

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018 -**

### **A By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes**

[File D06-17-008, Report PLAN2017-017 and PLAN2018-015, respecting Part Lot 19, Concession 10, 57R-5049, Parts 1 to 4, geographic Township of Emily, City of Kawartha Lakes, identified as 37, 45, 57 and 61 Wispi Shore Road – CAMERON, OSMOND, GRATZ, DEVERS & ASHMEADE]

#### **Recitals:**

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to remove an approximately 30 metre wide Environmental Protection Zone strip located across the shoreline portion of the properties and replace it with the Rural Residential Type One Exception Zone existing on the balance of the properties in order to permit waterfront accessory structures such as boat houses and docks within a defined area and to allow the balance of the shoreline area to regenerate into a natural vegetation buffer.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 19, Concession 10, 57R-5049, Parts 1 to 4, geographic Township of Emily, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add the following section to Section 10.3:  
  
“10.3.4.2 Notwithstanding article 10.2.1.3 (e), land zoned “RR1-4” shall be subject to the following zone provisions:
  - a. Land within the minimum water setback shall be subject to the following additional requirements:
    - (i) All land within the 30 m minimum water setback shall be maintained as a natural vegetation buffer. Within the natural vegetation buffer no maintenance, including cutting, shall occur to the existing lawn in

order to permit the natural regeneration of vegetation to facilitate ecological succession.

- (ii) Notwithstanding 10.3.4.2 (a)(i) an area comprising a length no greater than 25% of the shoreline lot frontage, and a depth the span of the minimum water setback may be maintained as landscaped open space in order to provide recreational amenity space and access to Pigeon Lake.
- (iii) Existing structures within the minimum water setback, as of the date of passing of this by-law, that are authorized by a Conservation Authority or Parks Canada – Trent Severn Waterway, having jurisdiction, are permitted.
- (iv) Notwithstanding Sections 3.1.5.1 and 3.1.5.2, the erection of a dock parallel to the shoreline, a pump house and a boat house within the landscaped open space area identified within 10.3.4.2(a)(ii) is permitted.
- (v) Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway provided that the approval of any other approval authority having jurisdiction within this area has been obtained and further provided the location complies with the required minimum side yard for accessory buildings or structures.”

1.03 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add the following section to Section 10.3:

“10.3.5.2 Notwithstanding article 10.2.1.3 (e), land zoned “RR1-5” shall be subject to the following zone provisions:

- a. Land within the minimum water setback shall be subject to the following additional requirements:
  - (i) All land within the minimum 30 m water setback shall be maintained as a natural vegetation buffer. Within the natural vegetation buffer no maintenance, including cutting, shall occur to the existing lawn in order to permit the natural regeneration of vegetation to facilitate ecological succession.
  - (ii) Notwithstanding 10.3.5.2 (a)(i) an area comprising a length no greater than 25% of the shoreline lot frontage, and a depth the span of the minimum water setback may be maintained as landscaped open space in order to provide recreational amenity space and access to Pigeon Lake.
  - (iii) Existing structures within the minimum water setback, as of the date of passing of this by-law, that are authorized by a Conservation Authority or Parks Canada – Trent Severn Waterway, having jurisdiction, are permitted.
  - (iv) Notwithstanding Sections 3.1.5.1 and 3.1.5.2, the erection of a dock parallel to the shoreline, a pump house and a boat house within the

landscaped open space area identified within 10.3.5.2(a)(ii) is permitted.

- (v) Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway provided that the approval of any other approval authority having jurisdiction within this area has been obtained and further provided the location complies with the required minimum side yard for accessory buildings or structures.”

- 1.04 **Textual Amendment**: By-law No. 1996-30 of the Township of Emily is further amended to add the following definition to Part 2:

“NATURAL VEGETATION BUFFER means an area comprised of natural vegetation that shall not be disturbed by human landscape management or horticultural activities save and except for the removal of dead trees, which are in an unsafe condition.”

- 1.05 **Schedule Amendment**: Schedule ‘A’ to By-law No. 1996-30 of the Township of Emily is further amended to change the zone category from the “Environmental Protection (EP) Zone” across the shoreline of the subject properties to the “Rural Residential Type One Exception Four (RR1-4) Zone” existing on the balance of 37 Wispi Shore Road and to the “Rural Residential Type One Exception Five (RR1-5) Zone” existing on the balance of 45, 57 & 61 Wispi Shore Road for the land referred to as ‘RR1-4’ and ‘RR1-5’, as shown on Schedule ‘A’ attached to this By-law.

## **Section 2:00      Effective Date**

- 2.01 **Effective Date**: This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk