

Hanwell Working Group Meeting
February 6, 2007

Present:	Reade Moore	Tony Heatherington	Chris Weadick
	Colleen Adams	Keith Manuel	Chris Robbins
	Charles Davies	Peter Michaud	Grant Good

Meeting started at 7:33 pm with 9 members in attendance.

Dallas; began the meeting by explaining the he is going to show what a completed Rural Plan looks like and where in that process we are currently b/c he has gotten some questions about this.

Dallas; explains that when Rural Plans are complete it is in a format where one side is in English and the opposite side of the page is in French. Dallas deleted the French column of an existing plan and placed what we have done to date in or process, along with notes, in its place to show where we are in the process.

Dallas; brings up the Rusagonis-Waasis (RW) rural plan, our draft to date and notes on the projection screen:

The beginning section, Title and Area, is going to be pretty similar though all documents.

Dallas; explains the area description describing boundary of the planning area and is done by the province on our behalf.

WG; member asked if that is this not on the books now?

Dallas; says to a certain extent yes, but in this case there may be pieces of land that extend outside of the LSD or Parish boundaries that, for various reasons may be within our planning area, therefore the description would have to be altered to reflect the specific limits of our planning area.

Dallas; explained that the example had a paragraph stating the plan was replacing a previous plan, in the Hanwell case; there is no existing regulation for this document to replace.

The RW Rural Plan had a vision statement. In our draft so far there is no vision statement b/c it isn't a mandatory component and, for the most part, the effect is obtained through or objectives. The SWOT exercise was another take on that type of process. However, we could look at doing a visioning exercise and adding a vision statement later on if we felt inclined to do so.

We've developed the objectives of the Hanwell RP at previous meetings (Dallas reads them).

Policy section is next. (**Dallas** reads the sections – residential, etc...) **Dallas** explained that RW plan has many proposals and explains that the trend these days is to move away from that, with a less is more approach **Dallas** reads the RW example and explains that these statements are basically redundant b/c they're handled through zoning and zone provisions. **Dallas** states that at times being overly wordy can lead to other interpretations that you may not have considered, and brought up an example for the RW plan that was on display.

Dallas; Read the Policies up to resource uses, where we left off last meeting.

Dallas; went ahead in the example to show what we will need to develop in coming meetings.

After the policy & proposal section is the definition section. **Dallas** explained that the definition section contains parts that are transferable from plan to plan and parts that are completely customizable; to be tailored to what the WG feels is relevant for the Hanwell area. **Dallas** explained that this will come at the end of the process once we establish all the uses and any other terms that need to be defined.

Dallas; moves on to explain Section 2, the general and zoning provisions. Dallas reads through the things that are included in this section, that are the same in every plan, such as (powers of commission, etc...)

Dallas; read through a section that exempts specific things throughout the area, such as roads, utilities, and the like but they still may be subject to terms and conditions.

Dallas; read through the section of the Plan that dealt with amendments, Dallas mentioned the fee required for an amendment and explains that the cost (\$1,000) is for many things including the placing of ads, the renting of halls, etc...

Dallas; reads through the classification section. Explains that this refers to a zoning map (that we haven't done yet), along with the zones –

General Provisions – these will apply to all areas of the planning area no matter what zone you're in. Some topics include; home based businesses, garden suites (**Dallas** explains what garden suites are and that they are temporary. He also explains that it mirrors the requirements of the Health Act. **Dallas** explains that some people may live in a subdivision where there are restrictive covenants that may not allow a garden suite to be built. **Dallas** explains that just because the garden suite is permitted in the zone, it does not mean that it is permitted in the subdivision.)

WG member; what about the garden suite keeping in character with the existing building on the lot, like rather than mini home?

