

9.3. Mixed Commercial Residential Zone (C3)

9.3.1. Permitted Uses

Amended by
Bylaws No.
115-92, 34-93,
149-97, 166-2005,
63-2012, 100-2013,
3-2015, 65-2018

The following uses are permitted in a C3 Zone:

- .1 Arts schools.
- .2 Art galleries.
- .3 Apartment Dwellings.
- .4 Lodging houses, within converted dwellings.
- .5 Commercial schools.
- .6 Converted dwellings.
- .7 Crisis residences.
- .8 Day nurseries.
- .9 Duplex dwellings.
- .10 Dwelling units.
- .11 Existing apartment dwellings.
- .12 Fourplex dwellings.
- .13 Funeral homes.
- .14 General offices.
- .15 Group correctional homes.
- .16 Group correctional residences.
- .17 Group homes.
- .18 Group residences.
- .19 Home occupations.
- .20 Medical clinics.
- .21 Medical offices.
- .22 Mini-group homes.
- .23 Museums.
- .24 Neighbourhood convenience stores.
- .25 Personal service stores.
- .26 Photographers' studios.
- .27 Private clubs.
- .28 Deleted
- .29 Restaurants: full service.
- .30 Retirement homes, within converted dwellings.
- .31 Semi-detached dwellings.
- .32 Single-detached dwellings.
- .33 Specialty retail stores.
- .34 Street townhouse dwellings, comprising a maximum of four attached dwelling units.
- .35 Triplex dwellings.
- .36 Veterinary Clinic.
- .37 Accessory uses, buildings, and structures.
- .38 Uses permitted in Section 6.1.

9.3.2. Regulations

Amended by
Bylaw No.
34-93

Any use, building, or structure in a C3 Zone shall be established in accordance with the following:

- .1 Single-Detached, Semi-Detached, Duplex, Triplex, Fourplex, Converted and Street Townhouse Dwellings, Lodging Houses, and

Retirement Homes

.1 Lot Area (minimum)

.1	Single-detached dwelling	270.0m ²
.2	Semi-detached, duplex, and triplex dwelling	230.0m ² /unit
.3	Fourplex dwelling	185.0m ² /unit
.4	Street townhouse	185.0m ² /unit
.5	Converted dwelling	360.0m ²

.2 Lot Width (minimum)

.1	Single-detached and converted dwelling	9.0 m
.2	Semi-detached, duplex, and triplex dwelling	6.0 m/unit
.3	Fourplex and street townhouse dwelling	6.0 m/unit

.3 Lot Coverage (maximum)

.1	Street townhouse dwellings containing a maximum of three attached dwelling units on an individual lot	40%
.2	One street townhouse dwelling unit on an individual lot	48%
.3	All other residential uses	40%

.4 Building Height (maximum) 3 storeys

.5 Front Yard (minimum) Established Front Building Line

.6 Rear Yard (minimum) 7.5 m

.7 Side Yard (minimum)

.1	Interior	0.6 m
.2	Exterior	2.4 m

.8 Landscaped Open Space (minimum) 25%

Amended by
Bylaws No.
68-2011,
63-2012

- .9 Gross Floor Area (minimum)
 - .1 Single-detached dwelling 70.0m²
 - .2 Semi-detached, duplex, triplex, fourplex, converted or street townhouse dwelling 55.0 m²/unit
 - .3 Lodging house or retirement home
20.0 m²/bed
- .10 Parking
 - .1 In accordance with Section 6.18.
 - .2 Parking shall not be located in a front yard.
- .11 The expansion of any building to be used for the purpose of a converted dwelling shall not exceed a total of:
 - .1 50% of the gross floor area of the building which existed at the date of passing of this Bylaw; or
 - .2 110.0 m², whichever is the lesser.

.2 All Other Permitted Uses Except as noted

- .1 Lot Area (minimum) 360.0 m²
- .2 Lot Width (minimum) 12.0 m
- .3 Lot Coverage (maximum) 40%
- .4 Building Height (maximum) 12.0 m
- .5 Front Yard (minimum) Established Front Building Line
- .6 Rear Yard (minimum) Nil
- .7 Side Yard (minimum) 0.6 m
- .8 Landscaped Open Space (minimum) 10%
- .9 Gross Floor Area (maximum)
 - .1 225.0 m², or the existing gross floor area of the building, whichever is the greater.
- .10 Parking
 - .1 In accordance with Section 6.18.

