

The Corporation of the Township of North Kawartha

By-Law 2021-##

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. The areas affected by this By-law include all lands within the General Commercial Zone (C), Service Commercial Zone (CH), the Shoreline Commercial Zone (CS), Rural Zone (RU), General Industrial Zone (M), Aggregate Resource Zone (MA), and the Disposal Industrial Zone (MD). As such, there is no schedule attached to this amendment.
2. Section 2.161a – Definition of “Shipping Container” – is hereby amended by the addition of the following subsections, immediately following subsection 2.161, which shall read as follows:

2.161a Shipping Container
Means any new and/or used container 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.

3. Section 3 - General Provisions – is hereby amended by the rewording subsection Section 3.3(a), which shall 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 of Bylaw 26-2013 is hereby amended by adding the following to Section 3.1(p) – Shipping Containers, which shall read as follows:

Shipping containers are considered as permitted accessory structures in the following zones: General Commercial Zone (C), Service Commercial Zone (CH), the Shoreline Commercial Zone (CS), General Industrial Zone (M), Aggregate Resource Zone (MA), the Disposal Industrial Zone (MD) and the Rural Zone (RU). Shipping containers shall not be allowed in any other zone unless in accordance with Section 3.3(a)

Notwithstanding Section 3.1(p), a maximum of one (1) shipping container may be allowed in the Rural Zone (RU) on a parcel 100 acres or greater without a principal use.

Notwithstanding Section 3.1(p), a shipping container is permitted in the driveway or in a side yard of a residential property for moving and minor renovation for a maximum of 60 days in any calendar year provided:

- i) The shipping container does not exceed a maximum height of 3 meters (9.8 feet) and a maximum length of 6.1 meters (20 feet);
- ii) The shipping container is not located in any sight triangle; and
- iii) The shipping container is not located in any required parking space.

5. Section 3 – General Provisions – is hereby amended by the addition of a new subsection 3.26 – Shipping containers, immediately following Section 3.25, which shall read as follows:

- a) For the purposes of this by-law, a shipping container shall be treated as an accessory building and shall comply with the requirements of the Ontario Building Code and require a building permit.
- b) A shipping container shall be used for storage purposes and not for display, advertising, screening or fencing.

- c) A shipping container is permitted to be used as a building material for the construction of residential dwelling, provided that such use of a shipping container is in accordance with the Ontario Building Code. A shipping container used as a building material for the construction of residential dwelling shall not be considered as an accessory building, and shall not count towards the maximum number of shipping containers allowed on a property.

- d) Commercial Zones
 - i) A maximum of two (2) shipping containers will be permitted accessory to a principal use in the General Commercial Zone (C), Service Commercial Zone (CH), and the Shoreline Commercial Zone (CS).
 - ii) Shall be maintained in good condition, free of rust, and painted to remove any markings and/or labels.
 - iii) Must not be located in front yard.
 - iv) Stacking shall not be permitted.

- e) Rural Zone
 - i) A maximum of one shipping container per 2.5 hectares of lot area not exceeding a total of two (2) shipping containers.
 - ii) Shall be maintained in good condition, free of rust, and painted to remove any markings and/or labels.
 - iii) Must be screened from view.
 - iv) Located in the rear yard only.
 - v) Must be located behind existing buildings or structures.
 - vi) Stacking shall not be permitted.

- f) Industrial Zones
 - i) A maximum of three (3) shipping containers will be permitted accessory to a principal use in the General Industrial Zone (M), Aggregate Resource Zone (MA), and the Disposal Industrial Zone (MD).
 - ii) Shall be maintained in good condition, free of rust, and painted to remove any markings and/or labels.
 - iii) Stacking shall not be permitted.

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 ### day of ###, 2021.