

August 21, 2006

**TOWN OF COLLIERS
MUNICIPAL PLAN**

MUNICIPAL PLAN AMENDMENT NO. 2, 2006

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF COLLIERS
MUNICIPAL PLAN AMENDMENT NO. 2, 2006**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Colliers

- a) adopted the Colliers Municipal Plan Amendment No. 2, 2006 on the 23 day of August, 2006.
- b) gave notice of the adoption of the Colliers Municipal Plan Amendment No. 2, 2006 by advertisement inserted on the Aug 27 day and the Sept 03 day of _____, 2006 in the Shoreline newspaper.
- c) set the 20 day of Sept. at 7:30 p.m. at the Town Hall, Colliers for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Colliers approves the Colliers Municipal Plan Amendment No. 2, 2006.

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SIGNED AND SEALED this 23 day of August 2006

Mayor:

Patrick L. Phillips
Patrick L. Phillips

Clerk:

Waneta Whelan
Waneta Whelan

Municipal Plan/Amendment	
<u>REGISTERED</u>	
Number	<u>1115-2006-003</u>
Date	<u>10 NOVEMBER 2006</u>
Signature	<u>[Signature]</u>

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF COLLIERS MUNICIPAL PLAN AMENDMENT NO. 2, 2006**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Colliers adopts the Colliers Municipal Plan Amendment No. 2, 2006.

Adopted by the Town Council of Colliers on the 23 day of August 2006.

Signed and sealed this 23 day of August, 2006.

Mayor:

Patrick L. Phillips
Patrick L. Phillips

Clerk:

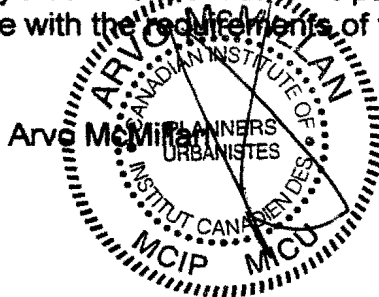
Waneta Whelan
Waneta Whelan

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 2, 2006 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:

Arvo McMillan



TOWN OF COLLIERS MUNICIPAL PLAN AMENDMENT NO. 2, 2006

BACKGROUND

In large measure this is a house-keeping exercise, designed to refresh parts of the Municipal Plan and Development Regulations some five years after its approval. Prior to this amendment exercise, the Town of Colliers amended its municipal plan and development regulations only once, and that was to accommodate windmills.

One of the events that triggered these amendments was the installation of a municipal well system for the Town's water supply. These wells required identification and protection under the Municipal Plan and Development Regulations.

Subsequent to that, the Town Council determined that areas designated residential and mixed development needed to be enlarged to include areas already developed and to provide for further development in certain areas.

More specifically, these amendments are designed to identify and protect the municipal well water supplies of Colliers, extend the mixed development designation along Highway 60 up to the Marysville boundary (there's a gap of several hundred metres), expand the residential designation along North Side Road to take in existing residential development and to include an area beyond the current road to accommodate a development request, deepen and expand the residential designation along a portion of Harbour Drive to include existing and proposed developments and to take in James Cove (also expand slightly the mixed development designation in this area) and, make certain other changes to the text of the municipal plan (and regulations) and to allow for commercial marinas in the residential designation and zone.

The data on well locations was supplied by the Department of Environment and Conservation, Water Resources Division and the policies set out in this amendment, and the amendment to the Development Regulations comply with the Department of Environment and Conservation requirements.

In several minor ways this August 21 2006 draft of the of the Plan and Development Regulations amendments differs slightly from the July 21, 2006 draft that was released by the Manager of Land Use Planning, Department Municipal Affairs, in a letter dated August 8th, 2006. Examples of the changes include a correction in the number of well heads (item 3 in the Plan Amendment) and other editorial changes.. Furthermore, a minor discrepancy in the signature block of Future Land Use Map 2 was rectified.

