

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-Law To Temporarily Amend All Zoning By-Laws Within The City Of Kawartha Lakes

Recitals:

1. Section 39 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate temporary zoning categories and provisions assigned to land.
2. Council has received requests for temporary patios during the COVID-19 pandemic and wishes to grant temporary approvals to allow these businesses to gradually reopen and re-establish themselves.
3. A public meeting is not required to solicit public input, pursuant to Section 2 of Ontario Regulation 345/20 to the Reopening Ontario (A Flexible Response to Covid-19) Act, 2020, S. O. 2020, c. 17, formerly under the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9.
4. The Corporation of the City of Kawartha Lakes is in Stage 3 of economic reopening pursuant to the Reopening Ontario (A Flexible Response to Covid-19) Act, 2020, S. O. 2020, c. 17. Ontario Regulation 364/20 "Rules for Areas in Stage 3" provides restrictions regarding the provision of food and drink on restaurant patios.
5. Council deems it appropriate to approve this Temporary Use By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-____.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as all the lands within the geographic boundary of the City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 93-09 of the Township of Bexley, By-law No. 16-78 of the Village of Bobcaygeon, By-law No. 79-02 of the Township of Carden, By-law No. 10-77 of the Township of Dalton, By-law No. 94-14 of the Township of Eldon, By-law No. 1996-30 of the Township of Emily, By-law No. 89-25 of the Village of Fenelon Falls, By-law No. 12-95 of the Township of Fenelon, By-law No. 32-83 of the United Township of Laxton, Longford and Digby, By-law No. 2000-75 of the Town of Lindsay, By-law No. 87-06 of the Township of Manvers, By-law No. 2005-133 of the Oak Ridges Moraine, By-law No. 94-07 of the Township of Mariposa, By-law No. 1993-15 of the Village of Omemee, By-law No. 93-30 of the Township of Ops, By-law No. 78-45 of the Township of Somerville, By-law No. 6-87 of the Township of Verulam, and By-law No. 1993-9 of the Village of Woodville are further amended by adding the following Sections:

“1.1 Notwithstanding Sections 2, 3, 14, and 15 of By-law No. 93-09 of the Township of Bexley, Sections 2, 3, 11 and 12 of By-law No. 16-78 of the Village of Bobcaygeon, Sections 8, 14 and 15 of By-law No. 79-02 of the Township of Carden, Sections 9, 14 and 15 of By-law No. 10-77 of the Township of Dalton, Sections 2, 3, 14, and 15 of By-law No. 94-14 of the Township of Eldon, Sections 2, 3, 14 and 15 of By-law No. 1996-30 of the Township of Emily, Sections of By-law No. 89-25 of the Village of Fenelon Falls, Sections 2, 3, 16 and 17 of By-law No. 12-95 of the Township of Fenelon, Sections 10, 11, 18 and 19 of By-law No. 32-83 of the United Township of Laxton, Longford and Digby, Sections 4, 5, 12, and 14 to 20 of By-law No. 2000-75 of the Town of Lindsay, Sections 12, 13, 20 and 21 of By-law No. 87-06 of the Township of Manvers, Sections 3, 5, 6 and 14 of By-law No. 2005-133 of the Oak Ridges Moraine, Sections 2, 3, 16 and 17 of By-law No. 94-07 of the Township of Mariposa, Sections 2, 3, 12, and 13 of By-law No. 1993-15 of the Village of Omemee, Sections 2, 10 and 19 of By-law No. 93-30 of the Township of Ops, Sections 10, 11, 18 and 19 of By-law No. 78-45 of the Township of Somerville, Sections 4, 5, 11 and 12 of By-law No. 6-87 of the Township of Verulam, and Sections 2, 3, 10 and 11 of By-law No. 1993-9 of the Village of Woodville, the provisions in this By-law shall apply to all affected lands within the City of Kawartha Lakes. All other provisions of these By-laws, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

1.1 Special Outdoor Patio Zone Standards

Outdoor patios accessory to an existing permitted restaurant or eating establishment may be permitted within a parking area subject to the following:

- a) The maximum size of an outdoor patio is 300 sq.m.
- b) An outdoor patio associated with a restaurant shall be exempt from parking requirements.
- c) An outdoor patio shall not occupy a required fire route.
- d) An outdoor patio shall not occupy accessible parking spaces. Where this is not possible, then additional accessible parking space shall be temporarily placed elsewhere on the parking lot in proximity to the main patio entrance.
- e) An outdoor patio shall be set back a minimum of 7.5 metres from a residential, institutional, or community facility zone.
- f) An outdoor patio shall be set back a minimum 0 metre front yard setback, a minimum 1.2 metre side yard setback and a minimum 3.0 metre rear yard and exterior side yard setback.
- g) Any parking deficiencies resulting from an outdoor patio shall be suspended through this provision.
- h) An outdoor patio shall be demarcated by fencing.
- i) An outdoor patio shall have unobstructed access for all persons for accessible purposes.
- j) An outdoor patio shall be licensed by the City.”

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 and shall expire on January 1, 2023, at 3:00 am, subject to the provisions of Section 39 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 23rd day of March, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk