

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD  
By-Law No. \_\_\_\_-2022

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

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**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 Schedule “A7”** for the Ward of **Hillier** 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-XX ‘Special Tourist Commercial’ Zone, and the EP-ZZ ‘Special Environmental Protection’ Zone in accordance with Schedule “1” attached hereto.
2. **THAT** Schedule ‘1’ attached hereto forms part of this by-law.
3. **THAT** By-law 1816-2006, as amended, is hereby amended by the addition of the following subsection (5) of Section 22 entitled “Special Tourist Commercial (TC) Zones” to be numerically placed in the next available Section:

**“22.5.XX TC-XX 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-XX-H the following special provisions shall apply:

- i. The permitted uses shall be limited to the following:
  - a) Agricultural Uses;
  - b) A Farm or Estate Winery;
  - c) A Farm Produce Retail Outlet;
  - d) A Hotel
  - e) A Resort Establishment;
  - f) A spa and cafe;
  - g) A Retail Commercial Establishment accessory and secondary to the foregoing uses;
  - h) Vineyards and other agricultural uses;
  - i) Accessory farm uses;
  - j) Uses that are normally incidental, subordinate and accessory to the main permitted uses.
  - k) Conservation uses;

- l) Accessory farm accommodation;
    - m) Uses that are normally incidental, subordinate and accessory to the main permitted uses.
  - ii. For the purposes of this By-law, a 'Spa' shall mean: "A premises open to the general public which provides facilities for wellness, fitness, relaxation, and contemplation, which services may include, but is not limited to: massage therapy, swimming pools (indoor or outdoor), saunas or steam rooms, personal services related to grooming, and fitness and recreation."
  - iii. For the purposes of this By-law, 'Yard, Front' shall mean the yard abutting the western property boundary.
  - iv. The following zone provisions shall specifically apply to the tourist establishment and spa pauses:
    - a) The minimum Lot Area shall be 560,000 square metres;
    - b) The minimum Lot Frontage shall be 1,500 metres;
    - c) The minimum front yard shall be 8 metres;
    - d) The maximum number of overnight guest hotel accommodation units shall be:
      - Within Phase 1: 74;
      - Within Phases 1 and 2: 148, provided that a report demonstrating there is sufficient groundwater capacity to accommodate the extent of uses on the property is provided and accepted by the County of Prince Edward and associated review Agencies;
    - e) The maximum gross floor area shall be
      - For the Estate Winery: 1,500 square metres;
      - For the Spa: 800 square metres;
      - For all hotel accommodation units: 6,000 square metres;
    - f) The minimum building setbacks and minimum distance between any buildings shall be 5.5 metres;
    - g) The maximum lot coverage for all uses shall be 5%
    - h) The minimum landscape open space shall be 5%
    - i) A minimum landscape buffer of 7 metres shall be required between any parking or outdoor amenity area and a property line.
    - j) The maximum height of buildings shall be
      - For a building containing an overnight guest hotel accommodation unit: 6.0 metres
      - For a building containing a restaurant and conference/event facility: 12.0 metres
      - For an administration or use providing a supporting function to a permitted use on the lands: 8.0 metres
      - For a building containing a spa and related uses: 12.0 metres
  - v. 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-XX.
  - vi. All other provisions of the TC Zone and By-law No. 1816-2006, as amended, shall apply to the lands zoned TC-XX.
4. **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-ZZ 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-ZZ the following special provisions shall apply:

- i. Notwithstanding Section 4.25 Special Setback provisions, within the lands zoned EP-ZZ, 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-ZZ 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-ZZ.
5. **THAT** despite any future subdivision or partitioning of the lands by way of a Plan of Condominium, for the purposes of this By-Law, the lands shall be considered to be one ‘Lot’.
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.