Amended by
Bylaws No.
34-93

- .2 Parking shall not be located in a front yard.
- .11 Open Storage Prohibited
- .12 Buffering in accordance with Section 6.10
- .3 Dwelling Units
 - .1 Dwelling units shall only be located in a building containing one or more permitted non-residential uses.
 - .2 The minimum gross floor area shall be 40.0 m² per unit.
 - .3 Parking shall be provided at 1.0 spaces/unit in addition to the required parking spaces for the non-residential uses.

Amended by
Bylaws No.
149-97, 65-2018

- .4 Day Nurseries
 - .1 In accordance with Section 6.8.
- .5 Home Occupations
 - .1 In accordance with Section 6.17.
- .6 Deleted
 - .1 In accordance with Section 6.34.
- .7 Mini-Group Homes, Group Homes, Group Residences, Crisis Residences, Group Correctional Homes, Group Correction Residences
 - .1 In Accordance with Section 6.15 and 9.3.2.
- .8 Accessory Uses, Buildings, and Structures
 - .1 In accordance with Section 6.3.
- .9 Uses Permitted in Section 6.1.
 - .1 In accordance with Section 6.1.
- .10 Apartment Dwellings
 - .1 In accordance With Section 7.10.2.1

Amended by
Bylaw No.
100-2013

9.3.3. Exceptions

The following Zones apply to specific lands within a C3 Zone.

- .1 **Area bounded by Nelson Street, Clarence Street, Alfred Street,**

and Shallow Creek Park (C3-1)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-1 Zone may be used for all of the uses permitted in the C3 Zone, plus the following use:

- .1 Existing industrial uses.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-1 Zone use any lot, or erect, alter or use any building or structure for the existing industrial uses, except in accordance with the following provisions:

- .1 In accordance with Section 10.2.2

That all the provisions of the C3 Zone in Section 9.3.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

.2 Grand River Avenue (C3-2)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-2 Zone may be used for all of the uses permitted in the C3 Zone, plus the following use:

- .1 Existing industrial uses, including manufacturing uses, wholesale uses, warehouse uses, research uses, accessory general offices and accessory retail sales.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-2 Zone use any lot, or erect, alter or use any building or structure for the existing industrial uses, except in accordance with the following provisions:

- .1 In accordance with Section 10.2.2.

That all the provisions of the C3 Zone in Section 9.3.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
147-2016

.3 94-96 Grey Street (C3-3) (DELETED)

Amended by
Bylaws No.
25-91, 147-2016,
104-2019

.4 Clarence Street, Sheridan Street, and CNR (C3-4)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-4 Zone may be used for all of the uses permitted in the C3 Zone, plus the following use:

.1 Existing industrial uses

Notwithstanding any provision of this Bylaw to the contrary, no person shall within and C3-4 Zone use any lot, or erect, alter or use an building or structure for the existing industrial uses, except in accordance with the following provisions:

.1 In accordance with Section 10.2.2.

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
93-2002, 113-2010

.5 90 Queen Street (C3-5)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-5 Zone may be used for all of the uses permitted in the C3 Zone, plus the following uses:

- .1 Artist's studio
- .2 Health club
- .3 Instructional/studio space directly related to a post-secondary institution
- .4 Place of worship
- .5 Service or repair shop
- .6 Telecommunication services

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-5 Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

.1 Instructional/studio space directly related to a post secondary institution:

- .1 Gross Floor Area (maximum) 1245.0 m²
- .2 Parking (minimum) 1 space per 70.0 m² GFA

That all remaining provisions of the C3 Zone in Section 9.3.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
35-95

.6 341 Colborne Street (C3-6)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-6 Zone may be used for all of the uses permitted in the C3 Zone, plus the

following use:

- .1 An automobile sales establishment

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-6 Zone use any lot, or erect, alter or use any building or structure for an automobile sales establishment, except in accordance with the following provisions:

- .1 In accordance with Section 9.8.2.

That all the provisions of the C3 Zone in Section 9.3.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

.7 98 George Street (C3-7)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-7 Zone may be used for all of the uses permitted in the C3 Zone, plus the following use:

- .1 A private club.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-7 Zone use any lot, or erect, alter or use any building or structure for a private club, except in accordance with the following provisions:

- .1 In accordance with Section 9.8.2.

That all the provisions of the C3 Zone in Section 9.3.2. to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

.8 104 West Street (C3-8)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-8 Zone may be used for all of the uses permitted in the C3 Zone.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-8 Zone use any lot, or erect, alter, or use any building or structure for a general office, except in accordance with the following provisions:

- .1 The lands shall conform to all regulations shown on Schedule B, Map C3-8.

