

# The Corporation of the City of Kawartha Lakes

## By-Law 2022 -

### A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes

[File D06-2021-001, Report PLAN2022-014, respecting Part 1 of 57R-3509 and Part 1 of 57R-10306; Part of Lot 18 Concession 6 Ops, former Town of Lindsay, identified as 331 Logie Street – Lepha Properties Inc.; and Block 74 Registered Plan 57M-797, former Town of Lindsay, identified as Vacant Land on Logie Street – City of Kawartha Lakes]

#### 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.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a 45 residential unit multiple attached dwelling project on 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 2022-\_\_.**

#### Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part 1 of 57R-3509 and Part 1 of 57R-10306; Part of Lot 18 Concession 6 Ops, former Town of Lindsay, City of Kawartha Lakes; and Block 74 Registered Plan 57M-797, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 10.3:

##### '10.3.24 RM2-S24 Zone

Notwithstanding the permitted uses for the RM2 zone, on land zoned RM2-S24, only the following uses shall be permitted:

- a. Multiple attached dwelling
- b. Accessory uses

Notwithstanding Subsections 10.2, 5.2, 5.4, 5.12, 5.14, 5.24, 5.27, and 4.21, on land zoned RM2-S24, the following shall apply:

- a. Minimum lot frontage per dwelling unit 6.0 m
- b. Minimum lot area per dwelling unit 160 m<sup>2</sup>

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|----|---|--|
| c. | Minimum front yard setback per dwelling unit:   |  |
|    | i.  | To the main wall of the dwelling 5.5 m** |
|    | ii.   | To an unenclosed porch 3.5 m**           |
| d. | Minimum exterior side yard setback:   |  |
|    | i.  | To a public street 4.0 m                 |
|    | ii.   | To a private street 1.5 m                |
| e. | Minimum interior side yard setback  | 1.2 m*                                   |
| f. | Minimum rear yard setback per dwelling unit   | 6.5 m                                    |
| g. | Maximum building height   | 10.5 m                                   |
| h. | Minimum landscaped open space for the entire lot  | 25%                                      |
| i. | Maximum unit lot coverage   | 59%                                      |
| j. | Subsection 10.2(i) shall not apply  |  |
| k. | Subsection 5.14(e) shall not apply  |  |
| l. | Subsection 5.14(f) shall not apply  |  |
| m. | A maximum of 45 multiple attached dwelling units shall be permitted.  |  |
| n. | A parapet shall not be included in the calculation of building height and may project up to 1 metre beyond the height of the roof surface.  |  |
| o. | A meter room shall be an accessory use and may be located in any yard on a lot, provided it is no closer than 3.0 m to a public street.   |  |
| p. | Notwithstanding Section 5.12j)x., for only the multiple attached dwelling units, parking shall only be permitted on the driveway located in the front yard and in a private garage.           |  |
| q. | Parking spaces shall be provided on the basis of 2.0 spaces per dwelling unit, plus 1 visitor parking space for every 4 dwelling units or part thereof.                                       |  |
| r. | For Parcels Of Tied Land (POTL) located on a corner, Section 5.4 of the By-law shall not apply.   |  |
| s. | For the purposes of Section 5.27 of the By-law and the determination of a front lot line, frontage on a private road in a comment element shall be considered as frontage on a public street. |  |
| t. | Notwithstanding Section 5.24(vi), an open porch shall included a covered, unenclosed porch.   |  |
- \* This requirement shall not apply to the common wall between multiple dwelling units
- \*\* This requirement is reduced by 1.0 metre for a corner POTL

Notwithstanding Section 4: Definitions, for the purposes of the RM2-S24 zone the following definition shall apply:

**Meter Room** shall be a private, non-habitable building which houses utility infrastructure and/or equipment used to service nearby dwelling units.'

- 1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 2000-75 of the Town of Lindsay is further amended to change the zone category from the 'Residential Two Special Thirteen Holding One [R2-S13(H1)] Zone' and the 'Parks and Open Space (OS) Zone' to the 'Residential Multiple Two Special Twenty-Four (RM2-S14) Zone' for the land referred to as 'RM2-S24', 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 Section 34 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 \*\* , 2022.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk