



Resort Municipality of Stanley Bridge, Hope River,
Bayview, Cavendish and North Rustico

2023 OFFICIAL PLAN

Effective December 19, 2024

A unique Island community, the Resort Municipality of future generations will ensure a high quality of life for each of its residents. The historic rural lifestyle will be preserved and strengthened. Entrepreneurs and newcomers will be welcomed with many opportunities, and visitors will explore freely. Connections between places will be clear and intuitive for all.

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|--|-----------------------|
| Original date of approval by Minister | December 19, 2024 |
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| Amended: | |
| Amendment Number | Effective Date |
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Prepared by SJ Murphy Planning & Consulting,
in association with Greg Morrison, RPP, MCIP,
and Mitch Underhay

RM-2023-OP-1 OFFICIAL PLAN

Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico

**To adopt the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico
Official Plan**

Effective Date

The effective date of the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico Official Plan, is the date as signed below by the Minister of Housing, Land and Communities.

Authority – Bylaw

The Council for the Resort Municipality, under authority vested in it by Sections 11-15 of the Planning Act R.S.P.E.I 1988 Cap P-8 hereby enacts as follows:

Adoption and Approval by Council

The Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico RM-2023-OP-1 Official Plan was adopted by a majority of Councillors present at the Council meeting held on the 11th day of December, 2023.

The Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico Official Plan is declared to be passed on the 11th day of December, 2023.



Mayor

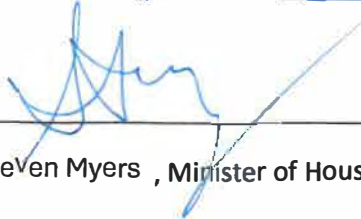


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MINISTERIAL APPROVAL:

The Official Plan is declared to be passed on the 19th day of December, 2024

Dated on this 19th day of December, 2024.



Hon. Steven Myers , Minister of Housing, Land and Communities.

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1 OFFICIAL PLAN INTRODUCTION

This document, together with any schedules or amendments, constitutes the Official Plan for the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish, and North Rustico, hereinafter referred to as the 'Resort Municipality.'

1.1 PURPOSE

The Official Plan for the Resort Municipality is a formalized statement of goals, objectives, policies, and plan actions approved by the Council of the Resort Municipality. The Plan addresses the nature, extent, and pattern of land use and development within the Resort Municipality until 2038.

The Municipality's goals as set out in this Plan indicate overall policy direction, while the objectives and policies deal with specific topics and issues. Plan actions are statements indicating specific initiatives or directions that will be undertaken to implement the Plan's policies and objectives.

The Official Plan guides the physical, social, and economic development of the Resort Municipality. It provides the policy framework for the Resort Municipality Land Use Bylaw (the "Bylaw") and policy direction for Council's actions in relation to economic development initiatives; public works; social programs; municipal services; environmental standards; and fiscal management.

1.2 PLANNING AREA

The Official Plan covers the geographic area contained within the legal boundaries of the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico (the Resort Municipality). Although the Plan formally addresses only those matters that arise within the Resort Municipality's legal boundaries, consideration has also been given to the Resort Municipality's relationship with adjacent municipalities, the region, and the province as a whole.

1.3 LEGAL ENABLEMENT

The Resort Municipality derives the majority of its powers from the *Municipal Government Act* and the *Planning Act*. The *Municipal Government Act*, which took effect on December 23, 2017, requires the Resort Municipality to provide “municipal planning services, including an official plan and bylaws,” and enables other bylaws and/or programs and strategies to help implement other aspects of the Official Plan. The *Planning Act* empowers Council to appoint a Planning Board, adopt an Official Plan, and, subsequently, to adopt implementing land use and development control bylaws.

1.4 OFFICIAL PLAN REVIEW

This document is the result of the 4th comprehensive review of the original 1989 Official Plan, with previous reviews undertaken periodically in the years since the adoption of that first plan. This review was undertaken by SJ Murphy Planning & Consulting in 2021-2023. Subsequent reviews will be undertaken in accordance with the provisions of the *Planning Act*. The Official Plan will be monitored on an ongoing basis to ensure its compatibility with changing circumstances.

1.5 PLAN REVIEW PROCESS

The 2021 Plan Review process involved engagement with municipal staff and committees, stakeholder groups, provincial departments, and the general public. Initiated in the middle of the COVID-19 pandemic, traditional public engagement techniques were adjusted to reflect public health requirements. The Review has drawn heavily on the research and engagement undertaken just prior to this process related to the Resort Municipality’s 2020 Strategic Plan. While much of the data referenced in the Strategic Plan remains the most current available, statistics and other information have been updated where appropriate during the background work in 2021. This Official Plan reflects those previous 2017 future development goals that retain their importance to the community and Council, while also integrating more current Strategic Plan objectives and emerging issues.

Stakeholder engagement included outreach to accommodations and campgrounds, attractions, retail and business, and agriculture sectors, as well as Parks Canada. A community survey was undertaken to seek reactions to certain review topics, and public engagement sessions were held on two occasions before the final statutory public meeting featuring the final presentation of the proposed official plan and bylaw. The review work was overseen by the Resort Municipality’s Planning Board, with support from the chief administrative officer.



1.6 PLAN CONTENT

The *Planning Act*, R.S.P.E.I. 1988, Cap P-8. requires an Official Plan to include:

- A statement of economic, physical, social and environmental objectives;
- A statement of policies for future land use, management and development, expressed with reference to a specified period not exceeding fifteen years;
- Proposals for its implementation, administration, and the periodic review of the extent to which the objectives are achieved.

This document contains six sections:

1. Official Plan Introduction
2. Resort Municipality Today
3. Development Goals
4. Objectives, Policies, and Plan Actions
5. Future Land Use Map
6. Official Plan Implementation.

This first section deals with the purpose, scope, and legal framework for the Official Plan. The second section summarizes relevant background studies and provides a description of the physical, social, and economic characteristics of the Resort Municipality. The third provides a broad summary of how the Resort Municipality desires to see its development unfold. The fourth section is the core of the document, stating objectives, policies and intended actions for specific topics. The fifth provides the context for the Future Land Use Map, which addresses the future land uses upon which the Resort Municipality's Zoning Map is based. The last section sets out the process for administering and implementing the Official Plan and the Bylaw.



2 RESORT MUNICIPALITY TODAY

The Resort Municipality represents an area of rich cultural, physical, and economic history, encompassing the tourism centre of the province as well as rolling hills of traditional rural uses. While the planning process predates the creation of the municipality, the Resort Municipality was officially incorporated under the Municipalities Act in 1990 and it adopted an implementing bylaw - the Comprehensive Development Bylaw of the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico in 1991.

2.1 HISTORICAL BACKGROUND

Mi'kma'ki, the traditional, unceded territory of the Mi'kmaq, comprises all of Prince Edward Island and Nova Scotia, eastern New Brunswick, the Gaspé peninsula, and southern Newfoundland. Mi'kmaq have called this region home for over 12,000 years. PEI is part of the Epekwitk aq Piktuk (PEI and Pictou) district, one of the seven traditional Mi'kmaq districts of Mi'kma'ki. In Mi'kma'ki, oral and archeological history tells of seasonally patterned habitation and resource harvesting — spring and summer spent on the coast, fall and winter inland.

Today, roughly half the Mi'kmaq of Epekwitk (PEI) live in the four reserves held by two First Nations. Three of these reserves, Morell, Rocky Point and Scotchfort, are held by Abegweit First Nation, while Lennox Island is held by Lennox Island First Nation. The *Indian Act* and residential schools almost succeeded in eliminating Mi'kmaq language, culture and artisan work throughout Mi'kma'ki. In recent years, all facets of Mi'kmaq culture have experienced a resurgence on Epekwitk.

All of Mi'kma'ki is covered under the Peace and Friendship Treaties, and while the treaties were entered into, the Mi'kmaq were never conquered and never surrendered, gave up or ceded their land. Mi'kma'ki is still Mi'kmaq territory, and the Peace and Friendship Treaties serve as a foundation for the relationship of the Mi'kmaq and all citizens of the region.

European explorers arrived on the Island in the 18th century, annexing it to Nova Scotia in 1758 under British control, and dividing the unceded land into 67 townships, soon parceled off in a European lottery. British colonizers settled on the Island after Samuel Holland's survey in 1765. Following this, the Island was separated from Nova Scotia. It was during these early years that the immigration of the Montgomery's in 1769 and later the MacNeills, Clarks and Simpsons in 1775 would form the birth of cultural relationships which unfolded for generations to come (Gillen, 1975).

Steep population increases across the Island reduced Mi'kmaq access to traditional land and resources, as colonizers created settlements and farms on traditional Indigenous territory.

The year of 1790 marks the early settlement of Cavendish. It was that year that William Simpson first settled in the area. He was soon followed by John McNeill and William Clark. These men would later marry William Simpson's daughters (Simpson, 1973).

By 1809, when Robert Fox completed a survey of the Cavendish Area, much of the land had been cleared and was being farmed by the three families. As these families grew, parcels would be severed for the children to begin their own lives. The 1880 Mechem's Atlas outlines these new land holdings on Lots 22, 23 and 24, the districts of Bay View, Cavendish and North Rustico.

During these early days, agriculture was vital to the Island's economy. In the Cavendish area, although farming was the mainstay of the community, many fished as well as farmed. It was not until the second half of the 19th century that another activity of historical importance was developed.

During the depression era of the 1880's the summer resort or hotel business catering to "people from away" began to evolve. The interest in this new industry would serve to supplement existing incomes. Over time the importance of this industry became so significant that it would create far reaching changes in land use and tenure patterns for years to come.

It was this rural community life based on fishing, farming and tourism that L.M. Montgomery so eloquently portrayed in her novels. Her description of this living vibrant community has served to create a mystique of the Cavendish area and its people. The thought of Green Gables or Cavendish Beach conjures up images for tourists and residents both young and old, of a quaint rural area with many hidden charms.

With the cooperation of local residents, various interest groups and Parks Canada, much of L.M. Montgomery's memories has been preserved for future generations.

Soon after the publication of "Anne of Green Gables" in 1908, the Green Gables farmhouse began to attract an increasing number of visitors. Several years later when funds became available, Green Gables was operated as a museum containing furnishings believed to be contemporary with those utilized around the turn of the century. In 1937 Green Gables was incorporated as part of the new Prince Edward Island National Park.

The first Island ferry in 1917, and the creation of the National Park in 1937, supported the continuing popularity of Green Gables and Cavendish Beach, which attract an international crowd of visitors today. In 1943, the Historic Sites and Monuments Board of Canada declared the works of L.M. Montgomery to be of national historic importance. In 1948, a monument was erected at Green Gables to commemorate the significance of L.M. Montgomery, the person, thereby creating a national historic site. In 2006, the Historic Sites and Monument Board declared the site of Lucy Maud Montgomery's Cavendish home and property, as well as Green Gables, a National Historic Site. To this day, Green Gables continues to be a dominant feature in the Resort Municipality.

Development and tourism continued to grow unregulated until the 1970s when the area's first land use planning study, the 'North Shore Planning Study,' was undertaken by the Province in response

to concerns over the long-term development of what was becoming a major tourism destination. This study served to document many concerns related to land use conflicts, traffic problems, inappropriate or unregulated development, potential public health risks and impacts on the natural environment.

In 1987, the Minister of Community and Cultural Affairs was approached by representatives of Cavendish Area tourism operators for assistance in preparing a long-term plan for the area.

Concurrently, government agencies also realized that because of the area's importance as a tourist destination, orderly development was critical, and certain controls and constraints were required to protect the land, the environment and public health. To this end, a Federal-Provincial Task Force was created in 1987 to explore ways in which this could be achieved.

On June 20, 1987, the area covered by this Official Plan was designated as a Special Planning Area, pursuant to Section 46(l)(S) of the *Planning Act*, that facilitated the completion of the first official plan in 1989. By the fall of 1987, the Minister had appointed a Joint Planning Board and the Board, with funding assistance from the Federal and Provincial governments, had retained a team of planning consultants to assist them in preparing an Official Plan. The first Plan was completed and approved by the Minister in 1989.

The Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico was officially incorporated as PEI's first and only resort municipality under the *Municipalities Act* in 1990 and it adopted an implementing bylaw, the Comprehensive Development Bylaw of the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico, in 1991.

Another major turning point, the construction of the Confederation Bridge, was completed in 1997. It simplified transportation to and from the Island after more than a hundred years of discussion.

Today, most residents on Prince Edward Island are of European descent, though both the Lennox Island First Nation and the Abegweit First Nation remain, and many Mi'kmaq families choose to live off-reserve. Prince Edward Island has experienced an increase in immigration in recent years. The community remains popular among international visitors and newcomers, and translation services are increasingly in-demand. Heritage character in the Resort Municipality is governed by the Bylaw, which sets out consideration of heritage places, by the provincial *Heritage Places Protection Act*, and by Parks Canada in some locations. There are three designated heritage properties in the Resort Municipality including the L.M. Montgomery National Historic Site, the Simpson Farm, and Green Gables Heritage Place. Recognized cultural landscapes include family farms, hedgerows, fields, and ocean vistas.

Fine art and handcraft are also an important part of local Island flavour, featuring unique pottery and artworks. Live music is another key feature, particularly the Cavendish Beach Music Festival which draws 60,000 visitors to the Resort Municipality for an annual weekend of country music every July.

More details on the history of the community and development over time can be found in previous official plans, the background report for the 2020 Strategic Plan, and the Strategic Plan itself, as well as in local historical resources.

2.2 SITE AND SITUATION

2.2.1 Municipality

The Resort Municipality is located along the north shore of Prince Edward Island in north-central Queens County. The municipality runs in a relatively narrow strip along the coast of the Gulf of St. Lawrence from Rustico Bay in the east to New London Bay in the west. The topography of the area is quite diverse and is characterized by rolling hills, several well-defined stream systems, bays and estuaries and a shoreline which is dominated by miles of sandy beach, spectacular sand dunes, red sandstone cliffs, and back shore ponds and wetlands. Almost fully one half of the total land area of the Resort Municipality is owned by Parks Canada, including most of this sensitive coastal zone.

The Resort Municipality is made up of all or portions of the former school districts and settlements known as Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico. While the Stanley Bridge, Bayview, and North Rustico portions of the municipality had their origins in the former school districts and as ‘civic address communities’ are split by the municipal boundary, Hope River has less definitive boundaries in the municipal context and appears to draw its name from the Hope River itself. The Cavendish civic address community is almost entirely contained within the municipality, while the North Rustico civic address community is made up of a portion within the Resort Municipality, a portion that is the Town of North Rustico, and a remaining unincorporated area.

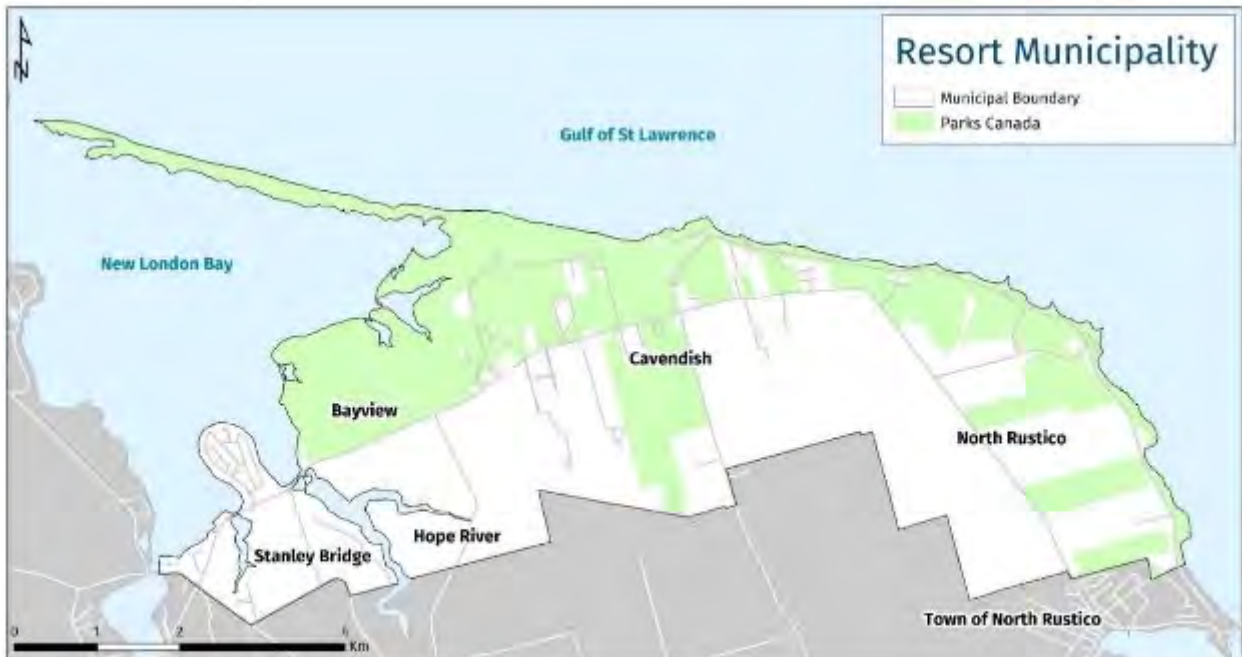


Figure 1 Communities of the Resort Municipality

There are no contaminated sites identified by the Province of Prince Edward Island (the “Province”) and no well-water protected areas within the Resort Municipality. Environmental protection and watershed health has repeatedly been listed as a priority for the community.

2.2.2 Regional Context

The Resort Municipality is located 55 km northeast of the Confederation Bridge and almost equidistant from the provincial capital of Charlottetown (39 km) and the province's second city Summerside (36 km). Immediately to the east is the flourishing fishing community and service center of the Town of North Rustico. To the west are the unincorporated portion of Stanley Bridge and the unincorporated community of New London and to the south and south-east is Mayfield, as well as the unincorporated portions of Bayview, and North Rustico. These communities are primarily farming areas but all are experiencing increasing development pressures. With the exception of the Resort Municipality and the Town of North Rustico, the surrounding areas are unincorporated and fall under provincial planning jurisdiction, with no policies governing land use decisions or directing land use development.



Figure 2 Regional Context for the Resort Municipality

2.3 EXISTING LAND USES

Land uses in the municipality range from traditional resource uses, rural residential uses, and more intensive tourism-related activities in the form of cottages, campgrounds, attractions, and related retail and services.

The Resort Municipality covers 38.04 km² (9,400 acres). Approximately 33% percent of this area remains in active agricultural use. Based on the 2010 Provincial Corporate Land Use Inventory, less than 20% of the area can be classified as “developed,” with the remaining lands being forested, wetland or “vacant.” The local agricultural industry consists mainly of family-run farms grazing dairy or growing mixed-crops of wheat, grain, barley, and potatoes. As of early 2021, 67 parcels are designated for bona fide farm credits under the Province’s taxation system, for a total of 3,302 acres. Aquaculture is also a major industry, particularly in the Resort Municipality’s western end.

Much of the farmland in the Resort Municipality is leased Crown land, and Parks Canada places restrictions on the crops that farmers can grow in order to maintain the quality of the soils and protect the natural environment. In addition to the restrictions on farm crops, Parks Canada has a significant land use impact, with the National Park making up 40% of the land in the municipality, limiting the area over which the Resort Municipality has land use jurisdiction.

Significant portions of land in the Resort Municipality are dedicated to agriculture, surrounded mainly by forest. Small residential pockets are spread throughout the community, often mixed in with seasonal accommodations as is seen in Seawood Estates to the west. Large, designated campground areas are spread in five locations throughout the municipality.

The Official Plans from both 1989 and 2017 reference a time when farmers faced increasing pressure to take farmland out of production, particularly along Route 6. Today, some farmers face challenges around the succession of leased land, and summer traffic can impede daily operations like moving equipment. The 2017 Official Plan identified a need for improved farmland protections; while the findings of public engagement exercises during the 2021 Review echo this concern, members of the farming community indicated a certain degree of comfort with the level of protection currently provided.

Tourism-focused commercial uses are largely centered on the main stretch of Route 6, while several small commercial areas are located elsewhere in the municipality, particularly in the east where small areas of commercial uses exist now, including the North Rustico Home Hardware located just before the boundary with the Town of North Rustico.

Institutional uses represent government offices, municipal parks, and land associated with religious institutions. These spaces include the Cavendish Cemetery, Montgomery Park, and Post Office at the intersection of Route 6 and 13. The boundaries of the municipality generally follow property lines.

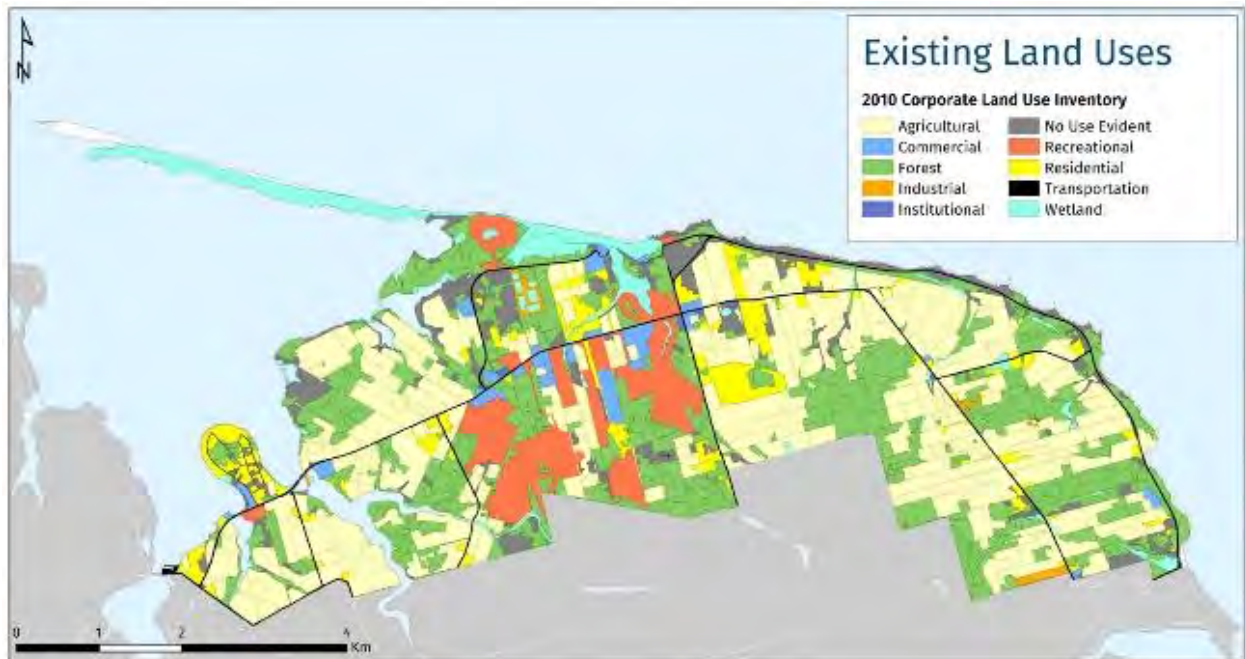


Figure 3 Existing Land Uses in the Resort Municipality

2.4 DEVELOPMENT TRENDS

2.4.1 Residential

As is common in rural municipalities, the majority of housing in this community is owner-occupied at 87% (compared with 70% provincially). The remaining tenant housing appears to be solely farm housing, excluded from further census analysis due to the difficulty in distinguishing shelter costs from farm costs. In this small housing market, there are no condo or bachelor apartments, as well as no two-bedroom units. Although there are fewer large households when compared to the province, there are higher proportions of larger units, which may indicate a gap in housing supply or potentially a preference for larger dwellings.

The Resort Municipality has a larger proportion of dwellings constructed before 1960 (at 35%). More modern construction does not quite keep up with provincial trends, except for a slight spike in the early 2000s. Recent residential development has clustered around Stanley Bridge to the west, such as the Seawood Estates subdivision, one of the denser residential developments in the Resort Municipality. Fewer than half the lots in this area are developed, and several other older subdivisions remain undeveloped. Another major developed subdivision, Forest Hills, is located directly adjacent to the Cavendish Beach Music Festival grounds. Most housing and housing lots are located in subdivisions with private roads, with the remaining housing being ribbon development along major provincial roadways.

The community's housing stock is almost exclusively made up of single-detached homes, and many of the residential areas in the municipality are interspersed with seasonal homes and cottages. With

the recent trend towards finished and winterized cottages, it is almost impossible to tell the difference between seasonal and permanent residences and seeking to regulate them as two distinct types of uses is unlikely to be productive.

Some existing residential development can also be seen within the National Park, reflecting the expropriation of lots by Parks Canada in the 1970s to establish the park, and some of those homes remain. As of the 2016 census, there were 136 permanent dwellings in the municipality, and 214 seasonal dwellings. Between 2016 and 2020, permits have been approved for six new residential dwellings.

Table 1 - Changes in Dwelling Number and Type

| Dwellings | 2006 | 2011 | 2016 | 2021 |
|---|-------------|-------------|-------------|-------------|
| Total Private Dwellings | 240 | 306 | 350 | 330 |
| Total Private Dwellings occupied by usual residents | 90 | 95 | 136 | 149 |
| % of Private Dwellings occupied by usual residents | 38% | 31% | 39% | 45% |
| Total Single-detached | | | 125 | 140 |
| % Single-detached | 84.2% | 100% | 93% | |
| % Semi-Detached | | | | |
| % Row House | | | | |
| % Apt, duplex | | | | |
| % Apt under 5 storeys | | | 7% | |
| % Other attached dwelling | 10.5% | | | |

Source: Statistics Canada

Statistics Canada. 2007. 2006 Community Profiles. 2006 Census. Statistics Canada Catalogue no. 92-591-XWE. Ottawa. Released March 13 2007. | Statistics Canada. 2012. Resort Mun. Stan.B.-Hope R.-Bayv.-Cavend.-N.Rust., Prince Edward Island (Code 1102045) and Prince Edward Island (Code 11) (table). Census Profile. 2011 Census. Statistics Canada Catalogue no. 98-316-XWE. Ottawa. Released October 24, 2012 | Statistics Canada. 2017. Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29 2017. Statistics Canada. 2022. (table). Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 9, 2022.

2.4.2 Vacant Lots

A high-level review of the Resort Municipality's land mass suggests that there is sufficient land to meet the various development goals of the municipality, based on past trends for population growth.

Even with the goal of maintaining, and preferably growing, the year-round population while protecting resource lands and the rural characteristics of the community, an analysis of properties in the municipality indicates that there are more than 750 parcels of less than two acres in size. Of those parcels, more than 430 of those do not have civic addresses assigned, suggesting that they are vacant properties and almost all of those vacant parcels are located in zones that permit residential uses. While many of those vacant parcels may be owned by individuals or families uninterested in developing them for year-round use, there remains a reasonable supply of land identified or for residential uses.

One challenge relating to the development of existing approved lots is compliance with today's standards for on-site services. More than 70% of the assumed vacant approved lots in the municipality are below the minimum lot sizes for category 1 lots with one dwelling unit (25,000 square feet). Should any of those lots prove to be assessed as having category 2-5 soils, based on the criteria in the *Planning Act* Province-Wide Minimum Development Standards Regulations, there is a risk of on-site water and sewage treatment contaminations. Additionally, 5% of vacant parcels are less than 10,000 square feet in area, making them very problematic for development with on-site services. Offsetting those challenges is the proximity (calculated for the purposes of this analysis as being within 50m) of sewer servicing to more than 35% of those vacant undersized lots.

In addition, there is a small number of lots in older legacy subdivisions, in particular at Simpson's Pond, that are not serviced by any form of passable right-of-way. Many of the undersized lots are in those legacy subdivisions and represent subdivisions on paper only.

2.4.3 Commercial

Commercial buildings are spread throughout the municipality, mainly in small strip malls or single developments, a development pattern that has undermined the development of a cohesive sense of place but which is typical of Prince Edward Island. Previous official plans flagged the challenge of this spread-out development. The previous Official Plans and the 2020 Strategic Plan highlight the need for an identifiable main street. Commercial development mainly consists of tourism destinations and attractions, focused along Route 6.

Development has not slowed down in the municipality, and over the past five years, 14 subdivision applications and 11 lot consolidations were approved, both reaching highs in 2018.

Table 2 Land Use Approvals, Resort Municipality, 2014-2021

| Permit Type/Number of permits | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 5-Yr total | 2021 – Jan-Oct |
|---|------|------|------|------|------|------|------|------------|----------------|
| New Commercial (including campgrounds) | 12 | 21 | 26 | 21 | 5 | 6 | 4 | 62 | 2 |
| Campground (Permits) | 1 | - | 2 | 1 | - | - | - | 3 | 1 |
| New Campsite (Sites) | 30 | - | 64 | 22 | - | - | - | 86 | 0 |
| Commercial renovations | 6 | 4 | 9 | 10 | 8 | 7 | 1 | 35 | 2 |
| Temporary Commercial | 3 | 5 | 2 | 2 | 6 | 2 | 2 | 16 | |
| Agricultural | 2 | - | - | 1 | - | - | - | 1 | - |
| New Residential | 1 | - | 1 | 3 | 1 | 1 | 3 | 6 | 3 |
| New Cottage | 2 | 2 | 4 | 2 | 6 | 7 | 16 | 39 | 6 |
| Institutional / Parks | - | - | 1 | - | - | 1 | - | 2 | |
| Residential Renovations / Additions (including cottage) | 5 | 3 | 3 | 5 | 2 | 4 | 9 | 23 | 1 |
| Accessory & Pool | 6 | 3 | 9 | 6 | 4 | 3 | 8 | 30 | 6 |
| Lot Subdivision | 1 | 5 | 2 | 2 | 6 | - | 4 | 14 | 4 |
| Lot Consolidation | 1 | 4 | 3 | 1 | 5 | - | 2 | 11 | 4 |

Source Resort Municipality – 2014-2021, current to October 25, 2021

2.5 DEMOGRAPHIC ANALYSIS

As noted in the background analysis report for the 2020 Strategic Plan, the Resort Municipality experienced a slow decline in its permanent population over the past couple decades, until growth spiked by 23% in 2016, with a 12.9% increase for the 2021 Census. The municipality has a very seasonal population, though the proportion of part-time residents decreased slightly relative to year-round residents in the past 15 years. With 359 residents in 2021, there are 330 private dwellings, only 45% of which are occupied by full-time residents. With such a large landscape, the population

density in this municipality is very low at 9.9 per square kilometre, in comparison to 27.2 across the province.

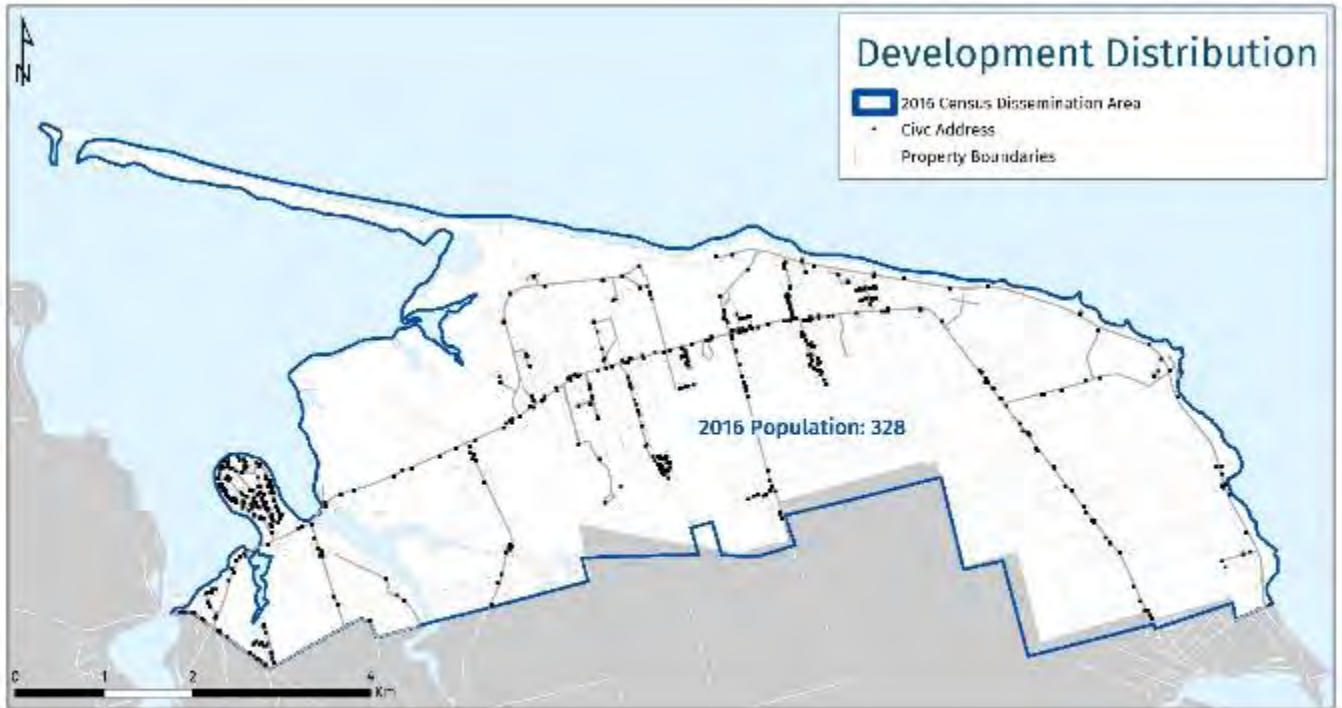


Figure 4 Distribution of development as indicated by civic addresses.

According to the 2016 Census, about 12% of current residents had moved within the past year (the same across the province), with 37.5% of these staying within the municipality. Of the remaining movers a third moved from a different province, while 67% came from elsewhere on the Island. Almost a third of current residents have moved within the past five years, with almost 89% coming from outside the municipality.

These numbers show that much of the recent growth seen in the Resort Municipality has come from elsewhere in PEI, while the remaining new residents have moved from other parts of Canada. As of the 2016 census, the community of permanent residents did not include any recent immigrants to Canada, although there is a higher total proportion of immigrants (9.5%) when compared to the province (6.4), which has seen an influx of newcomers in the past few years. At this point in time, over 3% of permanent residents were not Canadian citizens, which may include residents seeking permanent residency through PEI's Provincial Nominee Program. This program selects individuals for nomination based on their intention to work and live in PEI (for a minimum of a one-year term), based on skill shortages.

The proportion of recent immigrants or non-Canadian citizens may be higher when seasonal residents are included, but this information is not available. Although there are reserves of the Lennox Island and Abegweit First Nations on the Island, the 2016 Census did not show residents of Aboriginal Identity within the Resort Municipality. In the municipality, around 3% self-identified as

a visible minority, with the majority of all residents coming from European descent. With such a small population, the age makeup of the Resort Municipality creates a patchy graph with a notable gap in several age and gender categories. The population is aging, with a significant shift in the past decade towards older residents over 50. The proportion of youth has declined, though there are still significant numbers of teenage residents. In contrast, the population of Prince Edward Island as a whole is less varied across age groups, though the overall trend of aging residents is just as evident.

The ages of primary household maintainers (those responsible for shelter costs) are quite high in this community, with no maintainers under 35; this statistic reinforces the conclusion that this is a rapidly aging population.

Table 3 – Population Growth – 2001-2021

| | Resort Municipality | | | | PEI | | | |
|-------|---------------------|-------------|------------|-------|------------|-------------|------------|-------|
| | Population | Growth Rate | Median Age | % 15+ | Population | Growth Rate | Median Age | % 15+ |
| 2021 | 359 | 12.9% | 56 | 87.3 | 154,331 | 8% | 44 | 84.7% |
| 2016* | 328 | 23.31% | 54.8 | 90.8% | 142,907 | 1.93% | 44.5 | 84.1% |
| 2011 | 266 | -2.21% | 49.3 | 82.7% | 140,204 | 3.20% | 42.8 | 83.6% |
| 2006 | 272 | 1.87% | 41.8 | 76.4% | 135,851 | 0.41% | 40.8 | 82.3% |
| 2001 | 267 | 4.7% | 38.5 | 77.8% | 135,294 | 0.5% | 37.7 | 80.3% |
| 1996 | 255 | | | | 134,557 | | | |

Source: Statistics Canada

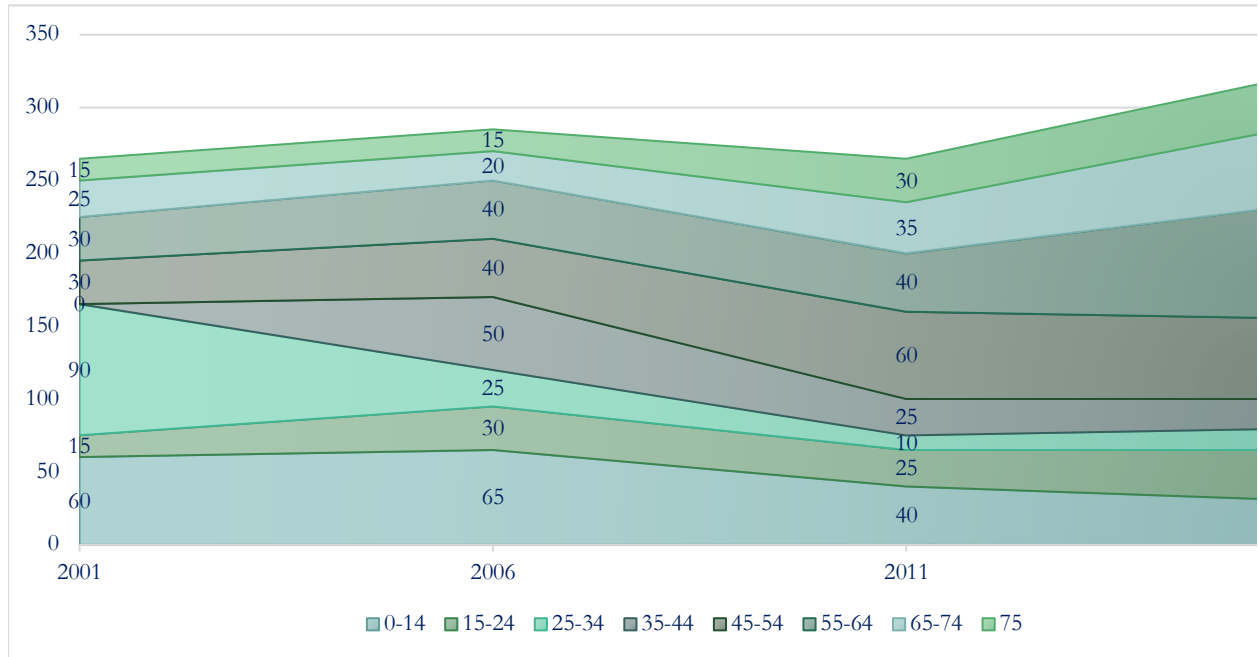
Statistics Canada. 2007. 2006 Community Profiles. 2006 Census. Statistics Canada Catalogue no. 92-591-XWE. Ottawa. Released March 13 2007. | Statistics Canada. 2012. Resort Mun. Stan.B.-Hope R.-Bayv.-Cavend.-N.Rust., Prince Edward Island (Code 1102045) and Prince Edward Island (Code 11) (table). Census Profile. 2011 Census. Statistics Canada Catalogue no. 98-316-XWE. Ottawa. Released October 24, 2012 | Statistics Canada. 2017. Census Profile. 2016 Census. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa. Released November 29 2017. (*unrevised 2016 population count). Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 9, 2022.

Estimates for the municipality suggest that the summer peak population in the Resort Municipality exceeds 10,000 persons. This makes the Resort Municipality Prince Edward Island's fourth most populous community for a 2-month period. While there has been a growth of visitation in June and September, many services and attractions close down after Labour Day, impacting population numbers at that time. The demands placed on a community of 359 full time residents to be able to service the needs of in excess of 10,000 residents for relatively short periods of time are unlike those facing any other Island community. Wastewater treatment, transportation, and policing are the most obvious challenges but many other services are also stressed to their limits, a pressure that is further increased during Cavendish Beach Festival weekends.

The projected 2037 population, based on recent growth rates, would be somewhere between 470-540 year-round residents, an increase of 111-181 people. Although the complete 2021 Census data

was not yet available at the time of the background analysis for this review, the population figures released in February 2022 indicate a continued relatively high rate of growth, albeit at a slightly lower rate than between 2011 and 2016. The Resort Municipality expects to see additional residential development over the coming few years based on recent rezoning applications, which would yield an even greater increase in the year-round population.

Figure 5 Population Change, Resort Municipality, 2001-2016



Source: Census of Canada 2001-2016. Note: 2001 data combines the 15-24 and 25-34 cohorts.

With the pandemic and shifting economic recovery, coupled with a transition to more remote work, anticipating the shape and lasting impact of COVID-19 over the coming years presents an interesting challenge for policymakers.

2.6 ECONOMY

The Resort Municipality continues to serve a range of interests, from resource industries, permanent residents, a strong and active tourism industry and associated seasonal commercial operations, to rural commercial operations and seasonal residents. As the municipality passes its 31st year of incorporation, the continued existence and expansion of a local permanent population and a balance of seasonal and year-round amenities and services represent an important land use policy question for the community.

Incomes, shelter costs, and other social-economic indicators tend to be higher in the Resort Municipality compared to the province as a whole. That being said, given the seasonal nature of most local employment and given the level of reliance on personal vehicles required for work-related

travel, most of which is located outside of the municipality, the additional transportation costs will continue to be a barrier for those with the lowest income levels.

