



Rural Municipality of West River Public Meeting (Rezoning PID 681239) Minutes

Meeting No	2025-04	Time	7:00 PM
Session	Special - Public	Date	Thursday, May 1, 2025
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Center
Adoption status	Approved	Contact Person	Susan Morse - CAO

Attendance Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Aaron MacEachern, Councillor Daniel Sud, Councillor Lillian MacCannell, Councillor Steve Pollard, Susan Morse – CAO, Mirko Terrazzas – Development Officer, Ehi Itua – Administrative Assistant, Daniel Maclsaac – Applicant

▪ **Call to Order**

Mayor Helen Smith-MacPhail called the Meeting to order at 7:05 PM.

Mayor Helen Smith-MacPhail gave a land acknowledgement, welcomed everyone, and introduced Council and Planning Board Committee members present, municipal staff and the applicant.

She reminded the attendees:

- To sign the roster so that attendance can be recorded.
- That Minutes of the Meeting will be taken and there will be an audio recording taken for internal use only.
- That the meeting would be conducted in a mannerly order.
- That written feedback will be accepted until May 8, 2025, at 7 PM.
- Copies of the preliminary staff report are circulating in the room and available on the municipality's website

▪ **Adoption & Approval of Agenda**

The agenda was approved as circulated. It was moved by Deputy Mayor Shaun MacArthur, seconded by Councillor Lillian MacCannell, and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Purpose of the Meeting**

Public Meeting pursuant to Resolution #2025-07 to consider a rezoning application for PID 681239 located in Cumberland from Rural Area to Rural Residential.

- **Public Notice**

Public Notice was published in "The Guardian" on April 23, 2025.

A Letter was sent to all landowners within 153 m. (502 ft.) of all boundaries of the PID 681239

A Sign was placed on PID 681239 on April 17, 2025, 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 681239 (Appendix A, attached hereto, forming a part of these minutes).

- **Applicant Presentation**

Daniel MacIsaac spoke regarding his rezoning application. Mr. MacIsaac told the audience he has owned the property for 29 years and explained that the property was wooded up to a few years ago. The trees on the property were severely damaged by Post Tropical Storm Fiona. He consulted with provincial forestry officials concerning clean up and debris removal due to Fire Hazard and Unsightliness of the downed trees. Clean up was a significant cost and Mr. MacIsaac decided to investigate subdividing the property. Under Municipal Land Use Regulations the property could have 4 lots taken off for a total of 5 lots. To accommodate the zoning rules the original plan was for 5 lots of approximately 2 acres each however it was decided that lots of this size would not appeal to prospective buyers and so the decision was made to plan for 11 one acre lots and the rezoning application was made to the Municipality. Mr. MacIsaac stated that the property is surrounded by residential areas and feels this rezoning is a reasonable proposal.

▪ Public Input

Seventeen people attended the Meeting. The audience asked questions, expressed concerns and gave comments.

▪ Questions

- Why rezone if residences are allowed in Rural Areas?
 - The Development Officer explained that only 4 lots may be subdivided in Rural Area. In Rural Residential it is permitted to subdivide up to 20 lots.
 - Mayor Smith MacPhail stated that a rezoning is a change in the law therefore Public Feedback is needed.
- Has any water table information had been obtained?
 - Not at this time.
- Is the road that is on the property now temporary and will it be coming out?
 - Daniel MacIsaac said yes.
- Is the beach access in the proposed subdivision plan notional?
 - Daniel MacIsaac said “No, we will provide access to the beach.”
 - Will the beach access be restricted to others?
 - Daniel MacIsaac said no.
- Have you considered donating the land instead of developing it?
 - Daniel MacIsaac said he has donated over 300 acres of land in other parts of the province.
- My property has been infringed upon and there is a missing survey pin after all the clean up work that happened.
 - Daniel MacIsaac stated that he is aware there is a missing pin and is working to remedy that. He understood that all but one pin had been located.
- If the original plan was to only divide 5 lots why clear the entire property all the way to the shore? It seems clear that the intention wasn’t for 4-5 lots.
 - Daniel MacIsaac stated the plan was always intended to be residential use however 4-5 lots wasn’t “going to get the job done”.