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
25-91

.9 316-318 Colborne Street (C3-9)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-9 Zone may be used for all of the uses permitted in the C3 Zone, plus the following use:

- .1 Six (6) apartment dwelling units (maximum).

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-9 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 The lands shall conform to all regulations shown on Schedule B, Map C3-9.

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
104-94

.10 344-348 Colborne Street and 83 Alfred Street (C3-10)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-10 Zone may be used for all of the uses permitted in the C3 Zone, plus the following uses:

- .1 Service and repair shops
- .2 Retail stores

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
56-96, 122-2018

.11 200 Grand River Avenue (C3-11)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-11 Zone may be used for all of the uses permitted in the C3 Zone, plus the following uses:

- .1 Theatre
- .2 Artist studios
- .3 General offices
- .4 Restaurant - full service
- .5 Health club

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-11 Zone use any lot, or erect, alter or use any building or structure for the uses permitted in Section 9.3.3.11.1 to 9.3.3.11.4 inclusive, except in accordance with the following provisions:

- .1 Permitted Capacity (maximum)
 - .1 Theatre 150 persons
 - .2 Restaurant - full service 40 persons
- .2 For the purposes of this Bylaw, the definition of "shopping centre" in this Bylaw, shall not apply to this lot.

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
7-98

.12 312/314 Colborne Street (C3-12)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-12 Zone may be used for all of the uses permitted in the C3 Zone plus the following:

- .1 Double duplex dwellings.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-12 Zone use any lot, or erect, alter or use any building or structure for double duplex dwellings, except in accordance with the following provisions:

- .1 Lot Width (minimum) 10.8m
- .2 Lot Area (minimum) 437.0m²
- .3 Lot Coverage (maximum) 40.0%
- .4 Building Height (maximum) 3 storeys
- .5 Front Yard (minimum) Established Front Building Line
- .6 Rear Yard (minimum) 7.5m
- .7 Interior Side Yard (minimum) Nil
- .8 Landscaped Open Space (minimum) Nil
- .9 Gross Floor Area (minimum) 55.0m²/unit
- .10 Parking
 - .1 In accordance with Section 6.18
 - .2 Parking shall not be located in a front yard

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all

other provisions to this Bylaw, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
200-99

.13 330 Grand River Avenue (C3-13)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-13 Zone may only be used for the following use:

- .1 Single detached dwellings.

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
65-2000

.14 112 West Street (C3-14)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-14 Zone may only be used for the following uses:

- .1 Single detached dwellings
- .2 Converted dwellings
- .3 General offices

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-14 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following:

- .1 Notwithstanding Section 6.18.7.7 of this Bylaw, any general office located in the C3-14 Zone shall be exempt from providing a designated parking space for persons with disabilities.
- .2 Notwithstanding Section 6.18.4 of this Bylaw, a maximum of two tandem off-street parking spaces are permitted in the existing driveway.

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions to the Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
56-2005

.15 Northwest Corner of Nelson Street and Charlotte Street (C3-15)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-15 Zone may be used for all of the uses permitted in the C3 Zone.

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-15 Zone use any lot, or erect, alter or use any building or structure for a general office, except in accordance with the following provisions:

- | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| .1 | Gross Floor Area (maximum) | 2,882.0m ² |
| .2 | Building Height (maximum) | 13.8m |
| .3 | Section 9.3.2.2.10.2 shall not apply. | |
| .4 | Notwithstanding Section 6.18.7.8, Table 6.1, a general office shall provide a minimum off-street parking requirement of one space/31.0 m ² . | |
| .5 | Notwithstanding Section 2.7.9, any floor area used exclusively for a central file storage area located in the basement of a building occupied by a general office shall not be included in the gross floor area of the building for the purposes of calculating the minimum off-street parking requirement. | |
| .6 | For the purposes of this Bylaw, the front lot line shall be deemed to be along Nelson Street. | |

That all the provisions of the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
94-2012

.16 104 Marlborough Street (C3-16)

Notwithstanding any provision of this Bylaw to the contrary, any lot within any C3-16 Zone may be used for all of the uses permitted in the C3-4 zone, plus the following use:

- .1 Block townhouse dwelling

Notwithstanding any provision of this Bylaw to the contrary, no person shall within any C3-16 Zone use any lot, or erect, alter or use any building or structure for block townhouse dwellings, except in accordance with the following provisions:

