

"7.2(o) Shoreline Building Enlargements:

The enlargement of main or accessory buildings into or further into the water setback, and towards the waterbody, than that which already exists is not permitted.

Notwithstanding Sections 3.16(a)(ii) and 3.27, existing main buildings situated within the water setback may be enlarged towards the side lot lines provided such final enlarged main building, including decks is not wider across the front than forty percent (40%) of the existing shoreline lot frontage to a maximum of 18.3 metres (60.0 feet). Applicable side yard requirements as stated for this zone must be complied with, provided however no building enlargement shall take place within 9.0 metres (29.5 feet) of the high water mark.

Notwithstanding Sections 3.16(a)(ii) and 3.27, new, open, attached decks and enlargements to existing decks will be permitted in the water setback up to a total finished maximum of 3.7 metres (12 feet) in depth. This total shall be inclusive of stairs and ramps, and shall be calculated from the main building line towards the water yard, provided however new, open attached decks and enlargements to existing decks will not be permitted within 9.0 metres (29.5 feet) of the high water mark.

For the purpose of this section, open decks shall not be supported by permanent walls or a foundation nor shall they have a permanent roof.

This section shall not apply to boathouses."

3. The Board allows the appeals of Ambrose Moran and the Jack's Lake Cottagers' Association and amends the By-law by deleting Section 8.2(o) in its entirety and replaces it with a new Section 8.2(o) (Exhibit 4) that reads:

"8.2(o) Shoreline Building Enlargements:

The enlargement of main or accessory buildings into or further into the water setback, and towards the waterbody, than that which already exists is not permitted.

Notwithstanding Sections 3.16(a)(ii) and 3.27, existing main buildings situated within the water setback may be enlarged towards the side lot lines provided such final enlarged main building, including decks is not wider across the front than forty percent (40%) of the existing shoreline lot frontage to a maximum of 18.3 metres (60.0 feet).

Applicable side yard requirements as stated for this zone must be complied with, provided however no building enlargement shall take place within 9.0 metres (29.5 feet) of the high water mark.

Notwithstanding Sections 3.16(a)(ii) and 3.27, new, open, attached decks and enlargements to existing decks will be permitted in the water setback up to a total finished maximum of 3.7 metres (12 feet) in depth. This total shall be inclusive of stairs and ramps, and shall be calculated from the main building line towards the water yard, provided however new, open attached decks and enlargements to existing decks will not be permitted within 9.0 metres (29.5 feet) of the high water mark.

For the purpose of this section, open decks shall not be supported by permanent walls or a foundation nor shall they have a permanent roof.

This section shall not apply to boathouses."

4. The Board allows the appeal in part and amends the by-law by deleting Section 2.134 in its entirety and replaces it with a new Section 2.134 (Exhibit 5) that reads:

"2.134 Private Cabin

Private Cabin" means a suite of not more than two (2) or more rooms having a ground floor area of less than 30.0 square metres (322.9 square feet), occupied by not more than one (1) family, but which contains no cooking facilities or sanitary facilities and is accessory to a permitted recreation dwelling house."

8. The Board allows the appeal in part and amends the by-law by deleting Section 3.1 (l)(v) in its entirety and replaces it with a new Section 3.1(l)(v) (Exhibit 6) that reads:

"3.1(1)(v) Setback from High Water Mark

Notwithstanding the water setback provisions of this By-law to the contrary, boathouses may have a 0 metre (0 foot) setback from the high water mark of a waterbody, except on Jack's Lake where boathouses shall be setback a minimum distance of 9.0 metres (29.5 feet) from the high water mark."

12. The Board allows the appeal in part and amends the by-law by deleting Section 3.27 in its entirety and replaces it with a new Section 3.27 (Exhibit 7) that reads:

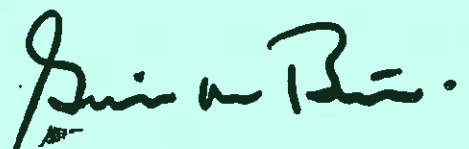
"3.27 Water Setbacks

No building or structure, other than a pump house, dock, or boathouse shall be closer than 21.33 metres (70 feet) to the high water mark of a waterbody.

