

**Hanwell Working Group Meeting – St. James Presbyterian Church (7:30 – 9:45pm)
December 13, 2006**

Attendance: Dallas Gillis (Planner, RPDC) Carla Slaunwhite (Planner, RPDC)
Colleen Adams Charles Davies Kristel Desjardins Grant Good
John Johnston Paul Lightfoot Reade Moore Chris Robbins
Chris Weadick Muriel Weadick Brian Connell Serge Levesque
Tony Heatherington
Peter Michaud (LSDAC Member)
Keith Manuel (Local Service District Advisory Committee Chair)

New Items Handed Out:

Result of Objectives Exercise (sent out via email prior to meeting)
Recommendations from the Background Report (handed out at the meeting)
Policy Worksheet (handed out at meeting)

Items Covered:

Meeting began; Dallas reviewed the Objectives that he had compiled which were drafted at the previous WG meeting (November 28 – Result of Objectives Exercise).

Dallas read out each of the objectives as they were listed on the sheet (in no particular order) and then asked WG members if they had any questions.

Objective: Improve and foster the local economy while ensuring appropriate growth and avoiding incompatible land uses.

A WG member asked about the definition of local economy and what the statement means.

Dallas responded that although he was in another group and was not present for that group's discussion on the objective, he thought it was meant to refer to allowing opportunities for local businesses and to increase independence.

WG member then asked if the first objective is the dominant idea – to work in Hanwell.

Another WG member stated that the first objective is only listed as the first and that they did not believe it is the paramount concern.

Dallas agreed and said he did not list the suggested objectives in order of importance.

Objective: to promote orderly development that includes a balance of land-uses while maintaining the quality of the natural environment.

Dallas said he liked the objective but felt that the environment could have its own objective and that it might be wise to add "facilitates efficient transportation" to the objective.

Objective: to discourage ribbon or strip development in order to facilitate an efficient future transportation network,

Dallas felt the objective was good but unnecessary as we are going to add "facilitates efficient transportation" to the previous objective. Dallas also said he thought the section about

discouraging ribbon or strip development would make for a good policy, when we approach the policy section.

WG member stated that the felt safe should be added to efficient transportation, Dallas and the group agreed.

Objective: It is the long term objective of the Hanwell Local Service District to move toward future incorporation of the area in order to achieve the overall goals of the community.

Dallas said we need to be careful to keep a separation between the two processes. Dallas added that he understood it can be confusing because incorporation is talked about so often, but it might be seen by someone that the WG has a different mandate than we actually do.

A WG member added that they agreed that they should be kept separate (the rural plan process and incorporation).

Another WG member commented that they see the rural plan as a stepping stone that the area needs first and that the community should focus on one process at a time while understanding that there is a distinction between the two.

Dallas added that if it's a goal of the LSDAC to be a rural community or some other type of incorporated body, it cannot be accomplished through the rural plan but they can be kept in the backs of WG members' minds and we can have policies and provisions that recognize the possibility.

WG member asked what will happen when the plan comes out and people read the objectives, they wondered how people will interpret it, given the order of the objectives.

Dallas answered that he didn't take that into consideration when he compiled the objectives list for the WG review, but it would be a good idea to consider the order when we actually list them in the plan.

Objective: Enhance the transportation network

Dallas felt it was covered sufficiently in a previous objective.

Objective: Foster a sense of community.

Dallas thought the objective was fine.

Objective: Improve the quality of life by protecting the environment, separating incompatible land uses and enhancing the opportunity for the provision of community services and facilities to meet the needs of future generations.

Dallas said that he thought the objective seemed to cram everything and that it may read better if the items are handled separately.

Objective: develop a rural plan that will allow for the controlled development of land.

Dallas said he liked the simplicity but to control itself may not be enough colour, we need to include what we want to achieve with the controls.

Objective: Protect and improve the safety of the residents by maintaining and controlling access to transportation networks throughout the area.

Dallas commented that the subject of transportation networks was already touched upon in another objective making it unnecessary to repeat. He also pointed out that, while this objective is a good one, it is a bit misleading. The portion of the objective that says "maintaining" may not be the best choice of language because the LSD will not be maintaining nor doing physical work on the roads.

A WG member asked what was meant by access.

Another WG member explained the rationale behind the objective since they were a member of the group that drafted it. He stated that every new subdivision brings more traffic on the Hanwell Road. Subdivisions could have an access road with one entrance on Hanwell Road and then another on a different road to lessen the traffic.

Dallas stated that a common policy used by the planning commission is to require multi lot subdivisions to develop on internal road systems to discourage driveways on the Hanwell Road.

Objective: Allow for future infrastructure growth to provide for the needs of future generations and the maturing population.

