

OAKLAND AREA ADVISORY COMMITTEE

Indian Point Fire Hall

January 24th 2018, 19:00

AAC Members.

Tom Lockwood, Chair

Geoff MacDonald

Bill Scott

Municipal Staff.

Douglas Reid

Members of the Public.

11

Regrets: Ron Myers, Councilor Michael Ernst

Meeting called to order at 19:05.

Introduction

Introduction and opening remarks from Committee Chair. Following concerns identified at the January 10th meeting, it was determined this meeting would concentrate on looking at the identification of those potential uses that may be proposed as “prohibited uses” in the Plan Area.

Plan Review (ongoing) – Prohibited Uses

Staff reviewed the proposed as-of-right / restricted / prohibited uses framework, noting where uses could be identified into any of these categories, and further separated by geographic Zones within a Plan Area. In the current Oakland By-law: most of the community was under one Zone (Rural), and most land uses were permitted “as-of-right”, unless they were listed as “restricted developments.”

The introduction of a (new) “prohibited uses” category in the Plan would expressly prohibit certain uses, by informing would-be developers that such proposals were incompatible with the existing community. It was acknowledged many of the possible “prohibited uses” were unlikely to want to develop a property in Oakland, but by introducing such a category, it allowed municipal regulations to be clear. Staff noted where a list of prohibited uses was developed in Blockhouse first, then for Princes Inlet - these lists could be used as a possible starting point for consistency. Alternatively, staff pointed to where all commercial / industrial uses were categorized in a classification standard, so that inventory may be reviewed as a more comprehensive way to develop any list.

Mr. MacDonald noted his perspective in why the community should not depend on provincial Environment restrictions, and instead consider its own prohibited uses list. The rationale for possible restriction or prohibition of uses would be on the grounds of environment / safety hazard, traffic, and size of use.

Mr. Lockwood identified where, having experienced on PAC the case that brought forward the identification of a Prohibited Uses category in Blockhouse, there can be some consideration to what was learned from that community’s experience. He asked for any comments from citizens in attendance:

- (*Forbes*) It was noted that the staff presentations were too long in explanation, and more time at Committee meetings be put towards input and discussion. He identified that rather than spend time trying to create a specific list of uses to prohibit - which would likely result being inadequate or over-restrictive - there could be the use of a matrix, which proposed developments would be assessed against, in terms of potential impact (e.g. environment, traffic, noise) or in meeting community expectations (allow for public input). Discussion with where this approach was in keeping with the current “Development Agreement” process used for restrictive developments.

- (*Belair*) Outlined concerns about the message that proposed changes to the By-law would send to new businesses considering any move to Oakland. He repeated the recommendations, as per his letter, including that there be a “hard” size restriction on any proposed businesses (4000 square feet) and that this size threshold may be a fixed limitation. (no exceptions permitted)
- (*Matthew*) Agreed some uses may be expressly prohibited, even if unlikely to develop. It was recognized that in creating a “Prohibited Uses” category, and a potential permitted “Listed Uses” category, that the community was in the same dilemma, in that it may be difficult to establish any exhaustive list that could include / exclude all possible types of development. He felt that the Development Agreement approach may be useful for many types of uses, as the Development Agreement process allowed for input from neighbours / community on a proposal.
- (-) The current plan allowed for many as-of-right land uses, but it had not brought new businesses to the community. Most new development since the first Plan in 1990s were residential.
- (*Forbes*) Expressed his concerns that staff’s presentation was backwards to the desired outcomes, in that the proposed regulation was trying to categorize all possible uses, rather than be focused on trying to identify the constraints to potentially limit the impacts from a new development that the community did not want.

Mr. MacDonald outlined where the Development Agreement process was a far more extensive process than acquiring a Permit for an “as-of-right” development. It cost more, took longer, and created uncertainty. Further, the By-law cannot monitor (or constrain) a use, once it was permitted to develop on a property. These were the parameters in which the Land Use By-law can be developed, in all municipalities.

- (*MacLaren*) Noted that the community was mostly residential, whether it was new development, or properties that had been residential for a long time. She perceived many residents would accept increased restrictions on certain uses in a residential community. The current By-law had already established restrictions based on size, in requiring a Development Agreement, but that some types of uses may be unsuited regardless of their size.
- (*Belair*) Wanted to ensure there was clarity on what was stated in the submitted letter, in that he agreed with an approach that would have certain uses identified as “restricted” - that is, requiring a Development Agreement, not just a permit - such as what was in place in the existing By-law. He reiterated his proposed 4000 square foot size limit on all new proposals.

Ongoing Procedure

There was discussion over possible next steps by the Committee in the review, and what were the community’s expected outcomes from this process. Staff noted where Council would ultimately adopt an updated local planning strategy & regulation.

Next meeting date.

To be confirmed with Committee members by internet poll.

Meeting adjourned at 21:06