

The Corporation of the City of Kawartha Lakes

By-Law 2023-108

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

[Report PLAN 2023-028, respecting Part Lots 23 and 24 Concession 4, geographic Township of Ops, now City of Kawartha Lakes, Tribute (Lindsay 1) Limited]

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 residential plan of subdivision consisting of 55 residential Blocks for single detached dwellings, semi-detached dwellings, and townhouse dwellings; as well as two commercial Blocks, three park and walkway Blocks, four stormwater management Blocks, one school Block, three natural heritage system enhancement Blocks, one road widening Block, and new public streets.
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 2023-108.

Section 1:00 Zoning Details

1.01 **Property Affected:** The property affected by this By-law is described as Part Lots 23 and 24 Concession 4, geographic Township of Ops, now 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:

7.3.43 R2-S39 Zone

Notwithstanding any other provisions of this by-law, the following exceptions shall apply to development in the R2-S39 Zone.

Section 5.2 c) shall not apply to front or external side yard porches and/or decks covered by a roof.

The Daylight Triangles specified in Section 5.4 a) will be conveyed to the municipality. The Triangular space will be measured as follows:

- i. 5m from the point of intersection, where the lot line is adjacent to a local road;

- ii. 7m from the point of intersection, where the lot line is adjacent to a collector road; and
- iii. 12m from the point of intersection, where the lot line is adjacent to an arterial road, County road or Provincial highway.

Notwithstanding any other provisions of this by-law, Section 5.12 (j)v. shall not apply.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area.
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback.
- iii. Uncovered Stairs associated with an entry or covered porch may encroach up to 0.6m from the front lot line.
- iv. an open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.7 m into a rear yard setback area.
- v. an open terrace, deck or porch with a height greater than 1.8 m but less than 3.0 m, may extend a distance of not more than 2.5 m into a rear yard setback area.

Notwithstanding the zone requirements on land zoned R2, on land zoned R2-S39 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building, and 6.0 m to a garage.
- ii. The minimum interior side yard shall be 1.2 m on one side and 0.6 m on the other side.
- iii. The maximum coverage shall be 55%.
- iv. The maximum height shall be 12m.
- v. Despite clause iv. above, and Section 5.9 of By-law 2000-75, no portion of a building, structure, or appurtenance will exceed the geodetic elevations as shown on schedule "A" to this by-law.
- vi. Minimum front yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.
- vii. Minimum external yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.

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

8.3.27 R3-S24 Zone

Notwithstanding any other provisions of this by-law, the following exceptions shall apply to development in the R3-S24 Zone.

Section 5.2 c) shall not apply to front or external side yard porches and/or decks covered by a roof.

The Daylight Triangles specified in Section 5.4 a) will be conveyed to the municipality. The Triangular space will be measured as follows:

- i. 5m from the point of intersection, where the lot line is adjacent to a local road;
- ii. 7m from the point of intersection, where the lot line is adjacent to a collector road; and
- iii. 12m from the point of intersection, where the lot line is adjacent to an arterial road, County road or Provincial highway.

Notwithstanding any other provisions of this by-law, Section 5.12 (j)v. shall not apply.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area.
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback.
- iii. Uncovered Stairs associated with an entry or covered porch may encroach up to 0.6m from the front lot line.
- iv. An open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.7 m into a rear yard setback area.
- v. An open terrace, deck or porch with a height greater than 1.8m but less than 3.0 m, may extend a distance of not more than 2.5 m into a rear yard setback area.

Notwithstanding the zone requirements on land zoned R3, on land zoned R3-S24 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building, and 6.0 m to a garage.
- ii. The minimum interior side yard shall be 1.2 m on one side and 0.6 m on the other side.
- iii. The maximum coverage shall be 55%.
- iv. The minimum frontage shall be 9m for an interior lot and 11m for a corner lot.
- v. The minimum lot area shall be 270m².

- vi. The maximum height shall be 12m.
- vii. Despite clause vi. above, and Section 5.9 of By-law 2000-75, no portion of a building, structure, or appurtenance will exceed the geodetic elevations as shown on schedule "A" to this by-law.
- viii. There shall be no maximum gross floor area.
- ix. Minimum front yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.
- x. Minimum external yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.

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

8.3.28 R3-S25 Zone

Notwithstanding any other provisions of this by-law, the following exceptions shall apply to development in the R3-S22 Zone.

Section 5.2 c) shall not apply to front or external side yard porches and/or decks covered by a roof.

The Daylight Triangles specified in Section 5.4 a) will be conveyed to the municipality. The Triangular space will be measured as follows:

- i. 5m from the point of intersection, where the lot line is adjacent to a local road;
- ii. 7m from the point of intersection, where the lot line is adjacent to a collector road; and
- iii. 12m from the point of intersection, where the lot line is adjacent to an arterial road, County road or Provincial highway.

