



Rural Municipality of Eastern Kings

PUBLIC MEETING MINUTES

**Location: Eastern Kings Community Centre
85 Munns Road, Rte 301 Kingsboro
Thursday, April 17, 2025 7:00 p.m.**

In Attendance: Deputy Mayor Danelle Elliott, Councillor's Don Humphrey, Nathan Paton and Donna Campbell Dixon and RMEK Development Officer John Ployer

Members of the public in attendance: 0

1. Call to Order

The public meeting was called to order at 7:02 p.m.

2. Agenda Approval

The agenda was approved as presented.

3. Public Meeting Presentation Topic:

RMEK Property Development Officer, John Ployer's presentation with proposed Development Bylaw #2023-01 and related 2023 Official Plan sections being considered for amendment as follows:

1. Development Bylaw Section 10.9 (page 51) Phasing for Subdivisions

Original Text:

10.9.1 Subdivisions having more than 5 lots shall be approved in phases.

10.9.2 The number of lots approved in any one phase of a subdivision shall not exceed 10.

Proposed New Text:

10.9.1 Subdivisions having more than 5 lots shall be approved in phases.

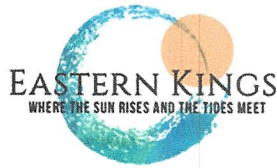
10.9.2 The number of lots approved in any one phase of a subdivision shall not exceed 5.

Development Officer's rationale for change: 10.9.1 and 10.9.2 potentially conflict with each other. The Development Officer wants to make sure 10.9 allows for the intended number of lots which was 5 per phase.

2. Development Bylaw Section 10.6 (page 49) Parkland Dedication and/or Park Dedication Fee / 2023 Official Plan section 5.4.2 (page 24)

Original Text:

10.6.1 Any person applying to subdivide 3 or more lots within the municipality, from an area of land as it existed on the effective date of this Bylaw, shall convey to the Municipality, for the purpose of developing parkland, an area of useable land equivalent to 10% of the lands being developed.



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10.6.2 Where parkland is conveyed it shall be exclusive of:

- (a) existing public streets or highways;
- (b) existing private roads;
- (c) proposed streets, highways, and private roads; and
- (d) the remainder land, if any.

10.6.3 The conveyed parkland shall have access to a street, road, or active transportation corridor.

10.6.4 Notwithstanding Subsection 10.6.1, where there is no useable land free of all encumbrances; where the subdivider so desires; or where, in the opinion of the Development Officer, sufficient parkland is available, the Municipality shall accept, in accordance with the Planning Act, for parkland, open space, recreation facility, or similar public purposes, a sum of money equal to 10% of the land assessment of the subdivided lands, exclusive of:

- (a) existing public streets or highways;
- (b) existing private roads;
- (c) proposed streets, highways, and private roads; and
- (d) the remainder land, if any.

Proposed New Text:

10.6.1 Any person applying to **subdivide 5 lots, or more should there be multiple phases for subdivision,** within the municipality from an area of land as it existed on the effective date of this Bylaw, shall convey to the Municipality, for the purpose of developing parkland, an area of useable land equivalent to **7.5%** of the lands being developed.

10.6.2 Where parkland is conveyed it shall be exclusive of:

- (a) existing public streets or highways;
- (b) existing private roads;
- (c) proposed streets, highways, and private roads; and
- (d) the remainder land, if any.

10.6.3 The conveyed parkland shall have access to a street, road, or active transportation corridor.

10.6.4 Notwithstanding Subsection 10.6.1, where there is no useable land free of all encumbrances; where the subdivider so desires; or where, in the opinion of the Development Officer, sufficient parkland is available, the Municipality shall accept, in accordance with the Planning Act, for parkland, open space, recreation facility, or similar public purposes, a sum of money equal to **5%** of the land assessment of the subdivided lands, exclusive of:

- (a) existing public streets or highways;
- (b) existing private roads;



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- (c) proposed streets, highways, and private roads; and
- (d) the remainder land, if any.

