

The Corporation of the City of Kawartha Lakes

By-Law 2019 -

A By-Law To Amend The Village of Fenelon Falls Zoning By-Law No. 89-25 To Rezone Land Within The City Of Kawartha Lakes

File D06-2018-031, Report PLAN2019-012, respecting Part of Lot 171, Plan 25, former Village of Fenelon Falls, identified as 4 Lindsay Street.

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 permit the modernization and redevelopment of an existing gas station use to add features such as an overhead gas island canopy.
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 2019-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 171, Plan 25, former Village of Fenelon Falls, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 89-25 of the Village of Fenelon Falls is further amended to add the following section to Section 4.10.7:

4.10.7.6 District Commercial Exception Six (C2-6) Zone

Notwithstanding Sections 1.1.30 and 4.10.4 within the District Commercial Exception Six (C2-6) Zone, as delineated on the Zone Map attached hereto as Schedule "A" and forming part of this By-law, a motor vehicle gasoline bar use is permitted in accordance with the following definition and regulatory provisions:

a. Definition

i. Motor Vehicle Gasoline Bar

Shall mean one or more pump islands each consisting of one or more gasoline pumps, and an overhead gas island canopy having a maximum floor area of 106 square metres, and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of automotive

accessories, antifreeze and additives, and may also include facilities for other uses permitted within the District Commercial (C2) Zone, but shall not include any other use or activity otherwise defined or classified in this By-law.

b. Regulatory Provisions for Retail Gasoline Establishments

- i. Minimum Lot Area Requirement 918 square metres
- ii. Minimum Lot Frontage Requirement 28 metres
- iii. Minimum Yard Requirements
 - 1. Front Yard 8 metres
 - 2. Exterior Side Yard 8 metres
 - 3. Interior Side Yard 6 metres
 - 4. Rear Yard 2 metres
- iv. Maximum Lot Coverage of All Buildings 50 per cent
- v. Minimum Landscaped Open Space Requirement 10 per cent
- vi. Maximum Height 10 metres
- vii. Bulk Fuel And Propane Storage Tank Location

Bulk fuel and propane storage tanks shall be installed in accordance with the provisions of the Technical Standards and Safety Authority as may be applicable

viii. Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, ingress and egress driveways associated with a motor vehicle gasoline bar where gasoline and/or propane is offered or kept for sale at retail, shall be established in accordance with the provisions of Section 5.16.4 of this By-law.

c. Regulatory Provisions for Accessory Buildings and Structures for Retail Gasoline Establishments:

- i. Notwithstanding Section 5.1.4, the total lot coverage of all accessory buildings and structures shall not exceed thirteen per cent, nor shall the height of the gas island canopy exceed 6.5 metres.
- ii. Notwithstanding Sections 1.175 and 5.20, a gas island canopy, pump island(s), and parked vehicles refueling at the pump island(s) are permitted within a sight triangle.
- iii. Notwithstanding Section 5.1.3, a gas island canopy is permitted a spatial separation of 1.5 metres to the principal or main building.
- iv. Notwithstanding Section 5.1.2(b) an overhead gas island canopy is permitted subject to the following regulatory provisions:
 - 1. Minimum Front Yard 0.9 metres
 - 2. Minimum Exterior Side Yard 1.9 metres
 - 3. Interior Side Yard 6 metres

4. Rear Yard

15 metres

- v. Notwithstanding Section 5.1.2(b) any accessory building that is not an overhead gas canopy is subject to the minimum yard and setback requirements of the zone.

d. Other Provisions

In all other respects the provisions of the District Commercial (C2) Zone and General Zone Provisions shall apply.

- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 89-25 of the Village of Fenelon Falls is further amended to change the zone category from District Commercial (C2) Zone to District Commercial Exception Six (C2-6) Zone for the land referred to as 'C2-6', as shown on Schedule 'A' 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 ***, 2019.**

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2019.

MAYOR _____

CITY CLERK _____

