

The Corporation of the Township of North Kawartha

By-Law 2021-0096

Being a by-law of the Corporation of the Township of North Kawartha under the provisions of Section 34 of the Planning Act R.S.O. 1990, chap. P.13, as amended, to amend Zoning By-Law #26-2013, with respect to certain lands described as in the geographic area of the Township of North Kawartha.

Whereas Zoning By-Law #26-2013 as otherwise amended, was passed under the authority of a predecessor of Section 34 of the Planning Act, R.S.O. 1990, Chap. P. 13, as amended.

And Whereas the matters herein are in conformity with the provisions of the Official Plan of the County of Peterborough as approved by the Ministry of Municipal Affairs and Housing;

And Whereas the Council of the Corporation of the Township of North Kawartha conducted a public hearing in regard to this application, as required by Section 34(12) of the Planning Act, R.S. O. 1990, Chap. P. 13, as amended.

And Whereas the Council of the Corporation of the Township of North Kawartha deems it advisable to amend Zoning By-law 26-2013 as otherwise amended, with respect to the above described lands, and under the provisions of the Planning Act has the authority to do so.

Now Therefore the Council of the Corporation of the Township of North Kawartha do hereby enact as follows:

1. This is a text amendment, there is no Schedule attached to this amendment.
2. Section 2 – Definitions is hereby amended as follows:
 - a) By adding the following definition, immediately following subsection 2.161, which shall read as follows:

2.161a Shipping Container
Means any new and/or used container as originally manufactured and unmodified, and designed for the shipping of goods by means of rail, truck or by sea that is strong enough to be suitable for repeated use and includes intermodal shipping containers. A van trailer or a semi-trailer is not considered a shipping container.

b) By adding the following to 2.60, as item d):

For **shipping containers**, “existing” means lawfully **existing** as of the date of passing of By-law No. 2021-0096 (November 2, 2021).

3. Section 3 - General Provisions – is hereby amended by adding the words “shipping container” after “storage container” in both the third and seventh lines, in subsection Section 3.3(a), which shall subsequently read as follows:

The following uses shall be permitted in any portion of the Zoned area; A building or structure incidental to construction such as a **trailer**, storage container, **shipping container** and/or **tourist trailer**, on the lot where such building or structure is situated, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned; but in no case shall the length of time exceed 12 months. For the purpose of this provision, any trailer, storage container, **shipping container** or tourist trailer shall comply with the setback requirements of this zoning by-law for a dwelling or principal use.

4. Section 3 – General Provisions – is hereby amended by the addition of a new subsection to Section 3.25, which shall read as follows:

a) Shipping Containers

- i) Where permitted by this Bylaw, a shipping container shall be deemed as an accessory building and shall comply with the requirements of the Ontario Building Code and shall require a building permit.
- ii) Stacking shall not be permitted.
- iii) A shipping container shall be used for storage purposes and not for display, advertising, screening or fencing.
- iv) Nothing in this By-law shall prevent the use of a shipping container as a building material for the construction of a **dwelling house** or **accessory building**, provided that such use is in accordance with the Ontario Building Code. A shipping container used for the construction of principal **dwelling house** or **accessory building** shall not count towards the maximum number of shipping containers permitted on a property.
- v) The following maximum number of shipping containers, and special provisions, shall be permitted as an accessory structure to a principal use:

A maximum of three (3) in the General Industrial (M) Zone, Aggregate Resource (MA) Zone, and the Disposal Industrial (MD) Zone.

A maximum of two (2) in the General Commercial (C) Zone and Service Commercial (CH) Zone, which shall not be located in the front yard.

A maximum of two (2) in the Rural (RU) Zone and a maximum of one (1) in the Rural Residential (RR) Zone and which shall be screened from view by a fence or landscape plantings.

- vii) Notwithstanding 3.25 a) vi) a maximum of one (1) shipping container may be allowed in the Rural (RU) Zone without a principal use, provided it is screened from view by a fence or landscape plantings.

All other provisions in all other respects as set out in the General Provisions and the Provisions of the Zone shall apply and be complied with as identified in By-Law No. 26-2013.

That this by-law shall come into force and effect on the day it is passed by the Council of the Corporation of the Township of North Kawartha, subject to the applicable provisions of the Planning Act, Statutes of Ontario, 1990 Chap. P. 13, as amended.

Read a first, second and third time and passed in open Council on the 2nd day of November, 2021.



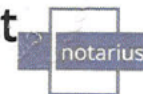
Signed by Carolyn Amyotte (2021/11/03)
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Carolyn Amyotte, Mayor

Connie Parent

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Connie Parent, Clerk