



Rural Municipality of West River Public Meeting (Rezoning PID 202671) Minutes

Meeting No	2023-01	Time	7:00 PM
Session	Special - Public	Date	Tuesday, November 14, 2023
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	Approved	Contact Person	Laala Jahanshahloo - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor John Yeo, Councillor Ryan Roggeveen, Councillor Lillian MacCannell, Councillor Steve Pollard, Laala Jahanshahloo – CAO, Satiya Sen - Special Advisor, Samantha Murphy – SJ Murphy Consulting, Mirko Terrazzas – Development Officer, Susan Morse – Administrative Assistant, Philip Hogan – Applicant, Paul Hogan – Applicant, Robert MacArthur – Legal Advisor to Hogans		

▪ **Call to Order**

Mayor Helen Smith-MacPhail called the Meeting to order at 4:05 PM.

Mayor Helen Smith-MacPhail gave a land acknowledgement, welcomed everyone, and introduced Council and Planning Board Committee members present, Applicants, CAO and Development Officer, Consultant, and Special Advisor.

She reminded the attendees:

- To sign the roster so that we can record attendance.
- CAO will take minutes of the Meeting.
- That the Meeting would be conducted in a mannerly order.
- That written feedback will be accepted until November 21, 2023, at 4 PM.

▪ **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Councillor Shaun MacArthur, seconded by Councillor John Yeo, and unanimously carried.

▪ **Declarations of Conflict of Interest**

Nil

- **Meeting Purpose**

Public Meeting pursuant to Resolution #2021-69 to consider a rezoning application for PID 202671 located at Fraser Lane from Rural Area to Rural Residential.

- **Public Notice**

Public Notice was published in "The Guardian" on November 4, 2023.

A Letter was sent to all landowners within 153 m. (502 ft.) of all boundaries of the PID 202671

A Sign was placed on PID 202671 on November 7, 2023, directing people to contact the municipality for specific details.

- **Development Officer Presentation**

The Municipality's Development Officer presented technical information related to the rezoning application for PID 202671 (Appendix 1.1, attached hereto, forming a part of this resolution).

- **Applicant Presentation**

Robert MacArthur presented a development proposal on behalf of Paul and Philip Hogan (Appendix 1.2, attached hereto, forming a part of this resolution).

- **Public Input**

Thirty-six people attended the Meeting. The audience asked questions and gave feedback concerning

- the ownership of the ROW to the PID in question
- noise and traffic related to construction materials being brought in due to these developments
- site suitability, including perc tests
- road standards
- increased traffic

- bussing to school
- support of single-family home development

▪ **Adjournment**

The Meeting Adjourned at 4:50 PM.

Helen Smith-MacPhail

Laala Jahanshahloo

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River

Public Meeting

November 14th, 2023 4pm

Meeting Agenda

Development officer will make a presentation on the proposed development.

You are more than welcome to make verbal comments upon completion of the presentation.

The Planning Board / Council will review your comments and all written comments by nearby landowners prior to final decision.

Process of Meeting

Planning Board recommended holding this public meeting.

Aprox 45 letters to surrounding landowners/ residents within 153m (502 ft) of the boundary of the subject property to provide comments regarding the rezoning application

Appendix 3.1 (Continued)

Process of Meeting

Ads in the paper. One ad, 7 clear days (Nov 01) before the public meeting date.

Hold public meeting. Nov 14th, 2023

Planning Board reviews information and comments and decides on recommendation to Council.

Public Notice

Rural Municipality of West River - Public Notice Zoning Amendment/Official Plan Amendment

Public notice is hereby given that the Rural Municipality of West River will conduct a public meeting on November 14th at 4 p.m. at the Afton Community Centre located at 1552 Rte. 15, New Dominion, to consider the following:

To allow residents and other interested persons an opportunity to make representation concerning amendments to the Rural Municipality of West River Official Plan 2022 and Land Use Bylaw 2022-04.

The proposed amendments to the Official Plan and Land Use Bylaw would be to rezone PID #202671 from a Rural Area (RA) to a Rural Residential (RR) zone to subdivide the parcel located at Fraser Lane into 18 residential lots.