2.6.1 Commuting

Over a third of residents within the Resort Municipality work from home, while the remaining residents commute to their place of work. About 18% of residents commute within the municipality to their regular place of work, but nearly 50% of all residents commute outside of the municipality but within Queens County. Two of the largest population and employment centres in Prince Edward Island, the City of Charlottetown (pop. 38,809 (2021)) and Town of Cornwall (pop. ~6,574 (2021)), are located within Queens County, about a 30 to 40 drive from the Resort Municipality. Residents in the Resort Municipality are very reliant on their private automobile to drive to work; 83% of residents drive and 11% commute as a passenger in a car. Some active forms of commuting are present in this community, with 11% of residents walking to work, though none cycle. A third of commuting trips here are less than 15 minutes, while half of all commuting trips are greater than 30 minutes, making walking and cycling more difficult.

2.6.2 Employment

Despite a growth of 21% in overall population between 2006 and 2016, the labour force decreased by 3% during that same time period, due to the aging population. The 2016 labour force was 170 people. About 21% of the Resort Municipality identified as unemployed. This is higher than the provincial unemployment rate of 12%. Analyzing employment sectors in the municipality reveals that employment is concentrated in two industry types: agriculture and accommodation and food services. Over 40% of the municipality's workforce is employed in these two sectors, compared to 16% within the province. Nearly 9% of the municipality's workforce is employed in arts; entertainment, and recreation, another indicator of the municipality's tourism nature.

Major employers include agriculture; resort accommodations such as inns, cottages, and motels; as well as amusement attractions, restaurants, and commercial businesses like the North Rustico Home Hardware. Labour shortages over the past year have presented a significant challenge, although there are a range of opinions as to the cause and what that suggests as a long-term trend.

Many residents of the Resort Municipality commute elsewhere for work, and nearby major employers include the Queen Elizabeth Hospital in Charlottetown, the Prince County Hospital in Summerside, and local schools.

2.6.3 Tourism

Tourism is the clear and obvious basis for the local economy for the foreseeable future, building on the cultural heritage, the draw of the natural features and the National Park, and the tourism infrastructure already in place. It is the municipality's niche market, particularly considering existing services and facilities available in nearby communities. Certainly, based on PEI's traditionally very small municipalities, a regional view of required services and facilities is necessary and appropriate to both develop the critical mass to fund and to cover the maintenance costs of those services and

facilities. That being said, the degree of shift in the level of amenities and services within the municipality from summer to off-season is dramatic enough to possibly play a role in the decision of residents to move to or stay in the municipality.

Although seasonal in nature, the tourism industry in the Resort Municipality draws significant crowds during the summer months. It is estimated in the summer months there can be an additional 10,000 people in the municipality each day. Beaches, golf courses, and heritage assets all contribute to the character and identity of the community, drawing huge crowds during the tourism season. The Cavendish Beach Music Festival for example (established in 2009), can draw 60,000 visitors for an annual weekend of music and concerts. In just over five years, 68 permits were approved relating to the Music Festival, while 10 submitted permits were denied. This festival has a major effect on surrounding businesses and residences, and dramatically increases traffic in the area.

As of 2019, with 614 licensed tourism establishments, the Green Gables Shore (which encompasses a larger area from Malpeque to Covehead) has 38.5% of the provincial total. Within this, the Shore has just 27% of all fixed-roof units but 67.5% of all campsites in the province. Including both campsites and fixed-roof units, there are 6,406 tourism establishment units on the Green Gables Shore, or 45% of the total. These statistics demonstrate the influence this area has on provincial tourism, particularly in the campsite business. Permits for 82 new cottages were approved between 2016 and 2020, as well as 76 new campsites. Although tourism can be a catalyst for the local economy, the sheer volume of visitors in the municipality creates challenges with the carrying capacity of infrastructure and services that can be offered. The volatility of the tourism industry can also impact the stability of a community. Tourism is an unpredictable business; despite the opening of the Confederation Bridge in 1997, there was a dramatic dip in visitors coming into the Resort Municipality in the early 2000s, rebounding between 2014 and 2019, until COVID-19 disrupted travel worldwide. Weather is also a factor, and long springs often shorten tourism seasons significantly. Development of the tourism industry at the expense of other industries and community programs should be carefully considered to ensure the long-term stability of the municipality.

One consideration is ensuring flexibility in the regulation of commercial operations, particularly to enable greater flexibility in standards to permit more types of home-based businesses and a nimbleness in adjusting to changes in economic activities. Likewise, the Strategic Plan recommended integrating some flexibility in zoning to encourage businesses that may not fit the mold of convention land use practices, such as small craft breweries, which tend to fall between the lines of industrial and commercial zones.

2.6.4 Agriculture

As noted in section 2.3, farmland is a valued asset in the Resort Municipality due to its importance as a heritage landscape, as well as a key industry. Previous Official Plans references issues identified in the late 1980s when farmers faced increasing pressure to take farmland out of production, particularly along Route 6. Today, some farmers face challenges around the succession of leased land, and increased summer traffic has the ability to impede daily operations like moving equipment.

The existing land use regulations are supportive of the tourism industry, but complementary farmland protections remain critical. Agricultural activities remain of significant importance to the community and protecting the viability of the industry remains critically important. While the existing farm operations are recognized as being responsible for much of the character of the landscape so valued by locals, seasonal residents, and visitors alike, the potential long-term implications of any transition to non-resource uses came up as a concern during the early engagement stages of the 2021 review.

The viability of farm operations can be protected to a certain degree by limiting the encroachment of other uses, largely by restricting the subdivision and development of prime agricultural lands to ensuring that farmland remains attractive to farm operations and reducing the potential for land use conflicts with non-resource uses. This is frequently done through policies limiting the transition to other uses and recognizing and protecting farm practices, supplemented by restricting the number of lots that can be severed from parcels in areas designated for rural or agricultural uses. Previous planning documents have restricted the number of lots that can be subdivided in the rural zone to two lots from any existing parcel and includes standards setbacks for residential subdivisions adjacent to intensive livestock operations.

The question of how much to permit the transition of land current in agricultural use to non-resources uses is, at its roots, is a matter of determining to what degree active agricultural activities should be maintained in the community in the long term, given that land removed from agricultural uses and developed is lost to resource uses more or less permanently. This decision is one that is ideally made at a policy level rather than on a case-by-case basis as farm owners apply to have their properties rezoned for other uses, balancing the need to preserve agricultural lands in the long term with the desire of farmers seeking to leave the industry and extract other economic benefits from their property. Factors often include the ability to sell to other farm operators, frequently in comparison to the anticipated value of the land if sold for other uses, as well as the tradition of viewing the development of farmland as the primary retirement plan for farm operators or as a source of future lots for children. These considerations sometimes sit in contrast to concerns from other current or prospective farmers about the ability to acquire productive land to establish or expand farm operations.

Given the importance, both culturally and economically, of the traditional landscape in the municipality, the community has raised concerns about how best to protect the traditional character of the landscape should agricultural activities lose their prominence and a more wide-scale transition to non-resource uses is permitted. Solutions include development approaches such as enabling conservation subdivisions (more densely clustered developments that preserve the balance of the property, often with shared servicing) or the purchase of development rights in order to limit the visual impact of transitioning away from resource uses. While conservation subdivisions can be enabled through bylaws, the purchasing of development rights, particularly with public funds, is a topic that will involve and require more extended public discussion over time. In the meantime, Council can continue to work with Parks Canada to maintain the previously identified viewsapes located on National Park lands.

2.7 SERVICES & INFRASTRUCTURE

2.7.1 Sewage Collection and Treatment

The Cavendish Sewer Utility, a utility corporation established by bylaw in accordance with the previous municipal legislation and continued pursuant to subsection 260(2) of the *Municipal Government Act*, manages the Resort Municipality's sewer system. The sewer system was installed in 1992-3 and has been expanded several times, currently serving properties along Route 6 and Route 13 in the Cavendish core area. 37% of properties within the Resort Municipality are located within 20 metres of a sewer line. This system includes about 16 kilometres of gravity main and 14 pump stations, mainly sited along Route 6 and within Seawood Estates. Wastewater flows to the retention system near Clarke's Pond within the National Park, where it is treated by a system of lagoons before the treated effluent is pumped into the Gulf of St. Lawrence in the spring and fall seasons. This system has served the community well since its installation, but a decrease in overall flow has left one lagoon cell unused for several years.

Planning for the future will involve understanding how the needs of full-time residents and visitors can be balanced in a sustainable manner. The sewer utility remains generally healthy; an application to the Island Regulatory and Appeals Commission by the Utility for a rate increase to support the operation of the utility was approved in the fall of 2021. The biggest consideration for the Utility is whether to tie future development to serviced areas and to ensure that new developments adjacent to the system are required to connect. Through engagement, the Strategic Plan identified public support for requirements for sewer connections in areas where sewer services are available.

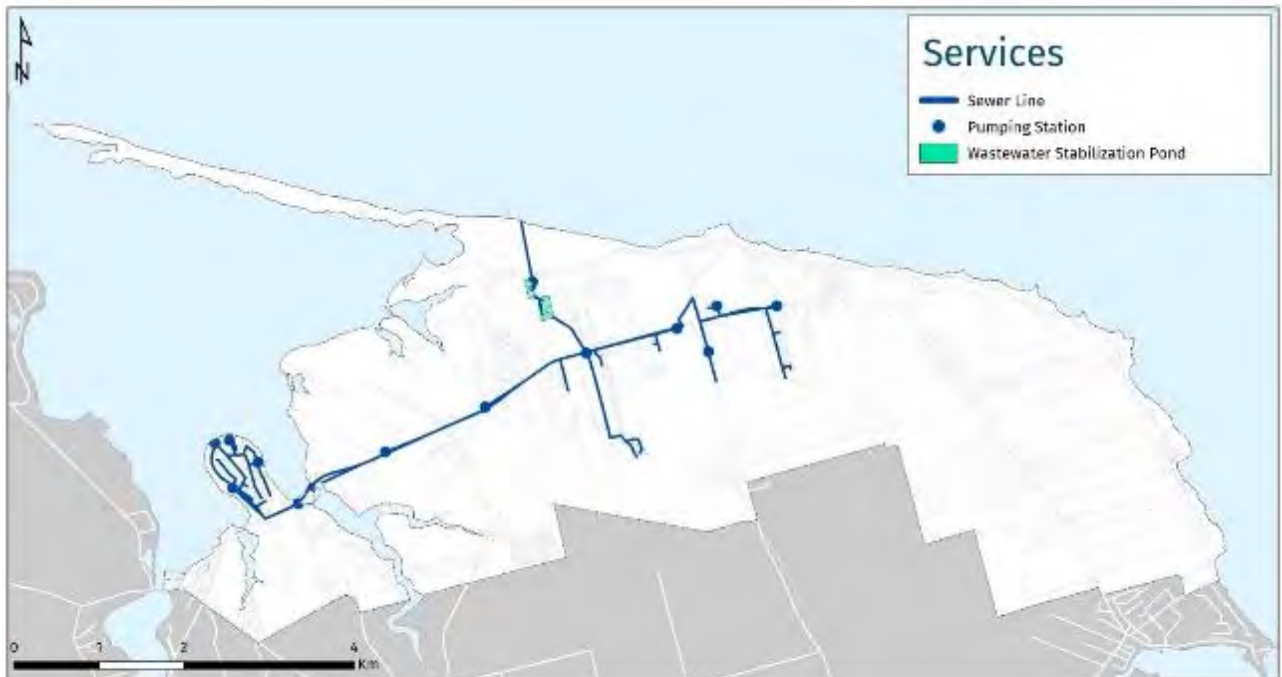


Figure 6 Municipal Wastewater Services

There are an estimated 315 undersized vacant approved lots within the Resort Municipality, creating potential challenges related to siting on-site sewage treatment systems and ensuring their long-term efficacy, except where those lots can be connected to the sewer system.

With the changes in environmental standards over time, one key environmental protection measure will be to require a clear assessment of the ability of each property to accommodate the development that is being proposed for the site, including up-to-date site suitability assessments, as well as in depth assessments within new proposed subdivisions.

2.7.2 Drinking Water

With no municipal central water system, the majority of drinking water is accessed through dug wells that tap into groundwater aquifers. Contamination issues from bacteria that were observed in some drinking wells in the late 80s have been eliminated, due in part to improved septic system standards, as well as water sampling by the Province and the installation of the municipal sewage collection system. While bacterial contamination of drinking water has been reduced, human-made chemicals that seep into the groundwater supply still threaten the safety of drinking water. As development in the municipality increases, the potential for oil, gasoline, and other chemicals spilling penetrating into the water supply system also grows. Currently, the only registered private water utility is the Seawood Water Utility Corporation serving Seawood Estates. Other private systems include Driftwood Landing and Queens County Condo #26.

Previous official plans have raised the exploration of a central water supply and the identification of potential well-fields. Although Council is not actively moving towards developing a central water utility, climate change and erosion-driven constraints, along with the potential impact of population growth in the community, suggest that a water supply strategy and identification of potential well-fields remain important. While the water supply overall remains sufficient, there are some challenges in the area and developments such as new subdivisions require site-specific assessments to determine the impacts of new wells on existing wells in the area. Water supply will need to be assessed on a case-by-case basis for more intensive developments such as subdivisions, industrial uses, and areas with existing intensive development through groundwater permit applications and water withdrawal permits where daily rates are expected to be higher than 25 cubic meters per day. Other considerations such as impacts on neighbours' wells and saltwater intrusion problems are assessed through the standard well drilling process. Wellfield protection, be it through land use standards or a management plan under the *Water Act*, may become increasingly important in order to protect water resources in the long term.



Figure 7 Hydrology

2.7.3 Planning

The municipality continues to be served by a relatively small staff complement. Development control is managed through the CAO, Planning Board, and Council, and planning services are rarely brought in except in the case of more complicated files or plan reviews. The Municipality's approach to managing land use does not appear to have changed significantly since the original official plan, with some adjustments made over time with the periodic reviews. The municipality manages land use through the Official Plan and the Bylaw, processing development permit and subdivision applications internally. One significant change to development control generally in PEI has been the provincial adoption of the National Building Code; however, the municipality has entered into the agreement with the Province to have the National Building Code and building permit applications administered provincially. Development and subdivision applications remain municipal responsibilities.

2.7.4 Solid Waste

In 2002, the Province launched the Waste Watch program through which it transferred waste disposal responsibilities from municipalities to the Provincial Crown Corporation, Island Waste Management. Waste Watch features a three-stream source separating system that encourages composting and recycling to reduce waste disposal to landfills. The Resort Municipality has no responsibility for collection or disposal of solid waste but supports the Waste Watch program.

2.7.5 Fire and Policing

Fire protection in the Resort Municipality is provided by three fire departments located beyond the municipality's boundaries. The eastern portion and National Park is covered by the North Rustico Fire Department; the core area of the municipality by the New Glasgow Fire Department; and the west portion of the municipality by the New London Fire Department.

For the majority of the year, police calls are serviced from the Charlottetown Royal Canadian Mounted Police (RCMP) office. However, during the busy summer months additional RCMP resources are based out of the Cavendish Visitor Information Center to help deal with the increased activity.

2.7.6 Transportation

As is common for a rural community, transportation within the municipality is structured around the use of private automobiles. In total there are 63.4 kilometres of roadway (28.7 kilometres of which are unpaved) in the municipality. All public roads in the municipality are provincially owned, with the exception of the Gulf Shore Road, which is owned and maintained by the Federal Government as part of the National Park. The Resort Municipality's role is largely limited to working with the Provincial department responsible for transportation to identify priorities for street construction, upgrading, and maintenance.

There are two provincial collector highways in the Resort Municipality; Route 6 and Route 13 (see Schedule A for a full list of rights-of-way by category). Route 6 runs east-west, connecting Stanley Bridge to North Rustico while Route 13 runs north-south, connecting Cavendish to the rest of the province. Within the National Park, Gulf Shore Road is owned and operated by the Federal Government. The City Beach Express runs from the end of June to early September, servicing seasonal workers and visitors. The bus, operated by Prince Edward Tours and subsidized by the Municipality and Tourism Cavendish Beach, takes passengers from Charlottetown to Cavendish, making multiple stops along the way.

The majority of local subdivisions are serviced by private roads, both paved and unpaved. Private roads have, in most cases, been developed without any design or construction standards, intended primarily for seasonal use, and their maintenance is managed between the property owners abutting them. The municipality has allowed new lots on private roads under certain circumstances. With the movement towards vacant or bare land condominiums and with the prevalence of tourism operations with multiple campsites and cottages, the absence of standards for internal drives providing for circulation between buildings and sites within a parcel is a growing issue, given safety and access requirements generally, in poor weather, and during emergency situations. Private roads within municipalities with authority for planning, where permitted, likewise present a challenge in the absence of any province-wide standards for the design and construction of private roads in effect in those areas.

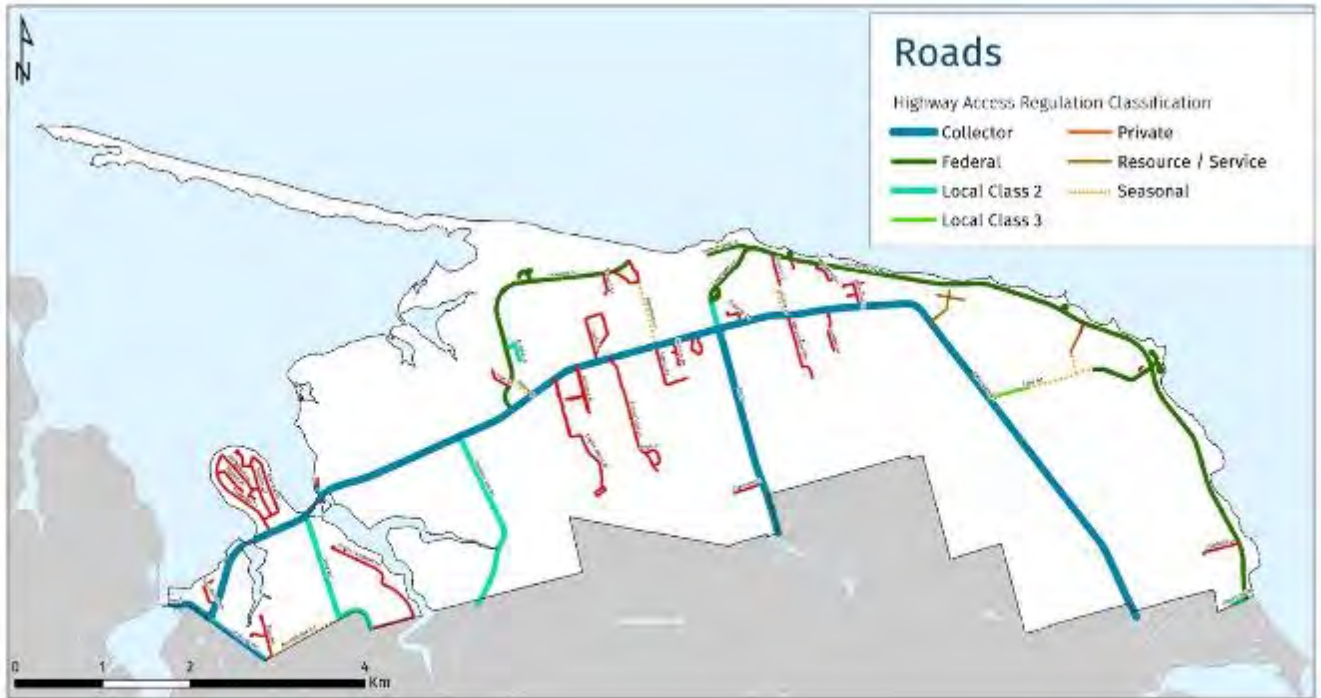


Figure 8 Road Network (See Schedule B – Roads in the Resort Municipality for a full listing).

The 2020 Strategic Plan identified several transportation-related goals, including expanding the pedestrian network, improving cycling conditions within the municipality and connections to nearby trails and destinations, and advocating for a second access route to offset the impact of the dramatic increases in traffic experienced during the Cavendish Beach Music Festival.

In addition to moving cars, active transportation (defined as any human-powered form of transportation) is vital to resident and visitor experiences. The local boardwalk system is wheelchair accessible and illuminated, allowing users to move into and out of the Cavendish core area. Cycling opportunities are limited to those along provincial highway shoulders and within the National Park. Within the park, trails and paved roadways provide active transportation options for community members and visitors.

The Confederation Trail, a conversion of the former rail line to a multi-use trail, now extends across the province. With the expansion of cycling tourism in the province, the trail garners large numbers of visitors. Although the Confederation Trail does not pass through or into the Resort Municipality, one opportunity would be for the municipality to establish partnerships with the Province and other municipalities to link the Resort Municipality to the Confederation Trail with a safe trail system. Active transportation was identified as a priority among local residents and visitors. Current cycling opportunities are limited to those along the Route 6 paved shoulder and within the National Park. The local boardwalk system serves as a wooden sidewalk, though access is only provided on one side of the road, and they are not maintained in the winter. Active transportation is already popular among visitors, but safety and inconsistent infrastructure are a concern along Routes 6 and 13.

Connectivity between routes as well as to regional networks would enhance sustainable transportation options.



