

SUMMER VILLAGE OF ISLAND LAKE
PUBLIC HEARING MINUTES
HEARING WITH RESPECT TO BYLAW 08-2021
HELD ON WEDNESDAY, JULY 28TH, 2021
VIA TELECONFERENCE

+Council: Mayor Chad Newton
Deputy Mayor Duncan Binder
Councillor Jim Montague

Administration: Chief Administrative Officer, Wendy Wildman
Administrative Assistant, Diane Wannamaker
Jane Dauphinee, Planner, Municipal Planning Services
Sara Boulos, Junior Planner, Municipal Planning Services

Public at Large: 33 via teleconference

1. CALL TO ORDER	Chairman Chad Newton called the Public Hearing to order at 6:27 p.m.												
2. INTRODUCTIONS	<table> <tr> <td>Chad Newton</td><td>Mayor and Meeting Chair</td></tr> <tr> <td>Duncan Binder</td><td>Deputy Mayor</td></tr> <tr> <td>Jim Montague</td><td>Councillor</td></tr> <tr> <td>Wendy Wildman</td><td>Chief Administrative Officer</td></tr> <tr> <td>Diane Wannamaker</td><td>Recording Secretary</td></tr> <tr> <td>Jane Dauphinee</td><td>Planner with Municipal Planning Services</td></tr> </table>	Chad Newton	Mayor and Meeting Chair	Duncan Binder	Deputy Mayor	Jim Montague	Councillor	Wendy Wildman	Chief Administrative Officer	Diane Wannamaker	Recording Secretary	Jane Dauphinee	Planner with Municipal Planning Services
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3. PUBLIC HEARING	<p>The purpose of this hearing is for the Council of the Sumer Village of Island Lake to hear testimony and take action relating to the proposed Land Use Bylaw 08-2021. The Land Use Bylaw divides the municipality into districts and provides for permitted and discretionary uses in each district. The rationale for defining the different districts revolves around three main principles:</p> <ul style="list-style-type: none"> • Similar uses prefer to locate near each for reasons of efficiency, similar servicing standards and common design needs. Land use districting reinforces these benefits. • Some land uses pose considerable risk to health and safety. Districting establishes effective distances from such uses and allows conditions to be attached to permits to reduce the risk. • Districting allows appropriate aesthetic standards such as the height of buildings, distance between 												

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	<p>buildings and size of the lot to be established for each district.</p> <p>In essence, the Land Use Bylaw (PDF) is the "book of rules" for development in the Summer Village of Island Lake, and covers a wide range of regulations, including: Classifies land use districts (zones) and determines minimum development standards for each of these districts; Determines the appropriate permitted and discretionary uses for each land use district.</p>
4. PRESENTATIONS	<p>Jane Dauphinee, Municipal Planning Services presented an overview of the purpose of the project, the engagement process and project timeline. As some attending virtually may not have the capability of seeing the slides, Ms. Dauphinee ensured she read aloud all statements from each slide. Ms. Dauphinee continued into an overview of agency referral list, comments and recommendations. Ms. Dauphinee referenced the opinion regarding compliance with the Municipal Government Act requirements pertaining to the Land Use Bylaw and the process.</p> <p>Ms. Dauphinee also presented recommended amendments to the first read bylaw LUB based on:</p> <ul style="list-style-type: none"> • Comments provided by the Summer Village's legal Counsel and areas in the LUB where the project Steering Committee was unable to reach consensus. These items were originally presented at the Council meeting held (July 20, 2021 and at the AIM also held July 20, 2021). Following Council's direction at those meetings planner provided more specific recommended changes to the bylaw relating specifically to the matters identified by legal and the Committee during the presentation at the hearing so that members of the public would have access to the same information as Council and be provided with the opportunity to provide Council with their input into the recommended amendments. • Summary of the recommended amendments to the first read bylaw was presented by MPS
5. PUBLIC TESTIMONY AND COMMENT	<p><u>Written Submissions</u> – none <u>Written Request for Oral Presentation</u> – John Wasmuth <u>Oral Presentations/Comments</u> - from those persons wishing to comment</p>