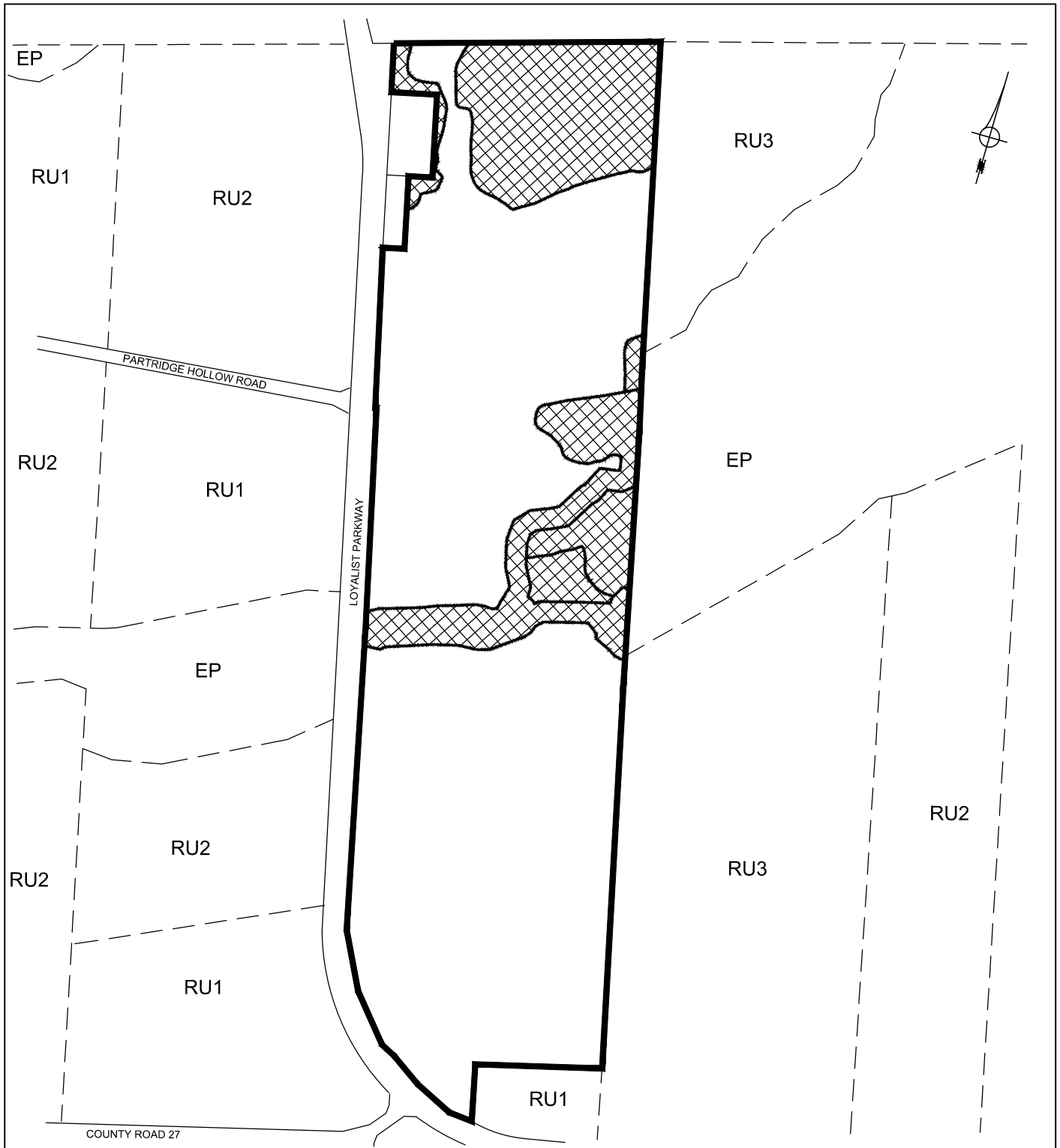
Read a first, second and third time and finally passed this XX day of XX, 2022.

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Kim White, Clerk

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Steve Ferguson, Mayor



**LEGEND:**

 LANDS TO BE REZONED FROM "RURAL 2" (RU2) TO "SPECIAL TOURIST COMMERCIAL ZONE" (TC-##)

 LANDS TO BE REZONED FROM "EP" TO "SPECIAL ENVIRONMENTAL PROTECTION ZONE" (EP-##)

**LOCATION**

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

BY-LAW \_\_\_\_-2022  
 TO AMEND ZONING BY-LAW 1816-2006  
**SCHEDULE '1'**

Scale:  Date: February 10, 2022