

The Corporation of the City of Kawartha Lakes

to

REPORT PLAN2020-029**By-Law 2020 -**FILE NO: D06-2020-002**A By-Law To Amend The Township of Somerville Zoning By-Law No. 78-45 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2020-002, Report PLAN2020-029, respecting Part of Lots 10-12, Front Range, geographic Township of Somerville, City of Kawartha Lakes, partially identified as 34 and 44 Royal Cedar Road – Ellis, Walker, and Canada Royal Resort Inc.

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 specific parcels of land to:
 - (a) rezone a portion of the subject property to add an exception to the commercial recreation zone category to address the reconfigured lot,
 - (b) rezone a portion of the subject property to a future development zone to set aside the land for future development; and
 - (c) impose a holding provision across both portions to be rezoned to ensure the orderly development of 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 2020-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lots 10-12, Front Range, geographic Township of Somerville, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 78-45 of the Township of Somerville is further amended to add the following subsection to Section 12.3:
 - “12.3.1 Commercial Recreation Exception One Holding (C3-1(H)) Zone
 - a. Notwithstanding subsections 12.2(b) the minimum lot frontage is 9 metres.
 - b. On land zoned C3-1(H) the holding provision limits the uses to those existing as of the day of passing of this by-law. No further construction

of buildings or structures are permitted on the property. The removal of the Holding (H) symbol shall be in accordance with the following:

- i. The owner enter into a site plan agreement with the City.
- ii. The owner satisfactorily completes in support of the site plan application any planning reports, environmental studies, servicing studies and/or reports, and traffic studies the City and/or external review agencies deem necessary.”

- 1.03 **Textual Amendment:** By-law No. 78-45 of the Township of Somerville is further amended to insert a new zone category, to be titled Section 18 and the existing Section 18 along with all subsequent Sections be re-numbered:

“Section 18

Future Development (D) Zone

No person shall hereafter change the use of any building, structure or land, or erect and use any building or structure in a Future Development (D) Zone, except for the following uses:

18.1 D Uses Permitted

- a. Agricultural or forestry uses exclusive of buildings or structures
- b. Public Utilities
- c. Existing Legal Uses at the date of adoption of this By-law.

18.2 Removal of Future Development (D) Zone

- a. On land zoned D, the removal of the D Zone for non-agricultural uses shall be in accordance with the satisfactory completion of any reports, plans, and/or studies required by the City of Kawartha Lakes and/or its external review agencies.

18.3 Holding Provision

On land zoned Future Development Holding (D(H)) Zone the holding provision limits the uses to those existing as of the day of passing of this by-law, which includes the parking lot and septic bed. The construction of buildings, structures or the expansion of the parking lot is not permitted. The removal of the Holding (H) symbol shall be in accordance with the following:

- i. The owner enter into a site plan agreement with the City.
- ii. The owner satisfactorily completes in support of the site plan application any planning reports, environmental studies, servicing studies and/or reports, and/or traffic studies the City and/or external review agencies require.”

- 1.04 **Schedule Amendment:** Schedule ‘A’ to By-law No. 78-45 of the Township of Somerville is further amended to change the zone category on a portion of the property from Commercial Recreation (C3) Zone to Commercial Recreation

Exception One Holding (C3-1(H)) Zone for the land referred to as C3(H), as shown on Schedule 'A' attached to this By-law; and to change the zone category on a portion of the property from Rural General (RG) Zone to Future Development Holding (D(H)) Zone for the land referred to as D(H), 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 ***, 2020.

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 _____ 2020.

MAYOR _____ CLERK _____