PUBLIC CONSULTATION

The May 31st, 2006 information session for this amendment was advertised in the May 20th and May 27th 2006 editions of the Shoreline. One written query was submitted prior to the

meeting and the meeting was held with the consultant, mayor Patrick Phillips, Councillors Dale Mahoney, Blair Phillips and James Lush were present along with interested persons Marg Hann, Helena Lush, Terry Fewer, Roxanne Costello and Derek Greene. After some discussion that allayed the primary concerns of Terry Fewer and Roxanne Costello regarding the well head protection areas, the consensus was that no change should be made to the amendment as discussed.

MUNICIPAL PLAN AMENDMENT NO. 2, 2006

1. Future Land Use Maps 2 and 3 are amended as shown on the attached plans.
2. In respect of Well Head Protection Areas, Section 3.21 of the Municipal Plan, WHICH STATES:

“3.2.1 General Development

A. Objective: To provide a framework for development.

- (1) *Policy:* To identify land for the future development needs of Colliers, the following land use designations are established in the Plan and designated on Future Land Use Maps:

Residential
Residential Seasonal
Mixed Development
Recreational Open Space
Rural Resource
Mineral Working.

These designations reflect existing land uses and Council's intentions for future development. By identifying areas for specific types of development, Council hopes to minimize conflict between incompatible land uses.

Certain uses, namely, conservation, open space recreation, public utility, and antenna shall be permitted in all zones within the various designations. Mineral exploration is permitted in the Rural and Mineral Working designations up to 300 metres from all other designations. It is a discretionary use within all other designations, and within 300 metres of the Residential, Residential Seasonal and Mixed Development designations.”

By adding “Well-Head Protection Area” IS AMENDED TO STATE:

“3.2.1 General Development

A. Objective: To provide a framework for development.

- (1) *Policy:* To identify land for the future development needs of Colliers, the following land use designations are established in the Plan and designated on Future Land Use Maps:

Residential
Residential Seasonal
Mixed Development
Recreational Open Space
Rural Resource
Mineral Working
Well-Head Protection Area.

These designations reflect existing land uses and Council's intentions for future development. By identifying areas for specific types of development, Council hopes to minimize conflict between incompatible land uses.

Certain uses, namely, conservation, open space recreation, public utility, and antenna shall be permitted in all zones within the various designations. Mineral exploration is permitted in the Rural and Mineral Working designations up to 300 metres from all other designations. It is a discretionary use within all other designations, and within 300 metres of the Residential, Residential Seasonal and Mixed Development designations.

The Well Head Protection Area is an overlay on other designations."

3. Section 3.2.8 is added WHICH STATES:

"3.2.8 Well-Head Protection Area

Most of Colliers water supply is obtained from five municipal wells protected under the Water Resources Act and this Municipal Plan and Development Regulations.

The Well-Head Protection Areas are identified on Future Land Use Maps 2 and 3 and extend 100 metres from each of the well-heads.

Notwithstanding the uses allowed in the designation that the well-head protection area overlays, no development shall be permitted within this area that is likely to contaminate the water supply or otherwise affect the continued operation of the well.

Any development, except for renovation of an existing use, shall be referred to the Department of Environment and Conservation for approval before the Town issues a permit."

4. Section 3.2.2 D (2) of the Municipal Plan WHICH STATES:

“(2) *Policy:* Other Businesses and Uses - At the discretion of Council, convenience stores, shops, mineral exploration, outdoor markets and marinas may be permitted. These businesses and uses shall be compatible in use, scale and appearance with the surrounding area.

A marina shall be limited to a fishing-related or recreational type of facility associated with a nearby residential use or property.”

By the deletion of the limitation on the type of marina allowed IS AMENDED TO STATE:

“(2) *Policy:* Other Businesses and Uses - At the discretion of Council, convenience stores, shops, mineral exploration, outdoor markets and marinas may be permitted. These businesses and uses shall be compatible in use, scale and appearance with the surrounding area.”