Notwithstanding the above, stairs and landings which are intended to provide safe access to land near the water's edge, may be exempted from yard setbacks provided that such stairs are not more than 1.0 metres (3.3 feet) in width and such landings are not more than 1.52 metres (5 feet) by 1.22 metres (4 feet) in dimension."

The parts of the appeals of Ambrose Moran and the Jack's Lake Cottagers' Association referenced as Items 5, 6, 7, 9, 10 and 11 on Schedule "A" to this Order, having been withdrawn are hereby dismissed.

In all other respects, the appeals are dismissed.



ACTING SECRETARY

SUMMARY OF THOSE PORTIONS OF BY-LAW 66-1996 WHICH ARE NOT IN FULL FORCE AND EFFECT AND ARE UNDER APPEAL TO THE ONTARIO MUNICIPAL BOARD

- 1) The zoning designation of Environmental Constraint as it appears on Schedule "A" - Zone Maps, Map No. 3 being part of Lot 15, Concession 6, Township of Burleigh (Southern Division), Roll No. 001-655-10. Owner - Shirley Aitken.
- 2) Section 7.2(o) in its entirety.
- 3) Section 8.2(o) in its entirety.
- 4) The words "in which sanitary conveniences may be provided" as part of the definition of the words "Private Cabin" as found in Section 2.134.
- 5) "A private cabin" as a permitted use in Section 7.1(a) as it applies to the following lakes: Loucks, Cherry, Cox, Eels, Little Anstruther, Long, McGee, Stoplog, Sucker, Triangle.
- 6) "A private cabin" as a permitted use in Section 8.1(a) as it applies to the following lakes: Loucks, Cherry, Cox, Eels, Little Anstruther, Long, McGee, Stoplog, Sucker, Triangle.
- 7) Section 3.1(k) entitled "Swimming Pools" as it relates to Jack's Lake only.
- 8) Section 3.1(l)(v) which establishes a zero metre setback from the high water mark of a waterbody for a boat house as said section would relate to Jack's Lake only.
& SECTIONS 7.1(b) & 8.1(b) PERMITTING MARINE FACILITY (BOAT HOUSE) ON JACK'S LAKE
AM BLOUSE MORAN
- 9) Section 3.16(a) wherein the appellant seeks to delete the word "enlargement" in the third line from this section.
- 10) The zoning designation of Open Space on Schedule A Zone Maps - Map 6 as it relates to part of Lot 6 and part of Lot 7, Concession 15, Township of Burleigh (Northern Division) Roll No. 002-274-07. Owner - The Corporation of the Townships of Burleigh and Anstruther.
- 11) One appellant requests that a zoning designation of Water Open Space be made applicable to all waterbodies on Schedule "A" - zone maps together with the introduction of new text provisions to address said zoning. Waterbodies are currently not zoned.

12) One appellant requests the introduction of a new provision to be inserted to the by-law to provide for the construction of stairs or ramps within the 70 foot setback from the high water mark so as to provide a means of access to the water's edge for elevated properties.

13) Section 7.2(c) be deleted and rewritten as follows:

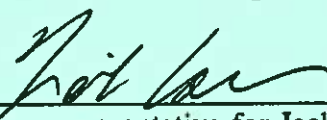
(c) Dwelling Houses Per Lot (maximum):

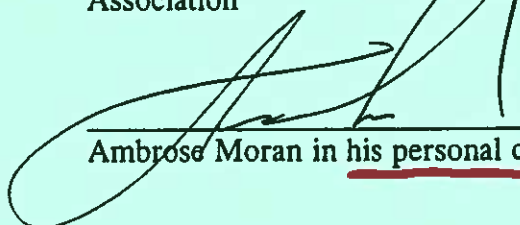
A recreation dwelling house or a permanent dwelling house pursuant to Section 7.2(q)

- 1 only

The undersigned parties confirm that they have reviewed the Summary of Appeals set forth above and confirm that the matters referred to the Board for a full hearing at a prehearing conference on May 23rd, 1997 are accurately set out therein. The parties further consent to the Ontario Municipal Board issuing an Order bringing the balance of the by-law which is not subject to appeal into full force and effect.