Dallas stated that he like adding the needs of maturing population as it spoke to the changes in needs over time of the current population, as well as the needs of future generation. Dallas said it could perhaps be rephrased as "meet the current and future needs of the population", to cover the need to plan for our children and to plan for our own changing needs.

Dallas then moved on to the reviewing Suggested Objectives that he compiled after reviewing the objectives that the small groups drafted at the previous meeting.

- To improve and foster the local economy while ensuring appropriate growth and separating incompatible land uses.
- To promote orderly development that includes a healthy balance of land uses and facilitates efficient transportation.
- To foster a sense of community and good quality of life.
- To protect the environment.
- To facilitate the provision of community infrastructure, services and facilities to meet the current and future needs of the population.

Discussion about the listed objectives.

WG member questioned the use of the word “improve” because they did not feel that there was anything really wrong with the local economy at the present time. They also suggested that perhaps it could be reworded to include more statements regarding sustainable development, the environment and being good stewards of the land.

Another WG member pointed out that many of those topics will be controlled by other pieces of legislation.

Dallas explained that the Department of Environment has existing legislation and the rezoning process also gives the community the opportunity to comment on proposed uses. When the proposal is being evaluated the rural plan is looked at to find intent. “Foster the economy” does not mean that the community wishes to see a drycleaner in the community, not to mention the fact that the use might not fit in with the plan’s intent or meet other requirements or other regulations.

A WG member said that the order of the objectives is interesting, but they felt that statements such as foster a sense of community and good quality of life should be at the top of the objectives list. The community also wants to protect the environment, encourage community infrastructure, and meet current and future needs of the community.

Another WG member said that they saw this process as developing a type of governance for this area and the primary role and priority is the economy to pay for all the services and governance. They felt that WG needs to be more aware of this because governments usually see themselves as managers of the economy and citizens need to stop and look because there are more important things than making money.

Dallas said that based on his experience, decisions (rezonings and amendments) are made by the Department of the Environment. Cabinet may have their focus on the economy, but land use decisions in Rural Plans are made by DOE. Social, economic and environmental factors make a three legged stool and they all need each other and communities rely on them all. The environment plays a huge role because being unincorporated, the Minister makes the decision and each application must meet all the departmental goals. Economy does not tend to be the driving force in unincorporated areas. Dallas commented that people have a lot of clout through the amendment process. All the comments that are given at a public hearing are passed on to the Minister and they won’t make a decision until all concerns have been addressed.

A WG member asked if it would be possible to just say “ensure appropriate growth”.

Another WG member stated that they felt that the LSD wishes to become self sustaining, but they weren’t sure how this was going to happen and is someone else going to deal with it. They also asked about the dump and if it were to get filled, will the City say the dump is going to be located in Hanwell.

Dallas explained that the plan sets out a playing field and once the field is established we can decide what we are going to allow. It’s unlikely that we’ll have a zone that says dump. If someone brings it forward, it would be evaluated by the community. Once a plan is in place we’d have something to say about it. We don’t have to say something about everything now, we just have to be able to in the future.

A WG member asked whether the plan should have something more specific about water contamination.

Dallas asked the group about drinking water and should there be something added to the objectives to specifically address that issue.

A WG member felt that a statement should be added about protecting the environment and natural eco-systems. The environment is what surrounds us and we create and change our environment all the time. I look at all statements and they could apply to any community in Canada. Is the Hanwell a place where we should be urbanizing or should we leave a green canopy of rural uses? This area is booming. We're assuming this will become densely populated. Yoho and other areas really need to be protected. How much are we going to put cement over and how much are we going to save.

Dallas said that the objectives lead to policies and they're more specific with provisions and then more specific with zones. Ensuring appropriate growth and orderly development, foreshadows steps to address those issues later on.

WG member asked if the objective could say "protect natural resources for the future generations".

Dallas explained that "natural resources" means forestry and gravel pits to some and reiterated that the objectives are our broad goals and we can get more specific later in the process.

WG member: when we get to specifics we can come back to objectives.

Dallas said yes, planned revision points might be a good idea.

WG member: can we be more stringent regarding water courses than existing legislation?

Dallas: where we have powers given to us by the *Community Planning Act*, we can be stricter than existing legislation with those powers, but we can't absolve the requirements of existing legislation by being more lenient.

WG member: this is the beginning point and it's very general. We'll get more specific later.

WG member: we need an overall vision statement.

Dallas: we haven't done a visioning exercise through this process.

WG member: we could look through the background report and pool all we know and learn all about the area to create a vision.

Dallas: we've been trying to build from the ground up and move quickly in this process. We're trying to find a balance between do something well and doing something quickly. Keeping in mind there is no protection right now.