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	<ol style="list-style-type: none">1. David Kluthe: concerned that we are still doing virtual when the province has been open since July 1st. This format is not the appropriate way to do a public hearing especially for a LUB. Started late, hard to access. Few issues with how it was done.<ul style="list-style-type: none">○ Having some technical difficulties at the beginning. When we booked the session we were doing online, we attempted to do it in person but weren't able to have everyone to do it in person○ Biggest concern was the way the links were posted, and the draft LUB was hard to find○ Hard time finding info○ Objected to the way the information and documents were presented on the website2. Barry regards to 8.23<ul style="list-style-type: none">○ R1 had one trailer, R2 could have 2. R1 could apply to have additional, does that mean R1 could have 2 and R2 could have up to 4 if approved?○ The way it is drafted right now, it is dependent on whether or not the lot is developed. Right now, if you have a developed lot on R1 or R2 district, you can, by right, have 1 RV. If you have an undeveloped lot (if it is suitable), you can have 2 RV's. Regardless if it is developed or undeveloped, you can apply to have an additional RV.○ What is your view to how many RV's on a property?<ul style="list-style-type: none">▪ 4 RV's seems a lot, don't know how big the lot is. I could just put a new building? Taxes with trailers on lots etc. we have a min tax rate when it comes to undeveloped lots3. Angie<ul style="list-style-type: none">○ Why was it necessary to remove sea cans, and how long would you expect people to actually get rid of them?○ Would have to check original bylaw, but with sea cans it didn't change.
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	<ul style="list-style-type: none">○ Response from Chair - Ultimately if there is not approved development permit then the sea can shouldn't be on the lot to begin with.○ How long would you give people to get rid of them?○ Response from Chair - I would reach out to Bylaw development officer. Do items to current bylaw because this bylaw hasn't passed yet, might be able to keep the container <p>4. (name?maybe Gary)</p> <ul style="list-style-type: none">○ From what I am understanding, R1 Lakefront lot, because of hill we have limited parking space. Now with this Bylaw, it sounds like if I have a guest that wants to come up through 1 weekend and he is not allowed to park his RV at my place, because I don't have enough room for a designated stall, is this correct?○ Jane: the stall needs to be large enough to fit an RV, so if there isn't a room for an RV stall, there isn't room to put an RV○ The stall has to follow laws for setbacks, where as currently, if someone comes up with an RV they park it in the driveway, the setback isn't met. But it's only there on a temporary basis○ Jane: You are correct, the way it is drafted right now, it needs to meet the setbacks to mitigate impacts on neighbors○ You can request a setback barrier, but it may or may not be granted.○ Complicates the whole issues for what a person has a lake lot for○ This was in the existing bylaw, was not identified <p>5. Joyce</p> <ul style="list-style-type: none">○ Number error on the presentation on the landscaping. Was 8.18 and replacement was 8.16.1. Think it should have been 8.18.1. <p>Action Item: Jane correct, typo</p> <ul style="list-style-type: none">○ On RV's 2 or 1 depending on undeveloped lot, you would to have other lots to put temporary RV's. When they leave, they have a pad there and when they leave it will look like an empty camp ground even when the extra RV's are gone. Just park it on the grass, at least when it goes it doesn't look like a camp ground was
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	<p>there. If you prepare a pad to identify you can have them there, then everyone will look at the pad regardless and it will look like a camp ground. Don't have permanent pads, have temporary ones.</p> <ul style="list-style-type: none">○ Council still needs to take these into account, not a final document○ Wanted to ask again about R1 being the same size as an R2. You couldn't subdivide under one acre, but nothing that says you can't subdivide under one acre. Only reference to one acre is if lot will have septic seal and no one in the village will have septic seal.○ Where in our new bylaw does it say we can only subdivide min one acre.○ Jane: In relation to pads, in drafting revised provisions, trying to ensure that the revised sections does not require an RV to be placed on a pad or gravel service. It just needs to be delineated, just a post and something to identify where the RV would be. We are trying to reduce the amount of non -perm. Run off. In relation to lot sizes, it is in the district section. 10.7 min lot area and width. Provisions for all new lots to be created have a lot no less for 1 acre, for both R1 and R2 so that if those lots get subdivided they do not get subdivided to less than 1 acre.○ If you are going to do that, under new lots for R1, you should be putting there are no new R1 lots. They both have min size of 1 acre○ Through the Chair, could we inject the word R1: less than 1 acre R2: greater than 1 acre○ Did steering committee look at changing min size on R1 lots○ Jane: they didn't those lots are already small, no need to decrease the max. area the point raised was that provision in R1 district is that no further subdivision.○ What identifies an R1 and an R2○ The LUB decides, someone can't decide if it is an R1 or R2, if you have an R2 and want to change zoning you have to go through LUB amendment. Size doesn't identify lot, LUB map does.