J. Michael Longworth, solicitor for Shirley Aitken

Neill Lanz representative for Jack's Lake Cottagers' Association

Ambrose Moran in his personal capacity

SEE 2070720 JS
20050 78 65

The Corporation of the Townships of Burleigh
& Anstruther

Per: 

W. Lorne Mitchell, Clerk-Treasurer

96-09-26

The Township of Burleigh Anstruther
Hand Delivered

Attention: Mrs. Pat Hall
Acting Clerk

**Re: Notice of Appeal, Bylaw 66-1996, Comprehensive Zoning Bylaw
Township of Burleigh and Anstruther, Peterborough County**

Further to Notice of Passing Bylaw dated the 6th day of September 1996, please consider this letter as Notice of Appeal under Section 34 of the Planning Act.

This zoning bylaw is intended to implement the township's official plan approved by the Ministry of Municipal Affairs on June 11, 1991. Further, it is my understanding that this zoning bylaw is **required to comply** with policies set out in the County of Peterborough Official Plan which was approved by the Ministry of Municipal Affairs on November 8, 1994.

The subject bylaw has been under development by the Township since **early 1990**. At least three public meetings have taken place and I have actively participated in the process making several submissions expressing concerns. Progressive versions of the draft bylaw have failed to address my stated concerns. The bylaw discussed at the July 1996 public hearing introduce further major relief from the existing zoning bylaw allowing for cottage development close to lakes which directly conflict with in-effect official plan policies in both the Township and County Official Plans.

Three planners have been involved in the development of this zoning bylaw. The Township has a current arrangement with Mr. Bryan Weir of the County of Peterborough Planning Department to finalize the zoning bylaw text only. The bulk of the document and initial schedules were produced by the firm Davenport and Associates. Unsatisfactory relationships with this firm lead to Council making another arrangement with a planner named Mr. Tom Robinson which also proved unsatisfactory. Council then arranged with Mr. Weir to finalize the text only but schedule amendments are being dealt with by township staff and a service arrangement with Davenport and Associates.

Mr. Weir has a **dual role** in this project. He is the Township Planner and also has a role as County Planner to review this bylaw for conformity with the Peterborough County upper tier official plan. This dual role eliminates an "**independent objective**" review regarding conformity of the local zoning bylaw to the upper tier official plan. The matter of conformity with both official plans has been raised in several submissions and remain a fundamental basis of this appeal.

At a township Planning Advisory Committee meeting held on August 20, 1996 to review submissions from the July 27th Public hearing for the new zoning bylaw, Reeve Lambe asked Mr. Weir directly “does the new zoning bylaw conform with the official plans”? Mr. Weir responded at length in a way that was unconvincing using language such as general conformity. At that point, Reeve Lambe through a motion directed Mr. Weir to write to me explaining that the new zoning bylaw does conform with the official plans. As of today, I have not received Mr. Weir’s explanation but have made arrangements for a professional planner to undertake an immediate review of his response when received. Discussion I have held with professional planners and other practitioners in the planning industry support my claims that the new zoning that directly conflicts with the in-effect policies in both the County and Township Official Plans.

It is extremely regrettable that concerns previously stated by myself and others have not been resolved without the need for this appeal. I am still anxious to discuss the following concerns with Council and their Planning Advisory Committee and Mr. Weir to find acceptable solutions while respecting the official plan policies and the provincial policy statement. Resolutions to all issues are unlikely. Bound by a written commitment by Council to the OMNR allowing for expansion of existing cottages on cold water lakes, it is unlikely that this matter can be resolved easily but opportunities may exist to find solutions to other items.

I am available and **anxious** to participate in finding solutions to my concerns attached to reduce the involvement of the OMB leading to both time and cost savings for all involved.

The attached list outlines my concerns at this time and please find enclosed the requisite check to the Receiver General of Ontario in the amount of \$125.00.

