



The Corporation of the Township of
NORTH KAWARTHA

P.O. Box 550, 280 Burleigh Street
Apsley, Ontario K0L 1A0
(705) 656-4445 or 1-800-755-6931
(ext. 265) Fax: (705) 656-4446
l.stone@northkawartha.on.ca
www.northkawartha.on.ca
www.facebook.com/NorthKawartha

PLEASE NOTE

Information to Applicants

It is required that all applicants make an appointment with the Building Department when submitting an Application for an Amendment to the Restricted Area (Zoning By-law) or an Application for a Minor Variance. This is required so that all submissions can be reviewed to ensure they are complete. **Incomplete applications will not be accepted.**

Applications must be completely filled in using dark blue or black ink only or typed – **do not use pencil**. The original copy of the application must be submitted to the Township. **A complete site (location) plan must be included with your application.** Requirements for the site (location) plan are included within the application.

Once the application has been deemed complete, the application can be accepted and commissioned as required.

To arrange an appointment, please contact Laura Stone at Ext. 265,
l.stone@northkawartha.on.ca

Thanking you in advance for your co-operation.

Please note: If your property is located in the Chandos ward and is within the jurisdiction of the Crowe Valley Conservation Authority (CVCA), notice of your application will be forwarded to their office for their review and comments. They charge a fee for reviewing planning applications and they will collect it directly from you by mailing you an invoice. For further details, they can be contacted at: 70 Hughes Lane, Marmora, ON, K0K 2M0, www.crowvalley.com, Phone: 613-472-3137, Fax: 613-472-5516



The Township of North Kawartha

Please find following 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 referred to in Question 26, accompanied by a fee of \$1,500.00 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 as required within Question 26 of the application. The Planning Advisory Committee may require that the plan be signed by an Ontario Land Surveyor.
3. Questions about the application and collection of personal information should be directed to:

Clerk
The Corporation of the Township of
North Kawartha
P. O. Box 550, 280 Burleigh Street
Apsley, ON K0L 1A0

(705) 656-4445 or 1-800-755-6931
(705) 656-4446 (Fax)
email: c.parent@northkawartha.on.ca

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.

- *Please be advised that the applicant is 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.*
- *Any information which is submitted in support of this application, either at the time of submitting the application or at the Public Hearing, must remain as part of the file and will not be returned to the Applicant or his Agent.*

**THE CORPORATION OF THE TOWNSHIP OF
NORTH KAWARTHA**

APPLICATION FOR AN AMENDMENT TO THE RESTRICTED AREA (ZONING) BY-LAW

Pursuant to Section 34 of The Planning Act, Revised Statutes of Ontario, 1990, Chap. P.13, and amendments thereto, I/We submit an application for an amendment to the Restricted Area (Zoning) By-Law in force with respect to the subject lands along with a fee in the amount of \$1,500.00.

153602000311500

Assessment Roll #

TO BE COMPLETED BY APPLICANT:

1. (a) Name of Owner 2293040 Ontario Inc.

Telephone No. _____

Address _____

(b) Name of Applicant (if other than Owner) EcoVue Consulting Services Inc. c/o Heather Sadler

Telephone No. (705) 876-8340 hsadler@ecovueconsulting.com

Address 311 George Street N. Suite 200

Peterborough, ON K9J 3H3

(c) Name of Agent (if other than Owner) Richard Taylor

Telephone No. (705) 876-7791

Address 193 Dalhousie Street

Peterborough, ON K9J 2M1

2. Names and addresses of any mortgage holders, charges or other encumbrances:

Instrument #PE254223 TD Canada Trust. Registered September 20, 2016

3. Current designation of the subject lands:

(a) County Official Plan designation Rural and Recreational Commercial

(b) Township Official Plan designation Rural

4. Current Zoning of the subject lands Rural

5. Nature and extent of the rezoning requested.

The proposed zoning is Rural Residential, with separate zones for open space and environmental features. Please refer to Planning Justification Report for more details.

6. The reason why the rezoning is requested.

To permit the proposed Plan of Condominium. Please refer to the Planning Justification Report for more details.

