

**BY-LAW NO. 0496/2017
BEING A ZONING BY-LAW AMENDMENT
TO BY-LAW NO. 0212/2006**

**AFFECTING ALL LANDS IN THE
TOWNSHIP OF ADDINGTON HIGHLANDS**

Prepared by:

IBI GROUP

650 Dalton Avenue
Kingston, Ontario
K7M 8N7

Project No. 109929

TOWNSHIP OF ADDINGTON HIGHLANDS

EXPLANATORY NOTE

TO BY-LAW NUMBER 0496/2017

PURPOSE OF THE BY-LAW

The Township wishes to consider changes to Section 4.7.1 Setbacks from Waterbodies in Zoning By-law 0212/2006.

Section 4.7.1.ii. of the by-law requires that all buildings and structures be set back a minimum of 300 metres from the high water mark of the following highly sensitive lake trout lakes: Ashby, Ashden (Ashby White), Barnard, Buckshot, Crystal, Effingham, Fox, Grimsthorpe, Joeperry, Long Mallory, Rainy, Weslemkoon, and Simpson lakes. Unless an existing lot of record on any of the lakes noted above is undersized in lot area and/or lot frontage and therefore qualifies for the exemption outlined in Section 4.6 of the by-law, the 300 metres setback applies to all buildings and structures. This is inconsistent with the Official Plan policies that specify that for existing lots of record on highly sensitive lake trout lakes a minimum 30 metre setback should be applied. The by-law will amend the minimum required setback for all existing lots of record from 300 metres to 30 metres.

EFFECT OF THE BY-LAW REQUEST

The amendment to the setback provisions from highly sensitive lake trout lakes will allow buildings and structures to be located a minimum of 30 metres from the high water mark of such lakes on existing lots of record.

LOCATION OF PROPERTY

This update to the Zoning By-law will affect lands throughout the Township of Addington Highlands, therefore no key map is provided.

TOWNSHIP OF ADDINGTON HIGHLANDS

BY-LAW NUMBER 0496/2017

BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 0212/2006

WHEREAS the Council of the Corporation of the Township of Addington Highlands intends to amend Zoning By-law No. 0212/2006 to permit buildings and structures to be located a minimum of 30 metres from the high water mark of highly sensitive lake trout lakes on existing lots of record;

AND WHEREAS the Council of the Corporation of the Township of Addington Highlands having given due consideration to the need to proceed with such changes, considers it reasonable to amend By-law 0212/2006;

NOW THEREFORE the Council of the Corporation of the Township of Addington Highlands enacts as follows:

1. **THAT** Section 4.7.1(ii) Setbacks from Waterbodies of the Zoning By-law is hereby repealed and replaced with the following:

On lots created since the date of passing of this By-law, all buildings and structures, including septic tank disposal systems and tile fields, and non-naturally occurring landscaped open space shall be setback a minimum of 300 metres from the high water mark of Ashby, Ashden (Ashby White), Bernard, Buckshot, Crystal, Effingham, Fox, Grimsthorpe, Joeperry, Long Mallory, Rainy, Weslemkoon, and Simpson lakes.

Notwithstanding the above, on a lot that existed as of the date of passing of this By-law, all buildings and structures, including septic tank disposal systems and tile fields, and non-naturally occurring landscaped open space shall be setback a minimum of 30 metres from the high water mark of Ashby, Ashden (Ashby White), Bernard, Buckshot, Crystal, Effingham, Fox, Grimsthorpe, Joeperry, Long Mallory, Rainy, Weslemkoon, and Simpson lakes. This applies even where such existing lots have been altered in size of shape through a Consent (lot addition) application.

2. **THIS** By-law shall come into force and take effect on its date of passing, subject to the provisions and subsections 34(30) and (31) of the Planning Act, R.S.O. 1990, c.P.13, as amended, in the event a notice of appeal of this by-law is filed in accordance with subsection 34 (19) of the Act.

Read a first and second time this 19th day of June 2017

Read this third time and passed this 19th day of June 2017


Reeve


Clerk