Ambrose Moran
P.O. Box 414
Apsley, Ontario
KOL 1A0
705 656 4824

General

- New zoning by-law directly contravenes both local and upper tier in-effect official plan policies
- The new zoning bylaw permits expansion of existing cottages, boathouses and decks close to waterbodies in conflict with both the Township and County Official Plan policies and the Provincial Policy Statement

Background

- Burleigh Anstruther township has several lakes, some of which have 66' shore road allowances owned by the township...some have been purchased by abutting landowners....many existing cottages have been constructed on the shore road allowances
- in 1991, OMNR announced that they would object the further sale of shore road allowances on cold water lakes unless the township had in place **appropriate controls** to regulate development..
- and for shore road allowances under the ownership /control of OMNR, expansion of cottages within the shore road allowances would be strictly controlled by only selling the building envelope area around the main building (sample illustration sketch #1)
- in Feb. 1994 Burleigh Anstruther Township Council passed an interim control bylaw 21-1994 under section 38 of the Planning Act which purported to regulate development. The bylaw in fact allowed for major expansions of structures within the shore road allowances. This was not the appropriate use of an interim control bylaw which provided for major **relief** from the township zoning bylaw.
- this interim control bylaw was **appealed** to the OMB by the Anstruther Cottagers Association on April 12 1994
- the then Clerk of the Township **refused to forward** the appeal to the OMB as was required under the Planning Act
- The Township Council eventually repealed the interim control bylaw in September 1994
- The township passed bylaw 48-1994 under the Municipal Act in July 1994 introducing an expansion formula for existing cottages located within shore road allowances on cold water lakes.....this bylaw under the Municipal Act is being used today rather than the Planning Act to regulate development on shore road allowances being sold by the municipality. The expansion formula provided for sideway enlargement of existing cottages within shore road

allowances to a maximum of the lesser of 40% of lot frontage or 60 feet provided that enlargement was no closer to the waterbody.

- Municipal Act Bylaw 48-1994, as stated in section 3.3, provides relief from the townships comprehensive zoning bylaw 2-1979 ...was not subject to a public input process or an OMB appeal process.
- Based on legal advise obtained, I have determined that Municipal Act bylaw 48-1994 intended to regulate development on land adjacent lakes within the Township has **no legislative basis and is not enforceable**
- OMNR subsequently took the position that Municipal Act bylaw 48-1994 did not satisfy their requirements for **appropriate controls** to regulate development on shore road allowances on cold water lakes
- OMNR advised the Township and their solicitor that expansion of existing cottages on cold water lakes located within the shore road allowances required a **minor variance** under the Planning Act.(copy attached dated July 22/94)
- in October 1994, OMNR met with the Township Council and OMNR staff were pressured into accepting the 40% / 60' formula outlined in the Municipal Act bylaw 48-1994 as being appropriate controls.
- the exiting township comprehensive zoning bylaw **does not** provide for enlargements of non conforming cottages close to lakes where shore road allowances are located
- OMNR entered into a signed agreement with the Reeve and Deputy Reeve outlining an understanding regarding appropriate controls (copy attached dated Oct 25/94)
- this agreement included a **municipal commitment** to include the 40% / 60' expansion formula into **the comprehensive zoning bylaw** which was under development..the agreement included an arrangement that **if the township did not** include this expansion formula that OMNR would object to the further sales of shore road allowances on cold water lakes
- **THIS AGREEMENT BETWEEN THE OMNR AND THE TOWNSHIP PREEMPTED THE PUBIC INPUT PROCESS FOR THE DEVELOPMENT OF THE NEW COMPREHENSIVE ZONING BYLAW**

Specific Objections

Item #1

- Shoreline Building Enlargements Sections 7.2(o) 8.2(o) based on 40% / 60' formula regardless of location of existing cottages close to lakes

Item #2

- New provision for max 12' decks between all existing cottages and waterbodies per section 7.2(o) 8.2(o)

Item #3

Section 7.1(a) 8.1(a) and definition 2.134 the new zoning bylaw also allows for a 2 room private cabin with sanitary conveniences...occupied by not more than one "family"! The current zoning bylaw **does not** provide for sanitary facilities and discussions with MOEE representatives expressed concern as most municipalities strictly prohibit sanitary facilities within accessory buildings. The zoning bylaw providing for new **guest cabins with washrooms** a accessory uses to cottages directly conflicts with the County OP **no development** policy associated with capacity reached lakes.