Notwithstanding any other provisions of this by-law, Section 5.12 (j)v. shall not apply.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area.
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback.
- iii. Uncovered Stairs associated with an entry or covered porch may encroach up to 0.6m from the front lot line.
- iv. an open terrace, deck or porch with a maximum height of 1.8m, may extend a distance of not more than 3.7 m into a rear yard setback area.

- v. an open terrace, deck or porch with a height greater than 1.8m but less than 3.0 m, may extend a distance of not more than 2.5 m into a rear yard setback area.

Notwithstanding the zone requirements on land zoned R3, on land zoned R3-S22 the following requirements shall also apply:

- i. The minimum front yard setback shall be 4.0 m to the main front wall of a building, and 6.0 m to a garage.
- ii. The minimum interior side yard shall be 1.2 m (this requirement shall not apply to the common wall between semi-detached dwelling units).
- iii. The maximum coverage shall be 55%.
- iv. The minimum frontage shall be 7.5m.
- v. The minimum lot area shall be 225m².
- vi. The maximum height shall be 12m.
- vii. Despite clause vi. above, and Section 5.9 of By-law 2000-75, no portion of a building, structure, or appurtenance will exceed the geodetic elevations as shown on schedule "A" to this by-law.
- viii. There shall be no maximum gross floor area.
- ix. Minimum front yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.
- x. Minimum external yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.

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

9.3.27 RM1-S26 Zone

Notwithstanding any other provisions of this by-law, the following exceptions shall apply to development in the RM1-S26 Zone.

Section 5.2 c) shall not apply to front or external side yard porches and/or decks covered by a roof.

The Daylight Triangles specified in Section 5.4 a) will be conveyed to the municipality. The Triangular space will be measured as follows:

- i. 5m from the point of intersection, where the lot line is adjacent to a local road;
- ii. 7m from the point of intersection, where the lot line is adjacent to a collector road; and
- iii. 12m from the point of intersection, where the lot line is adjacent to an arterial road, County road or Provincial highway.

Notwithstanding any other provisions of this by-law, Section 5.12 (j)v. shall not apply.

In addition to the permitted projections listed in Section 5.24 vi., the following projections are permitted;

- i. A box or bay window may project a distance of not more than 0.6 m into a front, rear or exterior side yard setback area.
- ii. A covered porch may project a distance of not more than 1.8 m into an exterior side yard setback.
- iii. Uncovered Stairs associated with an entry or covered porch may encroach up to 0.6m from the front lot line.
- iv. an open terrace, deck or porch with a maximum height of 1.8 m, may extend a distance of not more than 3.7 m into a rear yard setback area.
- v. an open terrace, deck or porch with a height greater than 1.8 m but less than 3.0 m, may extend a distance of not more than 2.5 m into a rear yard setback area.

Notwithstanding the zone requirements on land zoned RM1, on land zoned RM1-S25 the following requirements shall also apply:

- i. The minimum lot area shall be 180m².
- ii. The minimum front yard setback shall be 4.0 m to the main front wall of a building, and 6.0 m to a garage.
- iii. The minimum exterior side yard shall be 2.4m.
- iv. The minimum interior side yard shall be 1.2m (this requirement shall not apply to the common wall between townhouse dwelling units).
- v. The maximum height shall be 12m.
- vi. Despite clause v. above, and Section 5.9 of By-law 2000-75, no portion of a building, structure, or appurtenance will exceed the geodetic elevations as shown on schedule "A" to this by-law.
- vii. There shall be no maximum gross floor area.
- viii. The maximum coverage shall be 60%.
- ix. Minimum front yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.
- x. Minimum external yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.

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

9.3.28

RM1-S27 Zone

The following uses shall be permitted in the RM1-S27 Zone.

- i. Single detached dwellings are permitted per the provisions of the R3-S24 Zone.
- ii. Semi-detached dwellings are permitted per the provisions of the R3-S25 Zone.
- iii. Townhouse dwellings are permitted per the provisions of the RM1-S26 Zone.

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

10.3.25 RM2-S25 Zone

Notwithstanding any other provisions of this by-law, the following exceptions shall apply to development in the RM2-S25 Zone.

Section 5.2 c) shall not apply to front or external side yard porches and/or decks covered by a roof.

The Daylight Triangles specified in Section 5.4 a) will be conveyed to the municipality. The Triangular space will be measured as follows:

- i. 5m from the point of intersection, where the lot line is adjacent to a local road;
- ii. 7m from the point of intersection, where the lot line is adjacent to a collector road; and
- iii. 12m from the point of intersection, where the lot line is adjacent to an arterial road, County road or Provincial highway.

