

DRAFT

OFFICIAL PLAN AMENDMENT NO.

MUNICIPALITY OF DYSART ET AL

AMENDMENT NO. TO THE OFFICIAL PLAN
OF THE MUNICIPALITY OF DYSART ET AL

TABLE OF CONTENTS

	Page
<u>Statement of Components</u>	3
<u>Part A - The Preamble</u>	4
Purpose and Effect	4
Location and Description	4
Basis	4
<u>Part B - The Amendment</u>	6
Introductory Statement	6
Details of the Amendment	6
Implementation and Interpretation	14

STATEMENT OF COMPONENTS

Part A - The Preamble does not constitute part of this Amendment. It provides general introductory information on the purpose, location, and basis of the amendment.

Part B - The Amendment consisting of the following text, constitutes Amendment No. to the Official Plan of the Municipality of Dysart et al.

PART A - THE PREAMBLE

1. Purpose and Effect

The municipality is undertaking an amendment to its official plan. The proposed amendment is to update the shoreline protection policies to permit one building near the shoreline of a waterbody, subject to compliance with the natural shoreline policies of the Official Plan.

2. Location and Description

This amendment to the Municipality of Dysart et al Official Plan will affect all lands within the Municipality.

3. Basis

The basis of Official Plan Amendment No. [REDACTED] is in response to public preference to permit a small structure near the shoreline of a waterbody while maintaining a natural shoreline.

The proposed amendments recognize the preference of the public and therefore intend to update the policies around structures permitted within the minimum water setback while strengthening the existing language surrounding natural shorelines.

An amendment to the Municipality's Zoning By-law is also being contemplated to incorporate definitions and provisions to regulate structures within minimum setback areas. The official plan amendment and zoning by-law amendment are being processed concurrently.

The proposed Amendment is prepared within the context of Provincial Policy and the Policies of the Official Plan of the County of Haliburton and Municipality of Dysart et al. Key policies, which provide direction, include:

PROVINCIAL PLANNING STATEMENT:

Policy 2.5	Rural Areas in Municipalities
Policy 2.6	Rural Lands in Municipalities
Policy 4.1	Natural Heritage
Policy 4.2	Water

COUNTY OF HALIBURTON OFFICIAL PLAN:

Section 1.3	Land Use Objectives
Section 3	Rural Lands
Section 5	Environment
Section 5.3.6	Shorelines

DYSART ET AL OFFICIAL PLAN:

Section 2.1.2	Importance of the Natural Environment
Section 2.1.5	Trends in Recreational Development
Section 2.2.1	Protection and Enhancement of the Environment
Section 2.2.2	Promotion of a Strong Community
Section 2.2.9	Protection of Public Health and Safety
Section 3.2.7	Closing and Conveyance of Road Allowances
Section 4.1	Settlement Pattern
Section 4.2	Sustainable Development
Section 5	Water Resources
Section 5.1.2	Lakes and Rivers
Section 5.3	Natural Resources
Section 9	Waterfront Areas
Section 12	Lakes and Rivers Areas
Section 13	Environmental Protection Areas
Section 15	Special Policy Areas

PART B - THE AMENDMENT

1. Introductory Statement

All of this part of the document, entitled "Part B - The Amendment", consisting of the following text constitutes Amendment No. to the Official Plan of the Municipality of Dysart et al.

2. Details of the Amendment

The Official Plan of the Municipality of Dysart et al is amended as follows:

1. Section 3.2.7 – Closing and Conveying Road Allowances, the fourth bullet of the third paragraph is hereby amended by adding the words “, in addition to any structure permitted in Section 5.1.2” following the words “For clarity”, such that the fourth bullet of the third paragraph of Subsection 3.2.7 shall read as follows:
 - “require the removal of inappropriately located accessory buildings. For clarity, in addition to any structure permitted in Section 5.1.2, any building or structure that was clearly constructed prior to July 11th, 1977 and has been assessed for tax purposes, will be permitted, subject to compliance with Section 3.19 of Zoning By-law 2005-120, as amended from time to time; or”
2. Section 5.1.2 – Lakes and Rivers is hereby amended by deleting the paragraph beginning with the words “The shoreline setback for an individual lot is defined in the implementing zoning by-law” in its entirety and replacing it with the wording as follows:

“The shoreline setback for an individual lot is defined in the implementing zoning by-law as the “water setback”. This setback will be strictly adhered to.

Excepted from the shoreline setback requirements are docks and marine facilities as defined and permitted in the implementing zoning by-law, stairs that provide access to the water and are not attached to a building or structure, and landings that are less than 9.3 square metres (100 square feet) in area.

Also excepted from the shoreline setback requirements are a deck and patio that are not attached to a main building, and a maximum of one (1) roofed structure as defined and permitted in the implementing zoning by-law. The roofed structure within the

water setback is restricted to either a gazebo, storage shed, or outdoor sauna and shall comply with the following criteria, which will be strictly enforced:

- A gazebo, storage shed, or outdoor sauna will be restricted to a maximum ground floor area of 15 sq. metres (161 sq. feet) and a maximum height of 3.5 metres (11.5 feet);
- storage sheds and outdoor saunas will be located a minimum of 3 metres (9.8 feet) from the high water mark; and
- storage sheds and outdoor saunas will be screened from view, from the lake and from neighbouring lots with a native vegetation buffer. The minimum width of the native vegetation buffer shall be 2 metres (6.5 feet).

The following development approvals are required prior to constructing a gazebo, storage shed or outdoor sauna, in the water setback:

- a Shoreline Report through the Municipal Lake Health Assessment program; and
- purchase of the shoreline road allowance, if the gazebo, storage shed, or outdoor sauna will be located on the shore road allowance.

This policy ensures that the general intent of Section 5.1.2 is implemented.

Boathouses are not permitted in the shoreline setback.

3. Section 15.2.2 – Special Area LSP-2: Percy Lake is hereby deleted in its entirety.

3. **Implementation and Interpretation**

This Amendment to the Official Plan will be implemented and interpreted in accordance with the respective policies of the Official Plan of the Municipality of Dysart et al.