

Response to Comments

Municipality of Belfast - Draft Development By-Law

October 4, 2022

1.0 - Respondent-Specific Comments

No.	Comment	Response
1.1	<p>Pg 4 - The definition of “Development” should be split into two or more categories, one covering private small scale development for personal use in privately owned lots and then another term for commercial development including creation of subdivisions and things related to industrial uses, possibly a third if you want to include construction of dwellings and things that require a poured foundation. At the moment the term is the same for constructing a woodshed or building a multi-unit subdivision consisting of triplexes. Subsection d) should be amended to remove references to “repairing” property as section 3.2.2 (j) specifically says you can do repairs and maintenance without a permit. In addition, expecting a home owner to pay fees, complete forms, and wait the lengthy timelines for a permit application to be processed would cause hardship for them if the repairs were urgent.</p>	<p>The definition of “development” is taken directly from the definition provided in the Planning Act. The wording is generally standard for zoning documents, as it must include the appropriate range of activities addressed in the by-law.</p> <p>For this reason, both the definition and the exemption of repairs from a Development Permit provided in Section 3.2.2 are recommended to remain as-worded, since the exemption achieves the objective of the comment.</p>
1.2	<p>Pg 8 - Subsection d) should be amended to remove references to “repairing” property as section 3.2.2 (j) specifically says you can do repairs and maintenance without a permit. In addition, expecting a home owner to pay fees, complete forms, and wait the lengthy timelines for a permit application to be processed would cause hardship for them if the repairs were urgent.</p>	<p>Please see response provided above.</p>
1.3	<p>Pg 10 - The definition of “Setback” - this could also be the place to indicate the distance from the road, beyond which private use development does not require permits. I.e. if the setback is 50ft from the road for the front yard and the greenhouse is going to be 100ft from the road then no application or permit required.</p>	<p>The requirement for a permit is related to the type or intensity of development, not the siting of the use on the property. Setback requirements are expected to be achieved by development (subject to variance applications, where necessary).</p>
1.4	<p>Pg 12-13 - The definition of “Yard” is absurd for rural sized lots. My “Front Yard” is about 8 acres. My “Side Yards” are probably 1-2 each. The “Rear Yard” is a tree line and a mixed forest/field combo of about 18 acres.</p>	<p>The definitions for “yard” terminology are essentially identical to the definitions provided in the Planning Act Subdivision and Development Regulations. The definitions are generally standard for zoning documents.</p>

		<p>For clarification, a “yard” is only a condition created through setback requirements; the large yards described in the comments do not necessarily need to be preserved at that size. For example, further development on that lot could be accommodated within these yards, provided that setback requirements and other by-law provisions are achieved.</p>
<p>1.5</p>	<p>Pg 14 - Section 3 - 5 and 6 lots still equate a significant subdivision to be approved or denied at the sole discretion of one person. Subdivisions should be subject to public consultation, with the possible exception of lots carved off of a parent parcel and transferred to family. There should also be a way for the applicant to appeal and have the application reviewed by an officer from a different municipality.</p>	<p>Section 9.11 of the Official Plan was written to ensure the Rural Municipality of Belfast followed the public notification requirements of the Planning Act, which includes the requirement notification to be posted for subdivisions.</p> <p>Despite the Official Plan policy, we have revised Section 3.8 of the Development By-law to provide further clarity on this procedure.</p> <p>Generally, the Planning Act distinguishes between smaller subdivisions (5 or fewer lots), and larger subdivisions (6 or more lots). Although this threshold was used to distinguish between subdivisions subject to approval by the Development Officer and those subject to approval by Council, the threshold may be adjusted, at Council’s discretion.</p> <p>The Planning Act allows for an appeals process to the Island Regulatory Affairs Commission (IRAC), as noted in Section 3.9 of the Development By-law. There is no legal mechanism to forward the review of a development application from one municipality to another.</p>
<p>1.6</p>	<p>Pg 15 - Section 3.2.2 (A) a 6ft limit on a fence on country lots like my 31 acres? 8ft, 10ft, or 12ft doesn’t make any difference. As long as it is within the various lot set offs personal development on private lots should be permitted. (K) a maximum size for a clothesline in the country is absurd unless the lot is less than an acre and the lot is in a high density area (which I don’t believe we currently have). (O) height limits of 11ft for accessory buildings on a country sized lot, again, like my 31 acres. Why? This is below the peak of your average hobby greenhouse. Who is this limitation supposed to protect?</p>	<p>Section 3.2.2 lists instances in which a Development Permit is not required. The reference to fences is not a restriction, only that fences or walls exceeding the threshold (8 feet or 6 feet) would require a Development Permit. This threshold may be adjusted, at Council’s discretion.</p> <p>The reference to the 2-foot diameter was not intended to apply to clotheslines, which are intended to be exempt from a Development Permit in all cases. As the wording is confusing, we have made the necessary adjustment to Section 3.2.2.</p>

1.7	Pg 16 - Section 3.2.3 no appendix C provided. Most of these plans and requirements should not apply to personal use development on large lots. Section 5 - survey plans, For subdivisions yes. For building a dwelling, yes. For private development for personal use and enjoyment that does not include a poured foundation there should be a short abbreviated list.	<p>Appendices are provided in the revised Development By-law.</p> <p>The requirements in the Development By-law are crafted around the impacts of the use, building, or structure, irrespective of the landowner or development proponent.</p> <p>The requirement for a Survey Plan was intended to only apply to subdivisions, or in cases where it is necessary to properly evaluate a Development Permit application. We have corrected the error.</p>
1.8	Pg 17 - Section 3.2.4 the timelines set out create a hardship for the applicant. 2 days after filing it should be confirmed complete. The applicant should have a response within a week. If it is rejected the grounds for rejection should be set out in full detail and there should be steps to rectify and submit an amended application, without cost, that would be fast tracked for approval. It is worth noting that many quotes for maintenance, repairs and construction are only good for 30 days, so a delay of months might cause the owner undue hardship by having to obtain new quotes and/or lose out on lower rates.	<p>The timelines proposed attempt to balance the need for a timely response to the applicant, with the resources of the Rural Municipality. These timelines may be adjusted at Council's discretion.</p> <p>The "additional information" provisions in Section 3.2.4 are intended to address the concerns raised in the comment. If additional information is required, the provisions instruct the Development Officer to inform the applicant within the specified timeline, who may submit the new or revised information at no charge.</p>
1.9	Pg 18 - All development agreements should be subject to public notice and comment and be available on the website afterwards for transparency. All industrial or subdivision development permits and related documentation should be available on the website. If the municipality is entering into a contract on my behalf I want to know about it, preferably beforehand.	<p>Notice of Development Permits for all uses are required to be made available for public information, as required in the Planning Act, Official Plan, and Development By-law. Notices are required to contain the information specified in these documents.</p> <p>A Municipality cannot enter into a Development Agreement on behalf of a specific resident or landowner. Where the Municipality is party to a Development Agreement with a landowner, the details of the development are generally made public, but publicizing the terms of the Agreement would be unusual.</p>
1.10	Pg 19 - Section 3.4 if the permit can take 2 to 3 months to process then the applicant should have a year to get the job done. Section 3.5 - no form attached. Notice of subdivisions should be public. Not just neighbouring properties. Subdivisions impact everyone in the neighbourhood.	<p>The 60-day time period applies only to Demolition Permits and begins at the time of issuance.</p> <p>All forms are included in the revised By-law.</p>

