

# OTTY LAKE ASSOCIATION

1980-1

APRIL 1980

## NEW ZONING BY-LAW

You will have received in the mail your copy of the proposed new zoning By-law for Otty Lake (North Burgess 80-6, North Elmsley 80-1).

Unfortunately, the Councils of both Townships did not consult this association to discuss the proposed By-law or to explain the reasons for it. Left to examine it on our own, we have come to the conclusion that parts of it would be potentially bad for Otty Lake. There are several reasons for coming to this conclusion.

The existing zoning By-laws recognize all existing residential and non-residential uses (i.e. those that existed in 1978 when the By-laws were adopted). They also recognize the right of a property owner to build one (and only one) seasonal residence on an existing (undeveloped) lot. This was inserted in 1978, in order to be fair to those persons who had already acquired cottage lots but had not yet built on them. Although your association felt that the lake was already heavily developed, we recognized the desire to be fair to the persons in question, so we supported that provision at the time.

The proposed new By-laws, however, would remove these conditions altogether, allowing anyone who had the money to put up more buildings on the lake.

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# Otty Lake good neighbours

The proposed new By-laws would also reduce the restricted area much below the 1500' provided in the Official Plan for the Tay Valley Area and for Otty Lake. Besides this, we have some reservations about the wisdom of zoning parts of the shore "Rural". Essentially, our concern is that there should be one law for all; and it should be a law that protects the lake, not one that could harm it.

Some Good Features

The proposed By-law has some good features, and these have been put in it to reflect and give force to the provisions of the Otty Lake Plan (Amendment #4 to the Tay Valley Area Plan that were agreed upon in 1978).

These good features are:

1. Minimum lot sizes (for newly-created lots) will be 1 acre.
2. Minimum shoreline for newly-created lots will be 45 metres (147.6 feet).
3. Water setback for new buildings will be 15 metres (50 feet).

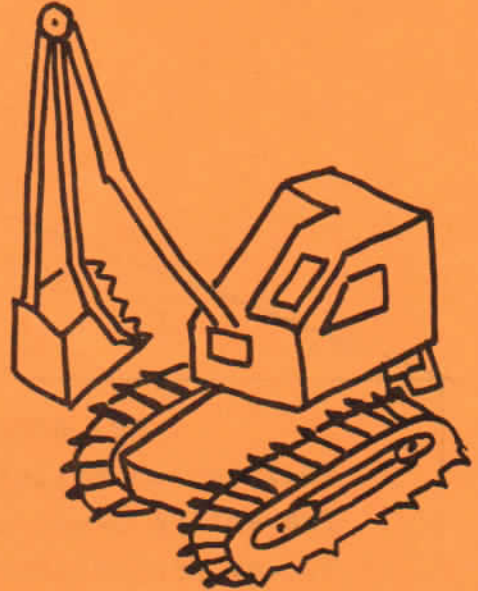
However, as the provisions mentioned earlier could cause harm to the lake, by removing the safeguards that we have worked so hard to obtain, your executive has registered an official protest.





LIGHTFORD SUBDIVISION

As previously reported, your executive has engaged the services of an environmental consultant to review the data available on this property and to assist us in formulating conclusions about the lake and the land around it. We expect that this advice will prove to be valuable in a variety of situations facing us in the next few years.



In the dying days of 1979 this association filed an objection with the Minister of Housing, against the amendment to the Tay Valley Plan (#6) that would enable the development to proceed. The reasons for objection, put briefly, are that our concerns and recommendations have not been sufficiently answered. These recommendations were set out in newsletters 1979-2 of June, 1979 and 1979-3 of November last. Unless the differences can be settled within the next few weeks, the issue will go before a hearing of the Ontario Municipal Board.

In the meantime, the Council of North Burgess has decided that the subdivision is acceptable to the Township provided that:

1. It contains a maximum of 50 lots.
2. The subdivision will be developed in 2 stages of 25 each, the second to begin only after the first is 75% built on.
3. The setback from the shore for the lots will be 300 feet.
4. All internal roads are to be paved to Township standards.

Discussions are continuing.

CARSON SUBDIVISION

Mr. Arnold Carson's subdivision in North Elmsley includes shoreline immediately west of Whippoorwill Point. The entire development is in three parts. In 1977 the Tay Valley Area Planning Board gave permission to proceed with the 2 parts that lie outside the 1500' line, as the part that lies within the line was under a development freeze.

Now the developer wishes to proceed with Phase 3, the part that is closest to the lake. In accordance with the provisions of the Tay Valley Official Plan, including the Otty Lake Secondary Plan, all such developments must provide at least 13 metres of good shoreline for each backlot unit, for the use of the residents in the subdivision. The shoreline that is available there for swimming and boating measures 380'. Therefore, Phase 3 can accommodate not more than 10 lots with dwellings.

Mr. Carson had proposed to put 28 lots in Phase 3, and the Township as well as the Tay Valley Planning Board both agreed to this in late 1979. However, your association has drawn to the attention of the Planning Board the formula in the Official Plan that was agreed to in 1978 and since approved by the Minister of Housing. We expect the Ministry will shortly be supplying any necessary interpretations the Planning Board may require.