Figure 9 Active Transportation Networks

2.8 INSTITUTIONAL FACILITIES

Given the average age of residents in the community, both the needs of an aging population as well as the services and amenities that would attract younger residents are important. Community care facilities were identified as being of interest for residents, particularly in light of the aging nature of the community.

Access to health and emergency services is of particular concern, and with no ambulance stationed in the area residents worry about safety during peak tourist season. The United and Baptist churches in Cavendish also hold important value as community space within the municipality. In addition to these assets, the North Rustico Lions Club, located in the Town of North Rustico, is often used as a venue.

The nearest hospitals are the Queen Elizabeth Hospital in Charlottetown, and the Prince County Hospital in Summerside. In closer proximity, the nearest medical clinics are in North Rustico and Hunter River. There is also no ambulance stationed within the community, which may be a deterrent to prospective residents and could cause delays in the event of a crisis. There is no school directly within the municipality; the nearest facilities are Gulf Shore Consolidated in North Rustico (offering kindergarten through grade 9 for English students) and École Saint-Augustin in Rustico (offering kindergarten through grade 6 for French students). Both facilities provide Early Years Centres as

well. Some students are bussed to École François-Buote in Charlottetown (kindergarten through 12), and Bluefield High School (grades 10 through 12) in Hampshire. While new schools and major recreation facilities are unlikely to be built in the community given their existence in nearby communities, general policy decisions will impact on all age groups.

Provincial government facilities in Resort Municipality are limited to a seasonal Liquor Control Commission retail outlet. While there is a seasonal federal post office in the municipality, the primary and significant federal presence in the municipality is the National Park.

2.9 PARKS AND RECREATION

The municipality has very limited access to public daily-use facilities for residents, with most recreation opportunities aimed at visitors. Most existing community facilities are open seasonally and include the National Park (with entry-fee), the recently updated Montgomery Park, Swimming Rock Municipal Park, and the Visitor Information Centre (also housing offices for the Municipality, RCMP, and local tourism associations). The need for free and year-round community spaces reflects the lack of a community core, and during the 2020 strategic planning process, residents identified other potential “anchor” facilities such as a playground and storm shelter.

While in previous decades Park Canada offered off-season activities through partnerships with volunteer-driven organizations such as Parks & People, very little is currently offered outside of the summer months and shoulder seasons. Winter activities in particular were identified as being of interest, which would require the development of new services and infrastructure.

Natural areas in the community are highly valued, supported and protected by local watershed groups. The group’s priorities include restoration and protection of wildlife habitat, maintenance of water quality, and encouragement of active living through increased recreational opportunities, with updates shared regularly through the municipality’s newsletter.

2.10 ENVIRONMENTAL PROTECTION

2.10.1 General

The landscape and natural areas are highly valued by the community – community members feel future planning must balance public access to the coast with environmental protections. Some residents are worried about the density of aquaculture industry in the area and want to see regular testing for surrounding marine areas. The community hopes to be involved and engaged on government monitoring relating to the human and climate impacts on their land.

The purchase of parkland by the federal government marked a significant shift in the Resort Municipality’s relationship to the coast as well as inland natural landscapes. Some residents note that the limited access to this wilderness has caused a disconnect with the land and traditional practices such as cranberry picking have been lost since the Park’s founding. The community wants to pursue a strong relationship with Park administration in order to best accommodate all interests and stay involved in the federal plans for the area.

2.10.2 Climate Change & Environment

In Prince Edward Island, one is no farther than 16 kilometres from the ocean at any time and the Resort Municipality, like the province as a whole, is shaped by its relationship to the environment, particularly the sea. The diverse coastal topography of the Resort Municipality with its rolling hills and extensive shore are at the core of its identity.

As outlined in the Strategic Plan, the National Park is a key asset to the area and protects the natural and cultural environment within its boundary. However, as the impacts of climate change and sea level rise increase, the natural and cultural treasures within the National Park could become threatened. In the National Park's Management Plan, the park is divided into three zones: Special Preservation, Natural Environment, and Outdoor Recreation. Each of the zones have different purposes with regards to the land use in the National Park. Also located within the National Park are Crown lands, owned by the federal government to buffer the park from adjacent development and to compensate for the future loss of coastal lands. With the majority of the shoreline being controlled by the Federal Government within the bounds of the National Park, the Municipality does not have the ability to implement erosion management strategies for this area, although this also limits the amount of privately held land at immediate risk. The Management Plan for the National Park prioritizes restoration and retreat practices when considering coastal erosion. That being said, as shorelines retreat inland, land outside of the National Park boundary may need to accommodate the relocation of buildings and land uses, with potential implications for municipal and private plans for land use.

Flood risk and exposure to extreme events continues to be a significant and growing issue in the community. Sea level rise projections for Charlottetown indicate that, based on the current levels of carbon dioxide emissions, sea levels could rise between 100 and 120 cm by 2100. With new and more sensitive data coming available, vertical setbacks related to flood plains and elevation become increasingly important, limiting the placement of structures below a certain elevation. Current guidance is to base vertical set-backs on the projected 2100 flood plain, in addition to the traditional horizontal watercourse and wetland buffer setbacks, annual erosion rates, and building setbacks. Critical infrastructure should be held to an even higher standard, and it will be important for the municipality to continue to update standards over time as new information becomes available.



Figure 10 Coastal Erosion Risk – PEI Department of Environment Energy and Climate Action

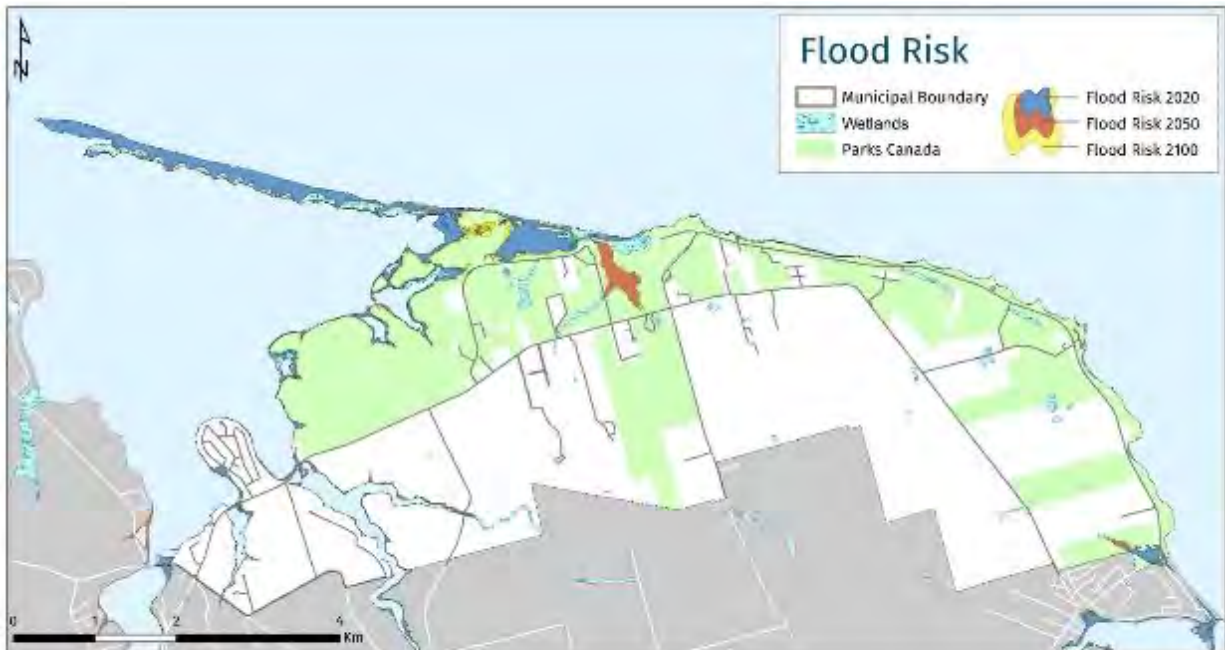


Figure 11 Flood Risk – PEI Department of Environment Energy and Climate Action

As sea levels rise and the frequency of powerful storms increases, the rate at which shorelines erode could increase. An assessment of the projected 2100 flood plain identified by the Province suggests that roughly 25 properties are currently affected by the 2100 flood plain beyond the minimum 15m watercourse and wetland buffer. While some of those affected parcels are large enough to be only minimally impacted by this flood plain threshold, at least 15 of properties of less than 2 acres fall

into this group, which might impact the siting of buildings and on-site services. Approximately 154 privately owned parcels may fall within the more extreme event elevation threshold of 3.79 m. for which coast hazard assessments become valuable.

A second impact of sea level rise and climate change will be the impact on the municipality's water supply, adding importance to the development of a water supply strategy. The community, like the rest of the province, derives its drinking water from groundwater. As sea levels rise, salty sea water moves higher into the water table through a process called intrusion, which could decrease the amount of potable water. Additionally, warmer temperatures in the summer months that coincide with peak tourism season could drain groundwater aquifers. Reduced groundwater supply could also negatively impact agricultural productivity as irrigation water supply is decreased. Maintaining the health and abundance of groundwater in the municipality will be vital moving into the future.

A vulnerability assessment of the neighbouring Town of North Rustico recounts local residents' stories of increasing storm surges, flooding, shoreline and a disappearance of sea ice. Local sea levels are expected to rise 1 metre by 2100, with average annual temperatures rising by over 3°C and the rate of erosion doubling.

More intense precipitation events will impact infrastructure and agriculture, while heat stress and droughts will impact people and agricultural activities; extreme weather events (post-tropical storms and hurricanes) have and will require focused emergency management planning and the designation of community shelters; and climate impacts on biodiversity will influence tree stands and habitat within the Resort Municipality.

Long term considerations for climate change adaptation for municipal infrastructure may include cooling shelters and other shade features in any expansion or development of community facilities and any municipal infrastructure, the promotion of more dense development, and adaptation in the design and placement of municipal infrastructure. Likewise, proper stormwater management will assist in slowing or retaining runoff during extreme events, which in turn will protect waterways and infrastructure.

2.10.3 Climate Change Mitigation

Energy

The province-wide adoption of the National Building Code in 2020 promises to improve the standards for new construction. Although the municipality has the option to adopt enhanced or more stringent energy efficiency requirements, this would place an added administrative, inspection, and enforcement responsibility on the municipality and the municipality has opted to enter into an agreement with the Government of Prince Edward Island for provincial administration of the building code. As building energy-efficiency advances, however, the municipality may wish to consider mechanisms to encourage additional energy efficiency features in new buildings or renovations, which could be tracked through development permit applications or incentivized or promoted through programs and partnerships with other levels of government.

In particular, there has been a growth in demand for renewable energy generation over the last 5 years across the province, a trend that will likely continue. Meeting the demand for new renewable energy may occur at different scales, from single-detached dwellings, multi-unit dwellings, or larger commercial applications. These systems may also include energy storage systems of varying scales. It is becoming increasingly important to balance the need for, and facilitation of, renewable energy options and climate change mitigation against the potential concerns regarding and resistance to changing technology and their impacts on the landscape in the community.

The Resort Municipality has the ability to influence and support shifts in energy types and technologies, including in the areas of fuel switching, wind, and solar energy, and other renewables. In its own infrastructure, the Resort Municipality has even more direct control over the energy efficiency of system and use of renewable forms of energy. The development of a community energy plan would offer another opportunity to explore and solidify these approaches, similar to the water conservation efforts the Resort Municipality has already put in place.

Transportation

Given the nature of the community and the fact that most residents drive outside the community for work and shopping, and while the City Beach Express offers some alternative transportation options during the summer months, the Resort Municipality remains heavily dependent on fossil-fuel powered vehicles for transportation. Directing new residential development to more compact subdivisions, rather than spreading it out along major roadways, and increasing connections between residential developments and the core serviced area would reduce greenhouse gas (GHG) emissions somewhat, although local employment opportunities would be needed to shift dramatically from the existing travel patterns to have a truly significant impact. As the COVID-19 experience has demonstrated, however, working from home is an option for many types of work, provided that the regulatory structure is set up to support this. Promoting more flexibility in working from home allows for the reduction in vehicular travel, a significant factor in GHG emissions in Prince Edward Island.

The Resort Municipality does not currently have a specific approach identified for public charging infrastructure but several sets of chargers are available in the municipality, particularly in association with the Green Gables site, and more have come over the plan review period, suggesting that e-vehicle charging infrastructure is already expanding through the municipality, including at the municipal office.

Carbon Sequestration

The significant amount of agricultural land and rural nature of the municipality, as well as an estimated 28% forest cover based on the 2010 provincial corporate land use inventory, carbon sequestration opportunities represent another mitigation opportunity for consideration. While trees receive mixed support in the municipality in relation to the obscuring of valued views, the impact of converting forested areas to other land uses is a valid consideration in the zoning and approval discussions – the presence of the National Park also provides a protected base of forest cover,

although the Parks Canada approach to forest management is not always consistent with that of the community. The promotion of reforestation and afforestation efforts through the local watershed groups and in other appropriate areas, both to act as carbon sinks as well as to promote ecological health within the watershed, offers additional options for mitigation.

2.10.4 Climate Change Adaptation

As with mitigation approaches, the Resort Municipality has a role to play in consideration climate change adaptation in its land use policies, as well as in its emergency management planning.

Coastal and Overland Flooding

As noted above, Resort Municipality's shoreline will experience increased risk of flooding due to storm surge events over time, along with sea-level rise and accelerated rates of erosion due to climate change. The risks posed here include, among other things, the potential for emergency access challenges during extreme events and significant damage to public and private property. These potential hazards suggest that on-going flood risk evaluation will be an important part of the assessment of subdivision and development applications and the placement of critical infrastructure. The Province continues to build its climate change data and provides the data and coastal hazard and flood risk assessments as needed.

Given the changes to flood risk projections over time, both as patterns shift and as new information becomes available, it will be critical for the Resort Municipality to continue to update its policies and development standards as they pertain to those projects as often as new data becomes available.

Stormwater Management

Climate change is expected to result in more frequent intense precipitation events, which may impact existing properties and infrastructure, as well as new development. New development projects should address stormwater management by integrating future climate considerations into subdivision design, stormwater management, and other infrastructure and asset management. The protection of natural infrastructure in relation to subdivision developments and infrastructure design will enhance and direct overland flow, reducing the burden on hard infrastructure (ie, fewer pipes in the ground). Sound stormwater management will also increase the protection of private landowners and residents from the sometimes-catastrophic impacts of flood damage, particularly as residential developments are developed over time.

3 DEVELOPMENT GOALS

The goals presented in this chapter are broad statements of the overall shared vision of Resort Municipality's Council, residents, and property owners for the future of Resort Municipality. The goals provide the framework and general direction for the more detailed objectives, policies, and actions set out below.

3.1 FUTURE DEVELOPMENT CONCEPT

Many of the long-standing values of previous official plans and bylaws remain present today; the community continues to prioritize the rural character of the landscape and those in the resource industries that protect it, the importance of a strong tourism economy, and meeting the needs of year-round residents, seasonal community members, and visitors. Over time, shifts do occur, and the future development concept retains those previous priorities that continue to serve the community while recognizing and adapting to new and changing land use and development standards and needs.

Community members do not want to lose the rural charm to a cluttered landscape, while valuing flexibility, choice, and enhanced supports for residents and environmental protection. Some of the previous emphasis on a strictly controlled architectural and design environment no longer reflect local needs and concerns, although quality construction and design continues to be of value to many. Many recognize that standards must be balanced with flexibility and accessibility, especially in light of significant housing affordability challenges province-wide and changing building materials and maintenance considerations.

Additional development spread out along the countryside is viewed by many as detracting from the traditional rural viewsapes and while some would prefer to see little in the way of new development that might not be traditionally rural, the primary approach to protecting against continued ribbon development is to encourage clustered residential developments and additional density in strategic locations. Moderate density, in the form of semi-detached, secondary suites, and small-scale apartments, also offers options for different housing types meeting different age and stage, as well as income, needs. The siting of this density will be key, however, to ensuring that it can be appropriately serviced, meet the goals of improved walkability and access to local services, and not undermine the qualities that made the Resort Municipality so important to those who feel a strong connection to the community.

One of the central features of land use planning is prioritizing areas for development and restricting development in other areas. Logically, priority areas for development should be those that are most

economical to develop and where development will not compromise existing land uses or the environmental integrity of the local area or beyond. Typically, high priority areas will abut or be close to lands that have already been developed, provided the type of development is compatible with existing land uses.

Development is normally restricted in areas that do not have access to services or would not be economical to service. While central water does not exist in the municipality, sewer services should be available with capacity to accommodate additional development or to be economically expanded to support new land uses. Development may also be restricted in areas that are valued for unique natural features, for alternative purposes not easily reconciled with development (e.g., agricultural lands and water supply watersheds), and where development may be unsafe (e.g., floodplains, coastal lands, and steeply sloped lands).

With the significant tourism activity in the municipality, the value of the area to locals, seasonal residents, and visitors alike, and the draw generally of the north shore of the province, managing development is not as simple as restricting development throughout the municipality, regardless of residential and commercial options in the nearby Town of North Rustico or closer to Charlottetown, nor would that meet the goal of ensuring a sustainable and increased population of residents that call the community home year-round. Enabling development in the core that includes a mix of tourism, traditional commercial, and residential uses can balance those pressures somewhat, although it will remain important that new development remain sensitive to the local context.

Residential options, in particular, will remain important to avoid a declining base population. Housing options that are accessible to young families will help offset the existing trend of an aging population. While mobile homes have been prohibited for many years and continue to be seen as unsuitable for the community, mini homes are now seen by some as having a place in the community with the proper standards, especially given changing designs and in recognition of rising housing costs everywhere. Likewise, options for seniors that allow them to age in place will become increasingly important over time, including housing that offers fewer maintenance requirements. And while attracting a community care facility may be more of a challenge, it remains a legitimate goal and senior-friendly housing generally will continue to be important over the years to come.

Protecting the rural character will also require a cautious and considered approach to requests to develop existing resource lands. Larger lot requirements in the areas designated for resource or rural uses will maintain a dispersed development pattern, except where clustering is used to preserve open space.

Pulling these principles together, the following vision for the Resort Municipality of 2038, first articulated in the 2020 Strategic Plan, will guide the municipality's planning approach:

A unique Island community, the Resort Municipality of future generations will ensure a high quality of life for each of its residents. The historic rural lifestyle will be preserved and strengthened. Entrepreneurs and newcomers will be welcomed with many opportunities, and visitors will explore freely. Connections between places will be clear and intuitive for all.

3.2 GOALS

Goals represent current and future conditions and circumstances to which Council aspires. The goals provide the framework for objectives and policies that follow in Chapter 4 in build on historical goals as well as more recently identified goals from the 2020 Strategic Plan. While there are inevitably overlaps between the goal areas, they have been categorized to accommodate the four areas identified under the *Planning Act*; economic, physical, social, and environmental.

3.2.1 General

- To preserve the irreplaceable qualities and character of the Resort Municipality.
- To balance the interests of all those who live, work, and play in the Resort Municipality.
- To foster a safe and stable civic environment that offers opportunities for human enrichment and economic growth.
- To ensure an adequate supply of land designated to accommodate the projected needs of various land uses within the period of the Plan.

3.2.2 Economic

- To protect and enhance the long-term viability of agriculture and other resource uses in the Resort Municipality.
- To develop a long-term sustainable local economy with a particular focus on a strong tourism industry.
- To expand local economic opportunities for residents and property owners.
- To support energy independence.

3.2.3 Physical

- To meet the housing needs of year-round and seasonal residents.
- To promote an effective transportation system that supports different modes of travel.
- To protect and enhance an attractive built and natural landscape that builds on the history of the region.
- To develop and maintain effective and sustainable public infrastructure.

3.2.4 Social

- To be a safe and resilient community.
- To meet the social and physical needs of the community.
- To be a welcoming community known for its focus on equity and inclusion.

