

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD
By-Law No. _____-2019

A By-law to Amend County Comprehensive Zoning By-law
No. 1816-2006, as amended

WHEREAS By-law No. 1816-2006, as amended, is the Comprehensive Zoning By-law governing the lands located within the County of Prince Edward in the Ward of **Hillier**.

AND WHEREAS the Council of The Corporation of the County of Prince Edward, having received and reviewed an application to amend By-law No. 1816-2006 for the lands described as Part of Lot 30, Concession 3, former Township of Hiller, in the County of Prince Edward, is in agreement with the proposed changes;

AND WHEREAS authority is granted under Section 34 of the *Planning Act, R.S.O. 1990, c.P.13*, as amended;

NOW THEREFORE the Council of The Corporation of the County of Prince Edward enacts as follows:

1. **THAT** By-law 1816-2006, as amended, is hereby amended by the addition of the following to subsection (5) of Section 22 entitled "Special Tourist Commercial (TC) Zones" immediately after item 22.5.57 thereof:

"22.5.58 TC-58-H Zone (Redtail East, Part of Lot 30, Concession 3 County Road No. 33, Ward of Hillier)

Notwithstanding any provision of By-law No. 1816-2006 as amended to the contrary, on the lands zoned TC-58-H the following special provisions shall apply:

- i. The permitted uses shall be limited to the following:
 - a) A tourist establishment consisting of a hotel, restaurant and conference/ event facility;
 - b) A Nordic spa and cafe;
 - c) A retail commercial establishment accessory and secondary to the foregoing uses;
 - d) A vineyard or other accessory farm uses associated with the RU2- 76 Zone (Redtail East Winery) including egress road;
 - e) Uses that are normally incidental, subordinate and accessory to the main permitted uses.
- ii. The following zone provisions shall specifically apply to the tourist establishment and spa uses:
 - a) The maximum number of overnight guest hotel accommodation units permitted shall be 50;
 - b) The restaurant and bar will have a maximum of 50 seats;
 - c) The main spa building will accommodate up to 125 persons;
 - d) The minimum exterior yard setback shall be 150 metres.
- iii. The requirements of Section 41 of the Planning Act, R.S.O., 1990, c.P. 13, as amended, relating to Site Plan Control shall apply to the lands zoned TC-58.

- iv. Prior to removal of the Holding (-H) symbol, no person shall erect any building or structure for any purpose or shall use any lot or alter any building or structure for any purpose except for a purpose permitted in the RU2 Zone including uses permitted in subsection i(d).
 - v. A By-law shall not be enacted to remove the “Holding” (-H) symbol until such time as:
 - a. A Site Plan Agreement satisfactory to the municipality has been executed and registered on title of the lands;
 - b. An ECA approval has been provided by the MECP for the wastewater disposal; and
 - c. The PTTW has been issued by the MECP for the water supply.
 - vi. Upon removal of the “Holding” (-H) symbol by Council, the uses and zone provisions of the TC-58 Zone shall apply.
 - vii. All other provisions of the TC Zone and By-law No. 1816-2006, as amended, shall apply to the lands zoned TC-58.
2. **THAT** By-law 1816-2006, as amended, is hereby amended by the addition of the following to subsection (5) of Section 8 entitled “Special Rural 2 (RU2) Zones” immediately after item 8.5.75 thereof:

“RU2-76 Zone (Redtail East, Part of Lot 30, Concession 3 County Road No. 33, Ward of Hillier)”

Notwithstanding any provision of By-law No. 1816-2006 as amended to the contrary, on the lands zoned RU2-76 the following special provisions shall apply:

- i. The permitted uses shall be limited to the following:
 - a) An estate winery;
 - b) A farm produce retail outlet;
 - c) Vineyards and other agricultural uses;
 - d) Conservation uses;
 - e) A single detached dwelling unit;
 - f) Accessory farm accommodation use; and,
 - g) Uses that are normally incidental, subordinate and accessory to the main permitted uses.
 - ii. The requirements of Section 41 of the Planning Act, R.S.O., 1990, c.P. 13, as amended, relating to Site Plan Control shall apply to the lands zoned RU2-76.
 - iii. All other provisions of the RU2 Zone and By-law No. 1816-2006, as amended, shall apply to the lands zoned RU2-76.
3. **THAT** By-law 1816-2006, as amended, is hereby amended by the addition of the following to subsection (5) of Section 31 entitled “Special Environmental Protection (EP) Zones” immediately after item 31.5.12 thereof:

“EP-13 Zone (Redtail East, Part of Lot 30, Concession 3 County Road No. 33, Ward of Hillier)”