		Notice of subdivisions, as with Development Permits, are required to be posted in a public manner, in accordance with the Planning Act.
1.11	Pg 20 - Section 3.8 notice needs to be neighbourhood wide if not municipality wide. 150 meters in the country is nothing. It wouldn't reach any of my neighbours. Also, how is notice given? should include an email list and a mail out for people like the Amish (who should also get longer to respond). Are the Amish aware of this draft by-law?	<p>Notice is required to be provided to the community at large, in accordance with the Planning Act.</p> <p>Please note that notification distances are measured from property lines, not buildings, so immediate neighbours would always be included in circulations.</p>
1.12	Pg 21 - Meetings should be held outside of business hours to allow the working public to attend. In the alternative set up a secure online portal for residents of Belfast to vote on certain items, like this bylaw, with a minimum percentage of participation. Section 3.9 - if this bylaw gets adopted/signed by the minister without being amended is there a way for us to appeal it?	<p>The timing of public meetings is set by the Rural Municipality and would not be specified in a by-law.</p> <p>Provincial legislation does not enable referendums or plebiscites for planning matters. Council is tasked with enacting the Development By-law, with final approval vested with the Minister of Agriculture and Lands.</p> <p>Appeal permissions are established in the Planning Act, but no appeals to the creation of new Official Plans or Development By-laws are permitted.</p>
1.13	Pg 22 - Section 3.11 (1) this is TRESPASSING and rather terrifying. Notice needs to be provided and arranged with the consent and attendance of the land owner or their agent. Not even the police can enter your property without permission or a court order. This should also be restricted to a maximum of twice per permit, and it MUST be in relation to an active permit or application, the inspections can happen once at the approval stage and once upon completion. The development officer would be liable of any damage caused during an unauthorized, unannounced, unsupervised entry.	The enforcement provisions have been revised to reflect the precise permissions enabled by the Planning Act and Municipal Government Act.
1.14	Pg 23 - Section 3.12 (2) the development officer needs permission to enter after reasonable notice and supervision by the owner or an agent on their behalf.	The enforcement provisions have been revised to reflect the precise permissions enabled by the Planning Act and Municipal Government Act.
1.15	Pg 25 - Section 4.5 there should be a special exemption for personal use private lot development for lots over 10 acres.	The "Special Exceptions" section refers to unique circumstances where special zoning provisions are applied to a property, with Council approval.

		The provisions do not apply to classes of development.
1.16	Pg 26 - There should be a letter of confirmation to all land owners confirming the zone of their property with a grace period for requesting a variance that does not require fees or excessive application forms.	<p>The current circulation process is intended to provide landowners with the opportunity to review the zoning maps to confirm the proposed zoning on their property. We are prepared to consider site-specific changes on a case-by-case basis through the process.</p> <p>Similarly, Council is empowered to make amendments to the zoning map at any time, where it considers necessary.</p>
1.17	Pg 27 - Section 5.2 (b) is complete over reach and utterly nonsense bordering on a power trip. If the minimum setbacks are adhered to then it shouldn't matter where an accessory building is. My lot is 31 acres. Approximately 8 acres of that is front yard. Why can't I have a greenhouse, garden shed, and/or chicken coop in my front yard? My back yard is a tree line and it is unreasonable not to allow me to do what I like with the open space of my front yard. It harms no one. It effects no one except me.	<p>The intention of this provision is to limit accessory buildings within the required front yard setback. The provision has been revised accordingly.</p> <p>The Province establishes a minimum required front yard setback of 15.2 metres from any highway boundary (local, arterial, etc.), which is intended to apply to all development. This area is not permitted to accommodate any buildings or structures, including accessory buildings. Accessory buildings remain permitted elsewhere on the lot, including inside the required interior and rear yard setbacks (subject to specific provisions for accessory buildings).</p>
1.18	Pg 28 - Section 5.2 (6) a maximum of 2 accessory buildings without consideration of lot size? This is patently ridiculous and needs to be fixed. 2 is fine for 1 acre and then it could be another 1 per acre as lot size increases.	We have removed the limit on the number of accessory buildings.
1.19	Pg 29 - section 5.7 - what is with the obsession with empty front yards and things lining up? This is not the city. Stop treating it like the neighbours are 20ft away.	Please see response above.
1.20	Pg 33 - Section 5.24 this is an offensively pretentious overreach. "Unobstructed from the ground to the sky"? How are the contents of my yard any of the municipality's business? As long as it doesn't impact anyone, and given the size of my lot that would be almost impossible, then it is not relevant to the municipality.	<p>This provision applies only to structures, and contains a specific exemption for accessory buildings. The provision does not apply to landscape features, vehicles, everyday objects, etc.</p> <p>The underlying intent of the section is to apply to permitted encroachments extending from building walls inside the required setbacks. (Outside of required setbacks, these provisions</p>

		would not apply). We have revised the wording to enhance clarity.
1.21	Pg 34 - section 5.25 needs to include greenhouses, a certain number of horses/livestock (depending on size of lot), small amounts of other livestock (ie chickens, bees).	Section 5.25 provides exemptions from height provisions for certain structures, so it does not concern livestock or horses. We have added "greenhouses" to the list for additional clarity.
1.22	Pg 36 - section 5.33 (f) so does this mean a bed and breakfast can't sell honey or local preserves? (K) if the lot is of sufficient size then why does the size of the accessory building matter?	Both comments relate to provisions that are intended to ensure that a home-based business remains residential-priority. We have revised the retail provision for clarification. Similarly, we have revised subsection (k) to clarify that the limitation applies only to storage related to the home-based business.
1.23	Pg 37 - hobby farms or lots over 5 acres should not have a maximum number of accessory buildings.	Limitations on the number of accessory buildings have been removed.
1.24	Pg 38 - section 6.1.3 - once the setbacks are adhered to on lots over 2 acres anything that is further within the lot should not require a permit for personal development use.	Please refer to the responses to previous comments.
1.25	Pg 39 - section 6.2.2 - small private livestock should be allowed on lots over 3 acres, this section should include greenhouses, horses, small amounts of livestock, bee hives, and chicken coops. This is rural residential. Not Stratford.	"Hobby farm" has been added as a permitted use.
1.26	Pg 54 - section 7 - doesn't this fall under the purview of IRAC?	Municipalities are empowered to review and approve subdivisions, in accordance with the Planning Act. The role of IRAC in municipal land use planning is limited to the hearing of appeals, in cases permitted by the Act.
1.27	Pg 56 - section 7.9 more than 5 lot subdivisions should be subject to public consultation. Who keeps track of the number of applications filed by the same people/ developers to prevent them from filing multiple applications to defy the minimums?	Please refer to responses to previous comments. There is no limit to the number of subdivision applications a landowner may make, whether concurrently, consecutively, or with intervening time periods.