Dallas; The garden suite is meant to be temporary so the types of buildings that can easily be moved are encouraged. We tend to define Mini homes, by size and width, rather than make or model, so any type of building that was able to be loaded on a flat bed and transported would likely be considered a mini home, under the definition, whether it was manufactured in a factory and built traditionally. However, there may be covenants in specific subdivision that may address aesthetics, which would still apply but they would not be part of this document.

WG member; these covenants are enforced by individuals?

Dallas: Covenants are enforced ideally by the developer but can also be enforced by other residents. The plan and covenants may overlap (i.e. home based businesses – accessory apartments), however, the location of clotheslines, or some other types of matters that may be in covenants are outside the powers of a Rural Plan.

WG member: what about home based businesses? Could we control the amount of cars an hour? How is it controlled?

Dallas: We can address that indirectly. We can't deal with it by saying you can only have so much traffic, but we can try to limit the types of things that we anticipate might generate too much traffic.

WG member: we're getting distracted and we should move forward with reviewing the outline of the plan.

Agricultural operations – **Dallas** summarizes the RW example, we may want to adopt something similar to these standards or we may decide to take a different approach.

Dallas explained other sections such as provisions for undersized lots created before 1976. And provision about the min size of dwellings found in the RW plan.

Dallas talked about addressing the Number of dwellings on a lot and explains that a mini home park zone would be exempt from these requirements b/c there are usually more dwelling units on a lot, as well as commercial recreational types of land-uses, such as resorts or campgrounds.

Dallas discussed locations of buildings on lots which set min setbacks from roads and side and rear lot lines. Those types of setback are standard from plan to plan.

WG member: what is a mobile home park – what is the density required – how will it be defined?

Dallas: The density is basically linked to the type of servicing in that park, and the provisions of the Mobile Home Park Regulation. We'd probably look at a mini home park zone for the existing mini home park and any new ones will be a result of an amendment process rather than us zoning an area for a new mini home park. Dallas stated that he is aware that there were some issues with fire hazards and density in the area so this'll have to be looked at later in the process.

WG members: parts of the Hanwell mini home park are within this area?

Dallas: yes, and that's probably what we will be zoning within the mini park zone.

Dallas explained the Parking standards – that these are minimums and that they're pretty standard and will probably stay the same in this plan.

WG member: can we go above the RW example?

Dallas: if we feel it is warranted, yes.

WG; Member: there is a big problem with people parking along the road.

Dallas; the minimum parking requirements apply to the property only and not the right of way. This is more of a law enforcement issue. We would require that necessary parking and that in be on the lot and not on the shoulder. If someone parks on the right of way, they wouldn't be in violation of our regulation... In some cases, the Commission has required businesses place signs to notify patrons that parking is only permitted in the parking lot and not on the shoulder of the road, but we can't go over and above what is already illegal. DOT also has sight requirements for safe traffic flow.

Dallas went over the section dealing with loading standards and explained that they are pretty standard from plan to plan as well as Enclosures of swimming pools.

Dallas said the portions of signage section of the plan are pretty standard, such as the exemptions for types of signage, like "for sale", or nameplates, or election signs. Other portions for signage requirements for specific zones and maximum sign size, and sign type can be modified to conform to what would be appropriate for the area.

WG: Would wind farms have not been addressed?

Dallas: As stated before this would be exempted if it were a utility, so not subject to the requirements of this regulation. **Dallas** read out all the exempted uses that do not necessarily require a rezoning to be permitted again. **Dallas** explained that terms and conditions can be applied. **Dallas** states that in that section we're talking about are things that are either utilities, or devices for the supply of utilities, and things that allow land to be used. (i.e. streets are not

explicitly permitted in a residential zone – they are exempted – b/c they are necessary to the residences being built.)

WG member: can we say you have to keep 30% of the trees on your lot for wildlife corridors?

Dallas: well we could have landscaping requirements but just keeping 30% of trees on a lot isn't necessarily going to maintain the wildlife corridors – keeping large portions of undeveloped land from being fragmented is what would be best for wildlife corridors.