WG member: Since 1975 we have had uncontrolled and unmanaged growth in the area. I've seen it. My vision is to put something in place that is similar to other places in NB to somehow control what's happening in the area. Just get something in place to control land-use, and then do something to protect watercourses, wells, etc... If through this we can make Hanwell a better area, I'd be quite happy. Get the basic things done. Get a document that will allow us to deal with things we haven't thought of yet as they arise. That's what we need.

WG member: We want to ensure good quality and quantity of drinking water.

WG member: We have no way to control quantity, just quality.

Dallas: We can control uses that typically use a lot of water.

WG member: Can we call it ground water instead of drinking water?

WG member: if you can't find water on a piece of land will we be held liable?

Dallas: No.

WG member asked to expand on environment and include the natural ecosystems and groundwater quality and quantity.

WG member explained that eco-systems are the interaction between living organisms.

WG member: we all want to protect the environment, let's go with that.

WG member: there are redundancies between some of these objectives. We should separate them out.

WG member: drop the word growing and say foster local economy.

After the discussion, the objectives we will move forward with are:

1. To foster a sense of community and good quality of life.
2. To protect the environment.
3. To facilitate the provision of community infrastructure, services and facilities to meet the current and future needs of the population.
4. To promote orderly development that fosters the local economy while ensuring a healthy balance of land uses and safe and efficient transportation.

Beginning of Policy Discussion:

Dallas handed out worksheets including recommendations from the Background Report examples of policies from existing Rural Plans. Dallas stated the recommendations are pulled out of the background report and policy examples are taken from the Kingsclear, New Maryland, and Rusagonis –Waasis Rural Plans.

Dallas stated that the *Community Planning Act* requires Rural Plans to have Policy Statements with respect to:

- (i) residential uses,
- (ii) commercial uses,
- (iii) institutional uses,

- (iv) recreational facilities and public open spaces,
- (v) resource uses,
- (vi) protection of water supplies,
- (vii) heritage buildings and sites of historical or archeological interest,
- (viii) conservation of the physical environment, or
- (ix) such other matters that the Minister deems necessary; and
- (b) such proposals as the Minister deems advisable for the implementation of the policies in the rural plan.

Dallas stated that the difference between policies and proposals can be confusing to everyone, including planners. Unlike objectives, policies and proposals have teeth, meaning they can impose on the use of land. In the event of a clear conflict between a policy and a zoning provision, the policy prevails. Dallas explained that in other planning documents, like Municipal Plans, the zoning is done under a separate by-law; however, Rural Plans contain the policies, proposals and zoning in the one document. In the municipal plans, it is important to be specific and clear in your policies and proposals because they guide the creation of the zoning bylaw, with rural plans it is wise to be broader to allow for more freedom to do what you wish with your zoning and general provisions. The trend now with Rural Plans is to have fewer proposals.

Policies are binding on the body who adopts them, and proposals are binding on other parties. For example, if a municipality said that it was a policy to purchase selected lands for recreation purposes, they would be obliged to do so. If they said it was proposed that selected lands be assembled and acquired for recreational purposes, they would not be required to purchase the lands, but it would prevent others from doing things that contradict it, such as developing the selected lands for other purposes. In unincorporated areas, where those types of capital investments are less common, proposals have tended to be used to foreshadow what the zoning and general provision are going to say. The Community Planning Section at the Province, now encourages a “less is more” approach with less proposals, to cut down on the chance of a there being a different interpretation than what was originally thought.

Dallas stated that the fact the policies are binding on the agency adopting the regulation means that we must be careful with the wording. For example, if we say it's a policy to maintain historic buildings it could be interpreted that we are prepared to spend then money and to do the work.

Dallas stated that now that we have gone through our objectives exercise we know our goals are we can look to other regulations for examples of policies that fit in with our objectives, and amend them where needed to fit, as opposed to reinventing the wheel.

Dallas began reading the Policy examples and stated that we can see a difference in the wording of the policies between New Maryland and Kingsclear in dealing with home based businesses.

Residential

From the Kingsclear Rural Plan (KC)

- It is a policy to protect the rural character of the area and to maintain attractive and safe neighbourhoods by discouraging the intrusion of incompatible uses into established residential areas.

From New Maryland (NM)

- It is a policy to discourage the location of incompatible uses into residential areas.
- It is a policy to encourage new multi-lot residential developments to be sensitive to the physical environment with minimal alteration to watercourses, topography and vegetation.
- It is a policy that a non-residential use conducted for, or in the expectation of, payment, remuneration, revenue or reward, shall not be considered a residential use or a use accessory to a residential use.