The meeting is open to the public, and all interested parties are encouraged to attend. Public comments and feedback about the proposal will be accepted until November 21st at 4 p.m.

For more information on this proposal or to provide comments, please visit <https://www.westriver.ca> or contact the municipality office by phone at 902-675-7000 or by email at info@westriver.ca.



Letter to Neighbors 153 m.(502 ft.)

November 1st, 2023

Public Notice

RE: RE Application for rezoning PID #202671 from Rural Area (RA) to Rural Residential (RR) zone, to subdivide the parcel located at Fraser Lane into 18 residential lots.

File Number WB-0036

Dear Landowner,

As a property owner within 153 meters (502 feet) of the above noted application, this notice has been sent to you for any comments you would like to offer.

The Council will be holding a public meeting at Afton Community Centre (1552 Rte. 15, New Dominion, PE CNA 110) on November 14th at 4 pm to seek public feedback on the above noted application.

You can provide comments by sending them in writing by mail or email to my address on or before November 21st at 4 pm. All written comments must be signed or display the author's name, civic address, and phone number. Once received, they are considered public documents and may be posted on our website as part of the staff report. You may also participate in person and present your comments to the Council at the noted date and time.

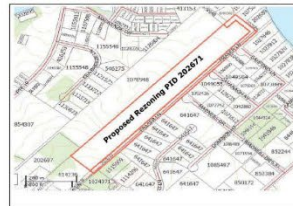
A staff report detailing the specifics of the request may be viewed at Afton Community Centre one week prior to the meeting or at <https://www.westriver.ca>. Any changes to public participation prior to the meeting will be posted on our website.

If you require further information or would like to discuss this matter further, please do not hesitate to contact the municipality office by phone at 902-675-7000 or by email at info@westriver.ca.

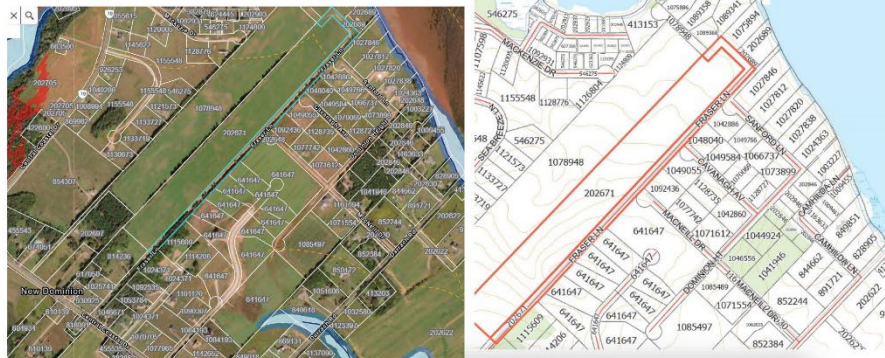
Sincerely,

Lucinda Schmalzer
Chair, Administration Committee
Rural Municipality of West River

Map of the subject property and immediate surrounding area



Appendix 1.1 (Continued)



PID # 202671

Existing Zone:

The Rural Municipality of West River

July 21, 2022

Map Index: D4

— Road Network (2020)

Commercial Industrial (CI)

Parks and Recreation (PR)

Rural Area (RA)

Rural Residential (RR)

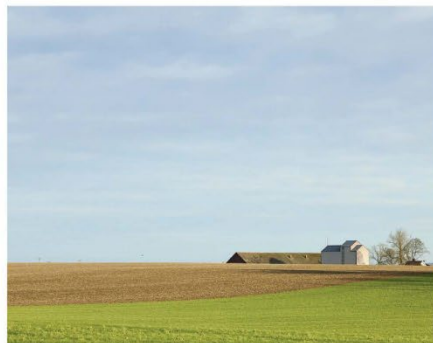
Environmental Risk (ER)



Rural Area Zone (RA)

Permitted uses :

