

**Submission # 24 Feb 14 2013 to North Kawartha Council** by Ambrose

**Moran**

**Subject Permitting Permanent Residential Use on Lakes**

This submission to be read in conjunction with my previous submissions

#6 Jan 2009

#14 Nov 2012

#20 Nov 20 2012 Item 20.2 ---- No Comments included in January Staff report

Havelock Belmont Methuen Township in Nov 2012 passed a new zoning bylaw. The waterfront sections of that bylaw were prepared by a planner from outside the Peterborough area providing a new approach not entrenched with the cultural traditions prevalent in the Peterborough area particularly regarding restricting permanent residency on lakes. The new bylaw will come into effect following approval of a new HBM Official Plan and resolution of certain items under appeal to the OMB

**The current Havelock Belmont Methuen in effect zoning bylaw allows for a single vacation dwelling**

“**DWELLING, VACATION**” means a separate building used or intended to be used for human habitation primarily used for recreation purposes which is not used for year-round or permanent human habitation notwithstanding that it may be designed and/or constructed for such year-round permanent human habitation.

HBM Council approved a new zoning bylaw with permitted uses being both **Dwelling** and **Vacation Dwelling** as define below:

“**DWELLING**” means a building occupied or capable of being occupied as the home, residence or living quarters of one or more persons, but does not include any vehicle as defined herein.

“**DWELLING, VACATION**” means a separate building used or intended to be used for human habitation primarily used for recreation purposes which is not used for year-round or permanent human habitation notwithstanding that it may be designed and/or constructed for such year-round permanent human habitation.

So now, based on the new HBM bylaw, it will be legal to live at Jack Lake and other Lakes in HBM both on waterfront lots accessed by either private or public roads. This ends a long period of time in which it was illegal to live permanently at lakes in Havelock Belmont Methuen Township.

**TIME HAS NOW COME** for North Kawartha Council to end the situation where it is illegal to live at lakes in North Kawartha despite the fact it is common practice for ratepayers and elected officials to do so. The credibility of the total bylaw is in question if this matter is not addressed by via a simple zoning change or otherwise consistently enforced.

I also have been advised that the Planning Act does not allow for a provision which would time limit a use so if that is the case the zoning bylaw cannot prohibit year round use.

**My recommendation is to simply add DWELLING UNIT to permitted uses in the Shoreline Residential Zone as did Havelock Belmont Methuen.**

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