

The Corporation of the City of Kawartha Lakes

By-Law 2017-____

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 D06-17-025, Report PLAN2017-053 and PLAN2017-067, respecting Plan 8P Pt Park Lot K, 57R-7336, Part of Part 1, former Town of Lindsay, identified as 84 Adelaide Street South – Lindsay Retirement Home GP Ltd.]

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 the construction of an independent seniors' apartment building 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 2017-____.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Plan 8P Pt Park Lot K, 57R-7336, Part of Part 1, 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 by deleting Section 11.3.11 and replacing it with the following:

“11.3.11 RH1-S9 Zone

Notwithstanding the permitted uses in Section 11.1, zone requirements in Section 11.2, the definition of “LOT LINE, FRONT” in Section 4.115, the “MULTIPLE USES AND ZONES ON ONE LOT” provisions of Section 2.8, and the parking provisions of Section 5.12 j) x. and Section 5.12 k) i., on lands zoned RH1-S9, only a Senior Citizens' Home and an accessory convenience retail and/or personal service establishment shall be permitted subject to the following requirements:

- a. Minimum front yard setback 9.5 m
- b. Minimum south (exterior) side yard setback 20.0 m
- c. Minimum north (interior) side yard setback 8.0 m
- d. Minimum rear yard setback for main building 12.0 m
- e. Minimum rear yard setback for 1 storey link 0.0 m
- f. Maximum building height 14.0 m
- g. Maximum lot coverage 25%
- h. Minimum lot area 11,600 sq. m.
- i. Section 11.2 k. shall not apply to the one (1) storey link between two buildings on the same lot
- j. One (1) parking space shall be required for every two rooms of lodging
- k. A maximum of six (6) parking spaces shall be permitted in the front yard
- l. Within the RH1-S9 and RH1-S13 zones, the combined parking and loading space requirements of the two zones shall comply with the parking and loading requirements of the By-law. For this provision, Section 2.8 shall not apply

- m. Section 2.8 shall not apply to require the most restrictive or stringent requirement for lot area, coverage, and minimum yard requirements
- n. The minimum distance between a Senior Citizens' Home and a single, semi-detached, duplex or triplex dwelling unit on an adjacent lot shall be equal to the height of the building.
- o. Maximum density 125 senior citizen home units
- p. Adelaide Street South shall be deemed to be the front lot line for the lands zoned RH1-S9."

1.03 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 11.3:

"11.3.16 RH1-S13(H) Zone

Notwithstanding the permitted uses in Section 11.1, zone requirements in Section 11.2, the definition of "LOT LINE, FRONT" in Section 4.115, the "MULTIPLE USES AND ZONES ON ONE LOT" provisions of Section 2.8, and the parking provisions of Section 5.12 j) x. and Section 5.12 k) i., on lands zoned RH1-S13, only an Independent Seniors' Apartment Building and an accessory convenience retail and/or personal service establishment shall be permitted subject to the following requirements:

- a. Minimum front yard setback 20.0 m
- b. Minimum north (interior) side yard setback 38.0 m
- c. Minimum south (exterior) side yard setback 8.0 m
- d. Minimum rear yard setback for main building 12.0 m
- e. Minimum rear yard setback for 1 storey link 0.0 m
- f. Maximum building height for main building 18.5 m
- g. Maximum building height for mechanical 20.5 m
- h. Maximum lot coverage 31.0%
- i. Minimum lot area 12,800 sq. m.
- j. Section 11.2 k. shall not apply to the one (1) storey link between two buildings on the same lot
- k. A maximum of twenty (20) parking spaces shall be permitted in the front yard
- l. Within the RH1-S9 and RH1-S13 zones, the combined parking and loading space requirements of the two zones shall comply with the parking and loading requirements of the By-law. For this provision, Section 2.8 shall not apply
- m. Section 2.8 shall not apply to require the most restrictive or stringent requirement for lot area, coverage, and minimum yard requirements
- n. Maximum density 90 units
- o. The minimum distance between an Independent Seniors' Apartment Building and a single, semi-detached, duplex or triplex dwelling unit on an adjacent lot shall be equal to the height of the building.
- p. Albert Street South shall be deemed to be the front lot line for the lands zoned RH1-S13.

On land zoned "RH1-S13(H)", the removal of the (H) holding symbol shall be in accordance with the following:

- The owner shall enter into a Site Plan Agreement with the City;
- Council allocates an adequate supply of municipal water and sewer servicing to the proposed development; and
- The removal of the capacity restriction on the Colborne Street Sanitary Sewer."

1.04 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended by adding the following definition and renumbering Section 4 accordingly:

"INDEPENDENT SENIORS' APARTMENT BUILDING means a building in which ten or more apartments are provided for rent on a monthly or yearly basis, where apartment suites have full kitchens, and where common

amenity space and areas are provided and may also include common areas where meals are provided for seniors who reside therein.”

1.05 **Textual Amendment**: By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 5.4:

“d) Notwithstanding Section 5.4 a), the Daylighting Triangle provisions for the north-east intersection of Adelaide Street South and the unopened George Street right-of-way; and the north-west intersection of Albert Street South and the unopened George Street right-of way shall not apply.

1.06 **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 “Future Residential (FR) Zone” to the “Residential High Rise One Special Thirteen Holding [RH1-S13(H)] Zone” for the land referred to as ‘RH1-S13(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 12th day of December, 2017.

Andy Letham, Mayor

Cathie Ritchie, City Clerk