

As background I am providing below a copy of my submission #1 dated Oct 4 2017 which was early in the development of the new County of Peterborough OP

Submission # 1 dated October 4 2017 by Ambrose Moran re County of Peterborough
New Official Plan

SUBJECT :30 Meter (100 ft) water setback

The current in-effect Peterborough County Official Plan (OP) has policies provisions for structures to be set back of 30 meters from shorelines with certain defined exemptions.

Background

I understand that when this existing County OP was being developed, there were comments being advanced to the County Council members and others that this 30 meter set back was a requirement of the Provincial Policy Statement (PPS) and required in order to obtain provincial approval of the Peterborough County OP.

The majority of waterfront lots in Peterborough County were created in the 50's 60's and 70's when either no zoning setback were in place and the first zoning bylaws imposed in the mid-seventies initially were 20ft to 72ft water setbacks for cottages.

Comment

The previous and current PPS do not require a 30 meter water setback.

These older waterfront lots were never created to accommodate a 30 meter setback and such setbacks are impractical to be imposed on previous legally created small waterfront lots. The situation of further aggravated on point and island lots and indicated in attachments.

It is my submission that applying a 30 meter water setback on small older lots is impractical and imposes a severe hardship on owners of such lots. Since the imposition of this 30 meter setback, Councils contractors and waterfront property owners have been severely frustrated with costly and timely delays in processing planning relief applications for re-development of existing lots where 30 meter setback are either impractical or often impossible to achieve.

It has been my observation, and others, that Committee of Adjustments or Councils rarely deny applicants relief from the 30 meter water setback. So, the general perception in the cottage community is that relief is almost always available from the 30 meter water setback if you are prepared to pay for Planning Act relief.

Recommendation

That the minimum 30 meter (100 ft) water set back policy continues to apply to lots created following date of the OP approval of the 30 meter setback

and

That a min 70 ft water setback policy apply to lots created prior to the date the County OP policy for the 30 meter (100 ft) setback requirements came into effect.