3.2.5 Environmental

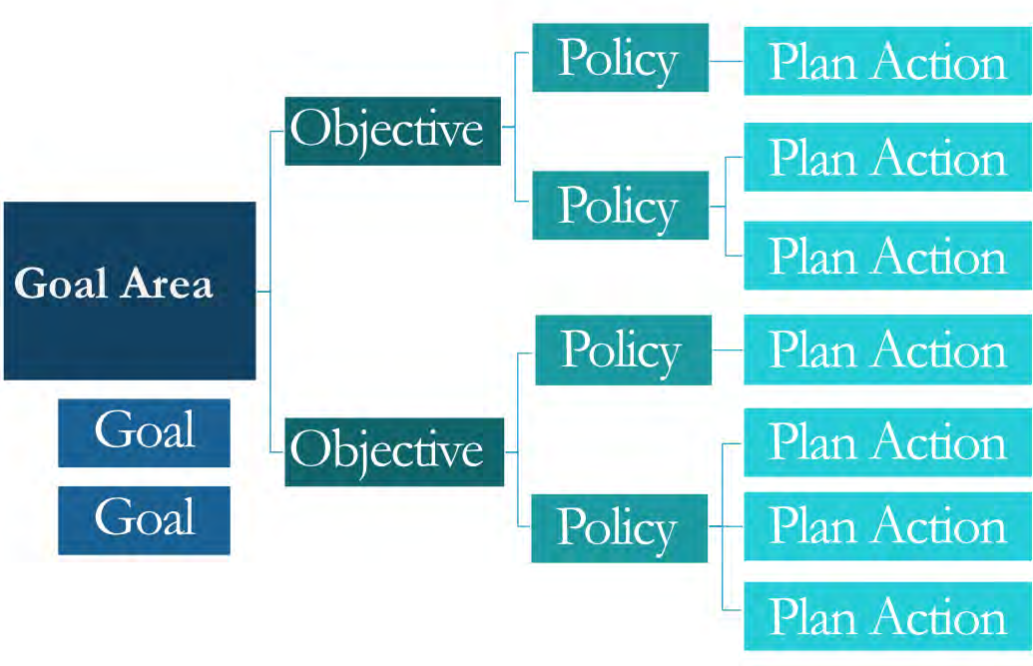
- To ensure safe and clean water within the municipality.
- To ensure a safe drinking water supply and an effective waste-water treatment system.
- To protect and enhance natural areas in the municipality.
- To increase the community’s climate change resiliency and minimize contributions to climate change.



4 PLAN OBJECTIVES, POLICIES, AND ACTIONS

This chapter is the policy core of the Official Plan. Within the broad policy framework laid down by the previous chapter, the following objectives provide more precise statements that address specific issues and concerns within the Resort Municipality.

Policies and Plan Actions outline the proposed course of action to achieve the performance targets described in the objectives. Policies detail the approach the Resort Municipality will take in pursuing its objectives. Plan actions are concrete measures that implement that approach.



4.1 ECONOMIC OBJECTIVES AND POLICIES

4.1.1 Viable Agricultural and Resource Sector

Agricultural activities form the basis for the landscape and, in addition to the Anne of Green Gables influence on tourism, the local economy. As noted by one participant in the early stakeholder meetings, people come to the Resort Municipality for the scenery, and the farmers make the scenery.

Farmers noted some small conflicts from people in the community who may not necessarily understand that farming comes with sounds and smells, but overall, the members of the farming community that participated in the review process reported feeling like an integrated part of the community fabric. Important principles identified included education on farm practices and the importance of having long term access to farmland, be it through National Park leases or elsewhere in the community, to allow for the continuity of investment in soil quality and the farm operations. Farming participants did not note a significant pressure to sell but did observe a decreasing amount of land available for farming over time.

The Resort Municipality's planning framework over the years since the first plan was adopted has involved a recognition that farming is a significant component of the long-term health of the community and that controls on indiscriminate development are needed to retain the viability of farming. These controls involve limiting the number of lots that can be subdivided from land in the areas designated for agriculture and resource uses (the Rural Reserve Zone) and special requirements for intensive livestock operations and residential developments, both new and existing. Previous plans have highlighted the importance of prioritizing the needs and rights of farmers to undertake farming activities with protection from harassment by non-farm interests.

The 2020 Strategic Plan also identified some priorities and areas of focus for the farming sector, including the potential implementation of stronger restrictions on non-farming development on prime agricultural lands, working with Parks Canada to protect access to farmland within the Park over time, particularly for small-scale property leases for local farmers, and to explore the development of a fish and farmers market during the summer months.

Objectives:

1. To protect productive farmland and resource lands for agricultural and other resource uses such as fishing and forestry activities.
2. To minimize land use conflicts between farmers, residents, and business operators.
3. To support responsible and productive resource uses and activities.

Agricultural and Resource Use Policies

Policy AG-1: Designation and Zoning

It shall be the policy of Council to identify areas primarily for agricultural and resource uses, along with compatible rural land uses. This will include rural lands outside the boundaries of the core area and adjacent land currently designated to accommodate modest growth during the Official Plan period. Land shall not be removed from the Rural designation unless Council deems the subject lands are required for more intensive uses within ten years of the date of application.

Plan Actions:

- a. The Future Land Use Map shall designate resource land and lands not currently zoned or approved for development as Rural.
- b. The Zoning Map shall zone as Rural Reserve (RR) all lands that are not currently zoned or approved for more intensive uses and are outside the boundaries of the core area. Within this zone, agricultural activities shall be given priority and protected.
- c. The Bylaw shall include limited residential and small-scale tourism establishments (often referred to as tourist accommodations) as permitted uses in the RR Zone where such development is compatible with adjacent agricultural activities.
- d. The Bylaw shall establish expanded tourism establishment uses, golf courses, and outdoor recreation establishments as special permit uses where Council deems that such developments will not negatively impact or potentially conflict with ongoing farming operations, are appropriate to the location, and complement adjacent development. The Bylaw shall establish criteria and processes for evaluating such special permits.
- e. The Bylaw may establish standards for resource-based uses, including agriculture, fishing, and forestry sectors, as well as resource commercial and resource industrial uses, in the Rural Reserve Zone.

Policy AG-2: Subdivision of Agricultural Land

It shall be the policy of Council to limit subdivision in the Rural Reserve (RR) Zone to parcels existing at the time of the 1989 adoption of the original official plan for the Municipality, to limit the number of parcels that can be severed from agricultural or other parcels, and to require lots of a larger size in order to minimize the fragmentation of farming activities and intensification of ribbon development.

Plan Actions

- a. The Bylaw shall restrict the subdivision of lots to existing parcels only and shall include limits on the number of lots that may be subdivided in the RR zone.
- b. The Bylaw shall establish lot size standards in the RR Zone appropriate to a rural area.

Policy AG-3: Agricultural Land Conversions

It shall be the policy of Council to weigh how the development of agricultural land into non-farming uses might limit ongoing farming operations in the area in considering applications to transition rural lands to non-resource uses.

Plan Actions

- a. Council shall give consideration to the implications of transitioning rural lands to more intensive development use, assessing market demand and considering sound planning principles during the bylaw amendment (rezoning) process.

Policy AG-4: Intensive Agriculture

It shall be the policy of Council to protect existing intensive livestock operations from residential encroachment. New intensive agricultural activities shall be restricted to the Rural Reserve (RR) zone.

Plan Actions:

- a. The Bylaw shall restrict new residential development close to existing intensive livestock operations and vice versa.
- b. Agricultural uses designated as intensive shall not be permitted within residential zones.

Policy AG-5: Agricultural Practices

It shall be the policy of Council to support the rights of farmers in the Resort Municipality to conduct appropriate farming practices without harassment. It shall further be the policy of Council, while recognizing that the municipality has no direct role in the regulation of agricultural practices such as spraying, crop rotation, cultivation methods, fencing, etc., to work with the farming community and the Province to encourage responsible agriculture and forestry practices and to foster a better level of understanding between residents and farmers.

Plan Actions:

- a. The Resort Municipality will include a caveat on all development permits stating that the Resort Municipality is a rural community and property owners are therefore notified that they will be subject to exposure to agricultural odours, slow moving farm equipment, noise and dust from cultivation, agricultural chemicals and other normal farm activities.
- b. Council will facilitate the distribution of public information on farm practices and will foster an active dialogue and exchange of information between farmers, residents, tourism and business operators and Parks Canada.

Policy AG-6: Resource Commercial Activities

It shall be the policy of Council to encourage the development of facilities or the use of approaches that will facilitate the sale within the Resort Municipality of farm products produced within the Resort Municipality and surrounding communities.

Plan Actions:

- a. The Bylaw shall permit the use of resource commercial, resource industrial, and accessory uses such as farm gate outlets in association with operating farms in areas zoned as Rural Reserve (RR).
- b. Council shall explore options to support the development of a Fish and Farmer's Market within the municipality.

4.1.2 Strong and Sustainable Local Economy

Tourism uses remain the core commercial activity within the municipality, with most commercial uses being seasonal and targeted at the tourism market. These include tourism establishments, attractions, campgrounds, restaurants, retail outlets and other services (service stations, laundromats, rentals, food stores, etc.) and specialty outlets.

The factors which are of most significance to commercial development in the future are: location, services, quality, seasonality, physical appearance and "carrying capacity." All of these factors must be considered in the development of a long-term management strategy for this sector.

Centralized commercial development along Route 6 (the Cavendish Road) between Cawnpore Lane and just west of Graham's Lane remains critical to building a core. Infilling of the large vacant areas within this corridor with appropriate commercial development and complimentary amenities and services should be encouraged to create a true "main street." Council should show leadership in long term planning for this area.

Given the dominance of commercial development activity in the municipality, it is critical that this sector demonstrate leadership in terms of image, character and sensitivity to the cultural landscape and architectural traditions of the area. And while previous approaches to zoning separated out different tourism-related and commercial uses with uneven results, updated zoning will be simplified and consolidated to promote flexibility, while home business options will be expanded to support additional types of home occupations.

As the tourism season has expanded and year-round population increased, there is a growing need to encourage commercial operators to extend their season and in some cases, remain open year-round (i.e. service station, food stores, bank machines, post office, etc.), although stakeholder engagement reveals that this continues to represent a chicken and egg scenario, without the critical mass of permanent residents needed at present to present a business case for many commercial operations to remain open year-round.

The 2020 Strategic Plan speaks of fostering a sense of place through the development of a community hub along Route 6, including through the promotion of a mix of private services, a higher density of residential uses, public infrastructure investments and civic amenities, proposing the requirement of new commercial or residential developments in the core area along Route 6 to contribute to a sense of place, including siting buildings closer to the road and introducing minimum height requirements to create a sense of enclosure that will help to define the space. The Strategic Plan also proposes secondary centres, such as the North Rustico area of the municipality and the entrance to the municipality in Stanley Bridge. These latter options will remain a consideration over time, while the focus on Route 6 (the Cavendish Road) between Cawnpore Lane and just west of Graham's Lane would remain the primary area of focus to encourage a core that, over time, is able to meet the daily needs of year-round residents, signals to visitors that they have arrived, and welcomes seasonal community members.

Objectives:

- .1. To continue to develop a strong tourism industry founded on quality, diversity, and respect for the community's history and context.
- .2. To guide development in a way that supports a clear and well-developed core commercial area.
- .3. To attract new commercial development that builds on and complements the established economic sectors.
- .4. To collaborate with Parks Canada on matters of mutual interest.

Commercial and Tourism Policies:

Policy CL-1: Commercial Designations and Zoning

It shall be the policy of Council to designate sufficient Commercial land to accommodate future projected needs of the Resort Municipality during the Official Plan period, including tourism-related uses. It shall also be the policy of Council to establish commercial zones and zone land within the commercially-designated areas for appropriate categories of commercial use.

Plan Action:

- a. The Future Land Use Map shall designate all areas being used for commercial, tourism establishments, and attractions as Commercial.
- b. The Bylaw shall establish two commercial zones for lands designated as Commercial on the Future Land Use Map: a Resort Commercial (C1) Zone for all general commercial, including tourism attraction, uses, replacing the previous General Commercial and Resort Commercial zones; and a Resort Accommodations (C2) Zone focused primarily on tourist establishments and compatible uses, replacing the previous Resort Accommodation and Resort Campground zones.



- c. The Bylaw shall establish the types of permitted commercial uses and the development standards within each specified commercial zone.

Policy CL-2: Commercial Uses

It shall be the policy of Council to identify and zone commercial developments, including some, albeit limited, commercial development outside of the Resort Core Area. All existing commercial, retail and service activities and lands already zoned for commercial uses shall be designated as Resort Commercial (C1) on the Zoning Map. Future developments on land not zoned for commercial uses shall proceed via a rezoning application only. The decision to rezone shall be based on the need for the proposed commercial operation, compatibility with adjacent land uses, serviceability, and impact on traffic circulation and public safety. Commercial uses in the designated Resort Core Area may be held to additional standards to meet the goal of reinforcing the core of the community.

Plan Actions:

- a. The Bylaw shall establish commercial uses to be permitted within the Resort Commercial (C1) Zone and will include a range of retail, service, and office functions which are not solely focused on the seasonal tourism market, as well as tourism-related uses and residential uses.
- b. Additional land shall be designated commercial and zoned for Resort Commercial uses through a rezoning bylaw amendment process, and official plan amendment where needed, only.
- c. The Bylaw shall establish permitted uses and minimum development standards for this type of land use.
- d. The Bylaw shall establish standards for the provision of landscaping and buffering where commercial developments are located directly adjacent to existing or potential residential uses.
- e. The Bylaw shall establish standards and requirements for mixed use commercial/residential buildings.

Policy CL-3: Resort Core Area Overlay Zone

It shall be the policy of Council to encourage the continued development of a core area to create an identifiable centre and village "main street" atmosphere through the designation of a Resort Core Area and to create an overlay zone which may, over time, incorporate additional standards designed to reinforce the economic core of the community. Infilling and the appropriate expansion of the Resort Core Area shall be encouraged.

Plan Action:

- a. Council shall designate the area adjacent to Route 6, in the area bounded by MacCoubrey Lane to the east and the Cavendish Boardwalk to the west, together

with an appropriate amount of land to accommodate future growth, as the Resort Core Area on the Future Land Use Map.

- b. The Bylaw shall establish the Resort Core (RC) Overlay Zone, which shall be indicated on the Zoning Map in accordance with the designated area.
- c. The Bylaw shall not establish standards for the RC Overlay Zone at this time; however, the Bylaw may be amended to include more specific development standards for this overlay zone in the future, in addition to the standards established for any underlying zone, including but not limited to architectural design standards, minimum height requirements, reduced set-backs to encourage street 'enclosure,' and required site amenities.
- d. Council shall work closely with landowners and developers within the designated Resort Core Area as well as the Province to facilitate the long-term development of a true "main street" character for the area.
- e. Council may explore developing a secondary plan for the Resort Core Area to establish a more detailed approach to encouraging the growth and build-out of an identifiable core over time, facilitating co-operative efforts between adjacent property owners to co-ordinate site planning, building design, connecting to active transportation networks that are developed over time, signage, trails, flowers, parking and pedestrian circulation, and other design and site amenities and features as pedestrian linkages, benches, gardens, clock towers, period light fixtures, and architectural elements denoting a somewhat more urban flavour.
- f. Council shall continue to develop appropriate public amenities in this area and will seek the assistance and support of the private sector and the two senior levels of government.
- g. The Bylaw may establish additional permitted uses for this overlay zone to promote the development of a mixed-use area.

Policy CL-4: Resort Accommodation and Campground Uses

It shall be the policy of Council to provide for a resort accommodation zone which would combine accommodation and campground uses, including hotels, motels, rental cottages, inns, and similar facilities, and camping facilities ranging from tent sites to full service RV facilities and include a range of complimentary and ancillary on-site services, such as convenience stores, restaurants, laundromats, and recreational facilities. It shall further be the policy of Council to encourage further development of this sector, protect such developments from commercial encroachment, and optimize future servicing.

Plan Actions:

- a. The Bylaw shall combine the previous Resort Accommodations (RD2) and Resort Campground (RD3) Zones to create a new Resort Accommodation (C2) Zone.
- b. In addition to lands previously zoned as RD2 and RD3, accommodations activities located on the periphery of the Resort Core Area and adjacent to other compatible development shall also be zoned as Resort Accommodation (C2) Zone, as indicated in the Zoning Map.

- c. An appropriate amount of undeveloped land adjacent to the Core Area and in other similar serviceable locations shall be designated in order to accommodate and direct future growth. The amount of land designated shall be sufficient at all times to provide for a healthy market for development.
- d. The Bylaw shall establish permitted uses, including complementary facilities aimed primarily at servicing the needs of guests, and development standards for this zone, together with the development standards and development approval procedure.
- e. The Bylaw shall also include certain tourism-related uses in the C1 zone, reflecting the integrated nature of the tourism sector in the community.
- f. The Bylaw shall permit tourism establishments, including new campgrounds and RV parks and the addition of new campsites or RV sites and other similarly temporary accommodation uses and activities.
- g. The development of new tourism establishments, campgrounds or RV parks or expansions to existing locations that would bring the number of sites or units approved after the effective date of the Bylaw to more than 20 shall be treated as a major development, requiring a public meeting prior to their consideration by Council.

Policy CL-5: Bed and Breakfasts and Short-Term Rentals

It shall be the policy of Council to permit the operation of small-scale bed and breakfast establishments and short-term rental uses in dwellings.

Plan Action:

- a. The Bylaw shall permit the operation of bed and breakfast establishments and short-term rentals in dwellings with appropriate restrictions on the applicable dwelling types, size, signage, and parking, provided that the overall visual appearance of the building and character of the neighbourhood is not negatively impacted by changes to the scale or appearance of the structure, or activities associated with the bed and breakfast or short-term rental operation.

Policy NP-1: Co-operation & Joint Planning with the National Park

It shall be the policy of Council to continue to foster co-operation and joint planning activities with the National Park to support the long-term health and viability of the National Park and to support coordinated activities related to: heritage preservation and promotion; signage; tourism planning and promotion; recreation; transportation and parking; and central services.

Plan Action:

- a. Council may continue to participate in a Parks Canada Advisory Council (or equivalent) with Parks Canada, the Resort Municipality and Tourism Cavendish Beach as appropriate and as needed.

- b. Council shall meet on a routine basis with senior management at the National Park to discuss matters of mutual interest and concern and to seek prior notice of any changes in National Park policies or major developments within the Park so that input can be provided on behalf of the community.
- c. Council shall consult Parks Canada on all major development applications which could directly affect the Park's interests and shall include Parks Canada in the development process.
- d. Council shall support appropriate "commercialization" activities in the Park.

Policy NP-2: View Planes & Scenic Agricultural Vista

It shall be the policy of Council to continue to encourage Parks Canada to maintain agricultural uses within Crown lands adjacent to the Park and to protect the designated "scenic view planes" (as indicated in Schedule D), within the Park.

Plan Action:

- a. Council shall continue to promote the long-term role of farming within the Park's adjacent Crown lands.
- b. Council shall continue to lobby on behalf of farmers, residents, visitors, and business operators for the maintenance of the established "cultural landscapes" within the National Park.
- c. Council may explore options and approaches to protect and designate other valued landscapes.

Policy NP-3: Circulation & Parking

It shall be the policy of Council to work with Parks Canada to maintain efficient traffic circulation within the National Park.

Plan Action:

- a. Council shall participate in long term planning with Parks Canada and the provincial department responsible for transportation on the long-term sustainability of the Gulf Shore Highway.
- b. Council will continue to examine options to connect municipal and National Parks trail systems.
- c. Council shall continue to work with Parks Canada to encourage pedestrian and bicycle access to the National Park.
- d. Council shall continue to pursue alternative transportation modes within the municipality, such as expanded shuttle services and other means to reduce traffic loadings on the National Park.
- e. Council shall continue to promote alternative attraction facilities and other amenities which will complement the National Park.



4.1.3 Economic Opportunities for Residents and Property Owners

While many residents continue to work outside of the municipality, the COVID-19 experience and changing expectations for remote work, maker and artisan culture, and local services prompt an approach that prioritizes flexibility while continuing to protect against premature loss of resource lands and potential land use conflicts.

Flexibility in standards and the addition of ancillary uses in the regulation of uses should also serve to reduce barriers to the creation of local employment opportunities, such as the ability to create employee housing and support for economic activities that straddle tradition lines between commercial and industrial uses where they can be appropriately serviced and where land use conflicts can be minimized.

Objectives:

- .1. To foster local employment and business development opportunities
- .2. To maintain affordable services and tax rates
- .3. To support growth of the year-round residential population.

Community Economic Development Policies

Policy ED-1: Industrial Uses

It shall be the policy of Council to permit limited light industrial uses within the Resort Municipality in appropriate locations.

Plan Actions:

- a. The Bylaw shall permit light industrial uses in the Resort Commercial (C1) Zone as a special permit use and shall require a development agreement where approved.

Policy ED-2: Home Based Businesses

It shall be the policy of Council to enable the use of specified residential dwellings for home based commercial uses in such a way as to promote flexibility of live-work arrangements without compromising the residential character of the dwelling or creating conflicts with adjoining residential properties.

Plan Action:

- a. The Bylaw will set out standards for home occupations that strictly limit potential residential conflicts such as noise, hours of operation, square footage, number of employees, parking, signage, physical changes to the structure, and any other factors that may represent an impediment to the safety, convenience, or enjoyment of neighbouring properties.

Policy ED-3: Business Infrastructure

It shall be the policy of Council to identify and advocate for the economic infrastructure needed to support the development of new or expanded businesses within the community.

Plan Actions:

- a. Council shall work with sector organizations to identify areas of shortfall related to business infrastructure, such as broadband infrastructure.
- b. The Bylaw shall be prepared in a way as to provide clarity and certainty for applicants, reducing confusion and promoting accessibility for entrepreneurs.
- c. The Bylaw shall permit, where appropriate, secondary and ancillary uses such as dormitories for employee accommodations.
- d. Council shall include consideration of employer and employee needs when advocating for shuttles and other services.

Policy ED-4: Municipal Expenditures and User Fees

It shall be the policy of Council to offset the cost of programs and services through the use of user fees, while remaining sensitive to the needs of all socio-economic groups.