- | | | |
|----|--------------------------|----------------------------|
| .1 | Block Townhouse Dwelling | |
| .1 | Number of Dwelling Units | 4 units |
| .2 | Lot Area (minimum) | 735.0 m ² /unit |
| .3 | Lot Width (minimum) | 7.0 metres |
| .4 | Interior side yard | 0.91 metres |
| .5 | Rear yard | 0.79 metres |
| .6 | Landscaped open space | 19% |
| .7 | Parking (minimum) | 5 spaces |

- .8 The required parking spaces may be located in the required front yard

That all the provisions of the C3-4 Zone in Section 9.3.3.4 and the C3 Zone in Section 9.3.2 to this Bylaw, and all other provisions of this Bylaw, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
147-2016

.17 94-96 Grey Street (C3-17)

Notwithstanding any provisions of this By-law to the contrary, any lot within the C3-17 Zone may be used for all of the uses permitted in the C3 Zone, including the following use:

1. Supermarket

That for a use identified in subsection .1 that the following regulations shall apply:

- | | |
|-------------------------------|------------------------------|
| 1. Gross Floor Area (maximum) | 2,410 m ² |
| 2. Parking spaces (minimum) | 1 per 30 m ² GFA. |

All provisions of the C3 Zone in Section 9.3.2 of this By-law, and any other provisions of this By-law, as amended shall continue to apply mutatis mutandis.

Amended by
Bylaws No.
8-2020, 61-2021,
135-2021

.18 573-585 Colborne Street (C3-18)

- .1 DELETED

.2 Notwithstanding any provision of this By-law to the contrary, no person shall within any C3-18 Zone use any lot as defined herein, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 For the purpose of this By-law, a Stacked Townhouse Dwelling shall be defined as a building divided vertically and horizontally, not more than two dwelling units in height, each having a separate entrance at grade.
- .2 For the purpose of this By-law, a Mixed Use Building shall be defined as a building or buildings which contain a mixture of two or more principle uses, which must include a residential use. The building or buildings shall be located in a townhouse block consisting of a minimum of 8 units per block.
- .3 For the purpose of this By-law, Colborne Street shall be deemed the front lot line and Iroquois Street shall be deemed the exterior lot line.

- .4 Lot Area (minimum) 116 m²/ unit
- .5 Landscaped Open Space (minimum) 25%
- .6 Amenity Space (minimum)
 - .1 Apartment Dwellings 6 m²/unit
 - .2 Mixed Use Townhouses 9 m²/unit
 - .3 Stacked Townhouse Dwelling and Block Townhouse Dwelling 5 m²/unit
 - .4 For the purpose of this By-law, Amenity Space shall mean space within a building or outside of a building which provides private and common active and/or passive recreation areas for residents of a residential use.
- .7 Fence/Noise Barrier

A continuous fence and/or noise barrier wall shall be shall be provided and maintained along the length of the lot line abutting 50 Iroquois Street.
- .8 Planting Strip

A planting strip having a width of 1.5 metres or a buffer approved pursuant to the Site Plan Control provisions of the Planning Act, shall be provided and maintained along the lot line abutting 50 Iroquois Street and the easterly lot line.
- .9 Permitted Encroachments
 - .1 Notwithstanding Section 6.4.1.1, balconies (not constructed on foundations) may project no closer than 1.2 m to the front lot line abutting Colborne Street.
 - .2 Notwithstanding Section 6.4.1.1, unenclosed steps (with or without a landing) may project no closer than 0.6 m to the exterior lot line abutting Iroquois Street.
- .10 Parking
 - .1 Apartment Dwellings 1.0 space/unit
 - .2 Mixed Use Building
 - .1 A minimum of 16 spaces for non-residential uses; and

.2 Each dwelling unit shall provide a minimum of 2.0 parking spaces per unit, one of which shall be provided in an integral garage and one of which shall be provided in a private driveway.

.3 Stacked Townhouse Dwelling and Block Townhouse Dwelling

Each block townhouse dwelling and/or stacked townhouse dwelling shall provide a minimum of 2.0 parking spaces per unit, one of which shall be provided in an integral garage and one of which shall be provided in a private driveway.

.4 A minimum of 30 visitor parking spaces shall be provided.

.11 Loading Nil

.3 Notwithstanding any provision of this By-law to the contrary, for Part 1, as shown on Schedule B, attached to and forming part of this By-law, any lot within any C3-18 Zone may only be used for the following uses:

.1 Apartment Dwellings; and,

.2 Accessory uses, buildings and structures.

