

THE CORPORATION OF THE MUNICIPALITY OF HIGHLANDS EAST

BY-LAW NO. 2017-_____

(Source Protection Draft ZBA – October 12, 2017)

Being a By-law to amend By-law No. 2005-29, as amended, the Zoning By-law for the Municipality of Highlands East with respect to lands identified by the Trent Source Protection Plan as Wellhead Protection Areas

WHEREAS the Council of the Corporation of the Municipality of Highlands East is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990;

AND WHEREAS the Municipality of Highlands East is required to implement the Trent Source Protection Plan under the Clean Water Act

AND WHEREAS the Council of the Corporation of the Municipality of Highlands East deems it advisable to amend By-Law 2005-29, as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Highlands East enacts as follows:

1. Schedule 'A', Map 11 to Zoning By-law No. 2005-29 as amended, is further amended by identifying that certain lands located in Part Lots 12 and 13, Concessions 4 and 5, in the geographic Township of Bicroft, now in the Municipality of Highlands East, are subject to Section 3.41 of the Zoning By-law, (Special Provision for Wellhead Protection Areas), as shown on Schedule 'A-1' attached hereto and forming part of this By-law.
2. Schedule 'A', Map 13 to Zoning By-law No. 2005-29 as amended, is further amended by identifying that certain lands located in Part Lots 30 and 31, Concession 11, in the geographic Township of Bicroft, now in the Municipality of Highlands East, are subject to Section 3.41 of the Zoning By-law, (Special Provision for Wellhead Protection Areas) as shown on Schedule 'A-2' attached hereto and forming part of this By-law.
3. Furthermore, Section 3 to Zoning By-law 2005-29 as amended, is further amended by adding the following new sub-section:

3.41 Special Provision for Wellhead Protection Areas

Lands identified on Schedule A, Map 11 and Map 13 as being subject to this sub-section are located in a Wellhead Protection Area (WHPA) as identified by the Trent Source Protection Plan. Permitted uses and regulations for lands subject to this provision shall be derived from the primary zone category shown on the zone schedule, with the exception that any activity, land use or undertaking that is prohibited or regulated under Section 59 of the Clean Water Act shall not be a permitted use unless or until such activity, land use or undertaking has been duly authorized by the issuance of a Notice by the Risk Management Official.

4. In all other respects, the provisions of By-law 2005-29 shall apply.

This By-law shall come into effect upon the date of passage hereof, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST AND SECOND TIME on the xxth day of November 2017.

READ A THIRD TIME and finally passed this xxth day of November 2017.