Development Officer's rationale for change: The Development Officer feels the current parkland dedication/park dedication fee may be too much of a burden for members of the public and wishes to lessen the requirements while still protecting municipal interests in parks and green spaces.

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SECTIONS BEING CONSIDERED FOR AMENDMENT: Parkland Dedication - Section 5.4.2 (page 24).

Original Text:

Policy 5-43 Council shall, through the Development Bylaw, require the dedication of parkland or cash-in-lieu through the subdivision process except:

- (a) subdivision of fewer than three (3) lots;

Proposed New Text:

Policy 5-43 Council shall, through the Development Bylaw, require the dedication of parkland or cash-in-lieu through the subdivision process except:

- (b) subdivision of fewer than five (5) lots;

3.Development Bylaw Section 10.3 (page 47) Special requirements for Road Standards / 2023 Official Plan section 5.6.2 (page 27)

Original Text:

10.3.1 Special Requirements for road standards:

- a.) The Development Officer may permit subdivision fronting on a private road only if the private road existed prior to the effective date of this bylaw;
- b.) All roads shall conform to Provincial regulations and standards;
- c.) Property owners shall be responsible for the full cost of design and construction of local roads; and
- d.) Property owners shall contribute to the capital cost of any road improvements required as a direct result of development.

Proposed New Text:

10.3.1 Special Requirements for road standards:

- a.) The Development Officer may permit subdivision fronting on a private road **only** if the private road existed prior to the effective date of this bylaw **or if the private road complies with OP s. 5.6.2 and s. 10.3 of this bylaw;**
- b.) All roads shall conform to Provincial regulations and standards;
- c.) Property owners shall be responsible for the full cost of design and construction of local roads; and



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d.) Property owners shall contribute to the capital cost of any road improvements required as a direct result of development.

NEW Heading: Section 5.21

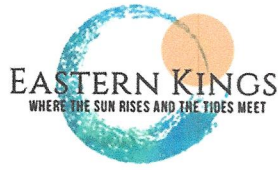
'Development on a Private Road or Right-of-way' (Page 20)

5.21.1 Council may approve a development permit for a residential or commercial structure which fronts on a private right-of-way, provided that the following criteria are met:

- a. no reasonable provision can be made to provide access to a street;
- b. safe ingress and egress from the lot can be provided from the lot or private right-of-way to a street;
- c. the name of the private road has been approved by the Minister of Justice & Public Safety, in accordance with the Emergency 911 Act where the development results in three (3) or more civic addressed dwellings, buildings, or units sharing the same private road or driveway;
- d. the applicant can establish legal entitlement to use the private right-of-way for access to the property in question and any such legal entitlement that has been established through an agreement with the owner of the private right-of-way shall be registered in accordance with the provisions of the Registry Act; and
- e. The owner shall be required to enter into a Development Agreement with the Municipality, registered in accordance with the provisions of the Registry Act at the applicant's expense, acknowledging the following: *The private right-of-way serving PID _____ is not owned or maintained by the Rural Municipality of Eastern Kings and therefore the Rural Municipality of Eastern Kings shall have no liability for the private right-of-way. Without limiting the generality of the foregoing, the Rural Municipality of Eastern Kings or any succeeding municipal body shall not be responsible for providing any services of any nature or kind to the private right-of-way. In addition, the private right-of-way may not be entitled to receive other public services such as grading, ditching, snowplowing, gravelling, school busing, solid waste collection, or emergency vehicle access.*

5.21.2 All fees associated with the preparation and registration of the development agreement required under clause (2)(d) including the Municipality's legal fees, shall be paid by the applicant.

5.21.3 No person shall construct or use an entrance way except where that entrance way meets the minimum requirements as established under the Planning Act, the Roads Act, or any successor enactment.



