

## OAKLAND AREA ADVISORY COMMITTEE

Indian Point Fire Hall

October 10<sup>th</sup> 2018, 19:00

### **AAC Members.**

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

### **Municipal Staff.**

Douglas Reid  
Jeff Merrill

**Members of the Public:** 18 (15 signed in)

Meeting called to order at 19:00.

Introductions from the Committee Chair. The format for the evening was to be a presentation from staff on input from the Open House, various newsletters, letters and written responses sent in from the public, followed by Committee discussion, followed by questions from the floor. No additions to Agenda.

### **Approval of Minutes**

Adoption of minutes for July 24<sup>th</sup> moved and carried. There were no matters arising from the minutes:

### **Staff Presentation on various items of Correspondence**

#### **August 21 Newsletter**

Staff provided hard copy of the August 21<sup>st</sup> newsletter and summarized the concerns and also where there was a relevant staff response to the stated concern:

- 1) Lot frontage and lot area requirements: - not changing in the By-law.
- 2) Existing lot development limitation - As-of-right development continues to be permitted. This is the proposed removal of an existing regulation.
- 3) Fixed roof accommodation unit limit. - The committee is interested in receiving comments from citizens as to whether 3 units (or current allowance for 25 units) is too restrictive (or too permissive).
- 4) Radius for Public Notice. – Proposed increased from 30m to 305m to enable greater public awareness of, and input on Development Agreements and amendment applications.
- 5) Environmental setbacks. – Horizontal setback proposed to increase from 14m to 20m. Vertical setback (2.5m) would be new restriction. The committee is interested in receiving comments.
- 6) Non-conforming uses. – Little change in the Draft, except for wording (includes “legal”).
- 7) Prohibited uses. – Concerns expressed where Fish-related commercial activities are proposed to be included, and that Quarrying is not on list. Staff noted where a Land Use By-Law cannot control for extraction but can try to control “...uses associated with”. The committee is interested in receiving comments from citizens as to what else should be on, or not on, the Prohibited Uses list.
- 8) Farm / barn items. – Concern expressed with restricting Barn height to 14m, and any control of bee hives. Staff noted where Barns could be exempted from heights -related regulations, and changes made so that the existing By-law’s reference to bees (*not a new restriction*) was removed.

#### **August 21 Letter**

Staff provided hard copy of the August 21<sup>st</sup> letter and noted the concerns as being;

- 1) More time needed for consultation.
- 2) Change of Restrictive approach versus Permissive approach to new development.
- 3) Impacts on Property values.
- 4) Supportive of reasonable constraints.

## September 11 Petition

Staff provided hard copy of the September 11<sup>th</sup> Petition/letter and any noted staff response;

- 1) Current regulations allow small business uses within a size limitation and list of prohibited uses and restricted uses. – Staff noted there is no Prohibited Uses category in current By-law.
- 2) A resident cannot saw round wood for their own use. i.e. residential firewood – Staff noted that cutting your firewood is not a land use, it is an activity associated with your residence. Such an activity does not require any development permit.
- 3) Dog boarding, grooming and veterinary / vet assistant training not permitted. – The current By-law requires a Development Agreement for “breeding or boarding of all animals other than farm animals”. This type of development would not be identified with a new restriction.
- 4) Solar energy panel farm with some of the power being sold. – Solar panels connected in to a residential property would be considered as accessory to the residential use. A commercial solar panel farm, independent of a residence, would require a Development Agreement.

## Updated January Letter

Staff provided a hard copy of the updated January letter. (additional signatures noted at top)

## September 28 Letter

Staff provided hard copy of the September 28<sup>th</sup> letter and summarized the concerns as being;

- 1) Property owners would be impacted by potential new businesses, and their property values would also be adversely affected by certain types of new businesses.
- 2) Increased traffic from new businesses is a big concern. Regulations should suit with it being identified as a largely residential area, rather than as commercial area.

## August 21 Public feedback Form

Staff provided hard copy of the August 21<sup>st</sup> public feedback form questions and feedback responses.

- 1) Do you consider the proposed policy & regulations restrictive/permissive? – 3 responses thought restrictive, 9 thought permissive and 2 reasonable.
- 2) Are proposed regulations identified with wetlands and watercourses protection considered acceptable? – 13 in favour, 1 against.
- 3) Written comments. –Comments were presented in hard copy, staff highlighted several areas which can be the subject for further committee discussion;
  - 1) Concern with certain listed uses (possible repair shops / food production uses)
  - 2) Concern with limits on Fixed roof accommodations
  - 3) Various concerns with Public notice / public consultation processes on developments
  - 4) Fish processing
  - 5) Allowance for residential uses in Protected Water Areas
  - 6) Outdoor wood furnaces (concerns associated with existing regulation)
  - 7) Setbacks for Shelters for farm animals (concerns associated with existing regulation)

From the Feedback comments and points raised in other correspondences: staff considered where a total of **12 points for further discussion** were identifiable. Included in this list was the September 11<sup>th</sup> petition’s main statement (“*any and all restrictions*”), also included was the concern identified with the proposed framework in the Draft By-law with listing permitted commercial uses.