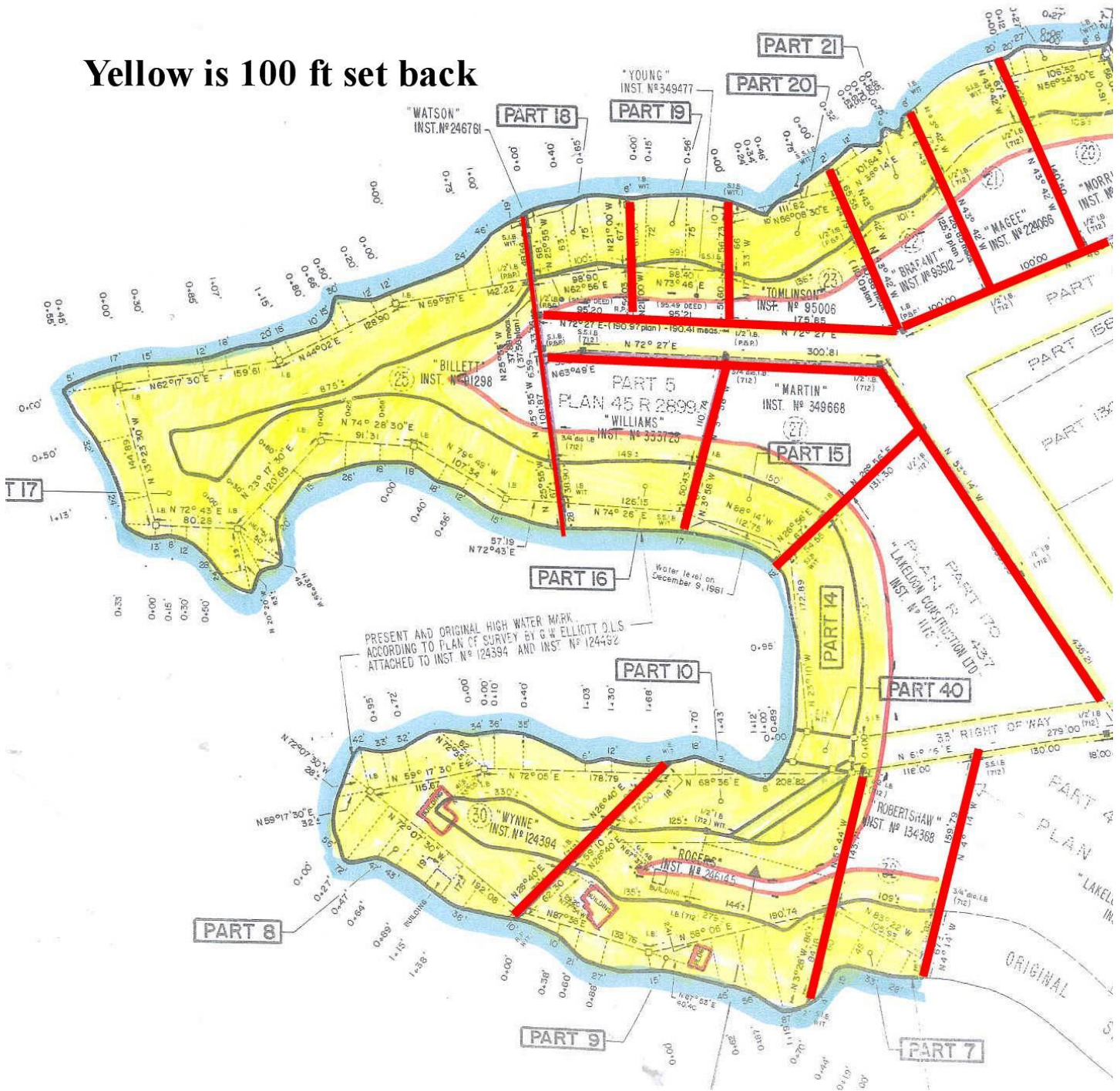
Ambrose Moran

239 FR 52 North Kawartha K0L 1A0

Acting Independently

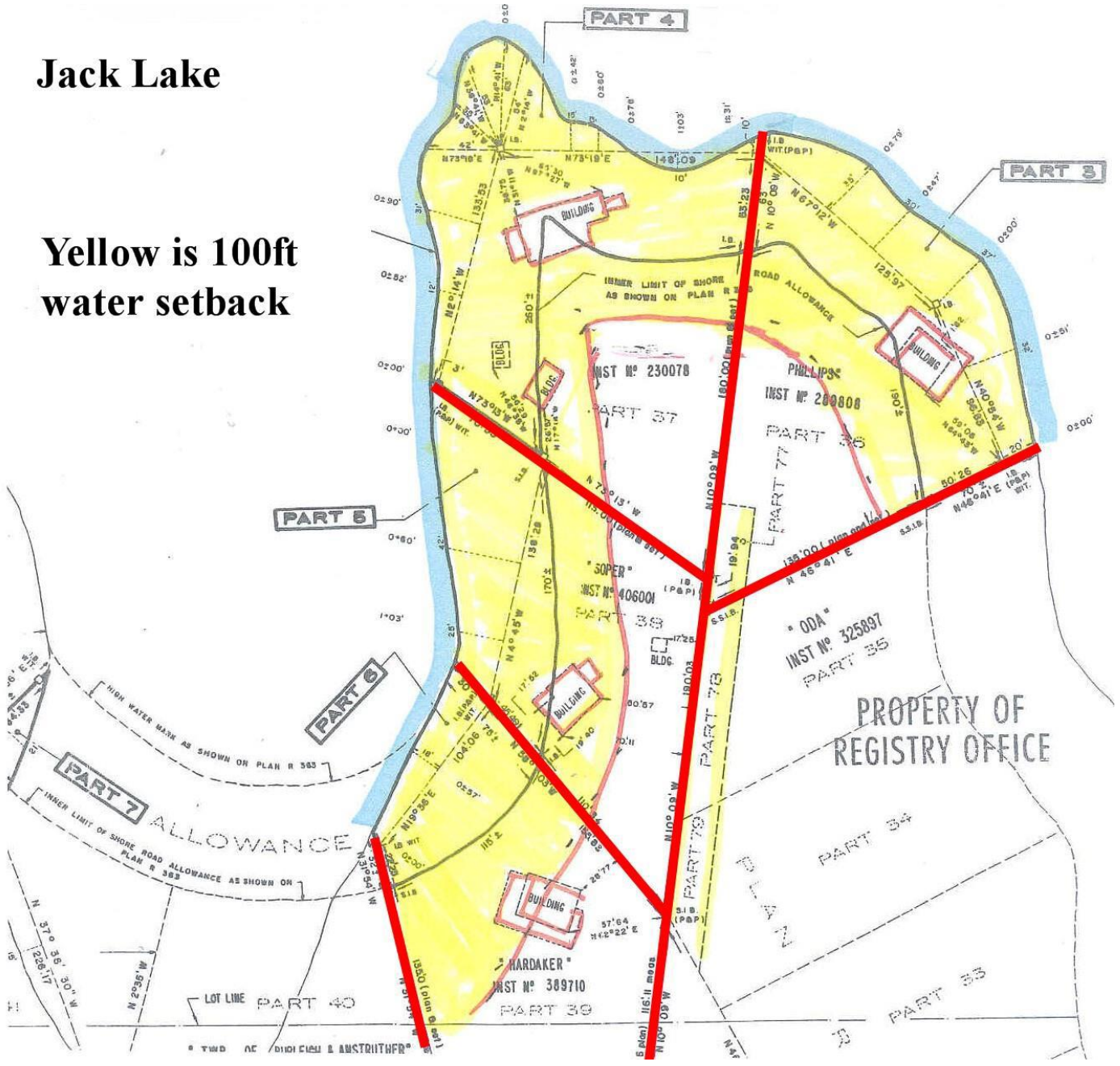
CHANDOS

Yellow is 100 ft set back



Jack Lake

Yellow is 100ft water setback



Further Comment

The existing in effect County OP has the 30 meter setback provision and also the adopted OP has provisions in 9.4.1 requiring 30 meter set backs for new lots and provision 9.4.2 for 30 meter setback for development on existing lots "if feasible".

I continue to support my recommendation included in my Oct 4 2017 to Peterborough County that the 30 meter setback NOT apply to lots of record existing before the 30 Meter setback was imposed via the in effect Peterborough County OP.

The map illustration above clearly shows typical lots created long before such enhanced setbacks were contemplated which frustrates landowners with costly and time delayed development permit approvals. Municipalities dealing with waterfront development are bogged down with large number of applications for relief from the impractical 30-meter setback on many existing lots of record which make up the very large present of development activity.

When the existing County OP was developed, I was surprised that the 30 meter water setback was imposed which was inconsistent with and more stringent than say Muskoka. The township of Muskoka Lakes ...I understand ..currently has a setback for new cottages on new and existing lots of 66 ft which was couple of years ago increased from 55ft.

At the time the time the Peterborough County imposed the 30 meter setback I made inquiries and was told initially that this was a requirement of the PPS which was not the case then or now ..and then told that yes the PPPS did not require the 30 meter water setback but this was the direction that the Province was going.