Plan Actions:

- a. The Bylaw shall include a schedule of fees for applications under the Official Plan and Bylaw, and Council may amend the schedule from time to time by resolution in accordance with section 135 of the *Municipal Government Act*.
- b. Council may enact new or maintain existing bylaws establishing user fees for other municipal programs and services.
- c. Council shall continue the arrangement with the Province to have the National Building Code and building permits administered provincially until such time as Council determines it is in the interest of the municipality to administer the National Building Code directly.

Policy ED-5: Regional Coordination and Collaboration

It shall be the policy of Council to pursue opportunities for regional coordination and collaboration for facilities, services, and programs to minimize the unnecessary duplication of municipal expenditures.

Plan Actions:

- a. Council will collaborate, where appropriate, with the Town of North Rustico or other communities for services and programming.
- b. Council will work with the Town of North Rustico or other communities in the region to leverage funding for the development of infrastructure and facilities.

Policy ED-6: Critical Mass

It shall be the policy of Council to support the development of businesses and services that facilitate the expansion of the year-round resident population to foster the diversification of economic opportunities.

Plan Actions:

- a. Council shall consider the all-season needs of permanent residents in the design of services and programs.
- b. Council shall coordinate with the local business community to continue to identify strategies to develop year-round services and amenities.

4.1.4 Energy Independence

Energy independence strategies can achieve several outcomes at once, reducing carbon footprints while enabling options for residents and property owners to reduce costs and explore alternate technologies.

Wind energy systems have not been permitted within the Resort Municipality in previous iterations of the official plan. Large wind farms are unlikely to present as an issue given the nature and location of the municipality. While smaller-scale individual systems may be considered for some operations, such as farm properties, the success rate of small individual turbines for most operations – rinks, buildings, etc. – have proven in many cases to be limited. While policies enabling small-scale wind energy systems as special permit uses could provide options in the future to control small-scale wind energy systems, Council has determined that at this time wind energy systems would have too great of a visual impact within the municipality.

Solar energy is becoming increasingly popular through government incentive programs and more and more ground-mounted systems are being installed in addition to the more traditional roof-mounted systems. While the visual impact and safety considerations remain important, policies will support the transition to or addition of solar energy.

Objectives:

- .1. Promote and support solar energy generation.
- .2. Reduce the dependence on non-renewable forms of energy.
- .3. Build energy efficiency into land use, infrastructure, and transportation decisions.

Energy Independence Policies

Policy EI-1: Renewable Energy Systems Policy

It shall be the policy of Council to support the use of solar energy generation systems of varying sizes, aimed toward enabling economic benefit for the community and individual

residents, and to support the incorporation of alternative energy technologies and infrastructure for both the direct benefits to citizens and the avoidance or reduction of greenhouse gas emissions.

Plan Actions:

- a. Wind turbine developments shall not be permitted within the Resort Municipality.
- b. The Bylaw shall permit and establish standards for roof-mounted and ground-mounted solar systems.
- c. Council shall work with all levels of government to encourage residents to consider renewable energy sources.
- d. Council shall explore options for promoting the incorporation of renewable energy systems, such as charging infrastructure, into new developments.

Policy EI-2: Subdivision Design

It shall be the policy of Council to encourage compact development design to reduce dependence on non-renewable forms of energy and on vehicular travel, while encouraging the promotion of co-locating residential development and services and amenities.

Plan Actions:

- a. The Bylaw shall establish standards for clustered developments with reduced lot size standards for lots serviced by municipal sewer, and may include even further reduced for lots serviced by both municipal sewer and private shared water, while ensuring that such standards are no less stringent than those established in the *Planning Act* Province-Wide Minimum Development Standards regulations.

Policy EI-3: Energy Efficiency

It shall be the policy of Council to build energy efficiency into the development of any future municipal buildings and infrastructure, and to encourage and consider energy efficiency features in private development.

Plan Actions:

- a. Council shall work with other levels of government and community organisations to promote the adoption of energy efficiency standards and measures.

4.2 PHYSICAL OBJECTIVES AND POLICIES

4.2.1 Housing

The Resort Municipality's previous official plans and the recent Strategic Plan speak of promoting increased year-round residential development as a means of supporting the development of all-season services, increasing the vitality and vibrancy of the community



in off-seasons. The expansion of residential land uses implies a need to ensure proper servicing, minimizing of land use conflicts, and, in order to protect the historic qualities of the area, promoting high development standards and subdivision design requirements to continue to contribute to the visual appeal of the area while meeting the needs of residents.

At the same time, PEI and Queens County have been experiencing a significant contraction of the housing supply relative to the population, and that, coupled with traditional higher property assessments within the municipality, suggests the need to consider the needs and rights of local residents to safe, adequate, and affordable housing.

While seasonal residents continue to form a significant and valued segment of the Resort Municipality's population given its resort status, seasonal residential dwellings are increasingly being winterized and converted to year-round use or built in such a way as to make the nature of the use undistinguishable between seasonal and year-round residential. Although in some cases seasonal property owners seek to develop with fewer restrictions given their shorter duration of stay, enforcing seasonality of uses is incredibly difficult and intermittent durations of stay do not remove requirements to apply appropriate standards to ensure the protection of public and environmental health and safety. It will become important, therefore, to ensure that standards are applied to residential subdivisions and developments that are suitable and appropriate to both year-round and seasonal uses.

The 2020 Strategic Plan identified additional, high priority considerations, including encouraging a variety of housing options.

Public feedback suggested that the expansion of the year-round residential population, while important to a healthy civic environment and community, must be undertaken with sensitivity and scale in mind so as not to detract from those characteristics that make the community so appealing; however, it was clear from many that expanded housing options are seen as being needed.

Additional provisions are also appropriate to support clustered housing featuring multiple detached or semi-detached dwellings on single parcels, either as rentals or as vacant land condominiums. While such forms of clustered housing meet the needs of certain groups looking to share maintenance and services or offering more rental choice, ensuring that such developments are appropriately sited, serviced, and designed to ensure that all public and environmental health and safety considerations are met remains important.

Objectives:

1. To enable the creation of a variety of housing opportunities to meet various socio-economic needs and to encourage new, innovative, and economical housing forms.

- .2. To ensure high standards of subdivision design, site planning, and physical appearance that stress safety, efficiency, diversity of housing opportunities, land use compatibility, and fostering of a healthy lifestyle.
- .3. To minimize land use conflicts between residential development and established farms, tourism and commercial operations, and the National Park.
- .4. To limit residential encroachment and ribbon development of residential uses along major roadways in rural areas.
- .5. To ensure that residential development is appropriately serviced and sensitive to the natural environment.

Residential Policies

Policy R-1: Designation and Zoning

It shall be the policy of Council to designate sufficient residential land to accommodate the projected housing needs in the Resort Municipality during the Official Plan period. Residential development shall be permitted in the Rural Reserve and Residential zones and, under certain circumstances, in commercial and mixed-use areas, including in mixed commercial/residential buildings. It shall be the policy of Council to zone existing residential areas for residential use, and large new residential subdivisions shall proceed via bylaw amendment (rezoning) applications if the zone does not allow such use. It shall further be the policy of Council to permit only limited residential developments in rural areas, in locations where it will not create conflicts with established farming operations, where the site is appropriate for long term on-site services, and where the safety and efficiency of the road network will not be negatively affected.

Plan Actions:

- a. The Future Land Use Map shall designate sufficient residential land to meet the projected housing needs of the Resort Municipality as Residential, including currently developed seasonal and year-round residential subdivisions and development clusters.
- b. Land designated as Residential shall be zoned as Residential (R1) on the Zoning Map.
- c. Certain limited accessory uses shall be permitted in the R1 Zone, where they will not conflict with residential uses.
- d. The Bylaw shall permit limited residential development in the Rural Reserve (RR) Zone, subject to proof of site suitability for on-site services, appropriate setbacks from adjacent farming activities and appropriate road access.
- e. Consideration of new major residential subdivisions (over 2 lots) in the RR Zone shall proceed via an application for a rezoning to R1 and may be subject to an environmental impact assessment and subdivision design criteria to limit the increase of residential development along major roadways.

- f. The conversion of land zoned RR to R1 shall only be permitted in accordance with Policy AG-1 and where the transition will not pose a significant risk of increased land use conflicts with adjoining agricultural uses.
- g. Residential development shall be encouraged to locate in the serviced areas of the Resort Municipality, including areas adjacent to amenities and pedestrian infrastructure.

Policy R-2: Density and Housing Variety

It shall be the policy of Council to support duplex, semi-detached, and small-scale multi-unit dwellings, as well as seniors housing, where appropriate, and to enable the development of innovative and diverse housing forms to attract new permanent residents, address the needs of seniors and seasonal workers, and provide affordable home ownership options.

Plan Actions:

- a. The Bylaw may permit the development of duplex, semi-detached, townhouse, and apartment dwellings in appropriate zones in areas of the Resort Municipality serviced by municipal sewer.
- b. The Bylaw shall permit dormitory housing and the adaptive reuse of existing buildings near or within commercial, tourist attraction, and tourism establishment properties, on farm properties, and in the Public Service Institutional Zone.
- c. The Bylaw may permit smaller lot and housing options in the Residential (R1) Zone, subject to design standards and appropriate servicing.
- d. The Bylaw shall permit residential uses in commercial and mixed-use areas, subject to a notice being placed on the development permit that such areas are characterized by normal commercial nuisances such as noise, traffic congestion, parking areas, pedestrian traffic, etc. Residential development shall be deemed to be a secondary or subordinate use, in these areas.
- e. The Bylaw shall allow the location of mini homes in the Rural Reserve (RR) and Residential (R1) zones, subject to development standards but shall not permit mobile homes or tiny homes in any zone.

Policy R-3: Secondary Suites

It shall be the policy of Council to allow the addition of a secondary suite in single-detached dwellings provided that the exterior of the residence retains the appearance of a single-detached dwelling structure.

Plan Actions:

- a. The Bylaw shall permit the addition of a secondary suite in single-detached dwellings.
- b. The Bylaw shall establish water and sewer servicing criteria and standards regarding the secondary suite and shall require all water and sewer services for the secondary suite to be provided through the main dwelling.

Policy R-4: Residential Development Standards

It shall be the policy of Council to establish development standards for all new residential subdivisions and dwellings in terms of subdivision design, site planning, landscaping, and physical appearance.

Plan Actions:

- a. The Bylaw shall establish residential subdivision and development standards relating to lot sizes, lot coverage, circulation, lot configuration, open space, servicing, setbacks, parking, the protection of natural features, development constraints in hazard areas, and other matters to enhance the health, safety, and convenience of residents.
- b. Council shall encourage sensitive management of designated views (see Schedule D) and existing vegetation in the review and consideration of subdivision proposals.
- c. Council may encourage residential architectural standards which reflect traditional Island building forms and compatibility with adjacent structures.
- d. The Bylaw shall establish restrictions and/or limitations on certain uses and structures on residential properties, including the use of recreational vehicles and travel trailers and sea cans and other storage containers.

Policy R-5: Residential Clustering

It shall be the policy of Council to restrict the expanded development of residential properties along major roadways to limit ribbon development and residential encroachment.

Plan Actions

- a. The Bylaw shall establish criteria for lots that may be approved along collector highways as designated under the *Roads Act*.
- b. The Bylaw may permit the clustering of residential lots, known as conservation subdivisions, with reduced lot size requirements and increased number of permitted lots, where shared water and sewer services are provided, that are serviced by subdivision roads, and featuring the permanent protection of a significant proportion of open space, in order to preserve natural features, open space networks and the characteristic landscape of the community.
- c. The Bylaw may permit clustered housing developments featuring multiple residential buildings on single parcels, where such developments are appropriately sited, serviced, and designed to ensure that all public and environmental health and safety considerations are met, and shall establish procedures for the consideration of clustered housing development concepts where permitted.
- d. The Bylaw may include requirements relating the design and construction of private access lanes (internal drives) servicing clustered housing developments on a single parcel.

Policy R-6: Residential Servicing

It shall be the policy of Council to promote serviced development and require appropriate lot sizes and subdivision design where on-site services are required.

Plan Actions

- a. The Bylaw shall establish minimum lots sizes for lots dependent on on-site servicing at least as stringent as those required under the *Planning Act* Province-Wide Minimum Development Standards Regulations.
- b. The Bylaw shall require lots located within the serviced area to connect to the central sewer system where immediately available to the property.
- c. The Bylaw shall establish standards related to the development of existing undersized lots, including the requirement for engineered on-site septic systems where shared water and services are not available and site suitability assessments for older lots.

4.2.2 Transportation

While the Resort Municipality does not own or have direct responsibility for any of the public or private roads in the municipality, the Resort Municipality has a vital role in transportation planning and has sole responsibility for pedestrian circulation (except within the National Park). Given the critical relationship between land use and traffic generation, it is imperative that the Resort Municipality work closely with the Department of Transportation and Infrastructure to ensure that safe and efficient transportation facilities are provided to service the needs of the Resort Municipality, and that land use patterns and development standards do not undermine the efficiency or safety of the transportation network.

Council will work with the Province to ensure that the transportation system efficiently serves both local and regional needs. Council will continue to assist the Province in identifying annual road maintenance requirements and significant safety, design and drainage problems in the municipality (and outside the area on major approach routes). Council must also plan for the accommodation and promotion of increasing pedestrian flows within the municipality.

Given the significance of tourism to the area, Council must also play an active role in commenting publicly on such regional transportation issues as: the future of the Charlottetown Airport, tolls on major regional highways and the Confederation Bridge, ferry services and rates, and required upgrading to the provincial highway system, and connection to the Confederation Trail System. Healthy lifestyle changes are impacting preferred recreational activities for both residents and visitors creating increased demand for landscaped trail systems for both hiking and biking.

Despite the Resort Municipality's lack of jurisdiction over streets within the Resort Municipality limits, transportation infrastructure is critical to development of the community.

The Resort Municipality will work to promote alternative modes of transportation wherever possible. Higher density development in the Resort Core Area over time could further promote development patterns more conducive to active transportation options.

Objectives:

- .1. To promote a safe and efficient transportation system for all modes of travel.
- .2. To support the infrastructure needed to increase the volume of pedestrian, cycling, and other forms of active transportation.
- .3. To limit the climate impacts of transportation activities.

Transportation Policies:

Policy TR-1: Coordination and Design

It shall be the policy of Council to work closely with the Department of Transportation and Infrastructure in the design and management of both the community's transportation system and within the province as a whole. Priorities will include co-ordination of land use planning and transportation planning, design of new transportation facilities and upgrading of existing facilities, control of private accesses and stormwater management, and the incorporation of active transportation facilities where feasible. Priority should be given to projects that connect to existing Active Transportation infrastructure.

Plan Action:

- a. Municipal representatives shall meet routinely with officials of the Department of Transportation and Infrastructure to review new subdivision roads; annual road maintenance priorities; speed limits; roadway and intersection improvements; bridge repairs; and developments which will generate significant traffic volumes.
- b. Council shall lobby the Department of Transportation and Infrastructure to make improvements to the overall Provincial roads network as needed. Specifically, Council will target the following: 1) reconstruction of Route 6 from North Rustico to the intersection of Route 6 and 13 and 2) reconstruction of Route 13 from Route 2 north to Route 6 with addition of paved shoulders from New Glasgow, and a new secondary road to offset high traffic levels associated with large events.
- c. Council shall work with the Province to identify any other roadways or intersections that may be improved to enhance traffic flow, public safety, or both.
- d. Council shall consider climate change projections in its assessment of subdivision layout and design and emergency access requirements, including in relation to the road networks.

Policy TR-2: Infrastructure Development

It shall be the policy of Council to carefully assess the impacts of proposed development on the transportation network and to require developers of residential subdivisions or other developments to be responsible for providing the associated infrastructure.

Plan Action:

- a. The Bylaw shall include the option to require additional information where deemed appropriate, including traffic impact assessments.
- b. Developers shall be responsible for costs relating to the design and construction of streets associated with new developments.
- c. The Bylaw shall permit the approval of new lots on existing or new private roads, subject to meeting minimum standards. The minimum standards shall be included in the Bylaw and shall apply to all roads in new subdivisions of 6 or more lots from a single property, whether approved together or consecutively.

Policy TR-3: Pedestrian Circulation

It shall be the policy of Council to promote pedestrian traffic and to provide for the safe movement of pedestrians within the municipality.

Plan Action:

- a. Council shall continue to pursue the implementation of the recommendations of "A Plan for the Resort Municipality: Trails and Paths for Health and Heritage" and will generally promote walking and cycling activities and facilities within the municipality.
- b. Council shall continue to support efforts to create a linkage to the Confederation Trail.
- c. Council shall work with developers of new subdivisions regarding the installation of sidewalks and trails where appropriate and opportunities to do so are present.
- d. Council may establish a long-term plan for sidewalk and trail construction, together with a long-term capital budget.

Policy TR-4: Active and Sustainable Transportation

It shall be the policy of Council to identify and develop, with the Province and Parks Canada, the infrastructure necessary to promote cycling, walking, and other forms of human-powered movement as a form of transportation and recreation in the Resort Municipality, promoting pedestrian and cycling safety and reducing parking and traffic congestion.

Plan Actions:

- a. Council shall work with the Parks Canada and the Province to facilitate trail system interconnections with the National Park and the other trail systems in the region.
- b. Council shall work with the Province to develop features associated with the road network that will reduce energy use, support alternative transportation modes, and enhance public safety such as additional sidewalks, park and ride facilities, charging stations, and crosswalk improvements.
- c. The Bylaw may establish a requirement for bike racks in association with commercial uses.

Policy TR-5: Public Transportation

It shall be the policy of Council to promote and facilitate the provision of public transit options where possible.

Plan Actions:

- a. The Resort Municipality shall work closely with the City Beach Express operators and other potential transit providers, as well as the Province, to add or enhance transit-related infrastructure connecting the Municipality to other communities.
- b. Council shall foster opportunities to encourage developers to foster the creation of transit-supportive characteristics over time, including clustering of housing and commercial activities, subdivision design, and consideration of future transit-related infrastructure needs.

4.2.3 Built and Natural Landscape

As explored above, the built and natural landscape remains one of the most valued aspects of the community. Priorities include avoiding becoming overbuilt, maintaining a level of quality in buildings and signage, and managing the impacts of growth. Efforts have been made over various plan review periods to promote themes or characters in design and establishing architectural standards.

Public feedback has ranged from a desire to remove all design requirements to wanting to control every aspect of how all properties in the community are developed. Finding a balance between these positions means assessing how design standards have functioned to date, how they might support or undermine other plan objectives, and whether the passage of time and continued development of the area has established enough of a theme and typology for such types of development and design to continue naturally.

Mixed support remains for architectural design standards for commercial developments, including tourism attractions and accommodations, while perhaps recognizing that building materials and changing design aesthetics support a reduced set of standards.

Opinions on the role of architectural design standards for residential areas are more varied. While some value them for the consistency of appearance, other see them as

unnecessarily restrictive and undermining affordability and accessibility for residents. While the value of architectural design standards for residential structures in the Resort Core Area may mirror the priority placed on the standards for non-residential standards, the impact in other areas of the community differ.

As noted earlier, the Prince Edward Island National Park is the area's major tourist attraction and its major recreational facility. The Park is also a unique and extremely sensitive natural area of national significance. The long-term health of the Park is critical to the future of the Resort Municipality. The health of the Park is also highly dependent on the sensitive management of the ecosystems on its periphery.

The interdependence of the National Park and its surrounding communities dictates that there must be a close working relationship between Parks Canada and local councils and landowners. The long-term interests of the Park must be considered as a significant factor in land use policies and development decisions outside the Park. Within the limitations of its primary mandate, the Park should also be sensitive and responsive to the concerns of its neighbours.

Much progress has been made in forging a closer working relationship between the community and the National Park. This progress must be recognized and reinforced in the future. Council must also continue to promote the long-term role of farming within the boundaries of the Park as adjacent Crown lands.

Objectives:

- .1. To protect the visual qualities of the community and develop an identifiable and appropriate community image
- .2. To protect the integrity of the community's heritage places
- .3. To protect the cultural landscape and designated strategic viewsapes
- .4. To promote public access to and enjoyment of the natural environment

Landscape and Development Standards Policies

Policy DS-1: Community Character and Beautification

It shall be the policy of Council to continue to focus on the preservation of the natural and cultural landscape as a strategy to protect the area's overall character and appeal, as well as to actively promote "beautification" efforts throughout the Municipality.

Plan Action:

- a. Council may reinforce beautification programs which encourage and provide recognition for superior landscaping efforts, building improvements and site improvements and efforts to create the impression of a village "main street" through the addition of period street signs, street furniture, flowers and other appropriate amenities.

- b. Council shall continue to pursue the extension of the boardwalk and period style, pedestrian scale lighting.
- c. The Bylaw may establish standards for and limits on the number of main buildings on properties and may establish additional requirements for site planning, such as the relationship between buildings on a parcel, the relationship between buildings and the street or internal roadways within a parcel, the design, location, and construction of internal roadways and pedestrian networks within a parcel, and other features to create of a sense of place within more densely developed parcels.

