

(On-Water Structures)

**THE CORPORATION of the
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN
P.O. Box 10, 1 Ottawa Street East
Havelock, ON K0L 1Z0**

**FORM 1
THE PLANNING ACT, R.S.O., 1990, as amended**

**NOTICE OF PASSING
OF A ZONING BY-LAW
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN**

TAKE NOTICE that the Council of the Corporation of the Township of Havelock-Belmont-Methuen passed By-law No. 2017-050 on the 1st day of May, 2017 under Section 34 of the Planning Act, R.S.O., 1990.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Township of Havelock-Belmont-Methuen not later than the 24th day of May 2017 a notice of appeal setting out the reasons for the objection to the By-law and reasons in support of the objection to the By-law. The notice of appeal must be accompanied by a cheque for \$300.00 made payable to the Minister of Finance.

Prior to the passing of the By-law Council received no oral and/or written submissions which resulted in revisions to the By-law.

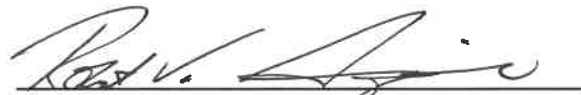
Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

Our records, at this time, indicate that the land which is subject of this Application for Rezoning is not the subject of any other application under The Planning Act.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies is attached. The complete By-law is available for inspection in the municipal office during regular office hours.

Dated at the Township of Havelock-Belmont-Methuen this 3rd day of May 2017.



Mr. Bob Angione, M.P.A., B. Admin
Clerk

Township of Havelock-Belmont-Methuen
P.O. Box 10, 1 Ottawa Street East
Havelock, ON K0L 1Z0
(705) 778-2308
(705) 778-5248 (fax)

EXPLANATORY NOTE

1. By-law No. 2017-050 has the following purpose and effect:

All existing docks larger than 46.45 square metres (500 square feet) are subject to Section 4.10 of this by-law. New docks larger than 46.45 square metres (500 square feet) are not permitted as-of-right but may be permitted pursuant to further planning approval (amendment to this by-law or minor variance). The Ministry of Natural Resources and Forestry may continue to require permits for on-water structures exceeding 15 square metres in area. The following must be contacted when seeking to construct or repair dock on a lake within the Township:

- Township of H-B-M Building Department

It may also be necessary to contact the following authorities:

- Ministry of Natural Resources and Forestry
- Crowe Valley Conservation Authority
- Department of Fisheries and Oceans

2. The amendment is considered to have application to any/all lands within the Corporation of Havelock-Belmont-Methuen; and therefore a key map has not been provided.

**THE CORPORATION OF THE
TOWNSHIP OF HAVELOCK-BELMONT-METHUEN**

BY-LAW NO. 2017-050

BEING A BY-LAW TO AMEND BY-LAW NO. 1995-42, AS AMENDED, BY BY-LAW NOS. 2004-28, 2004-46 and 2012-55, AS OTHERWISE AMENDED; OTHERWISE KNOWN AS THE "TOWNSHIP OF HAVELOCK-BELMONT-METHUEN COMPREHENSIVE ZONING BY-LAW".

WHEREAS the Corporation of the Township of Havelock-Belmont-Methuen has completed the preparation of an amendment to its Official Plan;

AND WHEREAS pursuant to Section 34 of The Planning Act R.S.O. 1990, as amended, Bylaws may be passed by Council of a Municipality for prohibiting or regulating the use of land and erection and use of buildings or structures within the Municipality;

AND WHEREAS the Council of the Corporation of the Township of Havelock-Belmont-Methuen deems it desirable to further amend By-law No. 1995-42, as amended, to ensure Official Plan conformity;

NOW THEREFORE the Council of the Corporation of the Township of Havelock-Belmont-Methuen hereby enacts as follows:

- "1. That Section 2 (DEFINITIONS) "**DOCK**" is hereby further amended by inserting 'and below the high water mark' in the first sentence, following the words 'or adjacent to water', by inserting the words 'above the high water mark' at the end of the first sentence, following 'walkways or boardwalks', and by inserting the following after the first sentence 'For clarity, all structures located below the high water mark shall be deemed to be part of the dock unless it is a boathouse or accessory marine facility. For the purpose of Section 4.10(d), and in compliance with the Building Code Act, a dock shall be considered a structure. Floating toys such as trampolines, foam pads and inflatables are not considered structures and therefore not regulated by the Building Code Act or this Zoning By-law.'
2. That Section 2 (DEFINITIONS) "**BOATHOUSE**" is hereby further amended by adding the following sentence following the last sentence 'The definition also includes boat ports, both above the high water mark and on-water.'
3. That Section 2 (DEFINITIONS) is hereby further amended by inserting the following between "**ABATTOIR**" and "**AIRSTRIP**": "**ACCESSORY MARINE FACILITY**" means a non-commercial accessory building or structure located on, over, under, or immediately adjacent to a waterbody but does not include a DOCK or BOATHOUSE as defined herein. An accessory marine facility includes a boat lift, a marine railway, or similar structure but shall not include any building used for human habitation or used only for winter boat storage nor any boat service, repair or sales facility. An accessory marine facility shall also include a water intake, flood or erosion control structure approved by the Crowe Valley Conservation Authority and/or the Ministry of Natural Resources and Forestry, or similar use.'
4. That Section 4.22 is hereby further amended by inserting the following Section 4.22.1 "Marine Facilities On-Water" which shall read as follows:

4.22.1 MARINE FACILITIES ON-WATER


- (a) On-water boathouses are prohibited in all zones.
- (b) All lands with water frontage are permitted to construct a dock, pursuant to the following guidelines:
 - (i) the maximum aggregate area of all docks below the high water mark shall be 46.45 square metres (500 square feet), including all structural supports and projections, unless stated otherwise in this by-law;
 - (ii) docks and dock platforms must be set back a minimum of 4.5 metres from side lot lines and from the straight line projection of a side lot line into the abutting waterbody;
- (c) No accessory marine facility shall be located within 4.5 metres of a side lot line or from the straight line projection of a side lot line into the abutting waterbody.”

If no notice of objection is filed with the Clerk within the time provided, this By-law shall become effective on the date of passing.


If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of passing hereof subject to the disposition of any appeals.

Read a **FIRST, SECOND, and THIRD TIME** and **FINALLY** passed this 1st day of May 2017 and given By-law No. 2017-050


MAYOR


CLERK

I, Bob Angione, Clerk of the Corporation of the Township of Havelock-Belmont-Methuen, do hereby certify that the foregoing is a true copy of By-law No. 2017-050 passed by Council of the said Corporation on the 1st day of May 2017.


CLERK