



PLANNING SERVICES PUBLIC ADVISORY PANEL

Municipal Planning Strategy and Land Use Bylaw Plan Review

Town Hall – Council Chambers

Monday, June 13, 2016

7:00 pm

AGENDA

1. Call to Order
2. Approval of the Agenda
3. Approval of Minutes
4. Public Consultation Process
5. Review: MPS Sector/Land Use Policies (Implementation)
6. Next Meeting – July 11, 2016
7. Adjournment

Middleton MPS/LUB Review
Introduction and Process Overview
June 13, 2016

Existing Middleton Municipal Planning Strategy – Implementation Policies		
Part 3.1		
General		Comment
I1, MGA Enabled	This Municipal Planning Strategy shall be implemented by means of the powers conferred upon the council by the <u>Municipal Government Act</u> and other Provincial Statutes as may be applicable.	
I2, General Intent	In addition to employing specific implementation measures it shall be the intention of council to maintain an ongoing monitoring and planning process through its Planning Advisory Committee.	
Part 3.2 MPS Amendments		
I3, Amendments Required	<p>It shall be the intention of council to require amendments to the policies and maps of the Municipal Planning Strategy in the following situations:</p> <p>(a) where any policy intent is to be changed;</p> <p>(b) where the Municipal Planning Strategy is in conflict with applicable provincial land-use policies or regulations in accordance with</p>	

	<p>the <u>Municipal Government Act</u>;</p> <p>(c) where a requested amendment to the Land Use By-law is in conflict with this planning strategy and there are valid reasons for the amendment; or</p> <p>(d) where a secondary planning strategy is to be incorporated into the Municipal Planning Strategy.</p>	
I4, Ministerial Approval	Planning Strategy amendments shall require the approval of the Provincial Director of Planning acting on behalf of the Minister of Housing and Municipal Affairs and shall be carried out in accordance with the provisions of the <u>Municipal Government Act</u> .	
Part 3.3, Actions Not Requiring Amendments		
I5, Adjacency/Soft Boundaries	Areas immediately adjacent to a given land use designation on the Generalized Future Land use map may be considered for a zoning amendment to a use permitted in that given designation without requiring an amendment to this strategy provided that the intents of all other policies of the Strategy are satisfied.	

Part 3.4, Land Use By-law		
I6, Zones	<div>It shall be the intention of council to initially include the following zones in the Middleton Zoning By-law:</div> <div><div>Protected Lands</div><div>Residential</div><div>Residential Restricted</div><div>Restricted Development</div><div>Business District</div><div>Highway Commercial</div><div>Manufacturing & Industry</div><div>Recreation</div><div>Institution</div><div>Residential Mobile Home</div><div>PL</div><div>R</div><div>RR</div><div>RD</div><div>BD</div><div>HC</div><div>M</div><div>REC</div><div>I</div><div>MH</div></div>	
I7, Amendments	<div>It shall be the intention of Council that the Land Use By-law may be amended to allow additional uses provided that they are consistent with the policies of this Strategy.</div>	
Land Use By-law Amendments		
I8, Conformity with MPS	<div>The Council in considering an amendment to the Land-Use By-law shall comply with all requirements as provided for in the <u>Municipal Government Act</u>, and this strategy.</div>	

I9, Rezoning for Mobile Home Development	<p>It shall be the intent of Council that the following uses, within the designations specified, shall only be considered by amendment to the land use by-law:</p> <p>(a) mobile homes in the Residential Designation (Policy H11).</p>	
I10, Rezoning Criteria	<p>In considering an amendment to the Land-Use By-law the Council shall have regard for those matters identified in Policy I-16 as well as those criteria set out in other applicable policies of this Strategy.</p>	
I11, Rezoning Consideration Process	<p>In considering amendments to the Land-Use By-law, it shall be the intention of Council to:</p> <p>(a) request a report from the development officer;</p> <p>(b) refer the matter to the Planning Advisory Committee for their report with respect to any other policies of this strategy which affect the proposed amendment.</p>	
I12, Compliance with MGA	<p>In considering an amendment to the land-use, Council shall hold a public hearing in accordance with the provisions of the <u>Municipal Government Act</u>.</p>	

Part 3.6, development Agreement

I13, Uses by DA

It shall be the intent of Council that the following uses shall only be considered by development agreement and that this shall only be within the designations indicated:

- (a) Home occupations in any zone or designation in dwellings fronting on Main Street, Commercial Street or Bridge Street (Policy H12);
- (b) Business District uses of greater than 465 sq. metres (5,005 sq. ft.) in the Manufacturing and Industry designation (Policy C3 and M2);
- (c) High density residential developments (greater than 10 dwelling units/gross acre), in the Highway Commercial designation on properties abutting the west side of Brooklyn Street (Policy C19);
- (d) Multiple unit dwellings and rowhousing containing more than three (3) units, rooming and boarding houses and grouped dwellings in the Residential (R) Zone by Development Agreement (Policy H8, H10, H13).
- (e) Professional Offices, accessory residential dwelling units within existing buildings and new multiple unit residential structures at 474 Main Street (PID 05267836) pursuant to Policy C20.