Item #4

- Section 3.1(k) the new zoning bylaw permits swimming pools on cottage lots!. From what I have learned from MOEE and Health Unit staff, disposal of chlorinated and chemically treated swimming pool waters can negatively affect surface and ground water quality if not treated and that septic systems are not designed to treat such volumes and chemically treated waters.

Item #5

Section 3.1(l) - 2.106 -2.43-7.1(b) 8.1(b) 12.(1)the new zoning bylaw permits boathouses with a zero setback from waterbodies ...except for cold water lakes in recognition of the importance of maintaining water quality on cold water lakes to support trout fisheries... OMNR indicated their objection (copy attached dated Nov 2 1995) to a proposal made by Council to provide for boathouses on land...but according to comments made at a public meeting on July 27 1996 regarding this issue, the Deputy Reeve advised that OMNR had reached a compromise with Council and agreed to allow for boathouse on warm water lakes only!
Boathouses are included in the definition of docks and marine facilities.

Item #6

Section 3.16 is titled "Non-complying buildings, structures and lots" but does not appear to address lots. The current zoning bylaw has a provision 2.4 dealing with existing undersized lots. Hardships could result if consideration is not given to dealing with existing lots of record while further provisions are required to deal with the no development policy in the County OP related to capacity reached cold water lakes.

Other items under review at this time

- wetland identification / protection
- expansion of legal non conforming uses per township OP policies
- zoning of open space area on Sharpes Bay of Jack's Lake
- docks
- need for provision and restrictions on structures within water setback such as stairs and landings to access shorelines

Discussions

County OP policies state:

2.0 Implementation

2.4 Local Zoning Bylaw

When this plan or any part thereof takes effect, every local zoning by-law shall be amended by the local municipalities to conform with this Plan pursuant to the Planning Act. The Amendments to the zoning by-law should occur after the local Official Plan has been amended to conform with this Plan.

Comment: Council has been requested by the Burleigh Anstruther Cottagers Association (umbrella group of 10 lake associations) to proceed with an OP update prior to passing a new comprehensive zoning bylaw in accordance with this section. The Township responded by saying that their OP approved in 1991 conforms with the County OP approved in 1994. It does not.

4.4 Shorelands Areas and the waterfront

Shoreland and waterfront areas include land abutting and adjacent to waterbodies.

4.4.1 Goal

- *to improve and protect the waterfront areas.....and enhance land areas adjacent to the shore.*

4.4.2 Objectives

- *to control waterfront development and limited new residential development and commercial uses along the shorelands and waterfront areas*
- *to protect the heritage character of the Trent Severn Waterway and its associated historic, natural and scenic setting*
- *to improve water quality on a watershed basis*
- *to preserve and enhance fish and wildlife habitat areas within and along waterbodies*
- *to protect 'capacity reached' lakes either in terms of supportive capacity (number of boats) or assimilated capacity (absorption of phosphates) as determined by the Ministry of Environment and Energy and the Ministry of Natural Resources from further development.*

4.4.3 Policies

Development shall be prohibited on capacity reached lakes as determined by test and studies reviewed by the Ministry of Environment and Energy and the Ministry of Natural Resources.

• the following is a list of known Lake Trout Lakes within Peterborough County which have reached development capacity:

*Burleigh Township.....Cherry Lake, Cox Lake, Eels Lake (West), Long Lake, Loucks Lake, McGee Lake, Stop Log Lake, Triangle Lake (Silver)
Anstruther Township....Little Anstruther Lake, Sucker Lake*

Development is defined in the glossary of terms as

a) construction, erection or placing of a building or structure

b) a significant addition or alteration to an existing building or structure

c) a significant change use or intensity of use of an existing building , structure or premise

d) site grading, excavation, removal of topsoil or peat or the placement of fill

e)

Comment: The attached sketch #2 clearly illustrates that the 40% / 60' expansion formula provides for major **significant additions** to existing modest cottages located on shore road allowances (and on lakes without shore road allowances). Such development, proposed to be permitted by the new zoning bylaw, particularly on **capacity reached lakes**, is in direct contravention with the County OP policies related to prohibiting development on capacity reached lakes. This concern was discussed with the OMNR planner in Bancroft and he told me that he did not care what was in the County OP!

