

SUBMISSION 1B DATED AUG 17 2022 FROM AMBROSE MORAN RE NEW COUNTY OF PETERBOROUGH OFFICIAL PLAN

Background

The below submission was made to Peterborough County without any acknowledgement. answers to questions asked.. and no changes were made to OP per my recommendations.

Submission # 1 B dated May 17 2022 by Ambrose Moran re County of Peterborough New Official Plan

SUBJECT :30 Meter (100 ft) water setback RELATED TO CREATION OF NEW LOTS

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.

The following is included in the Draft OP 3.5 5 b)

- b) The creation of new vacant waterfront lots, regardless of their land use designation, shall not be permitted unless it can be demonstrated that the 30 metre setback from the high water mark, as required by Section 9.4 of this Plan can be met for both the severed and retained parcels. Applications must illustrate that the severed and retained lots can accommodate the 30 metre setback and a suitable building envelope outside the setback. The illustration must include sufficient area for the siting of well and septic services, as well as any applicable yard setback required by the Municipal Zoning By-Law.

Where the severed and/or retained lot currently accommodates an existing structure and the 30 metre setback requirement is not met, there is no conflict with the intent of this policy provided that the effect of the severance does not further reduce the existing water setback; Peterborough Public Health or the appropriate authority has no concerns with regards to the existing septic system; and, provided any vacant parcel resulting from the severance can accommodate a 30 metre setback from the ordinary high water mark as outlined above.

and 9.41

9.4.1 New Lots

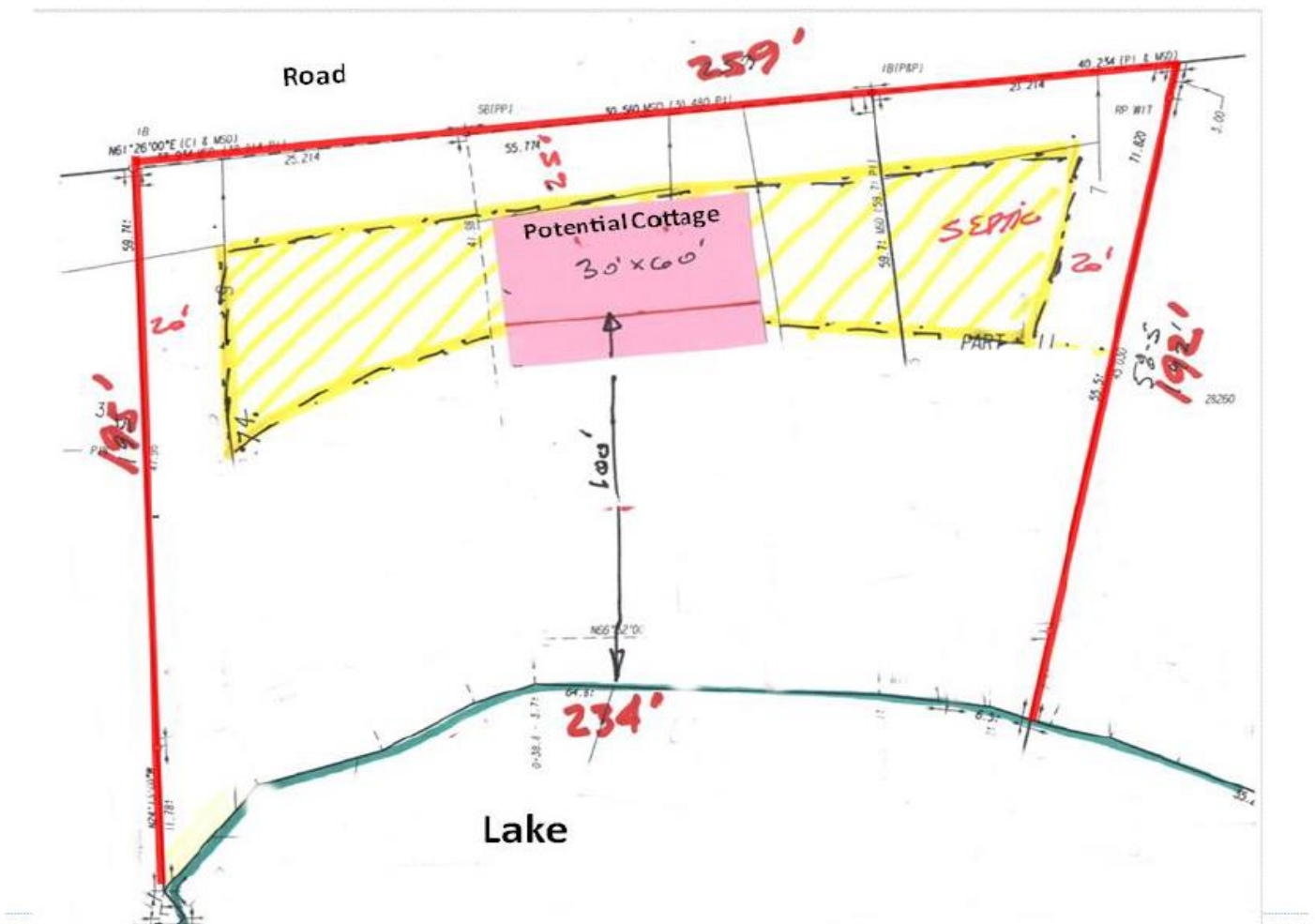
For all new lots, a set back of at least 30 metres from the ordinary high water mark of all waterbodies is required, with minimal disturbance of the native soils and very limited removal of shoreline vegetation. Applications for new lots must illustrate that the lot to be created can accommodate the 30 metre setback and a suitable building envelope outside the setback. The illustration must include sufficient area for the siting of well and septic services, as well as any applicable yard setback required by the Municipal Zoning By-Law.