Policy DS-2: Architectural Standards

It shall be the policy of Council to explore establishing architectural standards within the municipality which reflect or are in harmony with the Island's architectural traditions, while removing existing design and architectural standards from the Bylaw.

Plan Action:

- a. Council may explore new approaches to regulating design standards over the coming several years and add new design and architectural standards for all or specific categories of uses to the Bylaw if deemed appropriate.

Policy DS-3: Site Planning and Development Standards

It shall be the policy of Council to impose site planning standards for specific building types and uses ensure public safety, efficiency, appropriate buffering, high standards of landscaping and overall visual appearance and site compatibility.

Plan Action:

- a. The Bylaw may establish and impose minimum site development standards addressing: setbacks, landscaping, parking, vehicular and pedestrian circulation, amenity areas, signage, ingress and egress, compatibility and integration with adjacent sites, outside storage and waste disposal, lighting and other such matters for all major developments, special permit use developments, and non-residential developments.
- b. The Bylaw may require infill development in existing built-up residential areas to be compatible with existing residences in the area.
- c. Over time, the Bylaw may establish and impose additional development standards for the Resort Core Overlay Zone, which may be established and evaluated through expanded comprehensive development concept plan requirements.
- d. The Bylaw shall establish criteria, processes, and requirements for developments that qualify as 'major developments' due to their potential to have a major impact on municipal services, transportation, tax rates, retail outlets, institutions and residential expansion.

Policy DS-4: Property Maintenance

It shall be the policy of Council to encourage a high level of property maintenance and visual amenity in the municipality.

Plan Action:

- a. Council shall retain the Dangerous and Unsightly Premises Bylaw, which imposes controls on: dilapidated premises; noxious weeds; grass cutting; unsightly outdoor storage, clutter or garbage; dilapidated or inactive signage; dilapidated fencing, screening or landscaping elements; and other such matters as may detract from the general appearance of the community.
- b. Council shall encourage developers to consider the visual context of their developments and to sensitively integrate new developments into the surrounding natural and built landscape.

Policy DS-5: Signage

It shall be the policy of Council to continue to regulate commercial and non-commercial signage in the municipality, with an emphasis on the use of signage as a positive element of our visual character.

Plan Action:

- a. Council shall enforce the provisions of the Signage Bylaw and to work proactively to reinforce the positive trends now in place.
- b. The Signage Bylaw may permit side road signs for businesses which are not located on Route 6 and 13 and are not readily visible from the thoroughfare.

Policy DS-6: Natural and Cultural Landscape

It shall be the policy of Council to encourage the protection of the Resort Municipality's distinctive natural and cultural landscapes.

Plan Action:

- a. Council shall continue to work closely with Parks Canada to preserve the historic cultural landscape and identified scenic view planes within the National Park.
- b. Council shall consider the contribution of agricultural activities to the cultural landscape when considering zoning applications to permit the transition to more intense land uses.
- c. Council shall explore a strategy to identify and designate additional strategic view planes and options for a program to purchase development rights from farmers as land is considered for removal from active farm uses.
- d. Council shall act in a proactive manner during the subdivision and development approval processes to encourage developers to minimize the disruption of strategic view planes and the removal of established vegetation.

Policy DS-7: Public Access and Enjoyment

It shall be the policy of Council to pursue opportunities to provide public access to the shoreline and to the natural environment.

Plan Action

- a. The Bylaw shall establish development standards relating to subdivisions in coastal areas with special regard for siting of parklands, public spaces, and public beach accesses.
- b. Council shall seek to secure waterfront lands through the subdivision land dedication process and develop such land for parks and trails accessible to the public.

4.2.4 Effective and Sustainable Public Infrastructure

The sustainability of public infrastructure over the long term is critical component of municipal governance, even where such infrastructure is minimal. In this case, effective public infrastructure plays a key role in the economic success of the Resort Municipality, but expenditures could also impact the affordability of the municipality for residents and business owners.

Objectives

- .1. To incorporate long term planning and consideration in the development of infrastructure
- .2. To ensure that capital costs associated with private development are recouped

Infrastructure Policies

Policy IF-1: Coordination and Planning

It shall be the policy of Council to consider the long-term consequences of infrastructure investment decisions and to identify options and alternatives to maximize efficiency.

Plan Actions

- a. Council shall consider regional services and opportunities for cost-sharing with adjoining municipalities and communities.
- b. Council shall consider the principles of asset management and the sustainability of the entire public infrastructure system in make decisions related to infrastructure and development.

Policy IF-2: Recouping Capital Costs

It shall be the policy of Council to recoup capital costs associated with private developments from the private bodies benefitting from the expenditures.

Plan Actions

- a. Council shall require developers to contribute to or cover the costs of the development of infrastructure related to private developments.
- b. Council shall explore municipal investments in residential subdivision to promote the growth of the year-round population but shall tie the costs to the public revenues likely to be generated.

4.3 SOCIAL OBJECTIVES AND POLICIES

4.3.1 Safe and Resilient Community

The Resort Municipality currently supplies limited municipal services: municipal administration, central wastewater collection and treatment, park facilities, and pedestrian facilities. Fire protection services in the Resort Municipality are provided by three fire departments outside of the boundaries of the municipality. The eastern portion and the National Park are covered by the North Rustico Fire Department; the core area of the municipality by the New Glasgow Fire Department; and the western portion of the municipality by the New London Fire Department. A range of other services are provided by the Province, Parks Canada and adjacent communities as noted earlier in this Plan. Policing services are covered by the Province's agreement with the RCMP. The existing arrangements have been very satisfactory, and Council expects to continue its relationships with these outside organizations into the future.

As both seasonal visitation and year-round population levels rise, these existing services will all require continuous upgrading and new services, such as expanded recreation, will be required.

Council must maintain a long-term planning approach to monitoring demands for various municipal services and implement changes or upgrading, keeping in mind the priorities of public health and safety, the maintenance of affordable tax and utility rates, and the protection of the natural environment. As noted earlier, the Resort Municipality has very limited institutional facilities and this situation is not likely to change unless year-round population figures increase dramatically. Council must, however, be sensitive to the needs of our present institutional facilities and support the actions of our neighbouring communities to maintain those regional institutional facilities on which our residents depend.

Objectives:

- .1. To provide cost effective emergency response services.
- .2. To plan and prepare for human and natural disasters, including through risk reduction.
- .3. To support existing and new institutional services and facilities.

Community Safety and Support Policies

Policy CS-1: Police Services

It shall be the policy of Council to continue to rely on the Province's policing contract with the RCMP.

Plan Actions:

- a. Council shall encourage the Province to expand both the officer complement and the length of operation of the local seasonal RCMP detachment.
- b. Council shall maintain an active dialogue with the RCMP on security issues in the municipality.

Policy CS-2: Fire Protection

It shall be the policy of Council to ensure that adequate fire protection services are provided to all residents, businesses, and property owners in the municipality at affordable rates and with rapid response times. Council shall also work to encourage a higher level of emergency response services particularly during the tourism season.

Plan Actions:


- a. Council shall continue to purchase fire protection services from the adjoining fire departments.
- b. Council shall meet on a regular basis with our fire departments to discuss fire services, dues, and fire prevention programs.
- c. Council shall work with local fire departments to increase the level of emergency medical response services, including examining the potential to improve ambulance services during the peak tourism season.
- d. Council shall undertake a review its ability to fight fires through its contract with the three fire departments, including considerations of how reinforcing the current firefighting and emergency response capacity through implementations such as dry hydrants and adequate road standards could improve current capacity.
- e. Council shall undertake to enter into a written agreement with the contracted fire departments regarding the services to be provided for the Resort Municipality.

Policy CS-3: Emergency Measures Plan

It shall be the policy of Council to ensure that the Resort Municipality's Emergency Measures Program, including an EMO Plan and bylaw, is maintained, updated, and exercised in accordance with the *Municipal Government Act*.

Plan Action:

- a. Council shall continue to develop, update, and revise the Resort Municipality's Emergency Measures Plan and bylaw and maintain the overall EMO Program as required under the *Municipal Government Act* and the *Emergency Measures Act*.

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- b. Council shall work with other municipalities in the region, particularly the Town of North Rustico, to identify opportunities for coordination of emergency preparedness and response efforts.
 - c. Council and the Emergency Management Coordinating Committee shall take into consideration the increasing impacts of climate change in identifying emergency centres, including the potential use of emergency shelters as cooling shelters.
 - d. Council and the Emergency Management Coordinating Committee shall identify areas at risk of coastal flooding ahead of anticipated storm surge events to assess the ability of emergency responders to gain access.
 - e. Council shall seek to minimize the potential impacts of power outages by working with developers to promote the installation of underground services and to ensure that trees do not interfere with power line corridors.
 - f. The Bylaw will include future emergency hazard considerations for new subdivisions and development projects.

Policy IN-1: Institutional Uses

It shall be the policy of Council to protect the Municipality's current institutional facilities and to encourage the development of new facilities in response to local needs. Council shall also support the efforts of our neighbouring communities to protect and enhance those regional institutional facilities on which the residents of the community depend.

Plan Action:

- a. Institutional facilities such as churches and other religious institutions within the community shall be designated as Institutional on the Future Land Use Map.
- b. The Bylaw shall establish a Public Service & Institutional (PSI) Zone and all lands designated as Institutional shall be zoned as PSI on the Zoning Map.
- c. The Bylaw shall establish permitted uses and development standards for the PSI Zone.
- d. Council shall consider the potential for significant land use conflicts by way of excessive noise, traffic generation, or other hazards or nuisances when considering applications for a change in zoning or for major developments in the vicinity of Public Services and Institutional Zones.
- e. The Bylaw may include institutional uses as ancillary and accessory uses in association with permitted uses in other zones.
- f. Council shall promote Resort Municipality as a location for institutional land use and may re-zone land for such uses in appropriate locations in response to development requests.
- g. Council shall promote the development of public and private community care and nursing home facilities in the Resort Municipality.

Policy IN-2: Regional Collaboration

It shall be the policy of Council to recognize and support the interconnectedness of regional institutional facilities and programs.

Plan Actions:

- a. Council shall support the efforts of its neighbouring municipalities and communities to ensure the long-term health and viability of regional institutional facilities, such as schools, community care facilities, and health centres.

4.3.2 Social and Physical Needs of the Community

Recreation services present an interesting conundrum for the municipality. With the National Park comprising approximately 40% of the area of the municipality, it could be argued that the recreation needs of the community are easily met. With the seasonal nature of the Park, however, as well as changing recreation interests, expanded municipal recreation services figured in the 2020 Strategic Plan and in some of the public discussions for the review. The majority of local residents have been forced to access recreational programs and facilities in adjacent communities, particularly in the winter months. 2020 Strategic Plan priorities included amenities for year-round residents, including dog parks, facilities such as tennis courts, and day use facilities.

The Cavendish Beach Music Festival and other events provide annual opportunities to celebrate music, although such events are generally geared to the broader public, including largely the tourist sector.

Given the real need of the municipality to promote an expanded year-round residential population, both to create the vigour and critical mass of a permanent population, as well as to ensure the continued local interest in meeting the governance and civic components of keeping a community alive, understanding the recreation needs and desires of residents will continue to be important for Council and the community.

Objectives:

- .1. To develop and support recreational and social programs
- .2. To support arts and culture programming
- .3. To provide safe and appropriate recreational facilities

Recreational Policies

Policy PR-1: Recreational Opportunities

It shall be the policy of Council to develop and implement a long-term approach to the provision of recreational facilities and programs that promotes healthy lifestyles and wellness for all groups in the Resort Municipality area in a cost-effective manner, including options such as grants subsidizing the user fees of local children who participate in recreational programs in adjacent communities.

Plan Action:

- a. Council will explore strategies to support year-round recreation programs, and in particular winter activities, either by delivering them directly or by coordinating with Parks Canada and adjoining communities.
- b. Council may institute a program to subsidize a portion of user fees for children that participate in recreational programs outside the municipality, where so enabled in the municipality's grants bylaw.
- c. Council will distribute information on regional recreation programs which are supported by the municipality in the Municipal Newsletter and by other means by which the municipality speaks with its public.
- d. Council shall encourage and develop programs and events that promote healthy living and provide opportunities for social interaction.

Policy PR-2: Social Programming

It shall be the policy of Council to explore and identify the types of social programs that might promote the municipality as an ideal location for year-round residential uses.

Plan Actions:

- a. Council will consult with existing year-round residents to understand the nature of and demand for social programming in the community.

Policy PR-3: Arts and Culture

It shall be the policy of Council to build on the existing history of arts and culture in the community.

Plan Actions:

- a. Council shall continue to support arts and culture events such as the Cavendish Beach Music Festival.
- b. Council shall continue to include consideration of large cultural events like the Music Festival in its emergency management planning.
- c. Council shall explore opportunities for expanded cultural activities on an on-going basis.
- d. The Bylaw may establish criteria, guidelines, and other requirements related to special events and the issuance of permits for such forms of temporary uses.

Policy PR-4: Long Term Planning

It shall be the policy of Council to prepare and adopt a long-term parks and recreation strategy which would build on the success of the local, federal and provincial "trails and paths" initiative. The strategy would address: open space dedication policies; donations; volunteer development; co-operative programs with our neighbours; partnerships with the private sector and the senior levels of government ensuring a connection to the

Confederation Trail System with the community trail system and the Parks Canada Trails System; participation of community associations; and recreation programming.

Plan Action:

- a. Council shall work to facilitate the provision and expansion of a system of walkways and trails in the Municipality.
- b. The Bylaw shall establish requirements and criteria for the dedication of parkland or cash-in-lieu of parkland, or a combination thereof, in new subdivisions.
- c. The Parks and Recreation Strategy shall include a policy outlining priorities for parkland dedications in new subdivisions, including conservation areas, trail systems, sidewalks, playgrounds, and public beach accesses.
- d. Council shall prioritize the inclusion of shading in the design and development of any public spaces to provide opportunities for cooling with the anticipated rise in temperatures associated with climate change.

Policy PR-5: Day Use Facilities

It shall be the policy of Council to work with the Province, Parks Canada, and the business community to facilitate the development of public day-use parks in the Resort Municipality for residents to enjoy the community year-round and for visitors to relax, receive information about the area, and enjoy scenic vistas.

Plan Actions:

- a. Council may designate a number of candidate day-use park locations and may approach the Province, Parks Canada and the business community to assist in site acquisition and site development. Potential day-use sites shall be selected based on highway access, significant scenic vistas and accessibility for residential areas.
- b. Council shall work to ensure that the design of day-use parks includes adequate parking areas, washrooms, picnic facilities, information kiosks, and other facilities that reflect identified resident priorities.

4.3.3 Equity and Inclusion

The responses provided during the plan review process included a desire to promote a welcoming and inclusive community. While this can be achieved through deliberate and conscious programs such as those undertaken by the Town of Stratford, the more subtle impacts of municipal decision-making can often pass unnoticed. Municipalities are increasingly taking steps to include considerations of equity, diversity, and inclusion in policy making and service-delivery.

OBJECTIVES:

- .1. To include and support those segments of the population with special or differing needs.
- .2. To ensure information sharing and community engagement are front and centre.

.3. To factor equity, diversity, and inclusion into municipal decision-making.

Equity, Diversity, and Inclusion Policies

Policy EDI-1: Community Supports

It shall be the policy of Council to give consideration to different abilities and needs in the development of programs and policies.

Plan Actions

- a. Council shall integrate the principles of accessibility and universal design in the development of public parks and facilities.
- b. Council shall promote the development of community care and other supportive programs and facilities within the community.

Policy EDI-2: Communications and Engagement

It shall be the policy of Council to provide opportunities for inclusion and engagement in municipal activities.

Plan Actions

- a. Council shall explore the development of a communications strategy to provide enhanced public communication.
- b. Council shall continue to publish a community newsletter to provide community members with information on happenings of note in and around the community.
- c. Council shall give opportunities to members of the community to participate on committee and project teams.

Policy EDI-3: Equity, Diversity, and Inclusion Lens

It shall be the policy of Council to apply an equity, diversity, and inclusion (EDI) lens in municipal activities and decision-making.

Plan Actions

- a. Council shall develop an EDI checklist to apply to community decisions-making.
- b. Council shall explore ways to increase representation and participation by traditionally under-represented segments of the population.

4.4 ENVIRONMENTAL OBJECTIVES AND POLICIES

Long term planning for the Resort Municipality must be founded on a well-informed understanding and respect for the area's natural systems. The area's long term economic health can only be assured if it is based on a "sustainable economy" which reflects the municipality's intrinsic natural carrying capacity and honours the interdependent nature of the municipality's, and indeed the region's, watersheds and natural systems.

The municipality is fully dependent on groundwater for its domestic water supply. The local fishery, tourism, and wildlife are all dependent on the quality of surface water and wildlife is also dependent on the protection of habitat areas. The overall carrying capacity of the area is limited by the ability of natural systems (primarily soil and surface water) to assimilate waste water volumes; groundwater volumes and quality are dependent on the preservation of vegetation and aquifer re-charge areas and control of pollution. While these statements are true for most Island communities, the Resort Municipality's economic dependence on the Prince Edward Island National Park and the physical appeal of its exceptional natural setting make it uniquely dependent on a healthy natural environment for its long-term health and prosperity.

Awareness and understanding of the sensitivity and interdependence of these vital natural systems must be reflected in the land use and management decisions of all those who utilize these systems and depend upon them. Council must play a leadership role in promoting more effective and responsible stewardship of our natural environment.

4.4.1 Safe and Clean Water Systems

To achieve better protection and management of the significant natural features located within the municipality, long-term management plans for overall surface drainage and stormwater management will remain important. The regulation of stormwater run-off and erosion due to construction and farming activities, as well as the preservation of trees, and protection of shoreline areas located outside of the National Park, will not only serve to protect and enhance the natural environment, they will also lower servicing costs, increase property values, and improve the overall health of residents.

Environmental standards to ensure the protection of surface and groundwater resources, significant habitat areas, vegetation, trees, coastlines, and other natural features that contribute to the visual appeal and overall health of the Resort Municipality and its natural systems will offset and minimize the unavoidable impacts of development and some farming activities.

The Resort Municipality has joint responsibility with the Province for stormwater management; the Province manages stormwater in the context of the transportation system, while the Municipality has responsibility to considering stormwater and drainage in its regulation of subdivisions and development. The natural surface water drainage network in the Resort Municipality is a significant and natural asset for stormwater management that should not be overlooked.

Objectives

- .1. To protect the quality and quantity of ground and surface water.
- .2. To manage stormwater run-off in the most cost effective and environmentally appropriate manner, reducing environmental and property-related damage.



Clean Water Policies

Policy EN-1: Environmental Protection

It shall be the policy of Council to review subdivision and development applications with an environmental protection lens and ensure that the potential environmental impacts of proposed developments are appropriately identified.

Plan Actions:

- a. Council shall coordinate with the provincial department responsible for the environment, and with Parks Canada where appropriate, in the assessment of the environmental impacts of proposed subdivisions and developments.

Policy EN-2: Groundwater

It shall be the policy of Council to work with the Province to protect both the quantity and quality of groundwater resources in the Resort Municipality.

Plan Actions:

- a. Land uses which would pose serious groundwater contamination risks, such as chemical plants or storage depots, shall not be permitted in the municipality.
- b. Council shall encourage the maintenance and protection of features which contribute to groundwater re-charging such as wetlands, stormwater retention areas, trees and other dense vegetation.
- c. Council shall encourage site plans which minimize the use of impervious surfaces.
- d. The Bylaw shall not permit land uses which would utilize extremely high volumes of fresh water, such as water bottling plants.
- e. Council may identify literature on water conservation, safe disposal of household hazardous wastes and other information pertaining to the protection of the groundwater supply and make it available to residents and property owners.
- f. Council shall assist the Province in identifying and controlling potential point sources of groundwater contamination such as underground gasoline or fuel oil tanks, chemical storage areas, and refuse or dump sites.

Policy EN-3: Surface Water

It shall be the policy of Council to protect and enhance the quality of streams, ponds, wetlands, and rivers within the Resort Municipality and to work with our neighbours, watershed groups and volunteers, and the Province to protect the local watershed systems in accordance with Provincial regulations overseeing development adjacent to watercourses and wetlands.

Plan Actions:

- a. The Bylaw shall establish provisions restricting the disturbance of natural vegetation adjacent to streams, wetlands, and other watercourses, and such provisions shall be no less stringent than those established under the *Environmental Protection Act* Watercourse and Wetlands Protection Regulations.
- b. The Bylaw shall prohibit the infilling or alteration of surface drainage features without the issuance of a development permit and performance of an environmental assessment, and the issuance of a stream alteration permit where required by provincial regulations.
- c. Council may attempt to acquire ownership of surface water systems through open space dedications in the subdivision process and through negotiations with landowners where appropriate.
- d. Council may require construction activities to implement erosion and siltation control measures to ensure the protection of adjacent streams and wetlands and prevent run-off on to adjacent properties.
- e. Council shall engage with the Province, private landowners, Ducks Unlimited, the Island Nature Trust, and other interested parties to encourage the development of management plans for all major stream systems and wetlands in the Resort Municipality.
- f. The Bylaw shall require site plans to identify adjacent surface water features, steep slopes and existing vegetation and demonstrate how these features have been protected.

