

THE CORPORATION of the  
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN

P.O. Box 10, 1 Ottawa Street East  
Havelock, ON K0L 1Z0

FORM 1

THE PLANNING ACT, R.S.O., 1990, as amended

NOTICE OF PASSING  
OF A ZONING BY-LAW  
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN

TAKE NOTICE that the Council of the Corporation of the Township of Havelock-Belmont-Methuen passed By-law No. ~~2009-17~~ on the 1<sup>st</sup> day of December, 2009 under Section 34 of the Planning Act, R.S.O., 1990.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Township of Havelock-Belmont-Methuen not later than the 4<sup>th</sup> day of January, 2010 a notice of appeal setting out the reasons for the objection to the By-law and reasons in support of the objection to the By-law and reasons in support of the objection. The notice of appeal must be accompanied by a cheque for \$125.00 made payable to the Minister of Finance.

Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies are attached. The complete By-law is available for inspection in the municipal office during regular office hours.

*TOO BAD NOT ON  
WEB SITE !!*

Dated at the Township of Havelock-Belmont-Methuen this 10<sup>th</sup> day of December, 2009.



Mr. Glenn Girven  
Clerk  
Township of Havelock-Belmont-Methuen  
P.O. Box 10, 1 Ottawa Street East  
Havelock, ON K0L 1Z0  
(705) 778-2308  
(705) 778-5248 (fax)

EXPLANATORY NOTE

1. By-law No. 2009-97 has the following purpose and effect.

The purpose and effect of the proposed zoning by-law amendment is to introduce new or revised regulations for boathouses and yard encroachments.

2. A key map has not been provided as the proposed zoning by-law amendment is considered to have general applicability to all lands within the Township of Havelock-Belmont-Methuen.

WHAT ABOUT LAKE

THIS BYLAW PASSED BY H.B.M  
COUNCIL ALLOWED FOR  
861 SQ FT BOATHOUSE  
WHICH IS EQUIVALENT TO  
& CAR GARAGE TO BE  
BUILT ON LAKE 6 FT  
SET BACK FROM HIGH  
WATER MARK IMPACTING  
NATURAL BEAUTY OF LAKE  
& IN MANY CASES AFFECTING  
VIEWS OF NEIGHBORS  
- SUCH A PROPOSED BY LAW  
IS IN CONTRAVENTION OF  
IN EFFECT OFFICIAL PLAN  
POLICIES AND IN MY  
OPINION NOT GOOD  
PLANNING



THE CORPORATION OF THE  
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN

BY-LAW NO. 2009-97

BEING A BY-LAW TO AMEND BY-LAW NO. 1995-42, AS AMENDED, OTHERWISE KNOWN AS THE "THE TOWNSHIP OF HAVELOCK-BELMONT-METHUEN COMPREHENSIVE ZONING BY-LAW".

WHEREAS The Planning Act provides that Council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of Havelock-Belmont-Methuen deems it necessary and in the public interest to regulate the use of land in the Township;

AND WHEREAS the Council of the Corporation of the Township of Havelock-Belmont-Methuen deems it advisable to further amend By-law No. 1995-42, as amended, in order to modify certain provisions therein;

NOW THEREFORE, the Council of the Corporation of the Township of Havelock-Belmont-Methuen hereby enacts as follows:

- "1. Section 2 (DEFINITIONS) of Zoning By-law No. 1995-42, as amended, is hereby further amended by deleting the existing definition of "**BOATHOUSE**"; and replacing it with a new definition which shall read as follows:

**"BOATHOUSE OR BOAT PORT"** means a single storey detached accessory building or structure exclusively designed and intended to only be used to house, shelter, store or protect a boat or other form of water transportation and may include the storage of equipment strictly accessory and incidental to the use, repair and maintenance of such transportation, but shall not contain sleeping, cooking, plumbing, sanitary facilities nor human habitation and/or any other form of recreational activity.