1.28	Pg 61 - section 9.5 (h) should also include "no trespassing" signs being allowed to be fixed to trees and such.	We have revised the list to account for cases like the one described.
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2.0 - Public Meeting Community Comments Response Matrix

No.	Comment	Response
General		
2.1	This project should not proceed, excess regulation is unnecessary.	The Province of Prince Edward Island is requiring municipalities to adopt land use planning policies and regulations by 2025.
2.2	Belfast doesn't have the resources to administer the planning process.	The Rural Municipality of Belfast has several options for administration of these documents, mindful that the total annual number of applications is anticipated to be modest.
2.3	The documents have too many provisions.	The documents have been crafted to address the wide range of possible development applications or scenarios, to provide guidance for the widest possible range of circumstances.
2.4	One lot for zoning purposes for multi-lot ownership.	The suggestion for a provision addressing "one lot for zoning purposes" is reasonable, and has been added to the Development By-law.
2.5	Add Belfast Community Development Corporation in Economic Development section	A policy reference to the BCDC has been added.
2.6	Size limit for signage is too small	The size limit for signs has been adjusted to be 3 square metres.
2.7	Are existing uses protected?	Yes, existing uses are protected under the Non-Conforming policies and provisions, mindful that any future additions, changes in use, or development on these properties would be subject to the new policies and regulations in place at the time of application.
2.8	What is a Planning Board? Is a planning board currently constituted?	<p>A Planning Board is a committee constituted by Council, as enabled by the Planning Act. The Board would be responsible for considering planning matters and making recommendations to Council.</p> <p>The Rural Municipality of Belfast Council has not chosen to strike a Planning Board at this time, but it may do so at any time, in accordance with Planning Act provisions.</p>
2.9	There should be reasonable timelines for applications.	Application timelines proposed in the Development By-law attempt to balance the needs of applicants with the resources of the Rural Municipality. These timelines may be adjusted at Council's discretion.

2.10	Storage of fishing vessels – location?	The provision has been revised to specify that fishing vessels must respect required yard setbacks.
2.11	Livestock operations – can they be expanded?	The Official Plan and Development By-law do not control the number of livestock, only associated buildings and structures.
2.12	Can you provide an inventory of which provisions are taken from the province, and which are new?	In addition to the significant undertaking of work this would require, many policies and provisions are in fact a blend of current provincial requirements and new proposed wording, which would make it extremely difficult to separate. Instead, we encourage residents to identify any concerns about specific policies or provisions.
2.13	Can you provide a rationale for each provision?	Please see previous response.
2.14	Concern about how this will be interpreted by Development Office or Council.	Efforts have been made to provide clear wording for all policies and provisions to avoid confusion or ambiguity. The extensive set of definitions in the Development By-law is also expected to assist with interpretation in many cases.
2.15	Concern about expropriation powers.	Powers of expropriation are enabled by the Municipal Government Act, and is a standard mechanism to realize planning goals and objectives. However, this power is generally used only on rare occasions, and is anticipated to be especially rare in rural municipalities.
Accessory Buildings / Structures		
2.16	Should not be restricted in number.	The limit on the number of accessory buildings and structures has been removed.
2.17	Should be permitted in front yards.	The wording of the provision has been adjusted to specify that accessory buildings shall not be located in a required front yard or flanking yard setback.
2.18	Further define definition of “ <i>farm stands</i> ”. Would they be permitted?	Farm stands would be classified as accessory structures, and would therefore be permitted.
Hobby Farms		
2.19	Should be permitted in RR zone.	“Hobby farm” has been added as a permitted use in the RR zone.
Rural Residential		
2.20	Lot Size threshold should be reduced.	The threshold for Rural Residential zones has been reduced to 1.2 hectares (3 acres).
Home-based Business		

2.21	Concerns about limits on retail component.	A new provision has been added to some retail facilities in association with home-based businesses, which is intended to maintain the residence as the primary use on the property. If a home-based business proposes to expand beyond the limits established in the By-law, the proponent may submit an application for a variance or Zoning Amendment, depending on the circumstances.
Trees		
2.22	How is tree preservation balanced with forestry industry?	“Forestry use” is permitted in the Rural Zone (RU), which applies to the majority of land in Belfast. Official Plan policies also recognize forestry as a valuable element of the local economy. Section 9.5.4 of the Official Plan enables Council to enact a Tree Protection By-law, at its discretion, to regulate removal of trees in the Rural Municipality.
2.23	Solar farms can result in the removal of trees	Please see previous response.
Recreational Trailers or Vehicles		
2.24	Permit requirement should only apply to human habitation.	The wording in Section 5.27 of the Development By-law has been revised to reflect the human habitation detail.
Watercourse		
2.25	Protection buffer is confusing – should be 30 m, not 60 m.	Sections 6.1.1 has been revised to provide clarity. (Remove 60m reference)
2.26	Can we define “ <i>qualified expert</i> ”?	Whether an expert is qualified to prepare a study or plan is generally left to Council discretion.
2.27	Could we use another term for “ <i>protection buffer</i> ”?	The commenter was suggesting using the same terminology as the Environmental Protection Act. Rather than using the same terminology as the Act and potentially creating confusion, we recommend using the terminology as-written.

3.0 Post-Meeting Comment Response Matrix (19/09/2022)

No.	Comment	Response
3.1	Ensure the maximum development falls under <i>allowed without regulation</i> . Keep the least restrictive as practical. (Definition of development)	Exemptions from Development Permits are provided in Section 3.2.2 of the Development By-law.
3.2	3.2.2 1) Should allow: minor site alteration, including but not limited to altering the grade of the land, removing vegetation from the land, excavating the land, depositing or stockpiling soil or other material on the land, locating, placing, erecting, constructing, altering, repairing, removing, relocating, replacing, adding to or demolishing structures or buildings in, under, on or over the land that are under 400 sqft replacement of a furnace or boiler, (vi) installation or replacement of an air-conditioning unit or heat pump, (viii) installation or replacement of cabinets, shelving, millwork or flooring, and (ix) waterproofing or damp-proofing of foundation walls or repair or replacement of foundation drainage;	We are comfortable with this wording and have added it to the list.
3.3	3.2.2 1a) This seems overly restrictive for a rural community. Can you please cite the law/regulation that requires this provision? If there is non, please provide a rationale.	This provision does not limit fence or wall heights, it only provides a threshold for fences and walls above which a Development Permit is required. At Council's discretion, the threshold may be adjusted.
3.4	3.2.2 1m) This seems overly restrictive for a rural community. Can you please cite the law/regulation that requires this provision? If there is non, please provide a rationale.	This provision exempts landscaping improvements or the construction of small ornamental structures from the Development Permit process.
3.5	3.2.2 1o) "215.3 square feet": Too small; at least 400 sqft.	We have adjusted this threshold to 37.16 square metres (400 square feet).
3.6	3.2.2 1q) This seems overly restrictive for a rural community. Can you please cite the law/regulation that requires this provision? If there is non, please provide a rationale.	This provision exempts decks of less than 37.16 square metres (400 square feet) from the Development Permit process. Larger decks are permitted, with a Permit.
3.7	3.2.3 2) " <i>Permit shall be accompanied by a plan</i> ": Shouldn't be needed for every development, only where appropriate.	An application package is deemed complete at the discretion of the Development Officer, but we anticipate that the vast majority of applications will require a plan (even a rudimentary one) to illustrate what is being proposed.
3.8	3.2.3 5) This seems overly restrictive for a rural community. Can you please cite the law/regulation that requires this provision? If there is non, please provide a rationale.	The requirement for a Survey Plan was intended to only apply to subdivisions, we have corrected the error.

