

**AMENDMENT NO. 8  
TO THE  
OFFICIAL PLAN  
OF THE TOWNSHIP OF  
HAVELOCK-BELMONT-METHUEN**

**Prepared By:**



**Time Square  
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K9H 7L7**

**August, 2009  
Revised - November, 2009**

**CERTIFICATE  
OFFICIAL PLAN  
OF THE  
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN  
AMENDMENT NO. 8**

The explanatory text and attached schedule, constituting Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen, was initiated by the Council of the Township of Havelock-Belmont-Methuen at the request of the property owners, and was adopted by the Corporation of the Township of Havelock-Belmont-Methuen by By-law No. ~~2009-96~~ in accordance with the provisions of Section 17 of The Planning Act, R.S.O. 1990 on the 1<sup>st</sup> day of December, 2009.

  
\_\_\_\_\_  
REEVE, RON GEROW

CORPORATE SEAL  
OF MUNICIPALITY

  
\_\_\_\_\_  
CLERK, GLENN GIRVEN

This Amendment to the Official Plan of the Township of Havelock-Belmont-Methuen which has been prepared and adopted by the Council of the Township of Havelock-Belmont-Methuen is hereby approved in accordance with the provisions of Section 17 of The Planning Act, R.S.O. 1990 as Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BRYAN WEIR,  
DIRECTOR OF PLANNING  
COUNTY OF PETERBOROUGH

**ADOPTION BY-LAW FOR  
OFFICIAL PLAN AMENDMENT NO. 8  
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN**

The Council of the Corporation of the Township of Havelock-Belmont-Methuen in accordance with the provisions of Sections 17(22) and 21 of The Planning Act R.S.O. 1990 hereby enacts as follows:

1. Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen consisting of the attached explanatory text, is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Peterborough for approval of the aforementioned Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen.
3. The Clerk is hereby authorized and directed to proceed with the giving notice under Section 17 (23) of The Planning Act.
4. This By-law shall come into force and take effect on the day of the final passing thereof subject to the approval of the County of Peterborough.

Read a FIRST, SECOND, and THIRD TIME and FINALLY passed this 1<sup>st</sup> day of December, 2009 and given By-law No. 2009-96.....

Signed  Signed   
REEVE, RON GEROW CLERK, GLENN GIRVEN

CORPORATE SEAL  
OF MUNICIPALITY

I, Glenn Girven, Clerk of the Township of Havelock-Belmont-Methuen do hereby certify that the above is a true copy of By-law No. 2009-96 as enacted and passed by the Council of the Township of Havelock-Belmont-Methuen on the 1<sup>st</sup> day of December, 2009.

Signed   
CLERK, GLENN GIRVEN

**AMENDMENT NO. 8  
TO THE OFFICIAL PLAN  
OF THE  
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN**

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## **INTRODUCTION**

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- PART 'A'** - **THE PREAMBLE** does not constitute part of this Amendment.
- PART 'B'** - **THE AMENDMENT** consisting of the following text constitutes Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen.
- PART 'C'** - **THE APPENDICES** do not constitute part of this Amendment. The appendices contain the background planning considerations and agency circulation and notification and public involvement associated with this Amendment.

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## **PART 'A' - THE PREAMBLE**

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AMENDMENT NO. 8 TO THE OFFICIAL PLAN OF THE TOWNSHIP OF HAVELOCK-BELMONT-METHUEN.

Only that part of the document entitled PART 'B' - THE AMENDMENT constitutes Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen.

### **1. PURPOSE**

The purpose of this amendment is to provide the Township of Havelock-Belmont-Methuen with comprehensive land use policies to assist in the administration of a 30 metre setback along shoreline areas of the Municipality.

### **2. LANDS AFFECTED BY THIS AMENDMENT**

This amendment is considered to have application to all waterfront areas throughout the Township of Havelock-Belmont-Methuen.