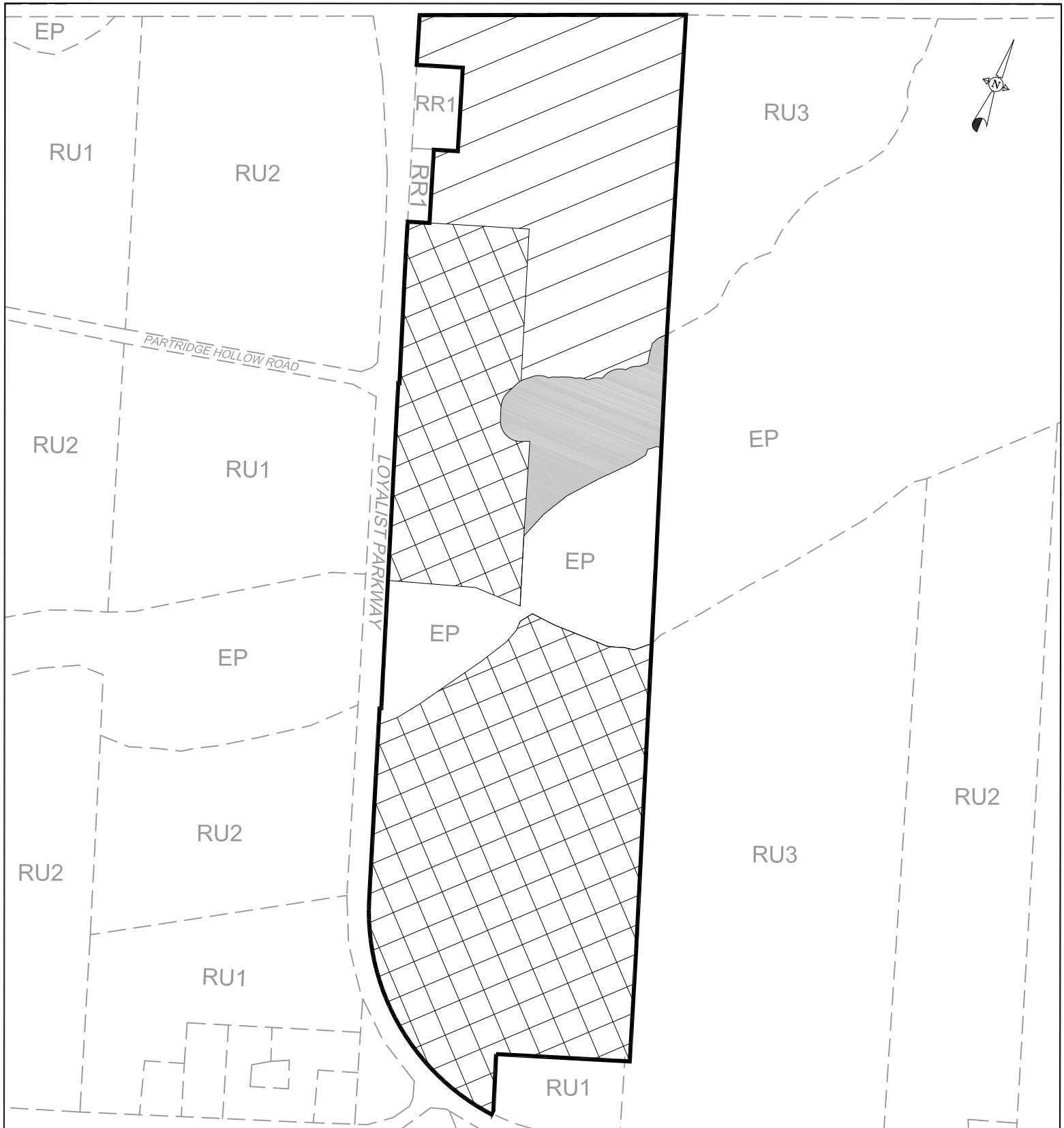
Notwithstanding any provision of By-law No. 1816-2006 as amended to the contrary, on the lands zoned EP-13 the following special provisions shall apply:

- i. Notwithstanding Section 4.25 Special Setback provisions, within the lands zoned EP-13, no additional setbacks from the zone line shall be required for any building, structure or use.
 - ii. The removal of vegetation, and/or the alteration of grades shall not be permitted in the EP-13 Zone without the prior written consent of Quinte Conservation and the County.
 - iii. All other provisions of the EP Zone and By-law No. 1816-2006, as amended, shall apply to the lands zoned EP-13.
4. **THAT Schedule “A7”** for the Ward of **Hiller** to By-law No. 1816-2006, as amended, is hereby amended by changing the zone category thereon from the Rural RU2 Zone to the TC-58 Special Tourist Commercial Zone, the EP-13 Environmental Protection Zone, and the RU2-76 Special Rural Zone in accordance with Schedule “1” attached hereto.
5. **THAT** Schedule ‘1’ attached hereto forms part of this by-law.
6. **THAT** this by-law shall come into force and take effect pursuant to the provisions and regulations made under the *Planning Act, R.S.O., 1990, c.P.13*, as amended.

Read a first, second and third time and finally passed this XX day of XX, 2019.


Kim White, Clerk

Steve Ferguson, Mayor



LEGEND:

 LANDS TO BE REZONED FROM RU2 TO TC-58-H
(SPECIAL TOURIST COMMERCIAL ZONE)


 LANDS TO BE REZONED FROM RU2 TO RU2-76
(SPECIAL RURAL 2 ZONE)

 LANDS TO BE REZONED FROM RU2 TO EP-13
(ENVIRONMENTAL PROTECTION ZONE)

LOCATION
PART OF LOT 30, CONCESSION 3,
(FORMER TOWNSHIP OF HILLIER)
THE MUNICIPALITY OF THE
COUNTY OF PRINCE EDWARD

BY-LAW ____-2019
TO AMEND ZONING BY-LAW 1816-2006
SCHEDULE '1'

SCALE: 1:7500 DATE: JULY 19, 2019




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