We also have to think about getting the public's support behind the document and get it approved. If there is no support behind the document – it won't be approved. Another tract we might want to look at is larger lot sizes in for some areas, as with larger lot sizes would probably cut down on the number of people cutting down all their trees on their lots.

Dallas explained a portion of the RW Rural Plan example that dealt with height of buildings or structures – **Dallas** explained that RW plan had to consider the approach zone of the airport which we won't have to, so we may not need to have this section.

WG member: once the plan is signed and approved – can it be changed?

Dallas: yes. There are amendments that can happen where someone brings forward an application for a certain use. Then there is a review of the plan that occurs about every 5 to 10 years ideally. The Rural District is very large and there are many areas that don't have plans so they must be dealt with however, before we will begin reviewing Plans.

WG member: is the amendment process the same as we're doing now?

Dallas: no, but a plan review would be. An amendment is where the applicant meets with the commission and staff to discuss a proposal that it not currently permitted and then a report and recommendation is prepared and a public hearing is held to present the proposal and give the public a chance to comment. A review process would involve a **WG** and meetings like we are having now.

Setbacks – **Dallas** explains that these setbacks apply more to types of things where we want to ensure adequate separation distances. They often used for livestock facilities so that it does not negatively affect adjacent properties or vice versa, or to limit development adjacent to watercourses. We will customize these to be what is appropriate for the area, unlike the min setbacks from roads and lot lines that apply to all buildings and structures that are standard b/c they follow the provincial regulations.

Zones – **Dallas** read through a zone example from the RW rural plan explaining that there are permitted uses and uses permitted subject to terms and conditions and then provisions related specifically to uses within that zone. **Dallas** stated we

will decided what zones we want to have, and what will be permitted in them to implement our Policies and obtain our objectives.

Dallas reiterates that this exercise was just to show the **WG** what a complete Rural Plan look like, and the pieces that are contained it in and to show the parts that are standard and where we don't have to reinvent the wheel, and also show the parts of the plan that we customize to achieve the specific objectives of our area.

Dallas said, now we will get back to the Policy section where we left off.

Resource Uses – policy section

Dallas explains that there is a difference between natural resources and the resource uses that are being addressed here. Resource uses here are considered to be aggregate, forestry and agricultural operations, fishing and aquaculture.

Dallas read the recommendations from the Background Report

Dallas then read over the 1st resource recommendation from the Background Report.

Due to the nature of the aggregate extraction operations, pits and quarries should be separated from residential and other incompatible land uses. Land uses that would conflict with extractive industrial operations should be discouraged in area with deposits most suitable for commercial extraction.

Dallas explained that this recommendation is saying that excavation uses should be sufficiently separated from incompatible uses and that development should be limited and discouraged on or near these granular deposits to facilitate future extraction.

Dallas read through the aggregate section from the background report (4.3.1).

Dallas then read the 2nd recommendation.

It is recommended that the Rural Plan help preserve the forestry resource base by discouraging the subdivision of large parcels of industrial free hold land

Most of this land that is shown on the land-use map as woodland is assessed as woodland – basically vacant, undeveloped land. This policy basically says that large forestry lots either harvested or not, should be discouraged from subdividing to avoid the chopping up of these potentially viable lots. **Dallas** explains that this is just a forestry objective. It may or may not become a policy – it's a recommendation.

WG member asked if there are large industrial freeholds of woodland in the area.

Dallas: yes. One large one is across the road from our WG meeting locations.

Dallas read the next recommendation:

Protection of the agricultural lands also includes protecting the farms from incompatible uses abutting those lands

Dallas states that he doesn't think that there will be many issues here as agricultural land uses are not as prevalent as in other areas, but this recommendation says required separation distances between agricultural developments and other areas should be reciprocal.