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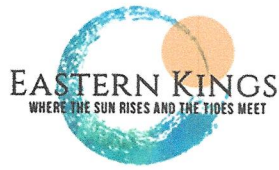
NEW Heading: 'Section 10.16'

'Subdivisions Fronting on a Private Road or Right-of-Way.'

Notwithstanding clause 10.3.1(a), Council may approve the Subdivision of a Lot which has Frontage on a Private Right-of-Way subject to the following:

- a. The approved Private Right-of-Way serves no more than 5 lots;
- b. safe ingress and egress from the Lot can be provided from the Lot or Private Right-of-Way serving the Lot to a Street;
- c. access to a Street is by way of a legally defined access driveway or Private Right-of-Way measuring at least 20.12 m. (66 ft.) in width;
- d. the name of the Private Right-of-Way has been approved in accordance with the Emergency 911 Act, in either of the following circumstances:
 - i. the Subdivision results in any configuration of three (3) or more properties, including the parent Parcel, being accessed via the Private Right-of-Way; or
 - ii. the Subdivision results in three (3) or more civic addressed Dwellings, Buildings, or units sharing the same Private Right-of-Way or driveway;
- e. the Owner enters into a Subdivision Agreement with the Municipality which includes among its terms the following acknowledgment which shall be binding on the Owner and the Owner's successors in title: *The Private Right-of-Way serving PID _____ is not owned or maintained by the Rural Municipality of Eastern Kings and therefore the Rural Municipality of Eastern Kings shall have no liability for the Private Right-of-Way. Without limiting the generality of the foregoing, the Rural Municipality of Eastern Kings shall not be responsible for providing any services of any nature or kind to the Private Right-of-Way. In addition, the Private Right-of-Way may not be entitled to receive other public services such as grading, ditching, snowplowing, gravelling, school busing, solid waste collection, or emergency vehicle access;*
- f. an agreement that provides for the use, ownership and long-term maintenance of the Private Right-of-Way is registered in accordance with the provisions of the Registry Act and is binding on the Owner of the Private Right-of-Way and the Owner's heirs, executors, administrators, successors (including successors in title), and assigns; and
- g. the Lot conforms to the Lot requirements of the Zone in which the Lot is located.

Development Officer's rationale for change: As it is currently written the bylaw does not allow for new private roads. The Development Officer wants to allow for new private roads and development with conditions that require a level of maintenance and limit the types of possible developments.



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SECTIONS BEING CONSIDERED FOR AMENDMENT:

Transportation Policies - Section 5.6.2 (page 27).

Original Text:

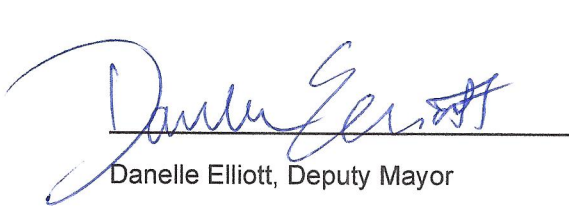
Policy 5-55: The Development Bylaw shall not permit subdivision on private roads created after the effective date of the Bylaw.

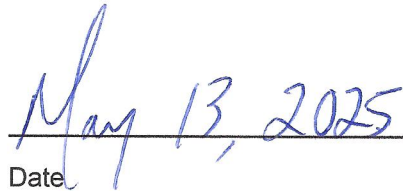
Proposed New Text:

Policy 5-55: The Development Bylaw **may only** permit subdivision on private roads created after the effective date of the Bylaw **or if the proposed private road complies with OP s. 5.6.2 and s.10.3 of the Development Bylaw.**

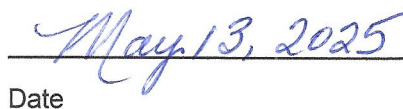
4. Adjournment The meeting was adjourned by Deputy Mayor Danelle Elliott. All were in favour and the motion was carried.

Signed in accordance, *Municipal Government Act* S.116(4)


Danelle Elliott, Deputy Mayor


Date


Sonya Martin, Chief Administrative Officer


Date