

Submission # 22 Feb 22 2013 to North Kawartha Council by Ambrose Moran

Subject **On Land Boat Houses -Jack Lake**

This submission is update to Item 7 of Submission 19 Dated Nov 12 2012.. for easy reference it is included as follows

Item # 19-7

L

Boathouses requires definition and should be separate from marine facilities—see my Submission # date Dated Jan 22 2009

Boathouses --- Jack Lake, particularly the Sharpes Bay area within North Kawartha has been recognized as being a trout lake and supposedly provincial agencies are, within their increasing staff shortage constraints, making determinations as to capacity limits related to the anticipated designation of all or part of Jack lake as being a trout lake---MNR recognizes the need to protect water quality in trout lakes and in effect Official Plan Policies address improving water quality.

Chandos Lake in this proposed bylaw is being added to the list of trout lakes based on existence of trout and not based on capacity consideration.

Jack and Chandos are the two major lake close to Apsley and it would be both inconsistent and unacceptable that Chandos water quality is being protected and not Jack lake,

When the NK Zoning committee met with provincial ministries in Feb 2009, MOE stated boathouses should be discouraged and MNR expressed surprise that boathouses would be allowed in the bylaw.

Chair of the Zoning Committee suggest that boat house not be permitted on all North Kawartha lakes and Reeve Whelan moved a motion 09-CZB 221 that Jack Lake should be included in draft as coldwater/lake trout lake –that motion was withdrawn based on position that further studies would be required to determine if the lake is at development capacity- a criteria not applied to Chandos being included in the list of trout lakes.

County Planner has indicated that twp “ could include Jack lake as a cold water/lake trout lake and restrict boathouses on the lake”.

UPDATE

Protecting and Restoring Healthy Shorelines

North Kawartha township with input from their Zoning Bylaw Committee and area cottage associations created a brochure to advance the commendable concept of protecting our lakes from the wrong kinds of development.

This brochure was endorse by the township and widely distributed both by the township and cottage associations.

The brochure explains the importance of *retaining or restoring the Ribbon of Life being 10 to 15 meter from the lakes in natural state and explains that building structures such as boathouses destroy the balance of the aquatic and shoreline ecosystem and alter the wildlife habitat , natural beauty and character of our lakes and rivers.* The stated goal in the in effect North Kawartha official plan and in effect County of Peterborough official plan have policy which are specifically intended

--to preserve naturally vegetated shorelines with overall intent of preserving water quality

--to protect the lake ecosystems water quality and natural beauty of our lakes.

The benefits of brochure intended to encourage cottages to respect the buffer zone around lakes is seriously undermined if the Council that prepared the brochure in fact passes regulation in direct contradiction with the brochure by allowing the buffer zone to be negatively affected by construction of large boat houses on Jack Lake

Ministry of Natural Resources

MNR with input from MOE has not yet clarified whether Jack Lake is a trout lake “**at capacity**”. MNR has indicated that regardless of the capacity classification, it has been well known that Jack lake is a trout lake the same as Chandos Lake. MNR did not ask to protect the water quality of lakes in the Apsley area because **capacity classifications** but rather because the lakes were known to be trout lakes.”

MNR has stated *..”I can inform you that MNR is confident that the Lake (Jack) does support a healthy naturally reproducing population of lake trout”ⁱ*

MNR has stated *“the inclusion of bylaw restrictions on all lakes with cold water fisheries is the **prerogative of the Township**”ⁱⁱ*

MNR stated *“if the township would wish to consider further protection of shoreline ecosystems and **limit construction of boathouses on all lakes**, MNR would not object to such policies”ⁱⁱⁱ*

MNR have responsibilities related to management of **fisheries**. North Kawartha has responsibilities within the Planning Act related to **land use planning**. MNR has a process related to notifying the public through the Environmental Bill of Rights (EBR) to formally designate Jack Lake as a trout lake relative to their responsibilities concerning fishing regulations.

North Kawartha clearly has land use planning responsibilities including regulation of boathouses which is not tied to the formal designation of Jack Lake by MNR or any monitoring or studies by MOE establishing whether Jack Lake is at capacity.

The water quality of Jack Lake should be protected just as much as Chandos water quality. It would be difficult to rationalize allowing boat houses on Jack and not on Chandos Lakes. Currently, as a result of an OMB appeal in 1996 in Burleigh Anstruther Township, no boathouses can be built on Jack Lake without being setback from the lake by 29 ft. Since that zone provision was imposed demand for boathouses on Jack Lake has been insignificant.

I strongly recommend that, since Chandos and Jack Lake are recognized as being trout lakes, that Jack Lake be added to the list of lakes not allowing on land boathouses.

Ambrose Moran

ⁱ Letter from MNR Bancroft District Manager to North Kawartha Aug 6 2009

ⁱⁱ Letter from MNR Bancroft District Manager to North Kawartha June 18 2009

ⁱⁱⁱ Letter from MNR Bancroft District Manager to North Kawartha June 19 2009