

The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes

[File D06-2021-026, Report PLAN2021-065, respecting Part of Lot 19, Concession 1, geographic Township of Ops, identified as 1407 Elm Tree Road – Buckley]

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 permit a use consisting of offices for health practitioners and a yoga studio within an existing outbuilding as an on-farm diversified use that is secondary to the primary agricultural use on a portion of the subject 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 2021-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 19, Concession 1, geographic Township of Ops, identified as 1407 Elm Tree Road, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended to add the following section to Section 16.3:

“16.3.21 Agricultural Exception Twenty-One (A-21) Zone

Notwithstanding subsections 2.10 and 16.2, and the provisions of subsections 2.11 and 2.17, a secondary use consisting of offices for health practitioners and a yoga studio may also be permitted subject to the following provisions:

 - a. The use shall be located within an existing outbuilding and comprise a ground floor area of not more than 360 square metres.

- b. The use shall be carried out by at least one member of the household residing on the property.
- c. The property on which the use is located shall be classified as a farm by MPAC.
- d. A loading space shall not be required for the health and yoga studio use.
- e. Parking shall be provided in accordance with the following:
 - i. Yoga Studio: 1 parking space per 20 square metres of gross floor area
 - ii. Health Offices: 3 parking spaces per practitioner office
- f. On land zoned A-21(H), the removal of the (H) holding symbol shall be in accordance with the following:
 - i. The owner shall apply for and obtain Site Plan Approval for the development on the A-21 zoned portion of the subject land.”

1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the Agricultural (A) Zone to the Agricultural Exception Twenty-One Holding [A-21(H)] Zone for the land referred to as ‘A-21(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 _____

