup> of floor area
Section 4.2(A)(2) Motor Vehicle Parking Requirements: Emergency Shelter Office	0.15 spaces/bed 1 space/45m <sup>2</sup> of floor area
Barrier Free Parking	1 space
Loading Spaces (Emergency Shelter)	1 x 'B' loading space (3.6m x 6m)

(By-law 16-057)

- .305 Notwithstanding the permitted uses, an office with a maximum floor area of 300m<sup>2</sup>, a clinic with a maximum floor area 300m<sup>2</sup> and a personal service use are permitted. (By-law 16-058)
- .306 In addition, a parking lot or parking garage is a permitted use. (By-law 16-053)
- .308 Notwithstanding the provisions of Section 6.23a), other than members of the household residing in the dwelling unit, a home based business located in a dwelling on a lot that abuts a collector street as designated in the Official Plan may have one employee who does not reside in the dwelling unit provided that one off street parking space is available for the sole use of that employee. (By-law 16-114)
- .309 Notwithstanding the provisions of Section 125.2 1), a service station shall not be permitted.

In addition to the permitted uses listed in Section 125.2, the following shall also be permitted uses:

- i. a personal service establishment
- ii. a public administration establishment
- iii. an art school, music school, dance school or fine arts school
- iv. a church
- v. a place of assembly
- vi. a recreation centre
- vii. a day nursery
- viii. a gymnasium or health club including a fitness studio

Notwithstanding the provisions of Section 125.3 a), the residential floor area in a building may exceed the commercial floor area therein.

Notwithstanding the provisions of Section 125.3 b), the maximum floor area per commercial use shall be 200 square metres.

Notwithstanding the provisions of Section 125.3 c), the minimum commercial floor area shall be 700 square metres and the maximum commercial floor area shall be 2,000 square metres.

Notwithstanding the provisions of Section 125.3 g), the maximum number of storeys shall be 5 except within 15 metres of the north lot line where the maximum number of storeys shall be 2 and between 15 and 30 metres of the north lot line where the maximum building height shall be 3.

Notwithstanding the provisions of Section 125, dwelling units shall be provided with a minimum lot area per dwelling unit of 135 square metres and a maximum lot area per dwelling unit of 165 square metres. (By-law 16-144)

- .310 Notwithstanding Section 6.6 of this By-law, the southeast corner of the existing dwelling, a covered deck measuring approximately 4m by 8m attached to the rear wall of the existing dwelling, and a swimming pool may be erected, altered or used within 45 metres of the centre line of a controlled access arterial street. (By-law 17-010)

- .311 Notwithstanding the provisions of this By-law to the contrary, the following shall apply:

<b>Regulation</b>	<b>Exception</b>
Minimum lot area per unit	204 m <sup>2</sup>
Minimum lot width per unit	4 m
Minimum landscaped open space strip	0.7 m along one side lot line
Minimum parking	1.6 spaces/unit

(By-law 17-035)

- .312 Section 6.5 shall not apply where a building or part thereof is to be erected, altered or used on any part of the land that abuts a private street.

The area zoned SP.349, 11j, 13k shall continue to be treated as one lot for the purposes of zoning regulations despite any future land division. (By-law 17-042)

- .313 Notwithstanding the provisions of this By-law to the contrary, the following shall apply:

<b>Regulation</b>	<b>Exception</b>
Minimum lot area per unit	135 m <sup>2</sup>
Minimum building setbacks:	
- From east side lot line	15 m
- From west side lot line	4 m
- From rear side lot line	8 m
Maximum building height	4 storeys
Minimum landscaped open space	25%
Minimum motor vehicle parking	1.29 spaces/unit
Minimum motor vehicle parking space dimension	5.5 m by 2.5 m
Notwithstanding the provisions of Section 4- Parking Loading and Driveways to the contrary, lands subject to Exception 313 shall be permitted to have tandem parking spaces in accordance with an approved Site Plan and subject to conditions as set out in a Site Plan Agreement and/or Condominium Agreement.	

(By-law 17-105)

- .315 Notwithstanding the provisions of Sections 6.9 and 6.11, the minimum building setback from the street line shall be:

- |     |   |            |
|-----|---|------------|
| i.  | for a dwelling, excepting a garage or carport | 3.0 metres |
| ii. | for a garage or carport                       | 6.0 metres |

In this District, an unenclosed verandah may project up to:

- |    |  |
|----|--|
| i. | 1.5 metres into the minimum building setback from a street line. (By-law 17-103) |
|----|--|

- .316 Notwithstanding the provisions of Section 395.3 e) minimum building setback, the minimum building setback from a side lot line or a rear lot line shall be 6 metres or 2 metres per storey, whichever is the greater. (By-law 17-103)

- .317 Notwithstanding the provisions of Section 125.2 l), a service station shall not be permitted.

In addition to the permitted uses listed in Section 125.2, the following shall also be permitted uses:

- |       |   |
|-------|---|
| i.    | A personal service establishment                              |
| ii.   | A public administration establishment                         |
| iii.  | An art school, music school, dance school or fine arts school |
| iv.   | A church  |
| v.    | A place of assembly   |
| vi.   | A recreation centre   |
| vii.  | A day nursery   |
| viii. | A gymnasium or health club including a fitness studio         |

Notwithstanding the provisions of Section 125.3 a), the residential floor area in a building may exceed the commercial floor area therein.

Notwithstanding the provisions of Section 125.3 b), the maximum floor area per commercial use shall be 200 square metres.

Notwithstanding the provisions of Section 125.3 c), the minimum commercial floor area shall be 700 square metres and the maximum commercial floor area shall be 2,000 square metres. (By-law 17-103)

.318 Notwithstanding the provisions of Section 396.2 a), a row dwelling containing not more than 8 dwelling units shall be permitted. (By-law 17-103)

.319 Notwithstanding the provisions of this By-law to the contrary, the following shall apply:

<b>Regulation</b>	<b>Exception</b>
Minimum lot area per dwelling unit	69 m <sup>2</sup>
Minimum lot width per dwelling unit	2.2 m
Minimum building setbacks:	
i). Side lot line	1.5 m
ii). Rear lot line	6.0 m
Maximum building coverage	48%
Maximum number of storeys	2
Minimum number of parking spaces	1 per unit
Minimum dwelling unit size	
i). One bedroom	50 m <sup>2</sup>
ii). Bachelor	28 m <sup>2</sup>
Minimum distance between parking, driveway and vehicle movement areas and windows to habitable rooms.	1 m

(By-law 17-161)

.320 Notwithstanding the provisions of this By-law to the contrary, the minimum distance between the main dwelling and the garage shall be 0.0 m; and the minimum southerly sideyard setback for an attached garage shall be 0.7 m. (By-law 17-163)

.321 Notwithstanding the provisions of the By-law to the contrary, 'a small scale office (up to 300 m<sup>2</sup>)' and 'a personal service establishment' to be contained within the existing building are added to the list of permitted uses. (By-law 17-164)