### **3. BASIS OF THE AMENDMENT**

i) **Scope**

The Township of Havelock-Belmont-Methuen has initiated this amendment to its Official Plan, that entails policies which would establish a 30 metre setback from the high water mark of water bodies and water courses.

This amendment maintains conformity with the Official Plan of the County of Peterborough and is consistent with both the Provincial Policy Statement.

ii) **Public Consultation**

A public meeting under Section 17 of The Planning Act, R.S.O. 1990, as amended, was convened on October 6, 2009 for this proposed Official Plan amendment.

iii) **Ministry/Agency Review.**

A draft copy of this amendment was informally circulated to the County of Peterborough Planning Department for review and comment. A notice of public meeting was also circulated to those ministries and agencies deemed to have an interest in the matter.

Any agency review comments received in response to this amendment are included in Appendix III to this amendment.

v) **Council Action**

Refer to Minutes of the October 6, 2009 Statutory Public Meeting of Council, included in Appendix II to this amendment.

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## **PART 'B' - THE AMENDMENT**

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### **1. INTRODUCTORY STATEMENT**

All of this part the document entitled PART 'B' - THE AMENDMENT, consisting of the following text and attached Schedule constitutes Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen.

### **2. DETAILS OF THE AMENDMENT**

The Official Plan of the Township of Havelock-Belmont-Methuen is amended as follows:

Item (1) - SECTION 3.5.11.1 (Official Plan Mapping) is hereby amended by the addition of the following new paragraph:

"Shoreline areas are a significant recreation resource, and the sustainable development of these waterfront lands is vital to the overall character and economic prosperity of the Township.

Item (2) - SECTION 5.10.1 (General Development Policies) is hereby deleted in its entirety and replace with the following:

#### **5.10.1 Development Standards**

General:

Proposed development of the shoreline of any water body or watercourse shall encourage the preservation and maintenance of existing natural shoreline vegetation in order to minimize shoreline erosion, potential loss of wildlife and wetbeach habitat and adverse visual impacts on the water body while protecting and enhancing water quality.

New Development:

Development inclusive of buildings, structures and sewage systems on lots created by consent or plan of subdivision/condominium along the shoreline of any water body or water course after October 22, 2008 shall be set back a minimum of 30 metres from the established high water mark of waterbodies and watercourses.



Applications to create lots either by consent or plan of subdivision/condominium shall demonstrate that this 30 metre setback requirement can be met on both the proposed severed and retained lots.

Severances for lot additions should not be recommended if the lot addition would leave a remnant parcel which would no be capable of maintaining the 30 metre water setback.

Notwithstanding any provision of this section to the contrary, accessory structures such as marine facilities, a pump house, docks and stairs shall be permitted to encroach into the 30 metre setback from the high water mark provided that the property owner demonstrates to the satisfaction of any authority having jurisdiction over the waterway that it will not negatively impact the waterfront environment, and that such a use(s) maintains the applicable regulations of the Township's Comprehensive Zoning By-law.

#### Existing Development:

Structures legally existing as of October 22, 2008 that do not comply with the required setback provision and require replacement due to structural defects or destruction by fire or other natural causes will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of the Zoning By-law or as varied by the Committee of Adjustment, and where the enlargement does not further encroach into the 30 metre setback.

Sewage systems requiring replacement due to structural damage or malfunction should be set back a minimum of 30 metres from the high water mark if possible or to the greatest setback that is achievable to the satisfaction of the Peterborough County-City Health Unit. Due to their importance to ensuring public health and/or safety, a minor variance will not be required in the case where the replacement leaching beds must be located within the 30 metre water setback.

Minor variances or zoning changes to accommodate proposed expansions of a structurally permanent nature to existing structures and/or septic systems that further reduce any existing water setback shall not be permitted unless it is a matter of public health and/or safety.