7. Description of the subject land (such as municipality, lot and concession, registered plan and lot numbers, reference plan and part numbers, civic address (911 #) or other legal description)

Part of Lots 3 and 4, Concession 11 – Burleigh Ward, Township of North Kawartha, County of Peterborough.

8. Dimensions of the subject lands:

Frontage ~ 298 m

Depth ~731.36 m

Area ~ 28.8 hectares (71.2 acres)

9. Access to the subject land is by:

a provincial highway _____

municipal road that is maintained all year or seasonally Cheboutequion Drive

other public road (ie. County) County Road 56

private road _____ fire routes

right-of-way _____ water _____

10. If access to the subject land is by water only, the parking and docking facilities used or to be used and the approximate distance between these facilities from the subject land and the nearest public road.

11. Existing uses of the subject land.

Until recently the subject lands were used as Pilgrim's Rest Campground. The campground closed
in 2016. Please see Planning Justification Report for more details.

12. Existing buildings or structures on the subject land.

Picnic Shelter, 24 Docks

13. Please describe the type of buildings or structures on the subject land; the setback from the front, rear and side lot lines; height in metres of the buildings or structures; and dimensions or floor area of the buildings or structures

Existing: _____

14. Proposed uses of the subject land.

The proposed plan of vacant land condominium is comprised of 30 single detached units for seasonal residential uses. Please see Planning Justification Report for more details

15. Proposed buildings or structures to be built on the subject land.

Single Detached Dwellings

16. Please describe the type of proposed buildings or structures on the subject land; the proposed setback from the front, rear and side lot lines; proposed height in metres of the buildings or structures; and proposed dimensions or proposed floor area of the buildings or structures

Please see Planning Justification Report and proposed Zoning

17. Date the subject land was acquired by the current owner.

2011

18. Date(s) the existing buildings or structures on the subject land were constructed.

19. Length of time the existing uses of the subject land have continued.

20. Water supply:

- (a) Private owned and operated individual or communal well X
- (b) a lake or other water body _____
- (c) or other means _____

21. Sewage or individual septic system is provided to the subject land by a private or individual communal septic system, a privy or other means.

Private Individual sewage system. Please see Planning Justification Report and Hydrogeologic
Report for more information.

22. Storm drainage is provided by

- Sewers _____ Swales _____
- Ditches X Other means _____

23. Is the subject land under application under the Planning Act for approval of a plan of subdivision or a consent.

Yes X No _____

24. If yes to above, the file number of the application and the status of the application.

Submitted concurrently

25. Whether the subject land has been the subject of an application under Section 34 of the Planning Act.

Yes _____ No _____ Unknown X

If the answer is yes, describe briefly:

26. **It is mandatory that a location plan showing the following accompany this application:**

- (i) The boundaries and dimensions of the subject land.
- (ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings and structures from the front, rear and side yard lot lines.
- (iii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- (iv) The current uses on land that is adjacent to the subject land.
- (v) The location, width and name of any roads within or abutting the subject land,
 - (a) unopened road allowance
 - (b) public travelled road _____
 - (c) private road or right of way _____
- (vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used (an agreement with the registered owner of the property for parking and docking facilities is to be provided).
- (vii) The location and nature of any easement affecting the subject land (ie. Ontario Hydro, Bell Canada access roads or driveways).

27. I hereby give permission for staff and/or Committee Members to visit the site for inspection.

YES X

NO _____

28. I/We enclose the fee of \$1,500.00 which is not refundable and agree to pay such further and other related planning costs and expenses and may be incurred by the Corporation of the Township of North Kawartha in processing my/our request herein and without limiting the foregoing the applicant will be responsible for any costs incurred by the Municipality as a result of an appeal to the Ontario Municipal Board and/or an Ontario Municipal Board hearing. The application fee shall be paid for by cash, debit card or cheque payable to the Township of North Kawartha and must accompany the application.

29. Solemn declaration:

I / We , _____ of the _____
of _____ in the _____ of _____

solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the _____ of _____
in the _____ of _____
this _____ day of _____ A.D. 20_____.

A Commissioner, etc.

