

# THE CORPORATION OF THE CITY OF KAWARTHA LAKES

## BY-LAW 2017-

### 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 D06-16-031, Reports PLAN2016-069 and PLAN2017-062, respecting Part of Lots 6 and 7, Concession 2, geographic Township of Ops, now City of Kawartha Lakes and being vacant land on Elm Tree Road – 2042825 ONTARIO INC.]

#### Recitals:

1. Sections 34 and 36 of the *Planning Act* 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 change the zone category to permit an eight (8) lot plan of subdivision, a reduction in minimum lot frontage, and an increase to the minimum water setback.
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 of Lots 6 and 7, Concession 2, geographic Township of Ops, now City of Kawartha Lakes and being vacant land on Elm Tree Road.

1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended by amending Sections 6.3 and 15.3 to add the following:

##### “6.3.2 Shoreline Residential Exception Two – Holding (RS-2(H)) Zone

Notwithstanding the provisions of the Shoreline Residential (RS) Zone, Section 2.1, Section 2.25.1(b), and Section 3.6 to the contrary, on lands within the Shoreline Residential Exception Two – Holding (RS-2(H)) Zone, the following shall apply:

- |  |              |
|--|--------------|
| a) Minimum lot area                                    | 4,000 sq. m. |
| b) Minimum lot frontage                                | 30.0 m.      |
| c) Minimum water setback                               | 30.0 m.      |
| d) A marine facility is not a permitted accessory use. |              |

On land zoned RS-2(H), the removal of the (H) shall be in accordance with the following:

- The owner has entered into a site plan agreement with the City.

In all other respects, the provisions of Section 6, Shoreline Residential (RS) Zone shall apply.

##### 6.3.3 Shoreline Residential Exception Three – Holding (RS-3(H)) Zone

Notwithstanding the provisions of the Shoreline Residential (RS) Zone, Section 2.25.1(b), and Section 3.6 to the contrary, on lands within the Shoreline Residential Exception Three – Holding (RS-3(H)) Zone, the following shall apply:

- |                     |              |
|---------------------|--------------|
| a) Minimum lot area | 5,000 sq. m. |
|---------------------|--------------|

- b) Minimum water setback 30.0 m.
- c) A marine facility is not a permitted accessory use.

On land zoned RS-3(H), the removal of the (H) shall be in accordance with the following:

- For Lot 6, 7 and 8, the developer has obtained clearance from the Ontario Ministry of Tourism, Culture and Sport indicating that the site is free of any artifacts of cultural significance; and
- The owner has entered into a site plan agreement with the City.

In all other respects, the provisions of Section 6, Shoreline Residential (RS) Zone shall apply.

#### 15.3.7 Open Space Exception Seven – Holding (OS-7(H)) Zone

Notwithstanding the permitted uses of the Open Space (OS) Zone to the contrary, on lands within the Open Space Exception Seven – Holding (OS-7(H)) Zone, the following shall apply:

Residential uses:

- Prohibited

Non-Residential uses:

- Drainage purposes

On land zoned OS-7(H), the removal of the (H) shall be in accordance with the following:

- The developer has fully complied with the requirements of the subdivision agreement respecting the stormwater management.

In all other respects, the provisions of Section 15, Open Space (OS) Zone shall apply.

#### 15.3.8 Open Space Exception Eight – Holding (OS-8(H)) Zone

Notwithstanding the permitted uses of the Open Space (OS) Zone to the contrary, on lands within the Open Space Exception Eight – Holding (OS-8(H)) Zone, the following shall apply:

Residential uses:

- Prohibited

Non-Residential uses:

- A cemetery

On land zoned OS-7(H), the removal of the (H) shall be in accordance with the following:

- The developer has obtained clearance from the Ministry of Tourism, Culture and Sport indicating that the site is free of any artifacts of cultural significance.

In all other respects, the provisions of Section 15, Open Space (OS) Zone shall apply.

- 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 "Shoreline Residential Exception Two – Holding [RS-2(H)] Zone", "Shoreline Residential Exception Three – Holding [RS-3(H)] Zone", "Open Space Exception Seven – Holding [OS-7(H)] Zone", "Open Space Exception Eight – Holding [OS-8(H)] Zone", and "Hazard Land (HL) Zone", for the land referred to as 'RS-2(H)', 'RS-3(H)', 'OS-7(H)', 'OS-8(H)', and 'HL'.

## 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.

By-law read a first, second and third time, and finally passed, this \*\* day of \_\_\_\_\_, 2017.

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Andy Letham, Mayor

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Judy Currins, City Clerk