The new proposed zoning provision to permit a 12' deck between existing cottages and waterbodies could result in many new decks being built close to and even up to the edge of waterbodies depending on the existing building setbacks.

The 40% / 60' expansion formula, along with the 12' deck provision, conflict with another zoning section (3.16) dealing with non complying building, structures and lots. This section contains common zoning bylaw language allowing for enlargement of non complying buildings provided that it does not reduce the size of any yard or building setback.

I have discuss this section (3.16) with a professional planner and agreement was reached that this section directly conflict with the proposed 40% / 60' expansion formula and deck provision. We concluded that a standard uniform expansion formula is inappropriate for the many varied lot configurations and terrain and shoreland constraints associated with lakes within our township.

Site specific applications for enlargement of cottages should be dealt with under the Planning Act through either minor variance or zone amendment applications taking into account in-effect OP policies and the Provincial Policy Statement along with resource concerns such as sensitive spawning beds, fisheries habitat and wetlands as identified from time to time by OMNR.

Township OP Policies state:

2.6.3 Policies

g) Shoreline residential uses shall be set back sufficiently from the high-water mark of any lake or watercourse in order to ensure the following:

- i adequate protection from changes in water level and flooding*
- ii minimal destruction to shoreline and wet beach habitat*
- iii minimal visual impact on the waterbody and*
- iv adequate setback of septic systems*

2.6.3 i) proposed new shoreline residential development adjacent to waterbodies which are identified by Ministry of Natural Resources as supporting coldwater or muskellunge fisheries shall be reviewed to ensure the continued health of the existing fisheries (Ministry modification # 19). When Council deem it desirable to allow limited new Shoreline Residential development adjacent [to] cold water lakes, an amendment to this plan shall be necessary. It is intended that for lakes containing coldwater fisheries substantial water frontages and building setbacks from the high water mark be included in the implementing bylaw.

Comment: The existing zoning bylaw 2-1979 does not permit a deck to be constructed between an existing cottage and the high water mark. The proposed bylaw permits 12' decks close to lakes which effectively reduces the in-effect 70 foot water yard setback to 58 feet on both warm and cold water lakes.

Sketch #3 shows a lot with 90' frontage which is common in certain areas of Burleigh Anstruther township. This sketch shows a 36' wide cottage located close to a lake on a shore road allowances..this is also a common development pattern in our area. The 40% / 60' formula has a fatal flaw in this situation as a deck could not be permitted on the side on the existing cottage (40% of 90'=36') but could be constructed on the water side of the cottage as proposed by the new zoning bylaw.

You can image that on a point lot, a new 12' deck, depending on lot configuration, could be constructed on three sides of an existing cottage and on an island probably on all sides...and in all cases even up to the edge of the lake if the existing cottage setback is only about 12'.

This type of development offends the township OP policies 2.6.3 i,ii & iii outlines above. Allowing modest small building located close to shores to be replaced with monster cottages 60' long, 2 stories high, with decks to the water edge....removing existing trees to accommodate construction...causes maximal **visual impact** not minimal as per the in-effect township OP policy (reference sketch #2). This is further compounded by the new zoning bylaw permitting boathouses with no setbacks from the highwater mark of waterbodies on all but cold water lakes.

According to the township, they are permitting **limited development** ..limited by the formula. The current township zoning bylaw (2-1979) does not permit enlargement of non complying structures on shore road allowances. If the township intends to provide for limited shoreline residential development adjacent to cold water lakes an amendment to the township OP **shall be** necessary in accordance with the Township OP policy 2.6.3 i. noted above.

A literature review of correspondence and publication by OMNR and OMEE clearly indicate that new shore development and vegetation removals adjacent to waterbodies is to be discourage to protect water quality. Conservation authorities and the OMNR have for several years been promoting that waterfront development provide for an undisturbed vegetation buffer zone to mitigate the negative effects on development adjacent to waterbodies. The OMNR claim to be concerned about the long term cumulative effect of shoreline development on lakes and riparian ecosystems.