Applicant

Personal information is collected under the authority of the Planning Act, RSO, 1990, Chap P.13 and Regulations thereunder and will be used for the verification of property ownership and circulation purposes.

**THE CORPORATION OF THE
TOWNSHIP OF NORTH KAWARTHA**

BY-LAW NO. _____

BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P.13, AS AMENDED, TO AMEND ZONING BY-LAW NO. 26-2013, AS OTHERWISE AMENDED, OF THE CORPORATION OF THE TOWNSHIP OF NORTH KAWARTHA, WITH RESPECT TO CERTAIN LANDS DESCRIBED AS PART LOTS 3 AND 4, CONCESSION 11 THE FORMER GEOGRAPHIC TOWNSHIP OF BURLEIGH (SOUTH).

WHEREAS Zoning By-law No. 26-2013, as amended, was passed under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS the Council of the Township of North Kawartha has received an application to amend By-law No. 26-2013, as amended, to rezone certain lands located in Part of Lot 4, Concession 10 of the geographic Township of Burleigh (South) to allow for the development of a 30-unit vacant land plan of condominium including community recreation/administration and shoreline access facilities, open space areas, and accessory uses;

AND WHEREAS the Council of the Corporation of the Township of North Kawartha has reviewed the proposed development of the lands and proposed uses and now deems it advisable to further amend By-law No. 26-2013, as amended;

AND WHEREAS the matters as set out in this By-law are in conformity with the Official Plan of the County of Peterborough Official Plan – Local Component.

NOW THEREFORE, the Council of the Corporation of the Township of North Kawartha hereby enact as follows:

1. That Schedule 'A1' of By-law No. 26-2013, as amended, is hereby further amended by changing the zone category of certain lands comprising Part Lots 3 and 4, Concession 11 of the geographic Township of Burleigh (South) in the Township of North Kawartha from the:
 - *Rural (RU) Zone* to the *Shoreline Residential - *** (SR-**) Zone*
 - *Rural (RU) Zone* to the *Major Recreational Open Space *** (OS-***) Zone*
 - *Rural (RU) Zone* to the *'Environmental Constraint *** (EC- ***) Zone'*
 - *Shoreline Residential Island (SRI)* to the *'Major Recreational Open Space *** (OS-***) Zone*

- *PSW Zone to the Major Recreational Open Space *** (OS-***) Zone*

all in accordance with Schedule 'A' attached hereto and forming part of this By-law.

2. That Section 6.0 (SHORELINE RESIDENTIAL ZONE) of By-law No. 26-2013, as amended, shall be further amended by the addition of a new sub-section, namely 6.*, which shall read as follows:

6.*. Shoreline Residential *** (SR-***) Zone**

Notwithstanding any other provisions of By-law No.26-2013, as amended, to the contrary as they apply to the 'Shoreline Residential (SR) Zone', the following provisions shall apply to lands zoned 'Shoreline Residential *** (SR - ***) Zone':

- (a) A common element roadway forming part of an approved Plan of Condominium shall be considered as a 'Street' and the limit of the common element roadway shall be deemed to be the front or side lot line.,
- (b) A 'Lot' may include a conveyable parcel of land forming a condominium unit within an approved vacant land or common element Plan of Condominium.

6.*.1 Permitted Uses

No person shall within any 'Shoreline Residential*** (SR - ***) Zone' use any land or erect, alter, locate or use any buildings or structure for any purpose except one or more of the following uses:

(a) Residential Uses:

- a recreational dwelling house

(b) Accessory Uses:

- a garage
- an accessory building
- a home occupation; save and except that a bed and breakfast establishment shall not be permitted

- a bunkhouse

(c) Uses Not Permitted:

- a marine facility

6.*.2 Zone Provisions

No person shall within any 'Shoreline Residential *** (SR- ***) Zone' use any land or erect, alter, locate or use any building or structure except in accordance with the following provisions:

