

The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-Law to Amend the Village of Fenelon Falls Official Plan to Re-designate Land within the City of Kawartha Lakes

[File D01-2020-003, Report PLAN2020-027, respecting Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; and Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls, 126 Lindsay Street and 130 Lindsay Street – Farley Bear Inc.]

Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the Village of Fenelon Falls Official Plan to change the land use designation from the 'Low Density Residential' designation to the 'District Commercial' designation, to facilitate the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the properties known municipally as 126 Lindsay Street and 130 Lindsay Street. The lots will be consolidated with the property known municipally as 573 Kawartha Lakes Road 121, and subject to site plan control.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 18.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-***.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The properties affected by this By-law are described as Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; and Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls, now in the City of Kawartha Lakes, 126 Lindsay Street and 130 Lindsay Street respectively.
- 1.02 **Amendment:** Amendment No. 18 to the Village of Fenelon Falls Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

Section 2:00 Effective Date

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13. Notwithstanding the subsequent coming into force of the Fenelon

Falls Secondary Plan, adopted by Council on July 7, 2015, this by-law continues to be in force and effect.

By-law read a first, second and third time, and finally passed, this ** day of _____, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2020-***

The Corporation of the City of Kawartha Lakes

Amendment No. 18 To The Official Plan – The Village of Fenelon Falls

Part A – The Preamble

A. Purpose

The purpose of the official plan amendment is to change the land use designation on the properties identified as 126 Lindsay Street and 130 Lindsay Street, from the “Low Density Residential” designation to the “District Commercial” designation in the Village of Fenelon Falls Official Plan. The lands are also subject to an application for zoning by-law amendment.

The effect of the change would permit the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the consolidated lands.

B. Location

The subject lands have a lot area of approximately 2,407 square metres and are located south of Veterans Way, opposite West Street, in the Former Village of Fenelon Falls. The properties are legally described as Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; and Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls, now City of Kawartha Lakes and identified as 126 Lindsay Street and 130 Lindsay Street respectively.

C. Basis

Council has enacted this official plan amendment in response to an application submitted by Clark Consulting Services on behalf of the owner to permit the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the consolidated lands. It is intended that the subject lands known municipally as 126 Lindsay Street and 130 Lindsay Street will be consolidated with the abutting property at 573 Kawartha Lakes Road 121, and the land use designation will be changed to the “District Commercial” designation, to allow the proposed expansion and conversion above.

The lands are designated “Low Density Residential” as shown on Schedule “A” of the Village of Fenelon Falls Official Plan. The lands are also subject to an application for zoning by-law amendment.

The proposed use and amendment to the Village of Fenelon Falls Official Plan are justified and represent good planning for the following reasons:

1. The proposed development conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.

2. The proposed development conforms to the goals and objectives of the “District Commercial” designation as set out in the Village of Fenelon Falls Official Plan.
3. The proposed site concept is compatible and integrates well with the surrounding area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed development with respect to servicing and the protection of the environment.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached map constitutes Amendment No. 18 to the Village of Fenelon Falls Official Plan.

E. Details of the Amendment

1. Schedule ‘A’ of the Village of Fenelon Falls Official Plan is hereby amended by changing the land use designation from the ‘Low Density Residential’ designation to the ‘District Commercial’ designation, as shown on Map ‘A’ as ‘Land to be Re-Designated District Commercial’.

F. Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.