3.9	3.2.3 6) Rationale that they should expire? Or the limit of 1 year vs 5 years?	<p>This provision applies a time limit to a Development Permit application, not an approved Development Permit that has been issued (which is subject to a separate time horizon).</p> <p>The intent of the provision is to ensure that an opened Development Permit file keeps progressing towards resolution, rather than languishing for an indefinite period of time. It is intended to address a concern raised in other PEI municipalities, where neighbouring landowners wanted more certainty around the process, following some cases where an application went unresolved for long periods of time.</p> <p>This provision may be maintained, adjusted, or removed at Council's discretion.</p>
3.10	3.2.4 3b) What are the specific reasons that a permit can be refused? Are any subjective? Are any arbitrary?	<p>It is the intent of the planning system to prevent arbitrary decisions on land use planning matters.</p> <p>Typically an application is refused if the development does not comply with applicable provisions (in the absence of a variance or amendment request).</p> <p>If a decision by the Municipal Council or the Development Officer is perceived to be arbitrary, subjective, or frivolous, the applicant may file an appeal to the IRAC for resolution.</p>
3.11	3.2.6 1) Rationale for timeline. Why not 5 years?	<p>The Planning Act Regulations specify that Development Permits remain valid for 24 months (2 years) from the date of issue.</p> <p>The purpose of lowering that limit to 12 months was to incentivize construction and provide certainty to neighbouring landowners.</p> <p>Nonetheless, we have increased this limit to 24 months to align with the Planning Act Regulations.</p>
3.12	3.3 1) Should have an exemption for small-scale development.	<p>Subsection 3.3(2), which comes after the subsection referenced, specifies examples of developments that may require a Development Agreement. With few exceptions, these generally only apply to larger developments, as suggested.</p>
3.13	3.4 2) Rationale for the short limit and not 1 year or more?	<p>The rationale for the short timeline is that demolition permits are generally drawn for one of two reasons:</p>

		<p>/ If the demolition is required to remedy an unsafe situation, the demolition should occur within a short timeframe.</p> <p>/ If the demolition is required to facilitate a new development, the development should ideally occur shortly before the new development proceeds, to avoid having empty spaces, debris, hazards, or unsightly conditions for long periods of time.</p> <p>In our experience, there are few situations in which someone requesting a demolition does not need to undertake the work for several months.</p>
3.14	3.7 1) " <i>Municipality Fee By-Law Schedule</i> ": Has this been developed? This should be developed at the same time and shared with residents.	The Rural Municipality should develop and adopt a Fee By-law Schedule that governs submission fees for planning applications. The development of this by-law would be separate from the current process.
3.15	3.8 1b) Should establish an email list to use as well for notification, as well as publish on social media (Facebook), and website.	<p>Use of the website and social media for public notification is encouraged.</p> <p>The Rural Municipality must abide by all privacy regulations when considering the collection of email addresses, and should also be mindful that some residents may not have email.</p>
3.16	3.8 2a) Why not increase to 1 km?	This distance may be increased, at Council's discretion.
3.17	3.8 2b) Why not increase to 1 km?	This distance may be increased, at Council's discretion.
3.18	3.8 2c) Why not increase to 1km? And if it is not on a main highway and it would directly affect traffic increase of more than a new single dwelling house, anyone who would be affected in the direct traffic increases?	The terms of this provision may be adjusted, at Council's discretion.
3.19	3.8 3e) What ability do residents and/or the municipality have to refuse/deny?	The Rural Municipality is empowered to approve or refuse planning applications, in accordance with the Official Plan and Development By-law. The purpose of this section is to ensure that residents have the ability to provide comment on applications, for the consideration of either Council or the Development Officer.
3.20	3.8 4a) Add in requirement to maintain a resident email subscription list, + at least one major social media presence site (e.g. Facebook)	Please refer to the previous comment response pertaining to email and social media.

3.21	3.9 6) Remove or cite law/regulation that requires or give rationale. Why specifically proscribe such? Let the appeal rest on its merits.	This section reflects the provisions of the Planning Act and cannot be removed (or, if removed, the provisions of the Planning Act would continue to apply).
3.22	3.9 6a) so long as the public was giving sufficient time, notice, public consultation and agency to object before the preliminary approval; and all the details were available and unchanged since the initial notice was delivered. And also, that there was no indication that the subdivision or development permit were going to be refused such as to make any further objection redundant or superfluous	Please refer to the previous response.
3.23	3.9 6b) Remove - not a resort development. Or if applicable, give rationale	Please refer to the previous response.
3.24	3.11 1) Require reasonable notice and due process	The enforcement provisions are enabled by the Planning Act.
3.25	3.11 5) Remove, cite law/regulation that requires, or give rationale if anything like this is to appear, should be restricted to only damage that is absolutely necessary. Should specify exact damage that is acceptable. No carte blanche.	This provision is generally taken from the Municipal Government Act. We note that the protections in the Act only include activities performed "in good faith and without negligence," so the permission is not unlimited.
3.26	3.12 Would be nice to not be as blunt and to have different degrees of offence.	This section is generally taken from the Planning Act, and must necessarily contain strong wording to facilitate proper enforcement. However, the section should be read in conjunction with Section 3.11 (Enforcement), which outlines the initial steps that are anticipated to remedy offences in the vast majority of situations, without the need for severe punishment.
3.27	3.12 1) " <i>Imprisonment</i> ": Remove, cite law/regulation that requires, or give rationale	This wording is taken from the Municipal Government Act. As described above, there are steps to be taken to remedy non-compliance before severe punishments are necessary, and imprisonment would be rarer still.
3.28	3.13 Should be tied to the value of the development or property by %, whichever is greater, indexed to inflation	These figures are taken from the Planning Act.
3.29	3.13 1) This is problematic. It's a small cost to the types of offences contemplated, but an excessive cost to those it shouldn't be applied to.	These figures are taken from the Planning Act.
3.30	5.2 4b) Remove, cite law/regulation that requires, or give rationale.	The intention of this provision is to limit accessory buildings where restricted by the Planning Act

		Regulations. The wording has been revised accordingly.
3.31	5.2 4e) Remove, cite law/regulation that requires, or give rationale.	The requirement for an accessory building to be located a minimum of 1.8 metres from a principal building is to ensure access for maintenance and fire protection.
3.32	5.2 6) Table – Column 2, Row 2: Remove, cite law/regulation that requires, or give rationale.	This section has been revised to remove limits on the number and size of accessory buildings.
3.33	5.2 6) Table – Column 1, Row 3 & Column 2, Row 4: Remove, cite law/regulation that requires, or give rationale.	This section has been revised to remove limits on the number and size of accessory buildings.
3.34	5.2 6) Table – Column 2, Row 5: Remove.	This section has been revised to remove limits on the number and size of accessory buildings.
3.35	5.2 7) Remove, cite law/regulation that requires, or give rationale.	The provision is intended to underscore the fact that accessory buildings must necessarily be “accessory” to a principal use. Without a principal use, an accessory building itself becomes the principal use, which may not necessarily comply with zoning requirements. This provision is standard across most municipal zoning by-laws.
3.36	5.3.2 2a) Remove, cite law/regulation that requires, or give rationale.	Similar to the response above, an accessory apartment is only “accessory” if it is smaller than the principal dwelling. This provision is to ensure that the accessory unit remains secondary to the main dwelling.
3.37	5.3.3 1) Remove, cite law/regulation that requires, or give rationale.	Without this provision, there would be no limit to the number of dwellings on a single property, which is contrary to good planning principles. A maximum of one secondary suite is recommended, particularly to account for safe and effective well and septic systems.
3.38	5.3.3 4) Remove, cite law/regulation that requires, or give rationale.	Similar to the responses above, a secondary suite is only “secondary” if it is smaller than the principal dwelling. While the proposed maximum floor area is considered to be reasonable, it may be adjusted at Council’s discretion.
3.39	5.10 2) “ <i>private road is legally established</i> ”: Definition/specifics of this?	<p>“Legally established” would refer to:</p> <ul style="list-style-type: none"> / A private road existing as of the date of passing of the Development By-law; or / A private road approved through the planning process outlined in the Official Plan