2. Section 2 (DEFINITIONS) of Zoning By-law No. 1995-42, as amended, is hereby further amended by deleting the existing definition of "**DECK**"; and replacing it with a new definition which shall read as follows:

**"DECK"** means a structure designed and constructed to provide a finished floor area elevation above the ground, either cantilevered or supported on piers, which is attached to a main or principal building, free of any roof or other covering; and which may or may not be surrounded by a railing in accordance with the Ontario Building Code.

3. Section 2 (DEFINITIONS) of Zoning By-law No. 1995-42, as amended, is hereby further amended by inserting the word 'boat port' between the words 'lift' and 'or' in the second line of the definition "**MARINE FACILITY**".

4. Section 4 (GENERAL PROVISIONS) of Zoning By-law No. 1995-42, as amended, is hereby further amended by adding a new sub-section following sub-section 4.3 **BOARDING HOUSE**; namely 4.3A which shall read as follows:

**4.3A BOATHOUSES OR BOAT PORTS**

Notwithstanding any other provisions of this By-law to the contrary, where ownership of a lot extends to the high water mark, a boathouse or boat port may be erected in the yard abutting the high water mark in accordance with the following:

- (a) the minimum setback to a side lot line shall be 7.5 metres;  
*IN NORTH KAWARTHS 12.19 METERS*
- (b) the total building area of a boathouse or boat port shall not exceed ~~eighty square metres (80 m<sup>2</sup>)~~ *40 FT*; nor shall the width of the structure parallel to the shoreline exceed 10 m or 25% of the shoreline frontage, whichever is lesser.
- (c) there shall be no decks, patios, balconies or similar components attached or appurtenant to the structure;
- (d) a boathouse shall only feature a pitched roof design;
- (e) the height shall be measured from either the high water mark; or from the ground adjacent to the water yard in the case of an upland structure.

Notwithstanding any other provision of this By-law to the contrary, height shall be measured to the peak of the structure;

- (f) the maximum number of boathouses/boat ports permitted on a lot shall be one (1);
- (g) boathouses or boat ports or any portion thereof, which are located over reclaimed land or known lake/river beds, are considered to be beyond the jurisdiction of the Township; and therefore are not the subject of municipal regulations nor the issuance of a building permit. *NOT TRUE IN MY OPINION*

Notwithstanding, any boathouse or boat port attached to or otherwise having access from the shoreline shall comply with the foregoing provisions.

- 5.. Sub-section (b) of Section 4.42 (YARD AND SETBACK ENCROACHMENTS PERMITTED) of Zoning By-law No. 1995-42, as amended, is hereby further amended by deleting this sub-section in its entirety; and replacing it with a new sub-section which shall read as follows:

“(b) Decks, Porches and Balconies

Notwithstanding any yard and setback provisions of this By-law to the contrary, a deck, porch, or balcony, may project into any required minimum yard a maximum distance of 1.5 metres, save and except that such an encroachment into any minimum required side yard in the Residential Type 1 Zone (R1) shall not be permitted.”

6. Sub-section 4.42 (YARD AND SETBACK ENCROACHMENTS PERMITTED) of By-law No. 1995-42, as amended, is hereby further amended by renumbering (c) and (d) as (d) and (e) respectively; and introducing a new sub-section (c) which shall read as follows:

“(c) Exterior Stairs, Landings, and Fire Escapes

Notwithstanding any yard and setback provisions of this By-law to the contrary, exterior stairs, landings and fire escapes may project into any required minimum yard a maximum distance of 1.5 metres; save and except that such an encroachment into any minimum required side yard in the Residential Type 1 Zone (R1) shall not be permitted.”

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 1<sup>st</sup> day of December, 2009 and given By-law No. ~~2009-97~~.

  
\_\_\_\_\_  
REEVE

  
\_\_\_\_\_  
CLERK

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I, Glenn Given, Clerk of the Corporation of the Township of Havelock-Belmont-Methuen, do hereby certify that the foregoing is a true copy of By-law No. ~~2009-97~~... passed by Council of the said Corporation on the 1<sup>st</sup> day of December, 2009.

  
\_\_\_\_\_  
CLERK