

Community of Miltonvale Park Public Meeting - January 26, 2016

MINUTES

Present: Chair Hal Parker, Councillors Sheila Curtis, Sheila MacKinnon, Denise MacDonald-Vail, Helen Shaw, Tamsyn Cosh MacKenzie, Planning Board Members George Piercey, Betty Pryor, Residents – including Charles MacKenzie, Orville Curtis, Nick and Vanessa Clements, Arnold MacRae, Don MacKinnon, Wendell E Dawson, Marjorie and Stevenson Dawson, Ernie Coles; Administrator Shari MacDonald, Development Officer Sandy Foy, Planner Hope Parnham

Chair Hal Parker called the meeting to order at 7:34 p.m. and turned the meeting over to Planner Hope Parnham of Dv8 Consulting.

Ms. Parnham reviewed a PowerPoint Presentation (available online at <http://miltonvalepark.com/files/345.pdf>)

She noted a number of ways information was gathered to provide community input to the new Official Plan and Bylaws. Residents had a questionnaire delivered to each home, and it was also available online and at community events, such as Canada Day. There were two public meetings held previously– a visioning session on September 19, 2015 and another public session for review and feedback on November 5, 2015. Development permit data, census data, population trends, research, as well as a legal review also were considered in the preparation of the new documents.

The goal of the Community of Miltonvale Park is to continue to be a rural agricultural community while supporting residential development in appropriate areas, and promoting recreational and institutional services for its residents.

The Zoning and Subdivision Control (Development) By-Law 2016 tries to balance the desire for flexibility in the use of the owners' land with protecting property owners from themselves and from adjacent land owners.

Top 10 Things to Know about the New Bylaws:

1. **Reorganized/Restructured** - To improve the user-friendliness of the document, transparency in process and to ensure a consistent, fair approvals process based on the stated criteria, the bylaws were reorganized.
 - a. Administration and Application Process
 - b. General Provisions for ALL zones
 - c. Zoning specific regulations
 - d. General Provisions for Subdividing Land
 - e. Appendices include
 - i. Official Zoning Map
 - ii. Definitions
 - iii. Parking standards
 - iv. Schedule of Fees
 - v. Province-Wide Minimum Development Standards
 - vi. Provincial Special Planning Area Regulations

2. **Simplified Application Processes** will be implemented regarding the requirements of a Development Permit

Variances (exceptions to the 'measurable' rules)

- Up to 10%: decision of council
- Over 10%: requires a notification property owners; and may or may not require a public meeting.
- Bylaw Amendments/ Rezoning Applications outline the requirements for notification to adjacent property owners; and public meetings.

It was noted that if a proposed use is not a permitted use, a bylaw amendment would be required.

3. **Drainage Plans** will now be required for dumping/excavating fill, altering the grade on the perimeter of the property, and when erecting large buildings (> 700 ft²), small buildings (> 215 ft²) on small (< 20,000 sq. ft.) or narrow (< 30 ft. wide) properties, or properties with reduced permeability (Lot coverage > 10%). Drainage Plans are professionally designed and certified plans that show how a site needs to be designed to prevent damage from surface water drainage. Two adjacent properties, even those with the same owner, need drainage plans, unless they meet the exceptions where no plan is required.

When surface water drainage is altered on one property – it is likely to alter the surface water drainage on adjacent properties. Property damage caused by severe weather (i.e. precipitation –rain or snow) is now the leading cause of insurance claims – exceeding fire – in the country.

4. **General Provisions: Accessory Apartments** - Accessory apartments provide an alternate source of housing and generate income to support property ownership; but they need to be safe and require appropriate services. Accessory Apartments may be in a single detached dwelling or in an accessory building of a single detached dwelling.

Regulations were developed pertaining to the size and design of the apartment; property services; parking; and placement of the accessory building (if applicable). The bylaw no longer regulates who lives there or how long they live there. Both sets of regulations apply – those for accessory buildings and for residences. Garden suites are now considered under the accessory apartment requirements. Additional living units require confirmation of the capacity of the septic system. Mini homes are only permitted in the Agricultural Zone.

5. **General Provisions: Environmental Buffer** - The Watercourse and Wetland Buffer Zone regulations are enforced by the Province. The Community will require confirmation that these regulations have been satisfied by requiring that the Buffer Zone boundary be confirmed by the Department of Community, Land and Environment and shown on the Development Site Plan with necessary setbacks indicated. For any activity within the Buffer Zone, confirmation of a Watercourse and Wetland Alteration Permit must be submitted with Development Application.

6. **General Provisions: Land Use Edges** - Edges will require special treatment by way of a landscaped area or a fence; outdoor storage regulations; and/or use of exterior lighting regulations. The regulations for edges will be between the following:

- Commercial, industrial and agricultural uses when they abut residential uses
- Commercial, industrial and agricultural uses when they abut Open Space and Recreational

- Agricultural uses and any other uses

7. The **Manufactured Housing Park Zone** has been renamed from the Mobile Home Park Zone. Definitions were modified for “Mini home” (prefabricated and < 5m wide) and “Modular home” (prefabricated and > 5m wide). Modular homes are treated like Single Detached Dwellings. The lots in Meadowvale Community are reported to be about 50 feet wide, with about 17 feet on each side of the current units. Ms. Parnham will investigate further.

8. **Environmental Reserve Zone (Overlay)** - A new layer on the Zoning Map includes the approximate boundaries of the Watercourse and Wetland Buffer Zone and the 25 year Zone of Influence around the City of Charlottetown well field site.

- Permitted uses include passive recreational; conservation and open space
- For all other uses permitted within the underlying zone, applications must receive written confirmation from Department of Communities, Land and Environment.
- Notification will be given to the City of Charlottetown regarding proposed development and land use within 25 year Zone of Influence.

It was noted by a resident that it is frustrating to be asked to protect the City’s wellfield. Approval from the City is not required, just notification and the City will then address any concerns with the landowners. The future land use is not noted in the Zoning Map.

9. **Regulations for Subdivisions**

- Subdivisions will be based on lot frontage and size requirements of the proposed lots (subject to Provincial Minimum Development Standards for on-site services).
- Previously, the number of new lots permitted was based on lot frontage of the existing parcel.
- The minimum Lot Frontage requirements for each zone is consistent with lot size requirements for on-site services for Category II soil types, which is the most prominent type in community.
- In the Agricultural Zone, subdivisions are limited to no more than four lots from an existing parcel, which is a decrease from five lots,
- New lots must have frontage on a highway (a.k.a. public road) and new roads must meet Provincial standards to be deeded to the Province (i.e. private roads will no longer be permitted).

10. **The Zoning Map** – The major changes include the Environmental Zone Reserve (Overlay) and a Recreation & Open Space Zone

Residents were invited to pass along any further concerns that they may have, to either the Council Office or directly to Hope Parnham, so they may be considered in case revisions are necessary. Chair Parker thanked Ms. Parnham for her most informative presentation.

The meeting was then adjourned, at approximately 8:40 p.m.

Chair

Approved **March 16, 2016**

Administrator