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	<ul style="list-style-type: none"> ○ LUB will designate lot at R1 or R2 prior to subdivision ○ Are you saying you can't subdivide R2 into two R1's, you would still have to call them R2's? ○ C - That is correct ○ Jane – Purpose of the provision is to limit density in summer village ○ Not very happy with the way this was presented, this hearing should have been done on reviewing a Bylaw that was complete so we could see what was on the paper before and we could discuss questions we had on it. Now we don't even know what the bylaw is going to look like and you've already done a first reading on it ○ When are we going to see the complete Bylaw? ○ Jane: The bylaw at the form it is in almost ready for approval, it has been given first reading, sent to legal and additional comments, council does not have to make any changes, we anticipated that community would have comments and the purpose the community voice their opinions to council. We never have a completed document at public hearing, council hears everyone, direct changes. After public hearing is closed, council will have to review all this input and then direct MPS and Admin to prepare an amending motion prior to second and third. ○ We couldn't get into the presentation and seen in writing the amendments. ○ Only suggestions that MPS brought forward, have not been incorporated into the document. ○ Why wasn't this done with zoom so we can see the presentation and see the council and the person speaking <p>6. John</p> <ul style="list-style-type: none"> ○ Really hard to determine who's in the cue. Specified wanted to speak first and before the first reading. ○ Given the province lifted all restrictions, question why council reluctant to be in person or at min. zoom, why did council and admin decide to change platforms <ul style="list-style-type: none"> ▪ We have used this platform in the past and it has worked well
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	<ul style="list-style-type: none"> ○ It interesting with me that I have two emails from admin. That zoom would have been way simpler and way easier <ul style="list-style-type: none"> ▪ Don't disagree, we are open to public comments, trying to get through public hearing, it's not that we don't want to have public interaction. We added ability to view presentation on this platform in the past, agree that it didn't work that well. People can still comment and that is the key to public hearing ○ Given that this is to be "public" inclusive to additional members, was this advertised beyond website and mailed to owners, public at large ○ Jane: the public hearing is not a Q&A, this is time for public to provide testimony on Bylaw, any questions that get asked must be through chair. In relation to notification, must be answered by admin if council chooses ○ Up until now it's been Q&A but now it's not? <ul style="list-style-type: none"> ▪ I have been reminded to follow proper process, I will default to that ○ Stakeholders and public need to be clearer on what we are having the public hearing on today and how they may be affected by the LUB. In draft LUB posted on SV Island Lake website, there is areas highlighting in the LUB, green and yellow, has council accepted the green highlights? ○ Jane: the bylaw that was given first reading is the bylaw on the website. Deliberate, the discussion at that time that the bylaw not be changed in any way prior to the public hearing because it was not transparent and would not give opportunity for those to give feedback. ○ Are any revisions in yellow, are any of those accepted by the LUB given first reading, the fact that highlighting is removed, yellow highlighting is part of what has been given first reading ○ We did not change the text in any way ○ Will there be another public hearing? <ul style="list-style-type: none"> ▪ Will not be additional public hearing ○ Section 8.1.2 a) sub 8 "accessory buildings shall not be more than 9.7m w and not exceed height