During Committee discussion, the Chair noted where he considered the September 11<sup>th</sup> petition was not entirely accurate on a number of points, and so the count of people who signed it (32) should not be considered if they were not in agreement with whether all changes to the Draft should be removed.

## Questions and comments were asked for from the floor.

(Belair) Why was there no reply to his first letter?

**Staff response:** The letter was added to the Committee's Agenda, and its subject matter became a discussion item at two meetings, beginning in January. No replay was requested at the time when the Committee moved forward in the Review in the Spring, following the discussions. However, as a response is now requested, a letter will be prepared by staff and discussed by the committee.

(Forbes) What is the process for writing to the OAAC?

Councilor Ernst explained the process for making presentations to MODL Council. Staff added where during a Review correspondence can be sent by citizens in to the Municipality, both in a formal sense, (*so as to be added to a future Committee Agenda*) and also informally. (Questions on a particular matter can always be asked of staff.)

(Crawford) Commented he had received no information in the post about the matters that were identified at this meeting.

(Forbes) Asked regarding the process for writing to OAAC, and how it was documented.

**Staff response:** The letter was received and passed to the OAAC as an item at the first meeting in January. Concerns identified in the letter were then discussed, and made the full subject at the next meeting, on January 24<sup>th</sup>. Committee discussion may be found in the meeting minutes for both January dates, and any of the following meetings during the spring. Staff reiterated that where a written response to the January letter was now being requested by Mr Belair, one will be prepared by staff and then discussed by the committee.

Staff asked if there was any public comment to add to the points as highlighted for further discussion by the Committee. i.e. Whether it was considered a complete list, or if further points should be added.

(Creary) Thanked everyone for their efforts and said he and his father like the planning proposal.

(Watson) Said he signed the September 11<sup>th</sup> petition. He felt the fixed roof accommodation limit change from 25 to 3 was too big a step, and that the process of change was happening too quickly, and brakes should be applied. He was in favour of introducing the horizontal and new vertical set back limits.

**Chairman response:** Pointed out where the introduction of a "three list" approach (to include Prohibited Uses) was done in response to a C&D proposal (in Blockhouse), and that community's introduction of a list of prohibited uses.

(Watson) Agreed with using a three list approach, but asked why the move to a permissive approach?

**Chairman response:** It was considered that a Permissive approach would outline what could be acceptable to community, because no Development Agreement list could ever be exhaustive.

(Crawford) Commented that the staff presentation was careful and meticulous, well done.

(Watson) Said he was considering commercial boat building along the shoreline. Would he require a Development Agreement under the proposed Land Use By-law?

**Staff response:** It was pointed out that a Development Agreement for commercial boat building would be required under the current By-law in the Ocean Shoreline Zone. (See in Cross Reference Aide, section 7.2.2b of 2003 By-law) and that this aspect was not changed in the Draft.

(Belair) Asked if a 300 square meter building would be permitted in the Ocean Shoreline Zone?

**Staff response:** Identified where there was a regulation in the current By-law's Zone requirements which had not changed in the new Draft, which dealt with the maximum width of structures. In general, where the regulations of the Ocean Shoreline Zone had not changed, and where most properties within the Zone were seen as narrow parcels, a Development Agreement was and would still be required for any sort of larger developments.

Staff asked if the list of identified items was complete, or if other items were to be added to it?

(MacDonald) Noted where the current electric fence regulations can be added as an item to the list.

(Belair) Inclusion in the proposed change from a restrictive to a permissive approach be added to the list. (

Councillor Ernst noted where the proposed three list approach may bring clarity to development process, and stops time being wasted by people applying for uses that will not necessarily be considered acceptable.

### **Committee Discussion on Next Items of Business**

It was agreed that the next few meetings should discuss certain identified points for discussion, with understanding that some items can take longer than others.

For the next meeting it was agreed to tackle;

- 1) Setbacks for structures with farm animals
- 2) Framework – restrictive or permissive approach
- 3) Outdoor wood furnaces

Further Committee discussion would then continue with the proposed restrictions on Fixed Roof Accommodations.

### **Next meeting date.**

Next meeting Wed 24 October, 7:00pm at the Indian Point Fire Hall

**Meeting adjourned at 20:47**