#### Vacant Lots of Record:

Development on vacant lots of record existing as on October 22, 2008 shall attempt to have structures and septic systems set back a minimum of 30 metres from the high water mark. Where it is not possible to achieve the 30 metre setback, then new buildings and structures shall be set back as far as possible from the high water mark. In this regard, a Minor Variance or Zoning By-law Amendment involving a reduced setback for existing vacant lots of record may be permitted provided that the relief sought:

- maintains the intent of the Zoning By-law
- is minor in nature
- maintains the intent of the Official Plan regarding environmental objectives, and
- is desirable and appropriate for the area.

### **3. IMPLEMENTATION AND INTERPRETATION**

Amendment No. 8 to the Official Plan of Township of Havelock-Belmont-Methuen shall be implemented and interpreted in accordance with respective policies of the Official Plan of the Township of Havelock-Belmont-Methuen.

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## **PART 'C' - THE APPENDICES**

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The following appendices do not constitute part of Amendment No. 8 to the Official Plan of the Township of Havelock-Belmont-Methuen, but are included as information supporting the amendment.

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## **APPENDIX I - BACKGROUND TO THE AMENDMENT**

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### **INTRODUCTION AND HISTORY**

Amendment No. 8 was initiated by the Council of the Township of Havelock-Belmont-Methuen in order to achieve conformity with the relevant policies of the County of Peterborough Official Plan, and to maintain consistency with the PPS.

As provided in the County Plan, policies which are intended to govern *Shoreland Areas and The Waterfront* (Section 4.4.3) state as follows:

- Where required, amendments to bring each local plan and zoning by-law into conformity with the 30 metre setback requirement will be adopted within three years of the date this Official Plan Amendment is approved. If after three years a local plan has not yet been so amended, any other amendments to that local plan will be considered by the County as if an amendment to bring the local plan into conformity with Section 4.1.3.4 had been adopted and approved;
- Local municipalities may authorize minor variances from the 30 metre setback requirement, without the variance being considered to be inconsistent with the general intent and purpose of the local plan, in the following situations:
  - on a lot existing on the date this Official Plan Amendment No. 3 comes into effect;
  - the addition to an existing building.

Insofar as the County Official Plan was approved on *March 28, 2006*, local municipalities are required to similarly amend their official plans by *March 28, 2009*.

Furthermore, Official Plan Amendment No. 3 to the County plan came into effect on *October 22, 2008*.

*OPA PASSED DEC 1 2009*

The County Planning Department has provided direction to the effect that the foregoing policy framework is to be relied upon as a guideline for the development of more detailed policies in lower tier official plans.

This amendment is deemed to conform with the policies of the County of Peterborough and Township of Havelock-Belmont-Methuen Official Plans and is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

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## APPENDIX II - PUBLIC CONSULTATION

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Pursuant to the provisions of Section 17 (15) of The Planning Act, R.S.O. 1990, as amended, it is the responsibility of the Council of the Corporation of the Township of Havelock-Belmont-Methuen to ensure that adequate information concerning the proposed amendment is made available to the public. For this purpose Council is required to hold at least one public meeting to afford those who attend an opportunity to make representation in respect of the proposed amendment.

A public meeting to consider proposed Official Plan Amendment No. 8 was held on the 6<sup>th</sup> day of October, 2009.

Notice of the public meeting was given via The Community Press (Western Edition) and The EMC on the 10<sup>th</sup> day of September, 2009. *NEITHER AVAILABLE IN  
DASLEY*

A copy of the notice of public meeting and public meeting minutes are attached. Any written submissions are attached herewith and form part of the Appendix.

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### **APPENDIX III - MINISTRY AND AGENCY REVIEW COMMENTS**

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In accordance with the provisions of Section 17(21) of The Planning Act, R.S.O. 1990, as amended, the Council of the Corporation of the Township of Havelock-Belmont-Methuen is required to provide any person or public body, that Council considers may have an interest in the proposed amendment, adequate information including a copy of the amendment and, before adopting the amendment, shall give them an opportunity to submit comments up to the time specified by Council.

Any review comments received are attached herewith and form part of this Appendix.