.4 Notwithstanding any provision of this By-law to the contrary, for Part 1, as shown on Schedule B, attached to and forming part of this By-law, no person shall within any C3-18 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

.1 Building Height (maximum) 5 Storeys

.2 Front Yard (minimum) 3.0 m

.3 Side Yard (minimum)
Exterior 6.0 m

.5 Notwithstanding any provision of this By-law to the contrary, for Part 2, as shown on Schedule B, attached to and forming part of this By-law, any lot within any C3-18 Zone may only be used for the following uses:

.1 Mixed Use Buildings; and,

.2 Accessory uses, buildings and structures.

.6 Notwithstanding any provision of this By-law to the contrary, for Part 2, as shown on Schedule B, attached to and forming part of this By-

law, no person shall within any C3-18 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

.1 For the purpose of this By-law, the following commercial uses shall only be permitted in a Mixed Use Building:

- .1 Arts schools;
- .2 Arts galleries;
- .3 Commercial schools;
- .4 General offices;
- .5 Medical clinics;
- .6 Medical offices;
- .7 Neighbourhood convenience stores;
- .8 Personal services stores;
- .9 Photographers studios;
- .10 Private clubs;
- .11 Restaurants: full service
- .12 Specialty retail store;
- .13 Veterinary clinic;

The non-residential uses permitted above shall only be permitted on the ground floor of Mixed Use Buildings in conjunction with residential uses located above the ground floor.

- .2 Building Height (maximum) 3 Storeys
- .3 Front Yard (minimum) 3.0 m
- .4 Gross Floor Area (minimum) 40.0 m²/ dwelling unit

.7 Notwithstanding any provision of this By-law to the contrary, for Part 3, as shown on Schedule B, attached to and forming part of this By-law, any lot within any C3-18 Zone may only be used for the following uses:

- .1 Apartment Dwellings; and,
- .2 Accessory uses, buildings and structures.

.8 Notwithstanding any provision of this By-law to the contrary, for Part 3, as shown on Schedule B, attached to and forming part of this By-law, no person shall within any C3-18 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Building Height (maximum) 9 Storeys
- .2 Front Yard (minimum) 3.0 m
- .3 Side Yard (minimum)

Interior 6.7 m to the easterly lot line

.9 Notwithstanding any provision of this By-law to the contrary, for Part 4, as shown on Schedule B, attached to and forming part of this By-law, any lot within any C3-18 Zone may only be used for the following uses:

- .1 Block Townhouse Dwelling;
- .2 Stacked Townhouse Dwelling; and,
- .3 Accessory uses, buildings and structures.

.10 Notwithstanding any provision of this By-law to the contrary, for Part 4, as shown on Schedule B, attached to and forming part of this By-law, no person shall within any C3-18 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Building Height (maximum) 3 Storeys
- .2 Rear Yard (minimum) 17.0 m
- .3 Side Yard (minimum)
 - .1 Interior
 - .1 13.0 m to the easterly lot line
 - .2 4.8 m to the westerly lot line
 - .2 Exterior 3.0 m
- .4 Gross Floor Area (minimum) 60.0 m²/unit

.11 Notwithstanding any provision of this By-law to the contrary, for Part 5, as shown on Schedule B, attached to and forming part of this By-law, no person shall within any C3-18 Zone use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Amenity Space

Notwithstanding Section 9.3.3.18.2.6, a 1,200 m² central amenity area shall be provided and maintained.

.12 Notwithstanding the requirements shown in Section 9.3.3.18 of the By-law, no person shall use any lot, or erect, alter or use any building or structure, except in accordance with the following provisions:

- .1 Parcel of Tied Lands (POTL) shall mean that individual portion of the lot containing the dwelling unit and associated land

which is described as one parcel in the last registered instrument and which is tied to the Common Element Condominium also located within the lot.

