

The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-Law To Amend The Township of Mariposa Zoning By-Law No. 94-07 To Rezone Land Within The City Of Kawartha Lakes

File D06-2020-004, Report PLAN2021-010, respecting Part Lot 10, Concession 12, being Part 1, Registered Plan 57R-6739, geographic Township of Mariposa, identified as 1095 White Rock Road – Bedard Sand and Gravel Limited

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. Section 36 of the Planning Act authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to Zone to permit a quarry operation on the subject land to facilitate an application for a Category 1 and 2 Aggregate License, being a Class “A” pit and quarry operation below the water table, in addition to the existing permitted sand and gravel pit operation and to request a recyclables storage area as a permitted use on the subject land. A Holding (H) symbol shall be applied to ensure the owner submits a License Application under the Aggregate Resources Act and the City is satisfied with the submitted Site Plans.
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 2021-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 10, Concession 12, being Part 1, Registered Plan 57R-6739, geographic Township of Mariposa, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 94-07 of the Township of Mariposa is further amended to add the following section to Section 21.3:
 - “21.3.9 EXTRACTIVE INDUSTRIAL EXCEPTION NINE (M3-9) ZONE
 - 21.3.9.1 Notwithstanding subsection 21.1.1, land zoned M3-9 may also be used for a quarry.

- 21.3.9.2 Notwithstanding subsection 21.1.1, on land zoned M3-9, a recyclables storage area is permitted for reclaimed materials such as aggregate products, asphalt, concrete and brick, which may be imported to the property for processing and temporarily stored for sale.
- 21.3.9.3 Notwithstanding subsection 21.2.1.3, on land zoned M3-9, a rear excavation setback of 0 metres is permitted for a pit and 5 metres is permitted for a quarry along the westerly lot line abutting an existing licensed pit.
- 21.3.9.4 Until the holding provision has been removed, the only permitted uses shall be limited to existing permitted uses.
- 21.3.9.5 On land zoned M3-9(H), the removal of the (H) holding symbol shall be in accordance with the following:
- (a) Submission to the Ministry of Natural Resources and Forestry of an Application for a License under the Aggregate Resources Act for the proposed quarry; and
 - (b) Submission of Aggregate Resources Act Site Plans to the satisfaction of the City.”
- 1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 94-07 of the Township of Mariposa is further amended to change the zone category from the Extractive Industrial (M3) Zone to the Extractive Industrial Exception Nine Holding [M3-9 (H)] Zone for the land referred to as ‘M3-9(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 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 ***, 2021.

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 _____ 2021.

MAYOR _____ CLERK _____

Geographic Township of
Mariposa

Concession 13

White Rock Rd.



Black School Rd.

M3-9(H)

Lot 9

Lot 10
Concession 12

White Rock Rd.

Lot 11