		and Development By-law, if constructed after the new planning documents come into force.
3.40	5.11 3) “30 percent shall apply to development”: Is this 30% limit specific for all developments, not just under-sized?	This provision applies only to existing undersized lots.
3.41	5.15 Examples and inventory of these?	Anything existing on the day the Official Plan and Development By-law come into force enjoy non-conforming status. Planning documents are forward-looking, and generally do not apply retroactively.
3.42	5.16 Remove, cite law/regulation that requires, or give rationale.	The main reason for this provision is to limit principal residential buildings, as an increase in housing on one lot should proceed through a proper subdivision process or similar process established in the planning documents.
3.43	I request that Council seriously consider the legal expenses that can follow expropriation requests and that it is they who would be issuing the order of expropriation and no longer provincial authorities.	Council to note comment. In our experience, expropriation is very rare for planning purposes, and rarer still in rural contexts.
3.44	Developments along tidal shorelines should be assessed by DFO and RMB, not private consultants.	Developments along tidal shorelines will continue to be reviewed by the Province of PEI through the Environmental Protection Act, with appropriate permits required.
3.45	Land use and land subdivision applications should be assessed by RMB Council not outside consultants. Local councillors will always know more than a consultant about the community.	All future development applications will be subject to approval by either Council or the Development Officer, as described in the Development By-law. Our understanding is that no private consultants have been engaged for future work with RMB at this time. In the event that RMB sees fit to hire a planning consultant to assist with the review of applications, that consultant will merely make recommendations to Council or the Development Officer, and would have no decision-making power.
3.46	Overall, I believe a development plan for the Belfast area could be brought into being more easily by starting simple and then adding bylaws after time and experience help to prove what works best in Belfast. The amendment process can be streamlined by Council and with motion and approval in their meetings with public oversight. A step by step process with a living development plan that at the least restricts inappropriate land use in Belfast and affords	The Official Plan and Development Plan documents are designed to be proactive, proposing a framework that restricts inappropriate land use and anticipating a broad range of possible development scenarios. The approach suggested in the comment would consistently put the Rural Municipality of Belfast in a reactive position, with no control over proposed developments not explicitly addressed in the planning

	<p>protections for land and citizens can be hammered out more easily than a finished plan to be reviewed every five years that rubs folk the wrong way.</p>	<p>documents. Without a proactive approach, RMB would always be “one step behind,” only creating policies and regulations after inappropriate developments are completed.</p> <p>Regardless, the five-year review requirement is intended to allow the municipality to adapt to changing circumstances in the community, and to adjust planning guidance to address overlooked issues or inadequate policy language. In this regard, both the Official Plan and Development By-law will always be “living documents.”</p>
<p>3.47</p>	<p>I moved to this area to live a quiet and more self-sufficient lifestyle, and I hope to continue to do so. Will this By-law allow me to do so? (For example, keeping chickens, goats, etc.)</p>	<p>Preservation of the rural character of Belfast is a foundational goal of the planning documents. Additionally, one of the main purposes of the planning system is to avoid impacts of development on neighbouring residents, which would help protect the “quiet lifestyle” identified in the comment.</p> <p>The intent of the planning documents is to permit existing and future agricultural uses, as well as hobby farms on smaller properties, mindful that some policies are intended to mitigate the impacts of livestock on neighbours.</p>
<p><u>Development By-Law</u></p>		
<p>3.48</p>	<p>3.2.2 1) I feel that you are starting this document wrong – should be stating what you need a building permit for, not the other way around. Should start off not as restrictive and then amend to include items as things are not working. You will say that is opposite but I feel like you will get a lot less opposition if it is clearly stated what you need one for. To state that you don’t need one to put up a clothesline.... Who would expect that you would have to! To try to think of a circumstance that is not listed here that a person living in a rural area would not expect to have to get a building permit is not reasonable and will just lead to conflict.</p>	<p>Section 3.2 effectively begins by saying, “All development and subdivision requires a Development Permit,” with Section 3.2.2 then providing a list of exceptions.</p> <p>We note that the Development and Subdivision Regulations of the Planning Act currently require a Development Permit for a wide range of development activities.</p> <p>The list of exceptions provided in Section 3.2.2 is drawn from a list of the most common examples of activities that need not require a permit. Naturally, if there are any common activities that the Rural Municipality feels can reasonably be added to the list of exemptions, we encourage the document to be amended over time to supplement the list.</p> <p>It is common for zoning regulations to be framed in this way, otherwise the municipality will always be in a reactive position, rather than a proactive position (as described in a previous response above).</p>

3.49	3.2.2 1) b) sign – should be quite a bit larger than 0.4 m	<p>The intent of this provision is to provide an exemption from a Development Permit, not to restrict signs of a certain size altogether.</p> <p>Regardless, we have adjusted the maximum size limits for signs before a Development Permit is required.</p>
3.50	3.2.2 1) q) I should be able to put a deck in the front yard	<p>The intent of this provision is not to restrict decks in the front yard of a dwelling, only to require a Development Permit in those instances.</p> <p>This provision can be amended at Council's discretion, although we recommend maintaining a maximum size above which a Development Permit would be required.</p>
3.51	3.2.3 5) This is not clear, if you are putting an accessory building up on a 5 acre lot, then you need a Survey? Surveys are very expensive and very time consuming to get. This will be very frustrating and will slow down development in Belfast.	<p>The requirement for a Survey Plan was intended to only apply to subdivisions, or in cases where it is necessary to properly evaluate a Development Permit application. We have corrected the error.</p>
3.52	3.3 4) This is not clear – give a bond to whom?	<p>The intent of this provision is to allow Development Agreements to provide a financial guarantee to the Rural Municipality of Belfast in the event that certain proposed works remain unfinished (such as infrastructure, landscaping, or other elements).</p> <p>This is a standard element of Development Agreements, providing a tool for municipalities to ensure that approved developments are constructed as proposed.</p> <p>Despite this provision, we anticipate that such Agreements will be relatively rare, and financial guarantees will only be required for larger forms of development.</p>
3.53	3.8 1 b) probably should add in newer forms of communication	<p>While we agree that newer forms of communication can be a valuable tool for public notification, at this time the Planning Act does not allow municipalities to rely on these forms of communication (outside of states of emergency).</p> <p>Nonetheless, we encourage RMB to utilize other forms of communication to enhance notification activities.</p>
3.54	3.8 2a, b), and c why different distances – 150 m then 100 m and 100 m. Should be consistent	<p>The different distances are intended to reflect the anticipated impacts or significance of different types</p>

