Public Consultation Meeting Notes
District #2 Hubbards Fire Hall
7:00 p.m. May 7, 2018

Attendance

Council:	Councillor Sharon Church Councillor Tina Connors Councillor Marshall Hector Deputy Warden Floyd Shatford
CPAC:	N/A
Staff:	Tara Maguire, Director of Community Development Garth Sturtevant, Planner Jonathan Meakin, Strategic Initiatives Coordinator Tammy Wilson, CAO Tammy Hamm, Administration Coordinator
Gallery:	There were approximately 30 members of the public present.

Summary of Comments & Questions

QUESTION - Is there a requirement for MODC to do something with these documents, with the zoning? If so, what is it?

ANSWER - Every 5-10 years, municipalities are required to review their planning documents to ensure the character and needs of communities within that municipality are being met. Such a review could result in the same zones and planning strategy. There are also new planning requirements that municipalities must address – such as water protection, flood plains, etc.

QUESTION - On the zoning map, what is the strip of orange that goes down to Mill Cove. We want that to be General Basic.

ANSWER - The proposed zoning in that area is the result of input provided by residents when we were consulting communities about the character of their communities. The orange colour represents the Settlement Residential 2 Zone.

QUESTION - Why the 20 metre set-back from both sides of a body of water?

ANSWER - This set back requirement applies to homes and cottages. A boat shed can be at the water's edge. CPAC came up with the proposed 20m set-back requirement after looking at what similar rural municipalities do, as well as best practices in general around set-backs and bodies of water. Discussion then followed at CPAC meetings about how other jurisdictional practices may or may not apply to MODC.

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QUESTION - How do these set-backs around water affect my use of my property with a stream running though it?

ANSWER - The vegetative buffer applies to streams as well. If a Development Permit is required for your project, then it must be set back 20m from the water's edge. If no permit is required, the setback doesn't apply. We'll be looking at these set-back requirements again when we review the draft documents as we have had good feedback from the community.

QUESTION - How can we stop these zoning changes?

ANSWER - Council has directed that we hold this series of public engagement sessions so that we can gather your feedback and work to ensure we are meeting the needs of residents, their properties, and their communities. The planning documents that we have shared with residents are draft documents that contain proposed zones and associated policies. The feedback the public provides through these public engagement sessions is brought back to the CPAC. Staff will take the resulting discussion from the CPAC meetings and draft revised documents accordingly for CPAC to review. All stages of this process are open to the public an residents are welcome to attend meetings of CPAC or Council.

QUESTION - Are there any tax implications for these zoning changes?

ANSWER - No. Taxes are based on the current use of your land and market value assessment.

QUESTION - What is the amendment process for these zones. If you wanted to challenge a zone, how would you do that?

ANSWER - Now is the time for all residents to express their views on these proposed documents and what they outline in terms of zoning. The documents are drafts that we will review and finalize with all the feedback gathered through the public engagement sessions. A resident can also contest zoning once the new zones are in place at any time using the process in place for ongoing engagement. CPAC would review the resident's issue and bring it before Council for debate.

QUESTION - I own two wood lots. With this new zoning, can I cut the trees on those wood lots?

ANSWER - Anything you do today on your property as your business you can continue to do. Although restrictions will apply to any new businesses introduced to a property, existing and established businesses are not affected by the zone changes. Personal use is not affected.

QUESTION - Are there restrictions preventing people from burning wood to heat their homes?

ANSWER - No. We are proposing to regulate outdoor wood furnaces, and even then what we are proposing are regulations that affect the installation of new outdoor wood furnaces only. We are going to reconsider the set-backs involved in such regulations as they may be too prohibitive. Many residents have made it clear that the proposed 90 metre setback is too large, so we will revisit.

QUESTION - Can you go over the impact of this new zoning on farm animals on our properties?

ANSWER - There has been a lot of misinformation circulating about the impact of zoning on farm animals on properties. To touch on some main points: for the General Basic Zone, a resident who decides to have more than 20 Farm Animal Units (FAU) on a property must meet new regulations regarding setbacks for new barns and manure piles, for example. For the Mixed Use Zone, the lot size dictates the number of farm animal units permitted on a property. Some of these regulations are based

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on Department of Agriculture guidelines.

QUESTION - How do these regulations affect residents who already have more farm animals than the regulations allow?

ANSWER - Residents can maintain their existing FAUs once the new regulations come into effect. If a resident that had an established practice that exceeded the new regulations does not have farm animals on a property for a period of 6 months, then the new regulations would apply if the use were restarted after 6 months of inactivity. We have heard from the community that this 6 month period is a barrier for seasonal use and some types of farming operations.

QUESTION - What if you have an established existing use on your property, with a manure pile that does not meet new set-back regulations. I understand that we can carry on as the manure pile was in use before the new regulations come in to play. But what happens if someone still complains about that existing use manure pile?

ANSWER - Obviously, we cannot stop people from complaining, and if we received a complaint we would investigate. If we confirm that the manure pile meets the existing use definition, then it's the right of the property owner to continue with that use.

QUESTION - What if you want to use your property for a new non-conforming use in a zone?

ANSWER – Non-conforming uses are only uses that existed before a by-law change. They were allowed under previous rules but are no longer allowed under the new rules. Therefore, there is no way to apply for a "new" non-conforming use. Any structure or use legally existing when a by-law changes so that the structure or use is no longer permitted, will automatically become non-conforming.

QUESTION - What about the limit of parking an RV on a property for a maximum of 14 days, and the need for a temporary permit to use an RV on our own property?

ANSWER - These are restrictions for the SR2 Zone. Again, we have heard from residents that this restriction is not practical, so we will revisit it with CPAC.

QUESTION - What if you live in a camper on your property? Do you need a permit?

ANSWER - Yes, a temporary development permit, depending on the zone. This permit would be for a temporary dwelling for 6 months. Specific setbacks would have to be met. In the General Basic Zone a permit would not be required and the 6 month rule does not apply.

QUESTION - Isn't the distinction between GB and SR2 zone boundaries concerning temporary habitation arbitrary?

ANSWER - That is a fair comment. During our community character consultations, residents raised concerns about the aesthetics of temporary dwellings and their impact on property values. That being said, such concerns were focused on the long-term property value and community impact of properties with RVs and no permanent construction. We tried to find a balance with these draft regulations, but the feedback we have received suggests we need to review how we approach temporary habitation of RV's.

QUESTION - What is the maximum kilowattage allowed for solar panels?

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ANSWER - Currently, the maximum is 100kw, but that may not be enough, so we can consider increasing this amount.

QUESTION - How does zoning affect vehicles in yards?

ANSWER - There are zoning regulations for salvage yards, but nothing that addresses vehicles in a resident's yard. The Municipality has a Dangerous and Unsightly By-Law to address matters of 'unsightly' properties, but that By-Law is already in place and is common practice for local governments.

QUESTION - So what's the process now? When will these planning documents come in to effect?

ANSWER - There is a process here that will help us ensure we review and address the feedback generated through these public engagement sessions. By the end of May/June, feedback will be reviewed and discussed by the Citizens Planning Action Committee. Then Council will review and discuss the Committee's recommendations before implementation in the early fall. Keep in mind this entire process of Committee and Council meetings is open to the public.

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