From Rusagonis-Wassis (RW)

- It is a policy to protect the rural character of the area through control over the location and density of residential development.
- It is a policy to enhance and maintain attractive and safe neighbourhoods and discourage the intrusion of incompatible uses into established residential areas.

WG member: what about residential growth, it seems that these deal with established residential areas.

Dallas: in those areas they really didn't have the kind of development pressure that Hanwell has so the approach was to allow for a range of typical rural uses to occur throughout most of the area while ensuring only compatible uses occur in the already established residential subdivisions.

Dallas said that he thought that the fifth example, the one for Rusagonis-Wassis, may be better suited to the Hanwell area.

WG member: it seems to only be restricting location?

Dallas: it doesn't say it's going to restrict anything here, but that will be later on in other provisions and policies that deal with the other matters.

WG member: should we be talking about water supplies?

It was pointed out that water supplies have their own heading and will be discussed later on.

Dallas reviewed the recommendations from the background report and points out that they are just recommendations but that they can be used for guidance here and throughout the process.

Residential

The Rural Plan should allow for a variety of housing types and not discourage affordable housing options.

New multi-lot residential subdivisions (consisting of a cumulative total of more than four lots) should be directed to areas where conflicts with rural land uses will be minimized.

The Rural Plan should guide residential development in a fiscally responsible manner.

New residential development should only be permitted on lots that abut a public road.

Unserviced residential development should be directed to areas with adequate water quality and quantity and suitable soils for onsite septic systems.

It is recommended that residential development not be permitted in areas with substantial development constraints such as areas consisting of organic soils or areas with excessively steep slopes.

It is recommended that any application to develop land within 500 metres of an existing or abandoned landfill or petroleum storage site be circulated to the Department of the Environment and Local Government.

It is recommended that activities permitted within the Birchwood Subdivision Wellfield Protected Area by the Rural Plan be compatible with the restrictions set out by the provincial Wellfield Protected Area Designation Order.

Dallas stated that now that we have gone through our objectives exercise we know what our goals are we can look to other regulations that fit in with our objectives as opposed to reinventing the wheel.

Dallas pointed out that given our objectives, and the recommendations from the background report the residential policies from Rusagonis-Waasis seem to be most consistent with our goals.

- It is a policy to protect the rural character of the area through control over the location and density of residential development.
- It is a policy to enhance and maintain attractive and safe neighbourhoods and discourage the intrusion of incompatible uses into established residential areas.

WG member: I don't see how the residential policies relate to sense of community.

Dallas: the residential policies are just a part of the plan, and that the plan will not be built upon just that.

WG member: I think the point is to get some controls in place & and then we will make a decision later on.

WG member: we all complained about lack of a sense of community

WG member: We're really trying to say it's a nice place to live

WG member: This just the residential section so that's why it geared towards that, there will be other sections which will deal with other matters.

WG member: we are largely suburban, which is different from Rural and Urban. What are the rural components that are left?

Dallas: what if we reworded it to say: **it's a policy to control the location and density of residential development.**

WG member: protecting Rural Character is more of a vision

WG Member: it's not high density development but more wooded lot, etc.

WG member: There are lot size requirements that also control density.

Dallas: Birchwood would have a smaller lot requirements, and there are areas in the LSD with 4 unit dwelling on on-site sewage systems. I don't like using terms like rural character unless we can articulate clearly what it is we mean because it can mean different things to different people.

WG member: The policy will guide decisions that may be made in the future.

Dallas: yes, that's a great point. Another aspect of policies is that they provide check and balances for administering body. When amendments are proposed the community can ask how the proposed amendment is in keeping with the Rural Plan's stated policies.

WG member: we need to also recognize that it is not just the subdivision but adjacent properties.

What if we added that to the second policy: **It is a policy to enhance and maintain attractive and safe neighbourhoods and discourage the intrusion of incompatible uses into established residential areas and areas adjacent to established residential areas.**

WG member: I live in an area where no residential uses are occurring in close proximity, how that would affect me.

WG member: what about a buffer zone

Dallas: buffers zone are an option, but it won't address the existing issues. The area in question is on the fringe of where current industrial activities are taking place and where more residential uses begin.

WG member: we should take this sheet home and read it over and when we come back we can discuss it.

Dallas: yes, read over the papers and we'll discuss everything. Don't feel we are limited to these examples, feel free to modify.

Also in the New Year we may examine meeting on a specific day to make it easier on members to plan for the meeting. It's something I want us to discuss as a group in the New Year.

- **Next meeting Date: Tuesday Jan 9th 2007, 7:30 St. James Presbyterian Church 1991 Hanwell Rd.**
- For next meeting review recommendation from background report and policy examples