



ZONING BY-LAW

A Zoning By-law is a legal document that regulates the use of land within the Municipality. The By-law states what each parcel of land can be used for, where and what types of buildings or structures may be located on the land and the requirements of lot sizes, parking lots, building heights and setbacks, etc. The Zoning By-law must conform with Peterborough County's Official Plan.

Zoning By-law Amendments

Sometimes it is necessary to amend the Zoning By-law if the zoning on your property does not permit a proposed development

On May 16, 2017, Council passed By-law 2017-049 imposing a mandatory consultation with the Township's Planning Department prior to formal submission of any planning application for which the Township is the Approval Authority. The Request for Pre-consultation- Zoning By-law Amendments and Site Plan Application must be completed and a meeting scheduled with the Township's Junior Planner prior to a Zoning By-Law Amendment Application or for a Site Plan Approval Application being submitted for processing.

FEES: Municipal Application Fee \$1500.00**

For amended application and recirculation \$1125.00**

*****While every effort is made to ensure that the application fee covers all costs of processing the application, the Applicant will be responsible for any additional fees that may be required by any other agency for the review of planning and development proposals and/or any additional applications for providing related approvals and services.***

If you require any assistance or information with respect to completing this application you may contact:

Eric Rempel
Junior Planner
Ext. 265

e.rempel@northkawartha.ca

Ph: 705-656-4445

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Fax: 705-656-4446

Please return your completed application and payment to:

The Township of North Kawartha
280 Burleigh Street
Box 550
Apsley, ON K0L 1A0

Instructions for completing an Amendment to the Restricted Area (Zoning By-law):

1. It is required that a completed copy of this application and sketches be filed with the Clerk of the Corporation of the Township of North Kawartha, together with the sketch showing existing uses of subject land, accompanied by a fee of \$1500.00 in cash, debit card or by cheque made payable to the Township of North Kawartha.
2. This application must be accompanied by a plan showing the dimensions of the subject land and of all abutting land and showing the location, size and type of all buildings and structures on the subject and abutting land. The Planning Advisory Committee may require that the plan be signed by an Ontario Land Surveyor.

Applicant's interest in land (must be owner, authorized agent or prospective buyer). If prospective buyer or agent for buyer, a verified copy of Offer to Purchase must be submitted with letter of authorization from registered owner. An accompanying letter of authorization from property owner for agent/applicant to act on behalf of owner is required.

The undersigned hereby applies to the Council for the Corporation of the Township of North Kawartha under section 34 of the Planning Act, as amended, for relief from the applicable zoning by-law as amended.

Procedures

Processing of your application will take a minimum of 90 days upon receipt of a complete application, including all information that is required and assuming no complications arise.

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Upon submitting an Application for a Zoning By-law Amendment, the municipality suggests that the Applicant contact all neighbours of the subject land, relevant Ministries and other agencies to inform them of your plans.

Upon receipt of a complete Application for an Amendment to the Zoning By-law, your application will be forwarded to the Township Planner for processing.

A Public Meeting shall be scheduled, under the regulations of the Planning Act, after the application has been **deemed complete** by the Township Planner and the Township Planning Department.

The Planning Act prescribes that a **Notice of the Public Meeting** shall be given **at least 20 days before the day of the Meeting** by prepaid first class mail to all property owners within 120 metres of the subject property and to the appropriate agencies. It is also required to post a Notice of Public Meeting on the subject property.

The Public Meeting will be held in the Council Chambers of the Municipal Building. It is recommended that the applicant attend the meeting or have someone else represent you.

All written submissions will be presented at the Public Meeting. Anyone in attendance will be given the opportunity to speak in support of or in opposition to the proposed Zoning By-law Amendment. If there is no opposition to the Zoning By-law Amendment submitted at the time of the Public Meeting then Council may pass the By-law later in the meeting or at a subsequent meeting of Council.

There is a **20 day appeal period from the date of the Notice of Passing being mailed**. Only the applicant or a person or public body who, before the By-law was passed, made oral submissions at a public meeting or written submissions to council may appeal the By-law to the Ontario Municipal Board.
(If Council refuses or neglects to make a decision on the By-law within 120 days the applicant may appeal to the Ontario Municipal Board.)

If no appeal is received within the 20 day appeal period, the By-law becomes effective on the date of passage.

Holding Provision

Sometimes Council imposes a Holding Provision on a parcel of land to prevent or limit the use of the land. This is done to allow for the orderly phasing of development of the land, to ensure and to allow for the implementation of special design features.

A Holding Provision will not be removed from the parcel of land until all necessary agreements have been registered on title, the conditions of the draft plan approval have been met and all the objectives of the Holding Provision have been met.

Removal of Holding Provision

When a property owner wishes to remove the Holding Provision from a parcel of land, he must make application to do so, using the same application form that is required for a Zone Amendment. The fee for removal is \$500.00. While legislation is silent on the number of days and the area required for notification, the Municipality utilizes a process similar to Zone Amendments to determine a circulation list and provides reasonable notice. Also a number of Public Agencies are notified. A Public Meeting will be held as soon as is reasonably possible and at Council's discretion anyone in attendance will be given the opportunity to speak in support or in opposition to the application. All written submissions will also be heard at this meeting. If there is no opposition submitted at the time of the Public Meeting, Council may pass the By-Law to remove the Holding Provision later in the meeting or at a subsequent meeting. There is no appeal period for this by-law and the property owner, applicant and agent will be notified in writing of Council's decision.

Temporary Use

A Temporary Use is a By-law passed by the Council to allow a temporary use of land, buildings or structure for a limited time, which is otherwise prohibited by the Zoning Bylaw.

The time period that the Temporary Use is allotted will be set out in the Temporary Use By-law but will not exceed 3 years. Additional 3 year extensions may be granted by Council upon the receipt and processing of a further application. When the Temporary Use By-law expires the continued use of the land; building or structure must conform to the original By-laws of the Municipality and may not be used for what the Temporary Use By-law permitted.

***** The information contained in this document is general in nature - for more specific information please contact the Building/Planning Department.**