Subsequently Peterborough County including North Kawartha which has very limited existing or forecasted growth was included in the Golden Horseshoe Growth Plan which for some strange reason imposed a 30-meter water setback on a portion of Ontario. Such development protocol is more appropriately imposed through PPS applicable to all of Ontario. Haliburton and Muskoka were not inflicted with this grown plan further layer of development restrictions.

It is encouraging that the Province is now in process of merging the PPS and Growth Plan into the new PPS2023 which on quick review does not address a 30 meter setback.

Opportunity knocks. Without any provincial 30-meter setback imposed requirement I submit the following:

Recommendations to Province

New Lots 9.4.1

That the 30 meter/100 ft water setback apply as written

Existing Lots 9.4.2

The 30 meter water setback not apply including island and a 70 ft water setback be applied and a delete wording if feasible and the provision set back as far a lot permits which would result in unintended consequences on very deep lots.

Existing Structures 9.4.3 provision should be developed to ensure monster cottages cannot be built immediately adjacent to lakes which would offend good planning and goals and objectives of the OP

Setbacks Not Applicable 9.4.4

Remove wording marine facilities and replace with structures

I ask that these recommendations be given serious consideration prior to approval of the OP by Minister Clark .



Ambrose Moran Acting independently.

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North Kawartha K0L1A0