

The Corporation of the City of Kawartha Lakes

By-Law 2017 -

A By-Law to Amend the Township of Fenelon Zoning By-Law No. 12-95 to Rezone Land within the City of Kawartha Lakes

[File D06-17-016, Report PLAN2017-035, respecting Part Lot 6, Concession 5, geographic Township of Fenelon, identified as 3922 Highway 35 - Schleifer]

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 change the zone category from an “Agricultural (A1) Zone” to an “Agricultural Exception Twenty-Three (A1-23) Zone” on the subject land to also permit a commercial indoor vehicle storage facility. A Holding (H) symbol shall be applied to ensure the property is subject to site plan control.
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 2017-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 6, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes, identified as 3922 Highway 35.
- 1.02 **Textual Amendment:** By-law No. 12-95 of the Township of Fenelon is further amended to add the following section to Section 8.3:
 - “8.3.23 Agricultural Exception Twenty-Three (A1-23) Zone
 - 8.3.23.1 Notwithstanding subsection 8.1, land zoned “A1-23” may be also be used for an indoor vehicle storage facility not to exceed a gross floor area of 815 sq. m.
 - 8.3.23.2 For the purposes of this zone, an indoor vehicle storage facility means the storage of motor vehicles, as defined under the Highway Traffic Act, R.S.O. 1990, as amended, for commercial purposes within a wholly enclosed building.
 - 8.3.23.3 Notwithstanding subsection 3.14, no outdoor parking spaces are required for an indoor vehicle storage facility.
 - 8.3.23.4 On land zoned A1-23, the removal of the (H) Holding Symbol shall require that the owner enter into a site plan agreement with the City for any development on land zoned A1-23.”

1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 12-95 of the Township of Fenelon is further amended to change the zone category from the “Agricultural (A1) Zone” to the “Holding - Agricultural Exception Twenty-Three (A1-23)(H) Zone” for the land referred to as “A1-23 (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 ***, 2017.

Andy Letham, Mayor

Judy Currins, City Clerk