▪ Concerns

- about what has happened during the clean-up
 - good trees removed trees that were possibly not on the applicant’s property

- many fires, sometimes left burning overnight
- copious noise and increased road traffic
- environmental infractions related to work within buffer zones
- Mr. MacIsaac stated that downed and dead trees were removed from the buffer zone with oversight provided by the province.
- There is a non development clause in the deed for this property.
- There is no regard for community or conservation, these subdivisions are greedy and developers shouldn't create subdivisions in Rural Municipalities, they are not compatible with Rural life.
- The common spaces belonging to surrounding cottage owners are being infringed upon
- The possibility of multi family dwellings and not wanting more neighbors
- Inadequate water supply; there are times during the year when nearby residents are concerned about it and don't shower and do laundry on the same day.
- Erosion and shore maintenance
- property taxes and decreased property value.
- potential for years of ongoing construction noise and increased road traffic if the property is further developed.
- No clear boundaries between the property in question and adjacent properties, what will stop new residents trespassing on adjacent properties to use existing private beach accesses
- intensification of use of the land and the shore
- increase public use of the beach and decreased privacy - current residents enjoy a secluded beach and this will be impeded with more neighbors and another beach access
- Cliff safety – there is a high bank
- Comments
 - the purpose of the meeting is only to consider the rezoning request and not the potential subdivision
 - Nobody likes change
 - Glad clean up was done, I was concerned about fires

- This property was not farmland, it was wooded prior to Fiona, maybe it is not improving but it is progress and I think its ok, it will be nice.

▪ **Comment Period**

Mayor Smith – MacPhail reminded the attendees that Public Comments and Feedback about the proposal will be accepted until May 8th at 7 p.m. Comments can be provided in writing by mail, email to rmwr@westriverpe.ca, or in the Municipality’s dropbox which is located at the side door at the Afton Community Centre. All Comments must be signed, or sdiplay the author’s name, civic address and phone number. Once received they are considered public documents.

▪ **Adjournment**

Deputy Mayor Shaun MacArthur motioned to adjourn the meeting at 8:26 PM.

Helen Smith-MacPhail

Susan Morse

Mayor _____

Chief Administrative Officer _____



Rural Municipality of West River

Public Meeting

Rezoning Proposal PID# 681239

May 1st, 2025 7:00pm

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.

Appendix A (Continued)

Process of Meeting

Planning Board recommended holding this Public Meeting.

Approx. 30 Letters to surrounding landowners/residents within 153 m (502 ft) of the boundary of the subject property were sent to provide comments regarding rezoning application.

Process of Meeting

Ads in the Paper. One Ad 7 clear days (April 23th, 2025) before the Public Meeting date.

Hold Public Meeting. May 1st, 2025 at 7:00 pm.

Planning Board reviews information and comments sent before May 8th at 7 pm and decides on recommendation to Council.

Appendix A (Continued)

Public Notice

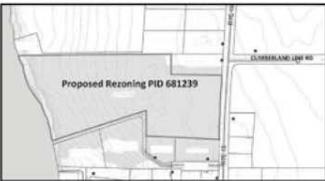
 Rural Municipality of
WEST RIVER

Rural Municipality of West River - Public Notice
Zoning Amendment/Official Plan Amendment/Concurrent
Amendment to Official Plan and Land Use Bylaw

Public notice is hereby given that the Rural Municipality of West River will conduct a public meeting on May 1st, 2025 at 7 p.m. at the Afton Community Centre located at 1552 Rte. 19, 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 # 681239 from Rural Area (RA) to Rural Residential (RR) zone to subdivide the parcel located in Cumberland, PE into 11 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 May 8th, 2025 at 7 p.m.

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

Letter to Neighbors 153 mts-502 ft.

 Rural Municipality of
WEST RIVER

April 10th, 2025

Public Notice

RE: Application for rezoning PID #681239 from Rural Area (RA) to Rural Residential (RR) zone to subdivide the parcel located at Rte. 19, Cumberland, into 11 residential lots

File Number WR-0240

Dear Landowner,

As a property owner within 153 meters 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. 19, New Dominion, PE CDA 1H6) on May 1st at 7 p.m. to seek public feedback on the above-noted application.

You can provide comments by sending them to my attention in writing by mail or email on or before May 8th at 7 p.m. 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.westriverpe.ca>. Any changes to public participation prior to the meeting will be posted on our website. In the event of inclement weather cancellations will be posted on our website.

If you require more 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 rmwr@westriverpe.ca.

Sincerely,
Susan Morse
Susan Morse
Chief Administrative Officer
Rural Municipality of West River

1552-B Rte. 19, New Dominion, PE CDA 1H6 - 902-675-7000 www.westriverpe.ca

 Rural Municipality of
WEST RIVER

Map of the subject property and immediate surrounding area



1552-B Rte. 19, New Dominion, PE CDA 1H6 - 902-675-7000 www.westriverpe.ca

Appendix A (Continued)

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
- h. commercial uses.

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."

Appendix A

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 14.4 Acres from Rural Area(RA) to Rural Residential (RR) zone, to Subdivide the parcel into 11 residential lots for Single Unit Dwellings.