		<p>of planning applications, with zoning amendments being the largest change.</p> <p>However, we have adjusted the distances for consistency so that there is no confusion.</p>
3.55	<p>3.11 1) This is very sensitive and needs to be very carefully worded. There have been issues with this in the past. At the very least, the officer must clearly state who they are and why they are there before they enter the property. It would be preferable if they were required to give the land owner notice before they came.</p>	<p>Enforcement provisions are enabled by the Planning Act and Municipal Government Act. Adjustments to this section have been made to provide clarification.</p>
3.56	<p>3.12 With all the financial, permit fees, fines, etc, where does it state where the funds go, how the accounting will be tracked and made public.</p>	<p>Handling of finances is governed by the Municipal Government Act, but the specifics of that process are outside the purview of this planning project.</p>
3.57	<p>5.2 4) b) should be removed</p>	<p>This provision has been revised to clarify that the intent is to not permit an accessory building in a required front yard or flanking yard setback, not across the entire yard.</p>
3.58	<p>5.2 6) should be greater than 2. In Cornwall they do a % of the lot size. Not sure if that would be better</p>	<p>This section has been revised.</p>
3.59	<p>5.2 7) should be removed. Many times a builder will build a shed to store the tools, etc before they start building the house.</p>	<p>The exemption in Section 3.2.2 and 5.20 for temporary uses (such as those required for construction activities) would address this scenario.</p>
3.60	<p>5.7 1) seems to be a lot of focus on front yards. I am not sure why</p>	<p>As noted in the provision, the requirement for yard alignment was only intended to apply to buildings in close proximity to each other (60 metres). Regardless, we have removed the provision in response to this concern.</p>
3.61	<p>5.10 You can't build on a lot that has a right away to the road?</p>	<p>Provision (2) of Section 5.10 is intended to address this scenario (private roads).</p>
3.62	<p>5.16 1 – I don't agree with this. With housing prices the way they are, you will see more and more the children building on the parents lots. Not sure why you would want to restrict this? 5.18 talks about the removal in a certain time period for a solar array no longer in use. What about a communication tower? They put up a tower right beside a Historic Designated site and now it is no longer being used. Should they not be forced to remove it!</p>	<p>Without this provision, there would be no limit to the number of dwellings on a single property, which is contrary to good planning principles. A maximum of one secondary suite is recommended, particularly to account for safe and effective well and septic systems.</p> <p>The proper approach to providing additional housing, where space permits, is through a subdivision process that ensures that each dwelling is on a separate property.</p>

		We have removed the requirement to remove a solar array after two years. A municipality cannot compel a landowner (or utility provider, in this case) to remove a legally-established land use, even if it is no longer in use.
3.63	5.24 1) can't have a 2 storey deck?	It is important to emphasize that the encroachment provisions in Section 5.24 only apply in required yards. In other words, they would not apply as long as anything being constructed is beyond the minimum required yard setback. If a 2-storey deck is proposed, it's best to locate it outside the required setback.
3.64	5.27 should be able to store a camper in your yard. Not sure of the value of this section as a whole	The wording in Section 5.27 of the Development By-law has been revised to reflect the human habitation detail.
3.65	5.28 1b) 3 seems low.	The maximum number of rooms in a bed and breakfast can be revised at Council's discretion. The intent of the limit is to distinguish between a residential-based accommodation from a (larger) commercial-based operation.
3.66	5.32 Should be able to store fishing traps in front yard.	Fishing traps would not qualify as a structure, and is therefore exempt from these provisions. We have revised the provision to add clarity.
3.67	5.27 should be able to store a camper in your yard. Not sure of the value of this section as a whole	-Repeated comment-
3.68	5.33 c) 2 is too low.	Bearing in mind that the cap on the number of employees is in addition to those employee(s) residing in the dwelling, a maximum of two employees is common in these provisions. However, we have adjusted the wording to increase the maximum number of employees to 4.
3.69	7.8 1) six or more lots? Should be higher. conveyed to the Municipality?	The threshold of 6 lots is taken from the Planning Act, and is standard across the Island. The parkland would be conveyed to the Municipality to enable public use and maintenance.
3.70	8.1 parking for a hall – 1 per 4 seats. As long as existing are grandfathered in (W.I. hall)	All existing uses enjoy non-conforming status, and need not retrofit facilities under the new planning system (unless new development is proposed).
3.71	8.4 1 a) does this mean we can't have grass?	For new developments, where more than 4 parking spaces is proposed, a stable surface that prevents the raising of dust or loose particles is required. As this

		provision applies only to driving surfaces, grass or other landscape elements may be provided elsewhere on the lot.
3.72	9.4 1) a) needs to be bigger. This is too restrictive on signs	The size limit for signs has been adjusted to be 3 square metres.
<u>Development Plan</u>		
3.73	Comment as to how hard will it be to get a designation changed?	Each application would be evaluated on its own merits, with a decision rendered by Council. Section 9.2.2 of the Official Plan contains evaluation criteria for amendments.
3.74	3.2 2) limited lot creation? And you have this under Growth strategy	The intent of this policy was to recognize the existing rural character and to preserve that character in the future. However, we have revised this wording for clarity.
3.75	4.2.1 just a comment that I am very concerned about what I am hearing about Pinette Park.	We will defer to the RMB to provide a response to this comment.
3.76	4.3.3 there have been a lot of houses purchased in the last number of years which are not being used and/or have been allowed to go to ruin. Not sure if there is anything that can be put in about that.	In general, municipalities cannot compel a landowner to use their property in a certain way (e.g. "You MUST live here," or "You MUST sell your house). To our knowledge, the Province of PEI does not permit municipalities to levy taxes on vacant properties, which is used sparingly in Canada's largest cities. The only tool available to address part of this comment is the ability for the RMB to enact a Dangerous, Hazardous and Unsanitary Premises By-law, as enabled by Section 9.5.6 of the Official Plan.
3.77	4.3.5 Should there be more restrictions on this category?	Putting additional restrictions on group homes has been the subject of human rights cases in other jurisdictions, and for this reason we recommend keeping the wording as-is.
3.78	4.3.7 2) a) not sure I agree with this	Short-term rentals have become a major concern in some parts of the Island (and other tourist destinations), and contribute to the escalation of housing prices. This policy does not commit the RMB to anything at this time, but offers a framework in the event it wishes to amend the Development By-law to address the impacts of short-term rentals.
3.79	4.4.1 4e) maintained by whom?	The intent of the policy is that the Rural Municipality would maintain the easement, in cases where it was

		deemed to be warranted. We have revised the wording of this policy to provide clarity.
3.80	4.5.2 3) not clear on what this means?	This guideline is intended to address the impacts that large buildings can have on neighbouring properties, particularly in cases where lots are small and/or buildings are close together. The guideline stresses the importance of building design and massing in achieving a reasonable transition between buildings.
3.81	4.5.2 4) do we want this in here? Seems restrictive.	The suggestion for consistent architectural styles is only a guideline, not a requirement. It is included only to support common architectural styles and elements found in Belfast.
3.82	7.3.1 2) there is also bushes that are used such as wild rose bushes	We have added “and other forms of vegetation” to this policy.
3.83	8.1.2 4) this is restrictive. On a property I am involved with, we have a Lane Maintenance Agreement that is attached to deeds	A Lane Maintenance Agreement achieves the intent of this policy. We have adjusted the wording for further clarity.
3.84	9.8 1) I will have to read the other acts, but I would have concerns about giving this power to individual group	Powers of expropriation are enabled by the Municipal Government Act, and is a standard mechanism to realize planning goals and objectives. However, this power is generally used only on rare occasions, and is anticipated to be especially rare in rural municipalities.
3.85	5.33 g) Limit of no more than 5 students. How will this impact my business which currently has 20? Can this be increased to 20?	<p>The intent of this provision is to set a standard for classes offered at a home-based business, such that the number of pupils does not generate traffic, noise, or other impacts. Establishing the threshold at 5 pupils establishes a standard, but can always be amended on a case-by-case basis through an application to Council.</p> <p>Increasing the number to 20 pupils is not an effective long-term solution, since expanding to 21 pupils would require permission anyway.</p> <p>The commenter would continue to be able to host the classes with 20 students, since that use was established prior to this by-law.</p> <p>But going forward, any expansion in pupils on this or any other site (beyond 5 pupils) would require a Development Permit and permission from Council.</p>