1. Lot Area (minimum) 0.4 ha
 2. Lot Frontage (minimum): 30 m
 3. All new development and sewage system leaching beds shall be setback at least 30 metres (100 feet) from the ordinary high water marks of Stoney Lake and Jack Creek, measured at right angles to high water mark or property boundary to the nearest part of any building or structure.
 4. All new development and sewage system leaching beds shall be setback at least 15 metres from the EC*** Zone, measured at right angles to high water mark or property boundary to the nearest part of any building or structure..
3. That Section 15.0 (MAJOR RECREATION OPEN SPACE ZONE) of By-law No. 26-2013, as amended, shall be further amended by the addition of a new subsection, namely 15.*, which shall read as follows:

15.* MAJOR RECREATION OPEN SPACE * (OS-**) ZONE**

Notwithstanding any other provision of By-law No. 26-2013, as amended to the contrary, the following provisions shall apply to lands zoned 'Major Recreation Open Space *** (OS***) Zone':

“Shoreline Access Facility” means the use of land or a structure which is intended to permit or facilitate access to the water from the

shoreline and includes, unless otherwise restricted, a boat launching ramp, boat docks, a beach or swimming area, a *shade/rain shelter*, an area for vehicle access and turning of vehicles, but shall not include a boathouse or marina use as defined herein, and,

A **Rain/Shade Shelter**” means a wooden pavilion or gazebo-like structure with platform floor, covering roof and open or screened/glassed sides, which is used or intended to be used for temporary protection from sun or rain.

15.*.1 Permitted Uses

No person shall within any ‘Major Recreation Open Space *** (OS-***) Zone’ use any land or erect, alter, or locate any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses:

- dwellings and habitable uses shall not be permitted

(b) Non-Residential Uses

- private park associated with the SR-*** Zone
- shoreline access facility

4. That Section 15.0 (MAJOR RECREATION OPEN SPACE ZONE) of By-law No. 26-2013, as amended, shall be further amended by the addition of a new subsection, namely 15.*, which shall read as follows:

15.* MAJOR RECREATION OPEN SPACE * (OS-***) ZONE**

Notwithstanding any other provision of By-law No. 26-2013, as amended to the contrary, the following provisions shall apply to lands zoned ‘Major Recreation Open Space *** (OS***) Zone’:

No development or site alteration is permitted.

5. That Section 16.0 (ENVIRONMENTAL CONSTRAINT ZONE) of By-law No. 26-2013, as amended, shall be further amended by the addition of a new subsection, namely 16.*, which shall read as follows:

16.* ENVIRONMENTAL CONSTRAINT * (EC ***) ZONE**

Notwithstanding any other provision of By-law No. 26-2013, as amended to the contrary, the following provisions shall apply to lands zoned 'Environmental Constraint *** (EC ***) Zone':

For the purposes of any 'Environmental Constraint *** (EC-***), "**Conservation Use**" means the use of land for a comprehensive management and maintenance program whose goal is the preservation, protection and improvement of the components of the natural environment.

16.*.1. Permitted Uses and Zone Provisions

No person shall within any 'Environmental Constraint *** (EC ***) Zone' use any land or erect, alter or locate any building or structure for any purpose except one or more of the following uses:

- (a) A conservation use, not including a building or structure
- (b) A street crossing, as shown on Schedule "A" to this By-law

6. DEVELOPMENT HOLDING PROVISIONS

Where the zone symbol shown on Schedule 'A' to this By-law is followed by a Holding Symbol denoted 'H', no person shall use such lands, or erect, alter or use any building or structure thereon for any purpose permitted by this by-law except for each use existing at the time of passing of this by-law, until such time as the Holding Symbol is removed by Council by a by-law passed under Section 36 of the *Planning Act*, R.S.O 1990, as amended, only at such time as the following conditions have been satisfied:

- (a) A condominium agreement between the property owner and the Municipality is executed and registered on title;
- (b) The final plan of condominium is approved and registered;

(c) An application under Section 41 of the *Planning Act*, R.S.O 1990, as amended, has been submitted to the Township and site plan approval has been issued by the Township.”

If no notice of objection is filed with the Clerk within the time provided, this By-law shall become effective on the date of passing.

If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

READ a **FIRST, SECOND** and **THIRD TIME** and **FINALLY** passed this ____ day of _____ 20__ and given By-law No. _____

MAYOR

CLERK