Page | 1

Comment

The purpose of this submission 1B is to request clarification related to requires setbacks on a new waterfront lots.

I am aware of a new lot that was created in 2015 on Jack Lake based on a consent application which illustrated that a new cottage could be built to satisfy the 30 meter set back. I am disclosing that I was the owner's realtor at this time and believe I prepared the severance application sketch for my client. On the basis of that application and submitted site plan/sketch, the consent was granted by Peterborough County.



Page | 2

When the application was approved and as I recall even before the appeal period expired or consent conditions had been satisfied, the applicant/owner applied to reduce the water setback to 60 ft. At this point I was not representing the applicant as his realtor and did not support this application. Despite the Township's Professional Planner recommending that the application be denied based on non conformity with Official Plan Policy the application ZBA was approved by the lower tier municipal Council.

Requested answers to 3 questions:

- 1. Did this application to reduce the 30 meter setback require an OPA?**
- 2. Is there any difference between the in-effect OP and proposed OP related to this situation?**

Recommendation

1. Policy q state "that any reduction in the 30 meter setback would require an amendment to the County Official Plan"
2. That word "ordinary" be removed from 9.4.1 and any other section of the Plan



Ambrose Moran
239 FR 52 North Kawartha K0L 1A0
Acting Independently

Further Comments to Province

Very few waterfront lots are created in cottage country as most lakes are fully developed. This rare new lot creation illustrated above,.....which has specific applicable policy regarding the requirement that no lot can be created without satisfying the approval authority that the 30 meter set back is achievablewas discredited by owner immediately after lot was created.... applied for and was granted a reduced water set back to 60 ft by a local council despite their professional planners disapproval.

Further recommendation to MMAH

That my 2 previous recommendations above ... made May 17 2022,.... be incorporated in the final version prior to approval by Minister Clark

A handwritten signature in black ink, appearing to read 'Ambrose Moran', written in a cursive style.

Ambrose Moran

239 FR 52 North Kawartha KOL 1A0
Acting Independently