The proposed zoning bylaw ignores this contemporary waterfront planning approach allowing for major expansions of existing cottages close to and in fact up to the water edge despite in-effect official plan policies to protect water quality.

Provincial Policy Statement

According to this policy statement which came into effect on May 22, 1996, the wise use and protection of natural heritage resources over the long term is a key provincial interest. Planning authorities are to make decisions having regard for this policy statement.

2.3 Natural Heritage

Natural heritage features will be protected from incompatible development...

b) Development and site alterations may be permitted in:

- *significant wildlife habitat...*

if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified

2.3.2 Development and site alterations may be permitted on adjacent lands to

...b) if it has been demonstrated that there will be no negative impacts on the natural features or on ecological functions for which the area is identified

2.3.3 The diversity of natural features in an area, and the natural connections between them should be maintained, and improved where possible.

Comment: The setback for development around lakes provides for a **buffer zone** to mitigate the negative effects on the natural environment adjacent to lakes. According to the OMNR, the impacts of development on shoreline ecosystems are both direct and indirect. Direct impacts occur as a result of the removal of vegetation and disturbance of soil mantle for construction of structures and related landscape alterations. These disturbances result in the loss of riparian habitat and increase surface water runoff which carry nutrients and silt into adjacent lakes according to the OMNR.

The increase usage of cottages through expansions occurring near a lake decreases natural riparian habitat and increases phosphorous input to lakes which results in algae growth. The OMNR claim that the indirect effects of the deterioration of water quality and loss of vegetation result in the eventual decline in numbers and types of wildlife and fish.

Sketches #2 showing proposed new zoning provisions allowing major expansions to cottages within the buffer zone around lakes along with boat houses appears to directly conflict with the Natural Heritage Policy sections noted above.

It has been long recognized that shoreland adjacent to lakes have serve as important **wildlife corridors**. These corridors are particularly important in areas of say high deer population such as does exist around Jack's Lake within the Peterborough Crown Game preserve which is home to a large resident and even larger winter deer population.

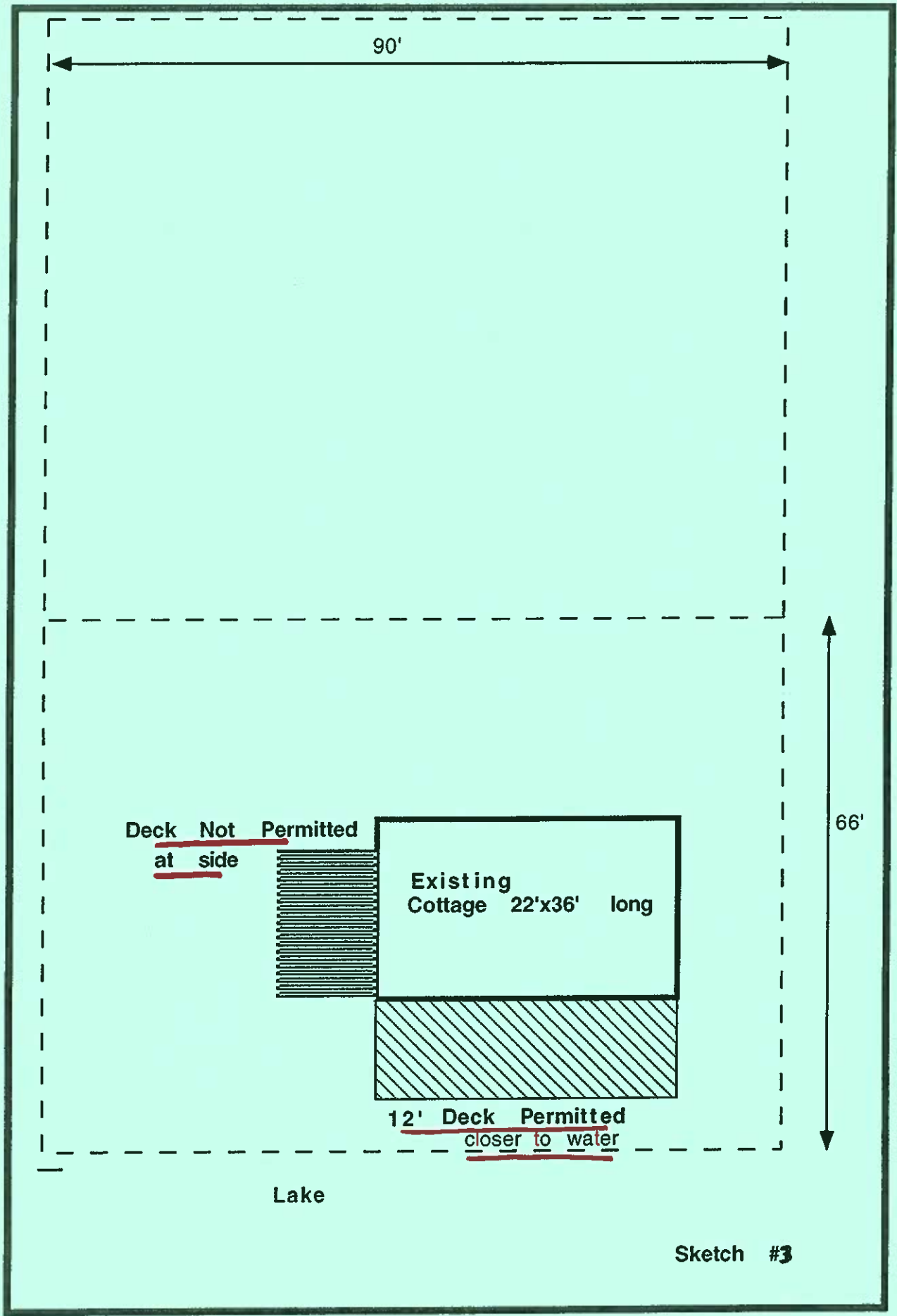
These crucial wildlife corridors are threatened to be eliminated by construction of monster homes immediately adjacent to lakes along with boathouses with **no** setback from lakes.

2.4 Water Quality

2.4.1 The quality and quantity of ground water and surface water and the function of sensitive ground water recharge /discharge areas, aquifers and headwaters will be protected.

Comment: Apart from the water quality issues associated with providing for structure to be built close to and in fact up to the edge of lakes....the new zoning bylaw provides for **swimming pools** on all cottage lots. Based on discussion I have held with MOEE, this is a serious concern regarding the disposal of chlorinated and chemically treated waters. Septic systems can not accommodate the volumes of waters from draining swimming pool and if they could even accommodate the volumes they could not treat this type of water in a way to protect ground water. Drainage onto surfaces would threaten the quality of surface waters.

END



Deck Not Permitted
at side

Existing
Cottage 22'x36' long

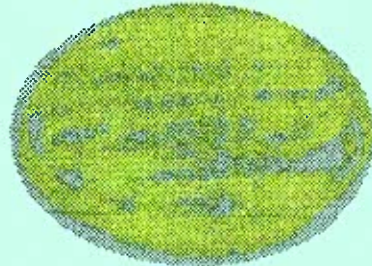
12' Deck Permitted
closer to water

Lake

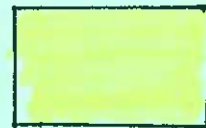
Sketch #3

150.00 ft

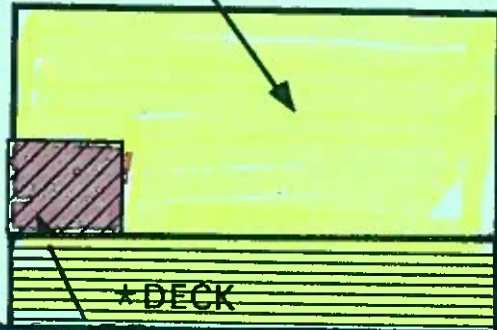
*Swimming pool



Guest cabin
*with washroom



* 60' replacement cottage
or expansion of
existing



* DECK

Existing Cottage

*
Boathouse



66.0

LAKE

"Proposed Burleigh Anstruther zoning bylaw "

Conflicts with Township and County Official Plan Policies

* not currently permitted by zoning on Jack's Lake