- a. agricultural uses;
- b. fishery uses;
- c. forestry uses;
- d. resource-related commercial uses;
- e. animal sanctuaries;
- f. single-detached dwellings;
- g. duplex dwellings and semi-detached dwellings; and



Appendix 1.1 (Continued)

Subdivision in the Rural Area zone (RA)

Land Use Bylaw states that “Within a Rural Area Zone (RA), subdivisions shall be restricted to existing parcels only and no person shall be permitted to subdivide more than four (4) lots, no more than two (2) of which may be approved for uses other than residential uses or resource-related uses.” However, there is no explicit restriction to subdivide existing parcels in Rural Residential. Hence, the applicant applied to re-zone the parcel from Rural Area (RA) to Rural residential (RR). The proposed rezoning would require amendment to the zoning map.

Subsection 12.1(2) of the Land Use Bylaw, states that “A change to either the text of this Bylaw or the Zoning Map is an amendment, and any amendment shall be consistent with the policies of the Official Plan.”



Rural Residential (RR)

Permitted uses :

- a. single-detached dwellings;
- b. duplex dwellings and semi-detached dwellings;
- c. apartment dwellings; and
- d. townhouse dwellings.



Proposal:

To rezone 29.05 Acres from Rural Area(RA) to Rural Residential (RR) to subdivide the parcel into 18 residential lots.

Appendix 1.2

Hogan Subdivision Fraser Lane

New Dominion, PEI

102584 P.E.I. Inc
Philip Hogan & Paul Hogan

History in the Community

The Hogan family has been involved in agriculture in Cumberland and surrounding areas on Prince Edward Island for the last 180 years. We are currently involved in dairy, beef and seed potato operations and feel we make a significant contribution to the Island economy as agricultural producers and employers.

We have farmed the land in question for the past 10 years by leasing it from the Fraser family. The neighbouring residents have complained when we carry out spraying operations, so we feel that our farming operation is not welcome in the immediate vicinity of the subject land.

Running along the Eastern boundary of the land are both an existing right-of-way, known as Fraser Lane, and existing Maritime Electric power lines servicing the cottage subdivision that is adjacent to the North side of the subject property. We came to the conclusion that while agricultural use of the land was meeting with disapproval from the immediate neighbours the change of use to residential lots would be in everyone's interests.

After considerable research and the expenditure of time, effort and money we negotiated with the Fraser family and acquired the land in December 2022 with a view to establishing what we feel will be a positive development within the Rural Municipality of West River.

Fraser Lane

- ▶ 7 lot cottage sub-division to the North
- ▶ Extensive residential sub-divisions on the East and West
- ▶ Three residential properties on the South
- ▶ Existing utility services
- ▶ Area more suited for residential rather than agriculture use.

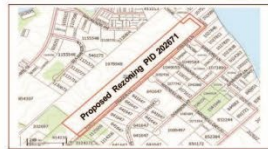


Appendix 1.2 (Continued)

HOGAN SUBDIVISION Fraser Lane

PID NUMBER – 202671 - 29.05 Acres of Land

- ▶ Proposed Residential Subdivision
- ▶ Property currently zoned for Rural Area (RA) seeking Rural Residential (RR)
- ▶ 18 Residential Lots
- ▶ Single Family Homes Only
- ▶ Protective Covenants will be in place
- ▶ 10% Green Space



Protective Covenants



- ▶ Building Size Minimum 1,200 sq. ft. single storey or 800 sq. ft. two storey
- ▶ No Mobile or Modular homes
- ▶ No occurrence or activity on the lands which contravenes any applicable Municipal, County, Provincial or Federal regulations or laws
- ▶ Storage buildings are not to exceed 120 square feet and 8 feet in height
- ▶ Prior written approval of all building plans required
- ▶ All driveways shall be surfaced by asphalt, brick or concrete
- ▶ Any subsequent purchaser, assignee or transferee must observe all of the stipulations, restrictions and provisions of these protective covenants

Sample Story Family Dwelling



Appendix 1.2 (Continued)

Sample Single Family Dwelling



Preliminary Survey



Questions

Questions on the proposed development concept for Hogan Subdivision – Fraser Lane?