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	<p>of main building” this same provisions is not included, it should be removed from this section, because it is addressed in section 11</p> <ul style="list-style-type: none">○ Jane: we will take note and review it and if at the end if council wants more info we will○ 11.3 b) possibly put in there lifts○ Is that type of equipment part of the LUB?○ Jane: lift boat lift or instead of stairs? Should be handled in the same way, can bring back to recommendations○ 8.4 combustible materials. Primary structures is not defined in the bylaw. Jane will make notes○ Developed lot is not defined, very important that term be defined.○ Sea cans not allowed, chads recommendation to not have them, current sea cans will have to apply for DP○ Strongly suggest that it be very clearly specified in the bylaw what the RV pads are <p>7. Derek/Gerrete?</p> <ul style="list-style-type: none">○ 8.2.3 the whole thing around RV’s there needs to be a definition inserted defining what permanent placement is?○ Bylaw review be put on hold before 2nd and 3rd reading for proper review, things have not been answered properly <p>8. (name)</p> <ul style="list-style-type: none">○ Still unclear about what this Bylaw is planning to come forward with the RV’s. Should be clarify about what council is thinking so people know what to give comments on.○ Thought that if steering committee had things undecided that council would bring forward, left to council to decisions○ What is the public to expect public to vote one regarding RV’s.○ Not in favor of marking out pads, get pads, just getting permit <p>9. R1 owner</p> <ul style="list-style-type: none">○ RV situation is charged up. In regards to RV’s. front yard and backyard can be confusing for R1. With no dwelling, is there a provision to determine where the RV can be? If I have
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	<p>existing location, and there is a change, how can I be grandfathered into existing location</p> <ul style="list-style-type: none">○ Jane: In the first read LUB, think it is unclear. Some clarity needs to be provided. What we recommended, on undeveloped lot the first RV that goes on the lot should be considered the main dwelling and be subject to setbacks of a house. Any additional RV's adhere to setbacks of accessory buildings. For existing RV's with permits, would be accommodated○ DP can consider/approve a variance, when a DP is reviewing the bylaw that received third reading that will be the bylaw in affect○ Not every R1 lot, and not every R2 is the same size in area, various cases where different sizes of R2 lots. Really have to take into consideration the size of the space and the location of the neighbors and some commons sense in place, which we are all trying to be part of. This process is flawed, supposed to be talking about the issues and then going into the first reading <p>10. (name)</p> <ul style="list-style-type: none">○ Could this whole issue not be solved with a referendum question with the next election?<ul style="list-style-type: none">▪ As part of this public hearing, will take under advisement○ Why not making this part of the election? What would be the harm waiting another month or two? <p>11. John Wasmuth</p> <ul style="list-style-type: none">○ The people speaking didn't provide their names○ Supports comments from last speaker asked it the RV matter could be referendum question at election○ Quite an extensive survey was carried out in 2019 mail out survey, the summer village got back something about 70-80 responses. Would hope that in responding to the question of RV's that council will look at that survey and take result into account in determining the final provisions in the bylaw.<ul style="list-style-type: none">▪ Chair - All that info was given to steering committee, and to council
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	<ul style="list-style-type: none"> ○ Suggest this information from the first survey is most important for council <ul style="list-style-type: none"> ▪ Cahir confirmed that Council received that information <p>12. Barry?</p> <ul style="list-style-type: none"> ○ RV's on R1 and R2 lots, the proposed bylaw, everyone is wondering as far as for special events, Canada day festivities that bring us all together, get to be with everyone on the Lake, is there kind of going to be allowances for different kinds of things? When we put on a ball tournament we get more family members, they need places to stay, hard for everyone to accommodate everyone <ul style="list-style-type: none"> ▪ That is one of the recommendations given by MPS, will take all of this under advisement <p>Mayor Newton asked if everyone in attendance felt like they have had the opportunity to be fairly heard.</p> <p>13. Barry</p> <ul style="list-style-type: none"> ○ Compliment council and committee for hard work they have done, we do appreciate your hard work thank you <p>Mayor Newton again asked if everyone in attendance felt like they have had the opportunity to be fairly heard.</p> <p>No additional inquiries or comments were made.</p>
6. QUESTIONS & ANSWERS (Council Members)	No Council members had any further questions of the consultant or Administration.
7. COUNCIL DISCUSSION	No further discussion took place among Council.
8. ADJOURNMENT	Chair Newton declared the Public Hearing closed and adjourned the Public Hearing at 8:23 p.m.

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