Dallas read the next recommendation:

Zoning provisions should not limit a farm's ability to sell agricultural goods produced on site from the site or limit the ability to diversify the operation

Dallas explained that the recommendation is geared allowing agricultural landowners to diversify by perhaps allowing more of a mixture of uses on the property which may help the farmer to stay in business. IE fixing tractors, selling farm produce on the property.

Dallas read the next remaining recommendations

It is recommended that the Rural Plan communicate the importance and help preserve valued agricultural and resource lands.

*It is recommended that Registered Agricultural Land should be placed in an agricultural zone with provisions in accordance to the Agricultural Land Protection and Development Act.6.
It is necessary to ensure minimal conflicts between various agricultural operations and other uses. Considerations should be made to the type of agricultural operation and the potential impacts of that operation on the surrounding lands.*

Dallas stated that there are not a lot of agricultural operations in the Hanwell area. There are approximately 24 agriculturally assessed properties in the area and references page 49 of the background report for more detailed information.

Dallas went to the Policy worksheet.

Dallas read the Kingsclear policy statements policies:

- *It is a policy to recognize the dynamic nature of modern farming and to promote the long-term viability of agricultural operations, while minimizing conflict between agricultural and non-agricultural land uses.*
- *It is a policy to support an integrated approach to the management of forest resources.*
- *It is a policy to protect and to optimize the use and availability of aggregate and mineral resources while minimizing environmental impacts and conflicts with other land uses.*

Dallas said that he feels the first and the third seem to sum up the recommendations from the report but he the second one doesn't really say anything at all.

Dallas read the New Maryland Policy statements:

- *It is a policy to support an integrated approach to the management of forest resources by providing for commercial timber production, fostering recreational opportunities and protecting the integrity of the natural environment.*
- *It is a policy to protect and optimize the use and availability of aggregate resources located on significant aggregate resource lands, as defined in this plan, while minimizing the environmental and social impacts that may be associated with related excavation operations.*
- *It is a policy to protect the natural environment, the residential and agricultural character of the community, and the safety and quality of life of residents through the control and location of aggregate extraction uses and topsoil removal operations.*
- *It is a policy to protect and preserve the agricultural character of the community while minimizing future conflicts between agricultural and non-agricultural uses.*

Dallas stated that he doesn't think that Hanwell has as much of an agricultural character, which seems to be a reoccurring theme throughout the New Maryland policies t

Dallas Read the Rusagonis Waasis examples:

- *It is a policy to protect the long-term viability of agricultural operations, while minimizing future conflicts between agricultural and non-agricultural uses.*

- *It is a policy to support an integrated approach to the management of forest resources by providing for commercial timber production, fostering recreational opportunities and protecting the integrity of the natural environment.*
- *It is a policy to protect and optimize the use and availability of aggregate resources, while ensuring minimal environmental and social impacts that may be associated with related excavation operations.*

WG member- Aggregate, is used a lot is mining outside of this term?

Dallas - Yes, mining, in the form of staking and claiming and exploration is not controlled by a rural plan. Companies apply to the province citing exploration processes and their timetable, etc...and could be issued a license for exploration if approved. They do not have the right, if they find something; to expropriate your property and then extract the mineral...it's just a guarantee basically from the province to the exploration company that says that if something is found they can be the ones to extract it. It's only the rights that they're given with the license.

WG member asked if there is a public hearing before extraction occurs.

Dallas: I don't think so.

After discussion, I which **WG members** suggested adding provisions for private wood lots, and the term "significant" aggregate resource lands, the policies to go forward with are:

1. **It is a policy to recognize the dynamic nature of modern farming and to promote the long-term viability of agricultural operations, while minimizing conflict between agricultural and non-agricultural land uses.**
2. **It is a policy to support an integrated approach to the management of forest resources by providing for commercial timber production, private woodlot operations, fostering recreational opportunities and protecting the integrity of the natural environment.**
3. **It is a policy to protect and optimize the use and availability of aggregate resources located on significant aggregate resource lands, as defined in this plan, while minimizing the environmental and social impacts that may be associated with related excavation operations.**

