

OAKLAND AREA ADVISORY COMMITTEE

Indian Point Fire Hall
April 17th 2018, 19:00

AAC Members.

Tom Lockwood, Chair
Geoff MacDonald
Bill Scott
Ron Myers
Councillor Michael Ernst

Municipal Staff.

Douglas Reid

Members of the Public.

7 signed in.

Meeting called to order at 7.02.

Introductions from Committee Chair. No additions to Agenda.

Approval of Minutes

Adoption of minutes for the December 13th, January 10th & January 24th meetings moved and carried.

Matters arising from minutes:

Councillor Ernst provided an update on actions taken regarding the consideration of a local "Noise By-law". Only a few citizens responded to his initial email, asking for input. He also asked (no answer received) the Lunenburg RCMP detachment regarding their administration of the noise by-law in the Town. Copies of similar regulations found in other jurisdictions were being compiled - G MacDonald asked if there were any update on what possible changes the District of Chester had been considering.

Councillor Ernst noted that the matter would only be able to go forward to the Municipality if there was identifiable public support.

Business Arising

2a. Plan Review (ongoing) – Draft sections of Land Use By-law (Administrative sections)

Staff presented draft By-law sections 1-4, as found in Agenda package. Sections 1-3 cover administrative aspects, Part 4 (identified as General Provisions) includes relevant regulations affecting all zones. As was undertaken with the Committee's review of policy in the Draft Planning Strategy, the Committee was asked to provide their comments, in preparation of an initial Draft version, for use at a future public information meeting. Staff noted where any minor word edits would be included in a consolidated draft. Other items identified during the Committee's review of the material:

- **s.2.14:** Staff to follow up with Committee in identifying what a Municipality can do (per legislation) in situations where a Development Permit was issued in error by the Development Officer.
- **s.2.16:** Staff noted the change in the "Service of Notice" radius to 305 metres.
- **s.4.7:** Committee agreement that the proposed regulation regarding any fence greater than two metres in height was to remain in place. (*At present: a permit is required where a proposed fence is greater than 2m in height, and must meet any identified yard setback*)
- **s.4.9:** Regulation re: Habitation of Vehicles to include "boats", changes in section's title and sentence re-arrangement, so as to provide for greater clarity.

- **s.4.15:** Staff noted the change in the required setback from an identified watercourse (20 metres).
- **s.4.16:** Noted issue with the proposed use of “CGVD28” in determining the vertical coastal setback requirement. The draft proposed a 2.5m vertical setback constraint, established from CGVD28.

Two key issues were identified: [1] Many citizens would not understand that particular measure and [2] It required having a surveyor involved at point of possible development. A proposed alternative: use of the ordinary highwater mark at the time of application. Staff noted that during 2014 consultations, determination of an applicable “common” baseline was discussed. It was agreed that this matter could remain as presented in the Draft for now, but that determination of the appropriate measure be reviewed in greater detail with staff at a future meeting.

- Staff noted a proposed Deletion of an existing regulation regarding lighting. Lighting would only be policed in Development Agreement -related applications.
- **s.4.21:** Where the policy statement on “Variances” was not yet determined, it was highlighted that future Committee discussion on variances would impact on possible regulations.

2b: Committee Discussion: Determination of proposed Policy framework (v.2 document)

In follow on from the two previous Committee meetings, where there had been discussion based on the concerns raised with the Committee through written correspondence and verbal comment, the Chair asked for the Committee’s opinion on whether the Committee should undertake changes to the draft policy document at this time.

Following statements made by all members: Committee members were in agreement to continue to use “version 2” of the Draft Planning Strategy as the basis for developing a set of proposed regulations.

It was recognized by the Chair that things may still change with the documents in the future, following the information meeting, where a completed set of draft documents is to be presented to the public.

The Chair asked for any comments from citizens in attendance:

- (*Belair*) Noted his perspective, and that of other signatories, disagreed with making extensive changes to the existing By-law. It would be important for the Advisory Committee to have the majority of support of the community of Oakland in going forward, where it was impacting / limiting individual property rights.

Next meeting date.

To be confirmed with Committee members by internet poll.

Meeting adjourned at 8.50.