3.86	Solar collectors on current or future infrastructures rather than favoring ground based sites . i.e. schools, rinks, the issues around wind turbines is clearly defined by location.	The decision to place solar collectors on infrastructure is largely within the jurisdiction of the Province. The policies and regulations concerning solar arrays is to regulate cases where a landowner may wish to install them.
3.87	Create a sense of direction for beautification as part of the bylaws. Particularly in areas of high visibility, There is reference to unsightly properties, however nothing that paints the positives of properties that are maintained.	The guidelines included in Section 4.5 are intended to encourage beautification.
3.88	Active farms, fishers, foresters etc all could provide community benefits as an "authentic community" which would add flavor to the tourism industry.	A foundational principle of the planning documents is to continue permitting these land uses in Belfast.
3.89	Guidelines for large land uses in the draft official plan such as forestry mgmt, agriculture and land conversion to other uses such as solar farms, i.e. what are the permitting processes, acreage cap etc. I would like to see in the official plan wording such as "we encourage sustainable use of larger farm land that encourages sustainable use such as soil building, carbon storage and water holding capacities in agriculture and other forms of forestry such as sustainable forest mgmt, strip cuts, small acreage land conversion. So that all can benefit from the natural areas that we all enjoy. "	<p>In general, the planning system addresses land uses and development, but not operations. It is not the role of the planning system to address matters such as agricultural soil management, carbon storage, or water use.</p> <p>However, the Official Plan does contain direction for the preparation of a Sustainable Forest Management Plan within proximity of water bodies, and the Development By-law contains regulations for solar arrays.</p> <p>Permitting processes are addressed in the Development By-law.</p>
3.90	Also the impact on taxation issues related to various zones was noticeably absent. We have had a significant increase in taxation this year, Sometimes the costs are in excess of the benefits received as pointed out.	Tax assessments are separate from land use zoning. The proposed zones for land use purposes need not alter the existing municipal taxation approach.
3.91	My feeling on the meeting was fotten introduction was too long and the rmb intro should have had a session on the draft official plan and the plan for "the community as a good place to live and work for most". It also focused more on the regulations which raises hairs on the back of everyone's neck.	Our team felt it was important to explain the origins of the planning system and its benefits, as there were some in the room who may be experiencing the planning system for the first time.
3.92	There is room to have rules and regs but also to say that there is personal responsibility for community and self. Making the bylaws easier to construct and implement. Having No limits won't work. as well as strong words.	The policies and by-law regulations are crafted to have clear and concise wording that is widely understandable. Unclear, confusing, or vague wording in by-law provisions in particular undermines the integrity of the process and the underlying logic of the planning system.

3.93	<p>We have a situation in Point Prim where a couple from New Jersey have built a structure with no regard for surrounding landscape. They were denied a development permit however despite this they proceeded to build the structure to completion after receiving two stop work order from the appropriate Government Department. This unsightly three level structure is an eyesore for neighbors and community.</p> <p>I was wondering if there will be provisions in the official plan to address a situation such as this from occurring again.</p>	<p>While we cannot speak to this specific case, the intent of the planning documents is to provide a local, transparent, and clear framework with proper enforcement mechanisms to avoid these types of situations in the future.</p>
3.94	<p>Concerns related to the limit on outbuildings. Does not support requirements for agricultural uses (animal husbandry buildings)</p>	<p>The limit on the number of accessory buildings has been removed.</p>
3.95	<p>Concerns related to 'blanket zoning' of rural residential areas and the heavily rural uses surrounding them / hobby farm-rural uses on them. We would ask that rural residential zoning be used for areas surrounding only our 'hubs' and that rural areas be zoned exclusively as rural. This is to ensure expectations for living are clear for those living here and those looking to move to the area.</p>	<p>In response to comments received at the public meeting, we have refined the criteria used for Rural Residential zoning to apply to smaller lots. Hobby farms have also been added to the RR zone.</p> <p>It is important to recognize that smaller lots may not be able to effectively accommodate all of the uses permitted in the Rural zone without generating impacts on neighbours.</p>
3.96	<p>I firmly believe that no municipality should dictate who is allowed to grow their own food or be more self-sufficient. Food systems in PEI are fragile and allowing for these types of land uses helps to counter such pressures.</p>	<p>To clarify, there are no restrictions proposed on growing food for any individual landowner ("hobby farm" uses are now included in the RR zone).</p> <p>Any proposed regulations are related to larger-scale operations and/or livestock operations, which generate greater impacts on neighbouring landowners.</p>
3.97	<p>5.33 I would like to propose that section c) be increased to no more than four persons, other than members of the household residing on the premises, shall be engaged in the business with a stipulation that extended temporary staff are allowed during harvest seasons. Four people are currently being proposed for rural areas of Three Rivers and I feel this would be a better approach for the municipality of Belfast as well. And, as we have many farming businesses in our municipality it only seems logical that home-based businesses would be allowed to hire staff to assist with harvesting.</p>	<p>This suggestion is logical and we have made the adjustment to the wording.</p>
3.98	<p>I also wonder where section g) is created from. It seems other municipalities have higher numbers</p>	<p>The Development By-law establishes a standard of 5 pupils (consistent with neighbouring municipalities),</p>