Dallas stated that mandating that land be protected for agriculture is not really as important in Hanwell as it maybe in the potato belt just because it doesn't seem to be a viable industry in the LSD. The plan's focus will not be on mandating that

agricultural properties be kept in agricultural production, but rather to try and provide polices and provisions that help and do not hinder the industry. The development of good agricultural land is a big issue nation-wide. However because it farming may not be as lucrative now, doesn't mean it won't be again. But it is very difficult to tell somebody that they can't use their property for anything else especially when the development of land is often viewed as a nest egg for farmers.

Dallas stated that with policies related to the forestry industry, there isn't a lot we can say about the practice. We can control the use, but a lot of the concerns are more related to how the use is carried out, and we can encourage good practices.

WG: what about peat?

Dallas: there is one peat land deposit out on Tower Lake. Commercial grade is available, but the commercial potential is very low. Where there is peat, there is usually a wetland and this is already protected by the department of environment.

Protection of water supplies

No recommendations from the background report.

Dallas went over the Kingsclear policy examples:

- *It is a policy to safeguard groundwater supplies by discouraging development which may potentially degrade or deplete this important resource.*
- *It is a policy to prohibit development where groundwater quality or quantity is determined not to be suitable for the intended use.*

Dallas went over the New Maryland policy examples:

- *It is a policy to safeguard groundwater supplies for existing and future residents by discouraging land uses which present significant risks of pollution and contamination.*
- *It is a policy that future development along watercourses be considered within the context of the entire watershed to protect water quality and quantity.*
- *It is a policy to prohibit development where groundwater quality and quantity is determined to not be suitable for the intended use.*

Dallas went over the Rusagonis Waasis policy examples

- *It is a policy to adequately safeguard groundwater supplies for existing and future residents by discouraging the types of development which may potentially degrade or deplete this important resource.*
- *It is a policy to prohibit development where groundwater quality and quantity is determined not to be suitable for the intended use.*

Final Policies

It was decided that we would keep policy regarding prohibiting development that was consistent in all three examples. **Dallas** said low water yields or known high fluoride or arsenic content may be an area where development would be discouraged.

1. **It is a policy to prohibit development where groundwater quality and/or quantity is determined not to be suitable for the intended use.**

Dallas also stated that Protection of surface water is sometimes in this section, but often it can be in the section dealing with conservation of the natural environment.

WG member: What about if someone alters a watershed (i.e. ditches)

Dallas: to alter a watershed is to affect the grade so that the surface water now drains into another watercourse, but I'm not sure how if a homeowner goes to put in a ditch how we would go in and monitor possible watershed alteration. Manmade pools of water can be subject to watercourse alteration standards, but as far as a drainage ditch goes, it probably wouldn't be subject to those requirements.

WG member: does anyone manage or monitor water run off or drainage?

Dallas: storm water management plans are required for most developments and Dot has requirements. It is not something we often deal with in our area, but I can look into it further and see where the Rural Plan may have a role, and where powers and responsibilities lie.

WG member: This is something we should definitely address b/c it's a problem in the area and if we could have dealt with it when the properties were developed it would have made things different. It's definitely an issue that is being brought to the LSD.

Dallas: I will look into this and get more information about this.

WG member: What if I have a property that is really wet in the back portion, but it's not really a wetland. Can I fill it in? It's more that people will just go ahead and do something rather than consult with surrounding land owners.

Dallas: The DOE can be contacted and they can help people deal with an issue if it's about filling in or affecting watercourses. Also if someone actions affect your property it is also a legal issue and the offending property owner can be sued.

PM: we should identify that people are affecting the natural water flow.

Meeting finished 9:50pm next meeting: Tuesday, Feb. 20th – 7:45pm.
*starting 15 min later to give more time for the cleanup after Shrove Tuesday,
Pancake Supper