

~~Malpeque Community Hall, Wednesday June 15th 2011~~

Draft Official Plan Meeting Held At Malpeque Community Hall, Wednesday June 15th 2011

This meeting took place on June 15th. A subsequent meeting has since been held on August the 10th. The minutes from the August the 10th meeting will be published in the next edition of the County Line Courier.

Jeremy Stiles, Chair of The Planning Board thanked everyone for coming out to this meeting. Gordon Smith from CBCL, and Janice Harper, the Planner provided an overview of the plan to date. In her presentation, Janice's acknowledged the founding families of the community and recognized that their descendents still reside in the area.

The process of planning works to ensure that the rights of the developer and the adjacent landowner are "balanced". One example provided was that a developer should be required to provide land for a buffer area where indicated between their development and the neighboring land owners.

The plan represents the vision or the destination, and the bylaws and regulations become the details or the roadmap. The draft document presented incorporates the input of a wide variety of people collected over the previous three years. This document is our vision, and the forthcoming bylaws will provide the guidance and direction needed to minimize potential land use conflicts.

The draft plan is built on the four pillars of sustainability; the four pillars are; Cultural, Economic, Environmental and Physical. The goals and objectives previously identified and arranged under the headings: Land Use and Scenic Landscapes, Agriculture, Tourism, Residential, Commercial & Green Development, Coastal, Environmental, and the Special Planning Area are all incorporated into one of these four pillars. This approach is consistent with the format that most official plans take.

This meeting presented the approach to zoning that is being considered. A minimum of three zones are proposed; Agricultural (resource), Residential, and Coastal. The majority of the land located South and East of Route 20 is zoned Agricultural. The land area North and West of Route 20 is zoned Coastal, and any area that is 3 acres or less and contains a house/dwelling is zoned residential. Each of these areas will have acceptable land uses defined, for example: Subdividing lots in an area zoned agricultural will be limited to no more than 5 residential lots. The recommended maximum lot size for a residence is 3 acres. Minimum lot sizes would be in keeping with minimum provincial standards.

The decision to zone the majority of land in the community as Agricultural recognizes the significant role that agriculture plays in the community and will be further leveraged to help promote the right to farm. In the Thompson report on Land Use and Governance, the establishment of agricultural preserves is mentioned. The proposed agricultural zone will essentially preserve this land use for years to come. A point was raised concerning on-going farming operations in the Coastal zone, ie would they be allowed to continue. It was explained that current land uses would remain unchanged and that existing land uses would be respected regardless of which zone they are located in.

The plan speaks to the desire to have the Special Planning Area revoked, and have this area subject to the same development regulations that the Coastal zone that borders Malpeque Bay is currently subject to. The Province introduced new regulations concerning subdivisions in 2010 and it is these regulations that would manage growth and development along the entire Coastal zone, should the Provincial government decide to revoke the Special Planning Area that resides within our Community. The Coastal Area is defined in the Planning Act as “all the lands, including surface water bodies, streams, rivers, and off-shore islands in the province, lying within 1640 feet (500 metres) inland and seaward of the mean high water mark of all coastal and tidal waters”

There was some discussion around the minimum lot size that would be associated with the residential zone. Minimum lot sizes will be in keeping with provincial minimum standards. The recommended maximum size of lots in the residential zone is 3 acres. The 3 acre size was arrived at after reviewing the number of residential lots in the community.

After the meeting I received a call from someone who was unable to attend the meeting, he wanted to know if we were making any provisions to allow for someone in a residential zone on a small acreage, (3 acres or less) to keep chickens, a horse, or livestock for personal consumption. Given that many of the residents in our community have chosen to live and enjoy a rural lifestyle it makes sense for the plan to address this and allow for limited agricultural use within the residential zones.

Col JD Murray raised some concern around the ability of Council to implement the plan once it has been approved. It is recognized amongst Council that the implementation phase is a whole separate project that will require resources both human and financial. There is funding available to help with this aspect of the project and an application will be made to access it if the plan is approved. Council acknowledges that the expertise required for permit approval and issuance would need to be outsourced but there are people within the area who can help with this. From a cost standpoint, the Plan will look to implement a user pay structure so as to keep the tax rate at a sustainable level.

Lloyd and William Pickering, along with JD Murray presented a petition that had originally been provided to the Planning Board in September of 2010. The essence of the petition is that they would prefer to have Viewscape # 2 dropped from further consideration as a viewscape.

Cabot Park – As we look to establish zones within the community it becomes apparent that Cabot Park could be identified as a recreational or conservation zone and it could be preserved from development.

The landowners group expressed disappointment that a meeting between them and the Planning Board was not held in advance of the June 15th meeting to review the draft plan. It was noted that the Planning Board had met three times over the winter months with the landowners group to review and discuss the landowner groups proposed by laws and regulations and explore the concept of zoning as is proposed in the draft plan. The Planning Board will continue to work toward an open and inclusive process in developing this plan.

Several of the participants at the meeting expressed concern over the short amount of time that was available to review the draft plan before the June 15th meeting. The plan was posted on the

website Sunday evening allowing for only three days. The Planning Board acknowledged this point and agreed to post the updated draft plan 1 week ahead of the August 10th meeting scheduled to be held at the hall in Sea View.

Right to Farm – the landowners group raised this point at the meetings held previously, and during the meeting on June 15th. Janice explained that the proposed Plan supports the concept of right to farm even though it doesn't explicitly state this. The Planning Board agreed that the concept of Right To Farm can be promoted within the Plan and will work to do this. There was some discussion around having land buyers sign off on a form that would serve to notify them that they are buying property in a community that has a "right to farm" policy in place and that they should be prepared to accept the noise, odours, and other environmental aspects associated with large scale farming operations.

Wes Sheridan, the Minister responsible Finance and Municipal Affairs agreed that at the point of sale it should be possible to have the buyer made aware the fact that they are moving into an area where large scale agricultural operations are taking place. The Planning Board will pursue this with the Minister.

A concern was raised over the process by which non-permanent residents would be notified/consulted on issues once the draft plan is approved. There are some requirements within existing regulations to notify all landowners within a certain radius of the proposed development. In addition to this Council will work to develop an open and transparent reporting system to keep the public notified of all land use planning related decisions and activities. This may involve holding public meetings/ gathering public response to gather input with regard to certain types of development, such as large scale development. The Municipality will develop a system on the municipal web site to post land use planning related information and residents will be able to subscribe to a mailing list and receive e-mail notification if they so desire.

In general the draft plan appeared to be well received with recognition by those in attendance of the amount of work that has taken place and the incorporation of many of the land owner's group concerns. The Planning Board looks forward to receiving feedback from all residents and stakeholders as we start to prepare bylaws and regulations to support the plan.

If you have any questions concerning the proposed Plan, or the process please contact Jeremy Stiles via email jeremybstiles@gmail.com; or contact any of other members of the Planning Board or Community Council.