- .2 For the purpose of this By-law, a street shall mean the right-of-way of a public highway as defined in the Highway Traffic Act R.S.O. 1980, or a private condominium road.
- .3 For the purpose of this By-law, the private condominium road abutting non-residential uses shall be deemed the front lot line for the Mixed Use Buildings.
- .4 POTL Lot Area (minimum) 70 m² (block townhouses)
105 m² (mixed use building)
- .5 POTL Lot Width (minimum) 4.4 m (block townhouses)
5.4 m (mixed use building)
- .6 POTL Lot Coverage (maximum) 75%
- .7 POTL Front Yard (minimum) 5.6 m to the attached garage door
0.6 m to the dwelling unit (mixed use building)
3.0 m to the dwelling unit (block townhouses)
- .8 POTL Rear Yard (minimum) 5.6 m to the attached garage door
4.5 m to the dwelling unit (mixed use building)
3.0 m to the dwelling unit
0 m along a common wall between units
- .9 POTL Side Yard (minimum) 1.2 m
0 m along a common wall between units

That all the provisions of the C3 Zone in Section 9.3.2 to this By-law, and all other provisions to this By-law, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

Amended by
Bylaw No.
124-2021

.19 10 Jubilee Avenue (H-F-C3-19)

The lands zoned H-F-C3-19 may only be used in accordance with the permitted uses in the H-F-C3-19 Zone upon the removal of the "Holding" (H) provision. Removal of the "H" may occur once the following provisions have been satisfied:

- .1 That the applicant has provided confirmation that a Record of Site Condition (RSC) has been filed; and,
- .2 That the applicant has provided a signed Site Plan Agreement to the City, along with all necessary securities; and,
- .3 That all servicing issues, financial and otherwise, have been addressed by the applicant, to the satisfaction of the City of Brantford;

Notwithstanding any provision of this By-law to the contrary, no person shall within any H-F-C3-19 Zone use any lot, or erect, alter or use any building or structure for apartment dwellings (apartment building), except in accordance with the following provisions:

- .1 For the purpose of this By-law, Jubilee Avenue shall be deemed the front lot line and Yorkshire Street shall be the rear lot line.
- .2 Lot Area (minimum) 64.8 m²/ unit
- .3 Lot Coverage (maximum) 38%
- .4 Rear Yard (minimum) 2.3 m
- .5 Side Yard (minimum)
 - .1 Interior (westerly lot line) 6.2 m
 - .2 Interior (southerly lot line) 3.8 m
 - .3 Interior (northerly lot line) 9.8 m
- .6 Permitted Encroachments
 - .1 Notwithstanding Section 6.4.1.1, balconies may project no closer than 4.4 m from the westerly interior lot line, 8.0 m from the northerly interior lot, and 2.0 m from the southerly interior lot line.
- .7 Parking (minimum) 1.15 spaces/ unit
- .8 Loading Nil
- .9 Planting Strip

Notwithstanding Section 6.11, a planting strip having a width of 2.0 metres or a buffer approved pursuant to the Site Plan Control provisions of the Planning Act.

.10 Privacy Fence

With the exception 164-166 Grand River Avenue, a continuous 2.2 m high fence shall be provided and maintained along the interior lot lines abutting residential properties.

Amended by
Bylaws No.
95-2021, 174-2021

.20 180 Grand River Avenue (F-C3-20)

Notwithstanding any provision of this By-law to the contrary, no person shall within any H-F-C3-20 Zone use any lot, or erect, alter or use any building or structure for an apartment building, except in accordance with the following provisions:

- .1 For the purpose of this By-law, Grand River Avenue shall be deemed the front lot line, whereas Chestnut Avenue and Jubilee Avenue are exterior lot lines.
- .2 Lot Area (minimum) 52.8 m²/ unit
- .3 Lot Coverage (maximum) 58%
- .4 Front Yard (minimum) 1.8 m (front lot line)
1.2 m (northwest corner of building)
0.8 m (northeast corner of building)
- .5 Rear Yard (minimum) 4.9 m (southwest corner of building)
3.0 m (southeast corner of building)
- .6 Side Yard (minimum)
- .1 Exterior (westerly lot line) 1.8 m
- .2 Exterior (easterly lot line) 0 m
- .7 Landscape Open Space (minimum) 19%
- .8 Permitted Encroachments
- Notwithstanding Section 6.4.1.1, balconies (not constructed on foundations) may project 0 m to the lot line abutting Grand River Avenue.
- .9 Balconies
- Notwithstanding Section 6.4.1.1, balconies shall not be permitted along the westerly lot line abutting Chestnut Avenue.

.10 Parking (minimum) 1.1 spaces/unit

.11 Loading Nil

.12 Planting Strip

A planting strip having a width of 1.8 metres adjacent to Chestnut Avenue, 0 m adjacent to Grand River Avenue and Jubilee Avenue and 3 m along the southerly lot line, or a buffer approved pursuant to the Site Plan Control provisions of the Planning Act.

.13 Privacy Fence

A continuous 2.2 m high fence shall be provided and maintained along all abutting residential properties.