	<p>allowed. If one has the space to host more than 5 pupils should that not be allowed. If I had to rent a hall to host a demonstration that adds to the cost, \$75 to rent the Iona hall, therefore I would have to extend that cost onto the participants or not hold that instruction at all. Again, I urge that we should be encouraging these activities to take place in the municipality instead of hindering their opportunity.</p>	<p>which is intended to recognize the potential for impacts on neighbours generated from larger classes.</p> <p>Establishing this threshold does not distinguish “allowed” vs. “not allowed,” but rather creates a maximum above which permission from Council is required.</p> <p>If a landowner has the space to accommodate more than 5 pupils, the owner can likely make a strong case for why the number should be increased (accounting for building space, parking capacity, adequate water and sanitary servicing, etc.)</p>
3.99	<p>As stated by definition this would pertain to any 4 domestic animals intended for breeding purposes; dogs, cats, birds, hedgehogs, reptiles, etc. You stated during the meeting that this part of the by-law was created solely by FOTENN and is not a provincial requirement. Why 300 m? Due to the layout of PEI’s land properties most plots are long and narrow. We are blessed to have a relatively wide plot and even still it is 200 m. With this 300 m stipulation there are very few in the municipality that would be able to breed domestic animals in the municipality of Belfast as this proposed by-law stands. Is this entire by-law even necessary? If so, shouldn’t it just be limited to the rural hub areas and not the entire municipality.</p>	<p>The distance has been reduced to 200 metres.</p> <p>The distance is intended to signal an appropriate separation between someone’s house (where they sleep and eat) and the kennel use (including the dog runs).</p> <p>The proposed definition sets the threshold at 4 domestic animals, which is higher than other PEI municipalities.</p> <p>The provision is that the kennel use must be located a minimum distance from a dwelling, not a property line. This approach is consistent with other municipalities.</p>
3.100	<p>In general we would like to see the by-laws be only as restrictive as required by the provincial regulation already in place.</p>	<p>The existing Provincial regulations generally do not account for the impacts of land uses or types of development on neighbouring properties. The intent of the new planning documents is to mitigate these impacts.</p>
3.101	<p>Boat storage allowed (?)</p>	<p>Boat storage is permitted, but may not be used for human habitation.</p> <p>Section 5.32 explicitly permits fishing vessels.</p>
3.102	<p>Beautification: who sets the standards?</p>	<p>Any beautification initiatives would be subject to guidance from Council.</p>
3.103	<p>Zoning: open up a 2-year grace period for objections to property zones applied by RMB</p>	<p>A grace period may be implemented at Council’s discretion, but would be an operational decision and would not be explicitly stated in the planning documents.</p>
3.104	<p>What about water access and off-grid living in regards to subdivisions.</p>	<p>From a planning standpoint, there is no concern about “off-grid living” with regards to electrical servicing or other utilities.</p>

		However, the Rural Municipality may want to seek legal counsel about its obligations for fire protection for lots without road access. If RMB is comfortable approving subdivisions without road access, it may be desirable for the implementing subdivision agreement to stipulate that landowners agree and understand that fire protection will not be provided, and absolving the municipality of that responsibility.
3.105	Want harsh penalties for violations of permits and environmental regulations.	The Development By-law contains provisions for enforcement of all regulations. Any violation of permits issued under the Environmental Protection Act is Provincial responsibility.
3.106	Explicitly state that chickens are allowed within provincial regulations within rural residential zone.	The inclusion of “hobby farm” in the Rural Residential zone would including the raising of chickens.
3.107	Concerns related to rural residential and the limitations to smaller rural plots which can be used for adjacent or joint ownership farming uses.	We have included a new “one lot for zoning purposes” provision which would address situations in which a single land use or operation extended across property lines.
3.108	Please increase the size of a sign, or change to a height restriction.	The limitation on signs in Section 3.2.2 only applies a threshold above which a Development Permit is required. The sign provisions in Section 9 have been adjusted to increase the maximum sizes.
3.109	Number of out buildings should be unlimited or significantly higher.	The limit on the number of accessory buildings has been deleted.
3.110	Clarification on 5.24.	The provisions on permitted encroachments are intended to apply only in the required setback. If a projection is located entirely within the required setback, the section does not apply.
3.111	Accessory building square footage is restrictive... My barn is planned to be the same square footage as my house, not the 50% prescribed in the document.	The maximum floor area provision has been removed.
3.112	3.11 - development officer should have to give 24 hours notice at a minimum... people who rent have that courtesy with a landlord and I own my land, so I would expect at least the same.	The enforcement section has been amended to provide clarity and reflect the exact language of both the Planning Act and Municipal Government Act.

3.113	3.11.5 - I do not find it acceptable that council gives itself permission to enter my property and also release itself of any liabilities while it's here. If you enter my property without me present to guide you, you do so at your own risk and I will press for any damages to be fixed.	This provision is generally taken from the Municipal Government Act. We note that the protections in the Act only include activities performed "in good faith and without negligence," so the permission is not unlimited.
3.114	Please zone my three properties as rural/agriculture. I believe this will address the majority of my issues	The proposed inclusion of a "one lot for zoning purposes" provision will resolve some of the identified concerns, however these lots (particularly the two smaller parcels) would be best suited for residential uses if they were sold in the future. As such, the zoning is recommended to remain as proposed, with the changes noted in these comments.
3.115	Precedence of ownership (or maybe development) should factor in precedence or requiring neighbor approval. Newer possession should be subservient to longer held neighbouring possession. Undeveloped neighboring land should have less such rights than a neighboring dwelling.	This request is contrary to the law and the spirit of the planning system. The goal of the planning system is to have an objective, transparent set of standards so that all cases are treated equally. It is an important principle of planning that decisions are made solely on the merits of the application, with no regard for personal attributes such as duration of ownership, wealth, family connections, political affiliations, identity (e.g. race, religion, etc.), or any similar consideration.
3.116	What about setting a maximum building /development value or for non-municipal residents or non-municipal seasonal properties, above which the development permit will not be allowed unless it is decided by the council that it is in the best interest of the municipality? May need part of this in the official plan. If the plan is to limit the changing character of the community, this is a way. A key concept is that living here is a key requirement. A loophole to make sure is closed by carrying an agreement/requirement further is that selling a property by a resident to a non-resident or a resident moving away would trigger a mechanism to resolve.	Further to the response above, the planning system cannot discriminate based on financial considerations, place of origin, or occupancy patterns. While the Land Protection Act is unique to PEI, this legislation resides outside of the planning system.
3.117	An official position that if you live here, more things are acceptable because you have to live with the same as everyone else. If you don't live here, you are more limited. If you move away or sell to someone who doesn't live here, extra provisions apply.	Please see responses above.
3.118	Want to encourage more full-time residents, not seasonal residents.	This is certainly a worthy goal, and should indeed be encouraged. The planning system can encourage full-time residents by:

		<ul style="list-style-type: none"> / Creating safe, healthy communities with public amenities that entice new residents; / Support for new economic opportunities; / Permitting development of new and diverse housing choices; and / A transparent planning system that encourages public involvement.
3.119	Farming operations under a certain size should be exempt from certain development restrictions. Conversely, farming operations over a certain size should not be exempt from certain things.	The proposed planning approach generally reflects this suggestion.
3.120	Farming operations with "significant" existing issues with non-conformance should have more restrictions. e.g. river system damage	<p>The planning system is proactive and forward-looking, and cannot correct or enforce existing infractions.</p> <p>If there is a violation of a Provincial permit (e.g. Environmental Protection Act), or a health and safety issue, the Province is responsible for enforcement.</p>
3.121	Should cite and quote acts/regulations where the language/wording here is meant to align or required to match (note difference between meant to align or required to match). Otherwise, a recipe for requiring extensive work to keep aligned and up-to-date in the future. Lets not force unnecessary work in the future.	The periodic review of the Plan every five years is an opportunity to ensure that the RMB Official Plan and By-law aligns with Provincial standards.
3.122	Consider rules for Belfast municipality residents, and additional ones for non-residents. Difference in making a mess in your own backyard vs someone else's. Belfast is the residents' backyard.	This suggestion is discriminatory, as described in previous responses above.
3.123	Should have restriction on building a new building within so many feet of a neighbor's dwelling, if that distance is less than the majority of existing dwelling separations, without that neighbor's permission.	The intent of the building setback requirements in the Development By-law is to achieve this objective.
3.124	Different types of development- major commercial vs small residential should require more distance from existing neighbors residential (maybe commercial) before not needing permission.	All development is required to achieve the applicable setbacks for the relevant use. All applications will be reviewed on their own merits.