

# The Corporation of the City of Kawartha Lakes

## By-Law 2019 -

### A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes

[File D06-2018-026, Report PLAN2019-072, respecting a portion of Concession 4, Part of Lot 22, geographic Township of Ops; 57R-6839, Parts 1, 2 and 6 to 20, and Part of Parts 3 to 5, Former Town of Lindsay, identified as Vacant Land on Colborne Street West – Lindsay 2017 Developments Inc.]

#### **Recitals:**

1. Sections 34 and 36 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 a mixed use commercial and residential plan of subdivision consisting of three hundred ninety-four (394) residential lots for single detached dwellings; thirty-two (32) blocks for one hundred and sixty-nine (169) townhouse dwellings; and two (2) blocks for up to two hundred fifty-two (252) dwelling units on the subject land.
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 a portion of Concession 4 Part of Lot 22 geographic Township of Ops; 57R-6839 Parts 1 2 and 6 to 20 and Part Parts 3 to 5, Former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 6.3:

6.3.26 R1-S21 Zone

Notwithstanding any other provisions of this by-law, Section 5.12 (j) v. shall not apply.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area,
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback

On land zoned R1-S21(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed.

- 1.03 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following sections to Section 8.3:

#### 8.3.21 R3-S18 Zone

Notwithstanding any other provisions of this by-law, Section 5.12 (j) v. and 8.2 h. shall not apply.

Notwithstanding the zone requirements on land zoned R3, on land zoned R3-S18 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building or covered porch, and 6.0 m to a garage;
- ii. The minimum interior side yard shall be 1.2 m on one side and 0.6 m on the other side.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area,
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback

On land zoned R3-S18(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed.

#### 8.3.22 R3-S19 Zone

Notwithstanding any other provisions of this by-law, Section 8.2 h. shall not apply.

Notwithstanding the zone requirements on land zoned R3, on land zoned R3-S19 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building or covered porch, and 6.0 m to a garage;
- ii. The minimum interior side yard shall be 1.2 m on one side and 0.6 m on the other side;
- iii. The maximum lot coverage for all buildings is 55%.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area

On land zoned R3-S19(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed.

#### 8.3.23 R3-S20 Zone

Notwithstanding any other provisions of this by-law, Section 5.12 (j) v. and 8.2 h. shall not apply.

Notwithstanding the zone requirements on land zoned R3, on land zoned R3-S20 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building or covered porch, and 6.0 m to a garage;
- ii. The minimum interior side yard shall be 1.2 m on one side and 0.6 m on the other side.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area,
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback

Notwithstanding Subsection 5.3 and Subsection 8.1, land zoned R3-S20 may also permit a model home to be used as a temporary home sales office subject to the provisions of Subsection 5.12 and Subsection 8.2. The placement of the temporary home sales office and related parking lot shall be subject to site plan approval and shall not require a connection to full municipal services. The owner shall enter into a secured model home agreement with the City.

On land zoned R3-S20(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed. The removal of the (H) Holding Symbol shall not be required for the use of the lands as a temporary home sales office and associated parking lot.

- 1.04 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 9.3:

#### 9.3.23 RM1-S22 Zone

Notwithstanding any other provisions of this by-law, Section 5.12 (j) v. and 9.2 i. shall not apply.

Notwithstanding the zone requirements on land zoned RM1, on land zoned RM1-S22 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building or covered porch, and 6.0 m to a garage;
- ii. The minimum interior side yard setback shall be 1.2 m;
- iii. The minimum exterior side yard setback shall be 2.4 m;
- iv. The maximum lot coverage for all buildings is 55%.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area

On land zoned RM1-S22(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed.

#### 9.3.24 RM1-S23 Zone

Notwithstanding any other provisions of this by-law, Section 5.12 (j) v. and 9.2 i. shall not apply.

Notwithstanding the zone requirements on land zoned RM1, on land zoned RM1-S23 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building or covered porch, and 6.0 m to a garage;
- ii. The minimum interior side yard setback shall be 1.2 m;
- iii. The minimum exterior side yard setback shall be 2.4 m;
- iv. The maximum lot coverage for all buildings is 55%.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area

Notwithstanding Subsection 5.3 and Subsection 9.1, land zoned RM1-S23 may also permit a model home to be used as a temporary home sales office subject to the provisions of Subsection 5.12 and Subsection 9.2. The placement of the temporary home sales office and related parking lot shall be subject to site plan approval and shall not require a connection to full municipal services. The owner shall enter into a secured model home agreement with the City.

On land zoned RM1-S23(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision

agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed. The removal of the (H) Holding Symbol shall not be required for the use of the lands as a temporary home sales office and associated parking lot.

- 1.05 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 22.3:

22.3.8 CF-S7 Zone

Notwithstanding the permitted uses and zone requirements on land zoned CF, on land zoned CF-S7 the only permitted use shall be an elementary school and an accessory day care centre and the following requirement shall also apply:

- i. The maximum building height shall not exceed 15.0 m, or a maximum geodetic elevation of 288.0 m above sea level, whichever is lesser.

On land zoned CF-S7(H), the removal of the (H) Holding Symbol shall be considered by Council once the applicant has entered into a subdivision agreement to the City's satisfaction, servicing is available to the property, and all financial aspects have been addressed.

- 1.06 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 23.3:

23.3.8 OS-S7 Zone

Notwithstanding the permitted uses on land zoned OS, on land zoned OS-S7, the following shall also apply:

- i. A stormwater management facility shall be a permitted use.

23.3.9 OS-S8 Zone

Notwithstanding the permitted uses on land zoned OS, on land zoned OS-S8, the following shall also apply:

- i. The only permitted uses shall be:
- A stormwater management facility;
  - Public Utilities, including a Pump Station.

- 1.07 **Schedule Amendment:** Schedule 'A' to By-law No. 2000-75 of the Town of Lindsay is further amended to change the zone category from the 'Residential One (R1) Zone', 'Future Community Development (FCD) Zone' and 'General Commercial Special Nine – Holding One [GC-S9(H1)] Zone' to the 'Residential One Special Twenty-One (R1-S21) Zone', Residential One Special Twenty-One – Holding [R1-S21(H)] Zone', 'Residential Three Special Eighteen (R3-S18) Zone', Residential Three Special Eighteen – Holding [R3-S18(H)] Zone', 'Residential Three Special Nineteen – Holding [R3-S19(H)] Zone', 'Residential Three Special Twenty – Holding [R3-S20(H)] Zone', 'Residential Multiple One Special Twenty-Two (RM1-S22) Zone', 'Residential Multiple One Special

Twenty-Two – Holding [RM1-S22(H)] Zone’, ‘Residential Multiple One Special Twenty-Three – Holding [RM1-S23(H)] Zone’, ‘Community Facility Special Seven – Holding [CF-S7(H)] Zone’, ‘Parks and Open Space (OS) Zone’, ‘Parks and Open Space Special Seven (OS-S7) Zone’, ‘Parks and Open Space Special Eight (OS-S8) Zone’ and ‘Future Residential (FR) Zone’ for the land referred to as ‘R1-S21’, ‘R1-S21(H)’, ‘R3-S18’, ‘R3-S18(H)’, ‘R3-S19(H)’, ‘R3-S20(H)’, ‘RM1-S22’, ‘RM1-S22(H)’, ‘RM1-S23(H)’, ‘CF-S7’, ‘OS’, ‘OS-S7’, ‘OS-S8’ and ‘FR’, 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 Sections 34 and 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.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk