

Submission #17 Nov 17 2012 to North Kawartha Council by Ambrose

Moran

Subject -- Introduction & Definitions ---- Item 17-1--→17-27

Item #17-1

Illustrations

To assist in proper interpretation of this bylaw there is need for illustrations for such items as height- storey-- lot frontages-- yards --expansion formula >current Burleigh/Anstruther and Chandos zoning bylaws have some illustrations –

Item #17-2

Bolding Pleased that this suggestion in my submission has been accepted but need exist prior to passing bylaw to ensure that All defined terms are properly bolded in text

Item #17-3

1.3 Interpretation section should include a section for determination of zone boundaries as did Burleigh Anstruther Bylaw 1979 and appears to be missing in current Burleigh Anstruther Bylaw and the proposed North Kawartha Bylaw-the following is suggested

DETERMINING ZONE BOUNDARIES Highlands East

- a) A zone boundary which is shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or road.
- b) A zone boundary shown approximately at the centre line of a street or lane is considered to be the centre line of the street or road.
- c) Unless the location of a zone boundary is specified by dimensions on the zoning map, a zone boundary which lies within a lot shall be fixed by the scale of the Schedule upon which it is shown.
- d) A zone boundary shown following approximately a shoreline or the centre line of a creek, stream or channel is considered to be the shoreline or centre line and moved with any natural changes to the waterbody or watercourse.
- e) All lands below the surface of a navigable waterbody or watercourse shall be deemed to be in the Open Space Conservation (OSC) Zone.

Item #17-4

Interpretation –properties with no zoning symbol on schedule –

Recommendation where a parcel of land including islands are not labeled with a Zone Symbol on the schedules to this bylaw, such an island or parcel of land is deemed to be zoned Open Space(OP)

Item #17-5

Definitions

There are several items which need definitions and several item are define but not used in the text and should be deleted ie water yard -Kitchen- normal high water mark

Item #17-6

Definitions should not include provisions which should be covered in the General provision section Ie Gazebo --- if they apply to several zoned and if not should only be in the zone where applicable ie

Item #17-7

Not withstanding – clauses should be minimized

Item #17-8

2.39 decks “water yard” **take out**

Item #17-9

2.46 Driveway add garage

Item #17-10

2,44 Dock change “floor area” to “deck area”

Item #17-11

2.52 (b) Group Home – remove bolding of family and **check if word family is allowed in planning documents**

Suggest following definition

A single-detached dwelling unit in which not more than 10 persons, having physical, social or mental handicaps reside in a household under the appropriate supervision of supervisory personnel, who may also reside in the dwelling unit, and which is licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. A dwelling unit occupied for the purpose of providing shelter for persons on parole or released from penal institutions, or for persons ordered to reside there as a result of a conviction of a criminal offence is not a group home

Item #17-12

2.53-remove word family

Item #17-13

2.60 Existing – **should not be as of date of passing of this bylaw**—this would alter the status of any unlawful non-conforming use making it a lawful non-conforming use—**suggest replace with** “in compliance with all previous comprehensive bylaws”—so any existing illegal cabins would not be legalized –could be date when original Burleigh Anstruther and Chandos zoning Bylaw came in to effect

From Highlands East Zoning Bylaw

Effective Date for Legal Non-Conformity

The effective date for legal non-conformity is as follows:

Cardiff December 31, 1979

Bicroft December 19, 1978

Glamorgan June 21, 1979

Monmouth June 29, 1987

Item #17-14

Flood Plain —require impact study and flood plain mapping – Flood Plain --**take out if not used** in this bylaw

Item #17-15

2.76 Garage should be definition of attached garage and detached garage

Item #17-16

2.77 Gazebo should not include provisions in definition_____

Item #17-17

2.100(b) Existing Lot—see submission #7 Lot of Record – cannot be date of passing of this bylaw per submission #7 and provision required to retain status of lot of record when purchase shore road allowance---reference ZBC Aug 20 2009 –another para to be provided for clarification

Item #17-18

2.101 Lot Area suggest—means the total horizontal area within the lot boundaries of a lot but does not include land under water or any Environmental Constraint (EC) zoned land located on such a lot-suggest add above high water mark

LOT AREA HIGHLAND EAST

The total horizontal area within the lot lines of a lot above the normal or maintained high water mark

Item #17-19

2.102 Lot coverage suggest – means the percent of lot area covered by buildings and structures

Check Dysart overhangs

LOT COVERAGE

The percent of the lot area covered by buildings or structures, including porches, verandas and any other roofed area but excluding parking areas, driveways balconies, overhanging eaves and uncovered decks less than 1.0 metres in height, and walkways

Item #17-20

2.103 iv navigable waterway define not in dictionary

And remove “normal” high water mark and bold high water mark

Item #17-21

2.112 Marine Facility the word **Boathouses** is in bold indicating that it is defined but in definitions 2.12 **Boathouse**—it states see Marine facility –the term boathouse should be defined as now has been agreed by **Havelock Belmont Methuen in new proposed zoning bylaw—**

MARINE FACILITY Highlands East

An open and non-roofed structure which is attached to or rests upon the ground above and/or below the high water mark and is used primarily to take a boat into or out of a navigable waterway, or to moor a boat. This definition includes a launching ramp, boat lift, or dock or any combination thereof but does not include any building or any boat servicing, repair, or sales facility.

Item #17-22

Recreational Camp –why NET floor area why not GROSS floor area? –I feel this should termed a Hunt Camp and be used for accommodating hunters

HUNT CAMP

Shall mean a single-storey building or structure having a floor area between 65m² and 93m² consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-law.

"**Recreation camp**" means a building having a **net floor area** of less than 139.4 square meters (**1500 square feet**) **erected** for the purpose to provide temporary accommodation.

Compare to Recreational Dwelling Unit

(d) Recreational dwelling house/cottage:

"**Recreational dwelling house/cottage**" means a **dwelling house**, containing only one **dwelling unit**, which is constructed and used as a **secondary place of residence**, for vacation and recreational purpose

Suggest use definition of Hunt Camp and reduce size and not use net floor area

Item #17-23

2.155 Screened Porch (see Gazebo) a screened porch is not a gazebo

Item #17-24

2.164 Sign

Legal sign means sign which complies with the sign bylaw of the Corporation

This should be revised as no sign bylaw in North Kawartha

Item #17-25

2.190

Waterbody review definition to include River -Creek –what about man made pond ? (septic setback)

Item #17-26

Yard Water is this term used in the bylaw –**if not it should be deleted**

Item #17-27

Zone administrator who ? **Suggest replace with Bylaw Enforcement Officer**

Ambrose Moran