I14, DA Criteria	In considering entering into a development agreement, the Council shall have regard for those matters identified in Policy I-16 as well as those criteria set out in other applicable policies of the strategy.	
I15, Contents of a DA	<p>It shall be the intention of Council that a development agreement made pursuant to the <u>Municipal Government Act</u> may contain such terms and conditions that it feels necessary to ensure that the development agreement is consistent with the policies of this Strategy, to this end, the agreement may include, but is not limited to, some or all of the following:</p> <ul style="list-style-type: none"> (a) The specific use and size of the structure, either new or an expansion of an existing structure; (b) The location of any structure within a development; (c) The percentage of land that may be built upon and the size of yards, courts or other open spaces; (d) The maximum density of the population within the development; (e) The architectural design or external appearance of structure, in particular its compatibility with adjacent structures; (f) The provision of services and utilities; (g) Traffic generation, ingress to and egress 	

	<p>from the site to abutting streets and parking;</p> <p>(h) The landscaping or buffering of developments which may include fencing, walkways and outdoor lighting;</p> <p>(i) Alteration of land levels;</p> <p>(j) Open storage;</p> <p>(k) Public display of advertising;</p> <p>(l) Any other similar matter that may be addressed in a Land-Use By-law which Council feels is necessary to ensure to general compatibility of the use and structure with adjacent areas.</p>	
I16, DA Criteria	<p>In considering amendments to the zoning in the by-law or, entering into development agreements, in addition to all other criteria as set out in various policies of this planning strategy, Council shall have regard for the following matters:</p> <p>That the proposal is in conformance with the intents of this Strategy and with the requirements of all other Town By-laws and regulations;</p> <p>(a) That the proposal is not premature or inappropriate by</p>	

	<p>reason of:</p> <ul style="list-style-type: none"> (i) the financial capability of the Town to absorb any costs relating to the development; (ii) the adequacy of sewer and groundwater to support the proposed density of development; (iii) the adequacy and proximity of school, recreation and other community facilities; (iv) the adequacy of road networks adjacent to, or leading to the development; (v) the potential for the contamination of water courses or the creation of erosion or sedimentation; (vi) stored water capacity for fire protection; (vii) the potential for damage to or destruction of historical buildings and sites. <p>(b) That controls are contained in a Land Use By-Law or a development agreement so as to reduce conflict between the development and any other adjacent or nearby land use</p>	
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	<p>by reason of :</p> <ul style="list-style-type: none"> (i) type of use; (ii) emissions including air and water pollutants and noise; (iii) height, bulk, and lot coverage of the proposed building; (iv) traffic generation, access to and egress from the site, and parking; (v) open storage; (vi) signs; (vii) similar matters of planning concern. <p>(c) Suitability and development costs of the proposed site in terms of steepness of grades, soil and geological conditions, marshes, swamps, or bogs and proximity of highway ramps, railway rights-of-way and other nuisance factors.</p> <p>(d) Provision is made for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic.</p> <p>(e) Development is located so as not to obstruct any natural drainage</p>	
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	channels or watercourses.	
Part 3.8, Subdivision		
I17	It shall be the intent of Council to review the existing Subdivision By-law for the Town of Middleton to bring it into conformity with the provisions of <u>the Municipal Government Act</u> , the Municipal Planning Strategy, the Land Use By-law and the Provincial Subdivision Regulations.	
Part 3.9, Development Officer		
I18, Development Officer	In accordance with Sections 243 (1) and 243 (2) of the <u>Municipal Government Act</u> it shall be the intention of Council to appoint a development officer who shall administer the Land Use By-law and Subdivision By-law and as such shall be responsible for the granting of development permits and approvals of plans of subdivision.	
Part 3.10, Building By-law		
119	It shall be the intent of Council to administer the Building By-law and update it as warranted in order to effectively regulate the safety and structural sufficiency of buildings in the Town.	

Part 3.11, Sewer By-law		
I20	It shall be the intent of Council to administer the Sewer By-law and update as required in order to clearly define the responsibilities of the user and effectively regulate the type, strength and volume of effluent discharged.	
Part 3.12, Unsightly Premises By-law		
I21	It shall be the intent of Council to maintain properties in the Town by applying the relevant sections of the Municipal Government Act to deal with unsightly premises.	
Part 3.13, Capital Program		
I22	It shall be the intent of Council to incorporate policies and provisions of this Strategy into the Capital Budget and the five year Capital Program of the Town to the greatest extent possible, with the goal of eventual integration of planning, capital programming, and budgeting.	
I23	To assist in co-ordinating planning and budgeting, it shall be the intent of Council to have the Planning Advisory Committee	

	report to the Finance Committee of Council prior to the approval of the annual Capital Budget. This report shall include a review of the Budget proposal with respect to the policies contained in the Municipal Planning Strategy.	