Notwithstanding any other provisions of this by-law, Section 5.12 (j)v. shall not apply.

Notwithstanding the zone requirements on land zoned RM2, on land zoned RM2-S25 the following requirements shall also apply:

- i. The following standards shall apply to the entirety of the lot, regardless of any future lot creation.
- ii. The minimum front yard setback shall be 2.45m.
- iii. The minimum interior side yard (north and south lot lines) shall be 1.25m.
- iv. The minimum rear yard (Highway 35) shall be 7m.
- v. The minimum landscape area shall not apply.
- vi. The maximum height shall be 14m.
- vii. Despite clause vi. above, and Section 5.9 of By-law 2000-75, no portion of a building, structure, or appurtenance will exceed the geodetic elevations as shown on schedule "A" to this by-law.

- viii. The maximum coverage shall not apply.
- ix. The Maximum gross floor area as % of lot area shall not apply.
- x. Minimum front yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.
- xi. Minimum external yard setback from the main wall of a dwelling to a daylight triangle conveyed to the municipality shall be 0m.

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

23.3.10 OS-S9 Zone

Notwithstanding the permitted uses on land zoned OS, on lands zoned OS-S9, the following uses are also permitted:

- i. A stormwater management pond

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

16.3.15 GC-S14 Zone

The Daylight Triangles specified in Section 5.4 a) will be conveyed to the municipality. The Triangular space will be measured as follows:

- i. 5m from the point of intersection, where the lot line is adjacent to a local road;
- ii. 7m from the point of intersection, where the lot line is adjacent to a collector road; and
- iii. 12m from the point of intersection, where the lot line is adjacent to an arterial road, County road or Provincial highway.

Notwithstanding the zone requirements on land zoned GC on lands zoned GC-S14, the following uses are also permitted:

- i. Supermarket
- ii. Financial Institution
- iii. Medical Clinic
- iv. Drive-through (associated with any permitted use)

Notwithstanding the zone requirements on land zoned GC on lands zoned GC-S14, the following requirements shall apply:

- i. Minimum setback to a property line adjacent to a public right of way: 0.0m.
- ii. Minimum setback to a property line adjacent to a residential zone or open space: 4.5m.
- iii. Minimum setback to all other property lines: 4.5m.

- iv. Maximum gross leasable floor area of commercial uses shall not apply.
- v. No portion of a building, structure, or appurtenance, including those listed in Section 5.9 of By-law 2000-75, will exceed the geodetic elevations as shown on schedule "A" to this by-law.
- vi. Minimum front yard setback from the main wall of a building or structure to a daylight triangle conveyed to the municipality shall be 0m.
- vii. Minimum external yard setback from the main wall of a building or structure to a daylight triangle conveyed to the municipality shall be 0m.

1.10 **Textual Amendment:** By-law 2000-75 of the Town of Lindsay is further amended to add the following Section:

22.3.9 CF-S9 Zone

Notwithstanding the permitted uses on land zoned CF, on lands zoned CF-S9 only the following uses are permitted:

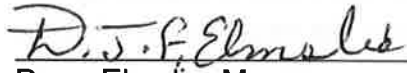
- i. Public School and accessory uses
- ii. Uses permitted in the R3-S21 zone

1.11 **Schedule Amendment:** Schedule 'A' to By-law No. 2000-75 of the Town of Lindsay is further amended to change the zone category from 'Future Community Development (FCD) Zone' to 'Residential Two Special 39 (R2-S39) Zone', 'Residential Three Special 24 (R3-S24) Zone', 'Residential Three Special 25 (R3-S25) Zone', 'Residential Multiple One Special 26 (RM1-S26) Zone', 'Residential Multiple One Special 27 (RM1-S27) Zone', 'Residential Multiple Two Special 25 (RM2-S25) Zone', 'Community Facility Special 9 (CF-S9) Zone', 'Community Facility (CF) Zone', 'Parks and Open Space (OS) Zone', 'Parks and Open Space Special 9 (OS-S9) Zone', 'General Commercial Special 14 (GC-14) Zone' for the land referred to as 'R2-S39', 'R3-S24', 'R3-S25', 'RM1-S26', 'RM1-S27', 'RM2-S25', 'CF-S9', 'CF', OS, 'OS-S9' and 'GC-S14' on Schedule 'A' 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 20th day of June, 2023.



Doug Elmslie, Mayor



Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF
KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW 2023-108 PASSED

THIS 20th DAY OF June 2023.

MAYOR D. J. F. Elmish CLERK Chytch

