

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2020-044**

### **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 D06-2019-007, Reports PLAN2019-067 and PLAN2020-015, respecting Part Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay – 2573532 Ontario Inc.]

#### **Recitals:**

1. Sections 34 and 36 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 155 residential unit townhouse development by plan of subdivision and plan of common element condominium and to amend the development standards 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 2020-044.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, now City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended by adding the following section to Section 10.3:

##### **10.3.20 RM2-S20 Zone**

Notwithstanding the zone requirements of the RM2 Zone, on land zoned RM2-S20 only the following uses are permitted:

- a) The only permitted uses on common element lands shall be accessory uses, open space and infrastructure such as meter rooms, communal mailboxes, visitor parking, private roads and common amenity areas.
- b) The only permitted uses on parcels of tied land (lots) are multiple attached dwellings which, notwithstanding Section 4.50 of the by-law, are separate buildings divided vertically into two or more dwelling units each of which has

independent entrances to a front and rear yard, and may include accessory detached garages.

Notwithstanding the zone requirements of the RM2 Zone, on land zoned RM2-S20 the following only shall apply:

- a) A maximum of 55 multiple attached dwelling units shall be permitted.
- b) A minimum total of 1 visitor parking space for every 3 dwelling units or part thereof shall be required on the common element lands.
- c) An accessory meter room shall be set back a minimum of 2.3 m. from a private road.
- d) For lots which are parcels of tied land, the following shall apply:
  - i) 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 common element shall be considered frontage on a public street.
  - ii) Where a lot has frontage on both a public street and a private road in a common element, the front lot line will be deemed to be the lot line dividing the lot from the public street.

iii) Minimum lot area per dwelling unit                      155 sq.m.

iv) Minimum lot frontage per dwelling unit                      6.0 m.

v) Minimum front yard setback

	From a public street	From a private road
To a dwelling	3.5 m.	4.5 m.
To a garage door	Not permitted	6.0 m.

vi) Minimum exterior yard setback                      3.5 m. to a public street  
2.5 m. to a private road

vii) Minimum interior side yard setback                      1.5 m. except where not adjacent to another lot in which case the minimum interior side yard requirement shall be 1.2 m. However no interior side yard setback is required where there is common wall between dwelling units on adjacent lots or a meter room in a common element.

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| viii) Minimum rear yard setback  | 7.5 m. except where the rear yard abuts an Open Space Zone where the minimum rear yard setback shall be 6.0 m. |
| ix) Maximum building height      | 10.5 m.  |
| x) Minimum landscaped open space | 25%  |
- xi) A porch with a maximum height of 1.2 m. may encroach into the required front yard setback up to 1.5 m. Stairs may encroach an additional 1.0 m.
- xii) A deck with a maximum height of 1.8 m. may encroach up to 2.4 m. into a required rear yard setback. Stairs may encroach an additional 1.0 m.
- xiii) Each lot shall provide a minimum of two parking spaces either in a garage or on a private driveway.
- xiv) Notwithstanding Section 5.2 of the by-law, an accessory detached garage up to a maximum of 40 sq.m. and a maximum height of 5 m. may be permitted in the rear or side yard provided it is located at least 1.0 m. from a private road.
- xv) For corner lots, Section 5.4 of the by-law shall not apply. However, the front and exterior side yards of such corner lots shall be free of any hedge, fence, shrub, bush, tree or any other type of vegetation or grade having a height greater than 0.75 m. measured from the finished grade of the streets that abut the corner lot.

1.03 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended by adding the following section to Section 10.3:

10.3.21 RM2-S21 Zone

Notwithstanding the zone requirements of the RM2 Zone, on land zoned RM2-S21 only the following uses are permitted:

- a) The only permitted uses on common element lands shall be accessory uses, open space and infrastructure such as meter rooms, communal mailboxes, visitor parking, private roads and common amenity areas.
- b) The only permitted uses on parcels of tied land (lots) are multiple attached dwellings which, notwithstanding Section 4.50 of the by-law, are separate buildings divided vertically into two or more dwelling units each of which has independent entrances to a front and rear yard, and may include accessory detached garages.

Notwithstanding the zone requirements of the RM2 Zone, on land zoned RM2-S21 the following only shall apply:

- a) A maximum of 100 multiple attached dwelling units shall be permitted.
- b) A minimum total of 1 visitor parking space for every 3 dwelling units or part thereof shall be required on the common element lands.
- c) An accessory meter room shall be set back a minimum of 2.3 m. from a private road.
- d) For lots which are parcels of tied land, the following shall apply:
  - i) 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 common element shall be considered frontage on a public street.
  - ii) Where a lot has frontage on both a public street and a private road in a common element, the front lot line will be deemed to be the lot line dividing the lot from the public street.
  - iii) Minimum lot area per dwelling unit      160 sq.m.
  - iv) Minimum lot frontage per dwelling unit      6.0 m.
  - v) Minimum front yard setback
 

	From a public street	From a private road
To a dwelling	3.5 m.	4.5 m.
To a garage door	Not permitted	6.0 m.
  - vi) Minimum exterior yard setback      3.5 m. to a public street  
2.5 m. to a private road
  - vii) Minimum interior side yard setback      1.5 m. except where not adjacent to another lot in which case the minimum interior side yard requirement shall be 1.2 m. However no interior side yard setback is required where there is common wall between dwelling units on adjacent lots or a meter room in a common element.
  - viii) Minimum rear yard setback      7.5 m.
  - ix) Maximum building height      10.5 m.

- x) Minimum landscaped open space 25%
- xi) A porch with a maximum height of 1.2 m. may encroach into the required front yard setback up to 1.5 m. Stairs may encroach an additional 1.0 m.
- xii) A deck with a maximum height of 1.8 m may encroach up to 2.4 m. into a required rear yard setback. Stairs may encroach an additional 1.0 m.
- xiii) Each lot shall provide a minimum of two parking spaces either in a garage or on a private driveway.
- xiv) Notwithstanding Section 5.2 of the by-law, an accessory detached garage up to 40 sq.m. and a maximum height of 5 m. may be permitted in the rear or side yard provided it is located at least 1.0 m. from a private road.
- xv) For corner lots, Section 5.4 of the by-law shall not apply. However, the front and exterior side yards of such corner lots shall be free of any hedge, fence, shrub, bush, tree or any other type of vegetation or grade having a height greater than 0.75 m. measured from the finished grade of the streets that abut the corner lot.

1.04 **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 One (R1)", "Residential Two (R2)" and "Future Residential (FR)" Zones to the "Residential Multiple Two Special Twenty (RM2-S20)" and "Residential Multiple Two Special Twenty-one (RM2-S21)" and "Parks and Open Space (OS)" for the land referred to as 'RM2-S20', 'RM2-S21' and 'OS', 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 26 day of May, 2020.

  
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Andy Letham, Mayor

  
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Cathie Ritchie, City Clerk

# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW 2020-044 PASSED

THIS 26 DAY OF May 2020.

MAYOR



CLERK

