

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 D06-2019-032, Report PLAN2019-069, respecting Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes, identified as 106 Murray Street – Kawartha Lakes Haliburton Housing Corporation]

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. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a (H) Holding provision on any zoning category assigned to property. The purpose of the (H) Holding provision is to restrict the use of the property until conditions imposed by Council have been met.
3. The former Corporation of the Village of Fenelon Falls enacted By-law No. 94-15, which contained a (H) Holding provision relating to the use of the property.
3. Council has received an application to amend the categories and provisions relating to a specific parcel of land to revise an existing permitted use from a senior citizens apartment dwelling house to allow an apartment dwelling house and to remove the (H) Holding provision.
4. The conditions imposed by Council and shown in By-law No. 94-15 have been met.
5. A public meeting to solicit public input has been held.
6. Council deems it appropriate to rezone and to remove the (H) Holding provisions on 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 Plan 100, Lots 124 to 126, 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 by revising Section 4.7.4.8 i. with the following:

4.7.4.8 R5-8 Zone

Notwithstanding any other provision of this By-law to the contrary, within the Residential Type Five Exception Eight (R5-8) Zone, as delineated on the Zone Map attached hereto as Schedule "A" and forming part of this By-law, no person shall use any land or erect, alter or use any building or structure except as specified hereunder, namely:

i. Permitted Uses

an apartment dwelling house containing a maximum of 30 apartment dwelling units together with such other accessory uses as normally considered incidental and subordinate thereto.

1.03 **Textual Amendment:** By-law No. 89-25 of the Village of Fenelon Falls is further amended by deleting Section 4.7.4.8 iv.

iv. Minimum Gross Floor Area Per Dwelling Unit

one bedroom apartment dwelling unit	48.5 square metres
two bedroom apartment dwelling unit	70 square metres

1.04 **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 the Residential Type Five Exception Eight [R5-8 (H)] Holding Zone to the Residential Type Five Exception Eight (R5-8) Zone for the land referred to as 'R5-8', 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 and Section 36 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 _____