Policy EN-4: Environmental Reserve Overlay Designation and Zone

It shall be the policy of Council to identify and designate environmentally vulnerable or sensitive areas in the municipality, including those areas that affect surface water and groundwater, for environmental protection and to create an overlay zone for land designated for environmental protection.

Plan Action:

- a. Properties and portions of properties having wetlands and watercourses and areas designated as buffers adjacent to wetlands and watercourses will be designated with the Environmental Reserve Overlay designation on the Future Land Use Map.
- b. The Bylaw will establish an Environmental Reserve (O2) Overlay Zone, which shall be applied on areas designated as an environmental reserve as an overlay over the primary zone for those areas. The Environmental Reserve Zone will include all conservation setback or buffer zone adjacent to all coastline lands, streams, drainage courses, bodies of surface water (including ponds and seasonal retention areas), and wetlands to limit the impacts of construction activities and minimizing the disruption of natural vegetation in areas abutting watercourses

that shall be at least as stringent as the requirements under the *Environmental Protection Act*.

- c. The Environmental Reserve (O2) Overlay Zone shall establish additional requirements and restrictions for the use and development of lands so zoned.
- d. All properties or portions of properties having a wetland, watercourse, or buffer zone shall be included in the Environment Reserve (O2) Overlay Zone and applications for subdivision and development permits on these properties will be referred to the provincial department responsible for the *Environmental Protection Act*.

Policy EN-5: Stormwater Management

It shall be the policy of Council to work closely with the responsible provincial department to ensure that stormwater run-off is managed in a manner that is cost-effective and environmentally sensitive, and which minimizes risks to public health and safety and to private property. Wherever appropriate, it shall be the policy of Council to protect and enhance the existing surface water drainage system in the Resort Municipality, and to upgrade its capacity to handle stormwater run-off.

Plan Actions:

- a. Council shall develop, update, and maintain a Stormwater Management Policy for the Resort Municipality.
- b. Council shall work with the Province to ensure stormwater systems are properly installed and maintained in the Resort Municipality in association with the development of new roads.
- c. The Bylaw shall require the inclusion of storm water management plans in applications for subdivision and development. Exceptions shall be noted in the Bylaw.
- d. The Bylaw shall establish requirements for the consideration of stormwater management, grading, and drainage in the development approval process.
- e. Council may require developers to mitigate or retain stormwater flows on site to prevent adverse effects on downstream properties.
- f. No physical changes or infilling of any stream, wetland or water course shall be allowed without the necessary provincial approvals.

4.4.2 Safe and Effective Water and Waste-Water Systems

Given that Prince Edward Island has no large bodies of fresh water, communities are dependent on groundwater as the source of their potable water. While high quality groundwater resources are readily available in the Resort Municipality, it is critical that the Resort Municipality work with the Province to protect this invaluable resource from depletion or contamination and to minimize the impact of the introduction of waste-water into the environment.

As there is no central water system, no wellfields have been identified to date. The identification of sensitive groundwater areas in the near term would allow for consideration to be given to strictly controlling development on undeveloped lands within wellfield capture zones and restricting high-risk land uses such as gas stations or fuel storage facilities in the balance of the capture zone, as well as regulating high risk practices on developed lands such as domestic fuel storage, use of pesticides, and specific agricultural practices. One approach for this protection may be to establish a water management area under the new *Water Act*, something that the municipality could explore with the provincial department responsible for the environment.

The Cavendish Sewer Utility is responsible for collection and treatment of sanitary waste, one of the primary municipal services offered by the municipality. Responsible approaches to regulating on-site sewage treatment systems will protect the long-term viability of individual wells and minimize pressure on the Utility to expand into other areas of the municipality until such time as an expansion is reasonable and appropriate.

Objectives

- .1. To protect the supply of high-quality domestic water for all residents, visitors, and business operators
- .2. To ensure efficient, cost-effective, and environmentally appropriate wastewater collection and treatment
- .3. To promote safe and effective on-site sewage treatment systems

Drinking Water and Waste-Water Policies

Policy EN-6: Potable Water

It shall be the policy of Council to take measures to ensure an adequate supply of high-quality domestic water supply for all residents, visitors, and business operators.

Plan Actions:

- a. Council shall continue to work toward the development and implementation of a long-term water strategy.
- b. Council shall encourage water conservation by residents, businesses, and visitors through public education and communication.

Policy EN-7: Central Water Supply

It shall be the policy of Council to explore the need for and value of developing a central water supply system in the Resort Municipality.

Plan Actions:

- a. Council shall develop a Central Water Supply Contingency Plan which would include the identification, testing and acquisition of a central well field site.

- b. In the event that potential wellfields are identified, Council shall identify appropriate actions to enhance the security of its water supply areas through a Wellfield Protection Plan and other measures, and will see that these actions are implemented in a timely manner, including land use standards to be added to Bylaw to protect designated well fields.

Policy EN-8: Central Sewage Collection and Treatments

It shall be the policy of Council to provide high quality, cost-effective and environmentally appropriate central wastewater collection and treatment services for the present core area of the municipality and to extend these services in response to development pressures where feasible.

Plan Actions:

- a. The Cavendish Sewer Utility shall monitor, maintain, and upgrade the sewage lagoon(s) as necessary in accordance with approved engineering standards and to ensure sufficient capacity to accommodate development in the Resort Municipality.
- b. Council shall promote water conservation and low flush toilets to limit the impacts of high levels of water consumption on the functioning of the Utility and the health of the community's environmental systems.
- c. Council shall only authorize the continued expansion of the collection system where central treatment capacity is in place and where capital costs will not have an inappropriate impact on utility rates.
- d. The Bylaw and/or Utility Regulations shall restrict the connection of sump pump and drainage tile systems to the sanitary sewer and shall require that swimming pools be drained into surface ditches rather than into the sewer system.

Policy EN-9: On-site Sewage Treatment Systems

It shall be the policy of Council to continue to support the long-term sustainability and effectiveness of high quality, well maintained on-site wastewater treatment systems in the areas not serviced by the central wastewater system.

Plan Actions:

- a. Council will work closely with the Province's department responsible for the environment to ensure that all on-site wastewater systems, or cluster systems which are installed in the municipality meet the highest standards of design and reflect the capability of the site, establishing standards in the Bylaw for the design, installation, and maintenance of on-site sewage treatment systems within the Resort Municipality, which shall be, at minimum, no less stringent than those in the *Environmental Protection Act* Sewage Disposal Systems Regulations.
- b. The Bylaw shall include compliance with provincial requirements for soil and lot classification as part of the assessment of proposals regarding the development of new subdivisions and the development of existing approved lots.

- c. The Bylaw shall require on-site sewage treatment systems to be designed and certified by a licensed engineer for all existing parcels that do not meet the lot size standards established under the *Planning Act* Province-Wide Minimum Development Standards Regulations.
- d. The Resort Municipality shall distribute public information on the importance of proper care and maintenance of septic systems, including routine pump out and inspection.

4.4.3 Safe and Healthy Natural Areas

Protection of the Resort Municipality’s significant natural features is a common theme in previous official plans and from participants in the review process. The Resort Municipality’s extensive, relatively unspoiled shoreline, forests, ponds, stream systems, and wetlands all contribute to its beauty and natural diversity, benefiting in no small part by the protection afforded by the National Park. Council must work with private landowners to protect and enhance these natural assets. Wildlife habitat areas are particularly sensitive and require very careful management.

Consideration of the environmental impacts of development is a key aspect of subdivision and development control. Where possible, significant features such as streams and ponds should be acquired through open space dedication and negotiations with landowners to ensure long-term protection.

Objectives

- .1. To protect wildlife habitat and significant natural features.
- .2. To ensure healthy watersheds.
- .3. To foster opportunities to enjoy the natural environment.
- .4. To assist in the protection of sensitive ecosystems within the National Park.

Clean Environment Policies

Policy EN-10: Solid Waste

It shall be the policy of Council to support the Island Waste Watch collection program.

Plan Action:

- a. Council shall continue to work with the Province in support of the Province’s waste management program.
- b. Council shall share information and education materials were needed to facilitate understanding and compliance of the Waste Watch system.
- c. Council shall maintain a network of waste receptacles through the Resort Core area to facilitate the separation and collection of solid waste, compostable material, and recyclables.

Policy EN-11: Habitat Areas

It shall be the policy of Council to work with the Province and Parks Canada to identify and protect significant habitat areas and natural features in the Resort Municipality, to restrict development in and adjacent to these areas, to encourage the implementation of management plans, and to work with the Province and our neighbours to jointly protect significant habitat areas in the region.

Plan Actions:

- a. The Resort Municipality shall participate in the management and enhancement of significant regional natural systems including the local watersheds, in partnership with the local watershed groups and shall endeavour to undertake a land cover and wildlife inventory.
- b. Council may consider the zoning of particularly significant or sensitive areas as environmental reserves through the application of the Environmental Reserve (O2) Overlay Zone.
- c. Council will attempt to encourage public control and ownership of these areas through open space dedication in the subdivision process, and donations or purchase by other public or private conservation interests, with a focus on protecting significant areas and establishing ecosystem corridors where appropriate.
- d. Council will limit development in other habitat areas such as wetlands, in accordance with the *Environmental Protection Act*.

Policy EN-12: Vegetation

It shall be the policy of Council to encourage the protection of trees in the Resort Municipality, particularly in areas adjacent to streams and wetlands, and to generally encourage the preservation and planting of trees in the Resort Municipality. Council shall also encourage protection of natural vegetation and landscaping activities that beautify the Municipality, maintain biological diversity, and add soil and coastal stabilisation.

Plan Actions:

- a. Council shall consider the development of a Forest Management Strategy to map and classify trees within the Resort Municipality.
- b. Council shall generally encourage the protection of stands of trees and hedgerows as part of the review process for development applications and subdivisions.
- c. Council may consider the implementation of a Tree Preservation Bylaw.
- d. Council shall generally encourage tree planting and landscaping activities in the Resort Municipality.
- e. Council may prioritise the acquisition of significant stands of trees and hedgerows as part of the parkland dedication process.
- f. Council may seek to gain ownership or hold in trust sensitive natural areas in the Resort Municipality and, where appropriate, provide controlled public access.

Where lands remain in private ownership, Council shall encourage appropriate protection and management of these areas.

Policy EN-13: Air Quality & Noise

It shall be the policy of Council to restrict those activities in the Resort Municipality that would be unhealthy for air quality or unreasonably affect the rights of residents to the peaceful enjoyment of their property.

Plan Action:

- a. The Bylaw shall restrict land use activities, other than farm activities, which pose a public nuisance due to: smoke; odours; dust or other emissions; noise or excessive vibrations; hours of operation or excessive lighting.
- b. Council shall consider the development of a noise and nuisance bylaw to address noise and nuisance complaints and shall consider some form of business licensing bylaw if deemed necessary to control hours and other aspects of business operations that have an undue impact on the ability of the public to enjoy their environment.

4.4.4 Climate Change Resiliency

While many climate change response strategies fit easily into other Plan policy and action areas, being as they are extensions of existing policy areas, particular attention is drawn to building climate change considerations into land use decision-making, promoting decisions and actions that will help in mitigating climate impacts such as reducing greenhouse gas emissions and increasing carbon sequestration, while building long-term adaptation standards into day to day design and regulation standards.

Objectives

- .1. To promote the taking of mitigation measures in the development of land to reduce climate impacts.
- .2. To integrate adaptation measures and policies into programs and facilities.

Climate Change Policies

Policy EN-14: Sustainable Practices Policy

It shall be the policy of Council to support new development that promotes sustainable practices and climate change resiliency, including the utilization of energy efficiency, renewable energy sources, groundwater protection, reduced water consumption, and stormwater management for the purpose of groundwater recharge.

Plan Actions:

- a. The Bylaw may establish criteria for reporting on energy efficiency or other sustainable practices in the development application process to facilitate the tracking and promoting of such practices.

- b. The Bylaw may establish standards and criteria for development and construction practices that support climate change mitigation and adaptation, including in relation to impermeable surfaces, subdivision design, the protection of forest cover, and natural infrastructure.

Policy EN-15: Areas Subject to Flood Risk

It shall be the policy of Council to ensure that all subdivision or development of areas adjacent to coastal areas, watercourses, and wetlands meet standards necessary to mitigate risks associated with coastal or riverine erosion and flooding due to current or future storm surges and projected sea level rise due to climate change, and that those standards are updated as new data and information is made available to the Resort Municipality.

Plan Actions:

- a. Council shall work with the Province to develop best management practices to address coastal hazards and make information on coastal and other flood risks available to the public.
- b. The Bylaw shall require a provincial coastal hazard assessment prior to the review of a development or subdivision application on a lot adjacent to coastal areas, or in flood risk areas as identified by the Province over time.
- c. The Bylaw shall establish vertical and horizontal setbacks between new developments and shorelines to provide sufficient distance to ensure that adverse effects of erosion or flooding do not endanger the development over its life.
- d. Council will continue to update erosion and flood risk data and related standards as new data and information is made available from the Province or other sources on the delineation of wetlands and water sources, and changes to the location of coastline, over time.
- e. Council shall establish criteria in a Legacy Lands Assessment Policy recognizing properties for which there may be a vested right to develop non-compliant lots in areas subject to flood risk (see Schedule D). The Bylaw shall establish standards for the limited development of such properties in accordance with the Legacy Lands Assessment Policy, notwithstanding that such development may not otherwise be in compliance with the requirements of the Bylaw.
- f. Where a non-compliant lot does not qualify as legacy lands, the Bylaw may establish alternate permitted uses, such as seasonal, non-permanent structures.



5 FUTURE LAND USE MAP

The Future Land Use Map is a generalized conceptual representation of the land use patterns Council envisions emerging over the next 15 years. It lays the foundation and establishes the direction for the Zoning Map in the Land Use Bylaw, which is more precise in terms of boundaries and land use designations. The Zoning Map must, however, conform to the generalized Future Land Use Map.

5.1 LAND USE CRITERIA

In formulating the Future Land Use Map, Council has applied the following criteria:

- Land use conflicts shall be minimized.
- Agricultural and rural areas shall be identified and designated.
- Commercial development, including commercial and tourist accommodation uses, shall be focused in the serviced area but may be permitted elsewhere where appropriate.
- A Resort Core Area shall be designated, which shall function as an overlay over underlying designations.
- Mixed-use developments shall be encouraged in the Resort Core Area.
- The National Park shall be designated as a special area.
- Land adjacent to watercourses and other significant natural areas, as well as areas subject to coastal flood risk, shall be designated as Environmental Reserve as an overlay.
- All other relevant policies and principles included in this Official Plan will be reflected.

| Future Land Use Map | Zoning Map |
|--|--|
| Residential | Residential (R1) |
| Commercial | Resort Commercial (C1) Resort Accommodations (C2) |
| Rural | Rural Reserve (RR) |
| Institutional | Public Service & Institutional (PSI) |
| Open Space | Parks & Open Space (O1) |
| Environmental Reserve (Overlay) | Environmental Reserve (Overlay) (O2) |
| National Park | National Park (NP) |
| Resort Core (Overlay) | Resort Core (Overlay) (RC) |

6 OFFICIAL PLAN IMPLEMENTATION

Administration and implementation of this Official Plan are the responsibility of Council. Council shall, however, seek the input of the Planning Board and other committees on matters pertaining to the Plan. The primary implementation tool for the Plan is the Land Use Bylaw. Aspects of the Plan may also be implemented through other municipal bylaws or regulations, Council's operating policies and procedures, the municipal budget and other appropriate Council actions.

Council may also delegate aspects of the implementation of this Official Plan to a Development Officer appointed by Council.

6.1 LAND USE BYLAW

Concurrently with the adoption of this Official Plan, Council shall replace its current Zoning and Subdivision Control (Development) Bylaw to conform with the policies and provisions of this Official Plan, in accordance with the provisions of the *Planning Act*. The new bylaw shall be titled the Resort Municipality Land Use Bylaw, Bylaw Rural Municipality-2023-LUP-1 and may be referred to as the Land Use Bylaw. Both documents take effect upon approval by the Minister responsible for the *Planning Act*.

The Bylaw shall set out specific land use zones, permitted uses for each zone, standards and procedures for development and land use, and procedures and standards controlling the subdivision and consolidation of land in the Resort Municipality. The Bylaw may also provide for “special permit” uses.

6.1.1 Approval of Development or Change of Use

The Bylaw shall require any person undertaking any development or change of use of land or premises to apply for a development permit using the Resort Municipality's standard application form. Exceptions shall be noted in the Bylaw. Council shall process such applications and may approve or deny them based on the provisions of the Bylaw and this Plan. Council may attach such conditions as it deems appropriate to any development permit to ensure conformance with this Official Plan and the Bylaw.

The Bylaw may require the submission of a construction plan for the development outlining such details as construction phasing, stockpiling of soil, screening or fencing, erosion or run-off control

measures, heavy truck access, and any other item that could present a nuisance or hazard during construction. The Bylaw may provide for the submission of Environmental Impact Assessments assessing such development impacts as Council may determine and recommend remedial actions.

The Bylaw may also require the submission of a site plan, footing plan, stormwater management or drainage plan, and/or landscape plan to assist the Development Officer or Council in determining if the proposed development meets the requirements set out in the Bylaw. Once the development is approved, a numbered permit will be issued that must be displayed at the site. The receipt of a development permit does not excuse the applicant from complying with any Provincial or Federal laws in force, relating to matters such as the National Building Code, fire protection, health and safety, sewage disposal, signage, plumbing and electrical installations, and others. Council will liaise with Provincial officials during the permit-issuing process as appropriate.

6.1.2 Development Agreements

Council may, at its discretion, require the developer of a subdivision or a development to enter into a Development or Subdivision Agreement. This agreement will contain all conditions attached to the development permit or subdivision approval, including financial performance bonds, which are deemed necessary by Council to ensure conformance with the provisions of the Bylaw and this Official Plan, and will be legally binding on both parties.

6.1.3 Variances

Council may grant variances to the provisions of the Bylaw where strict compliance would represent an inappropriate burden to the applicant and where the general intent of this Official Plan is upheld.

6.1.4 Development Assistance and Promotion

Council and staff of the Resort Municipality shall take a collaborative approach to supporting prospective developers, seeking to ensure accessibility in the communication of the Bylaw's requirements, promoting good design and the safe, efficient use of land, and protecting the environment.

Council shall continue to work with individual landowners, business operators, and Federal and Provincial development departments and agencies, notably Parks Canada, to promote the Resort Municipality as a tourism destination, a location for year-round residential uses, and as an excellent place in which to invest, in conformance with the provisions of this Official Plan.

6.2 BUDGETING

While the Bylaw, as well as bylaws passed under the *Municipal Government Act*, is the primary tool for controlling and directing private sector development activities in the Resort Municipality, the municipal financial plan is the key policy tool for directing the activities of Council. As such, the budget is a key implementation tool for the policies laid out in this Official Plan and, to the extent practicable, the budget should conform with the policies of this Official Plan.

6.2.1 Budget Policies

Council has established the following fiscal policies as a framework to guide municipal revenues and expenditures, in addition to the requirements of the *Municipal Government Act*:

- As a general policy, Council shall strive to maintain stable and affordable property tax and utility rates.
- Council shall pursue options for cost-sharing and maximize assistance from all other levels of government and other sources.
- Council shall generally apply a “user pay” approach for programs and services, while accounting for socio-economic inequities.
- Council shall continue to maintain low permanent staff levels and to contract out for specialized services until needs and projected savings warrant further staffing.
- Council shall consider establishing reserve funds to cover the professional and legal expenses relating to the administration, enforcement, and review of this Official Plan and the Bylaw over time, and set aside funds on an annual basis where municipal revenues permit.

6.2.2 Capital Priorities

While other capital projects may arise over the life of this Official Plan, the following items have emerged from the Plan deliberations as current priorities:

- Central wastewater treatment system upgrading
- Additional street lighting
- Boardwalk/trail extension
- Central water supply contingency plan
- Wellfield testing
- Central well field acquisition
- Day use areas
- Resort core area development concept plan
- Parks and recreation development fund
- Street signs & wayfinding
- Energy independence
- Extended year-round activities
- Dog park
- Emergency preparedness
- Community hub / municipal building

6.3 REVIEW

Council shall, on a regular basis, evaluate its activities in terms of the successful implementation of this Official Plan and shall undertake a review of the Official Plan and the Bylaw in accordance with the provisions of the *Planning Act*.

6.4 AMENDMENTS

The Official Plan and the Bylaw may be amended as circumstances change in the Resort Municipality or in response to requests from the public, provided that all provisions of the *Planning Act*, this Plan, and the Bylaw are met.

6.5 POSTING OF DECISIONS

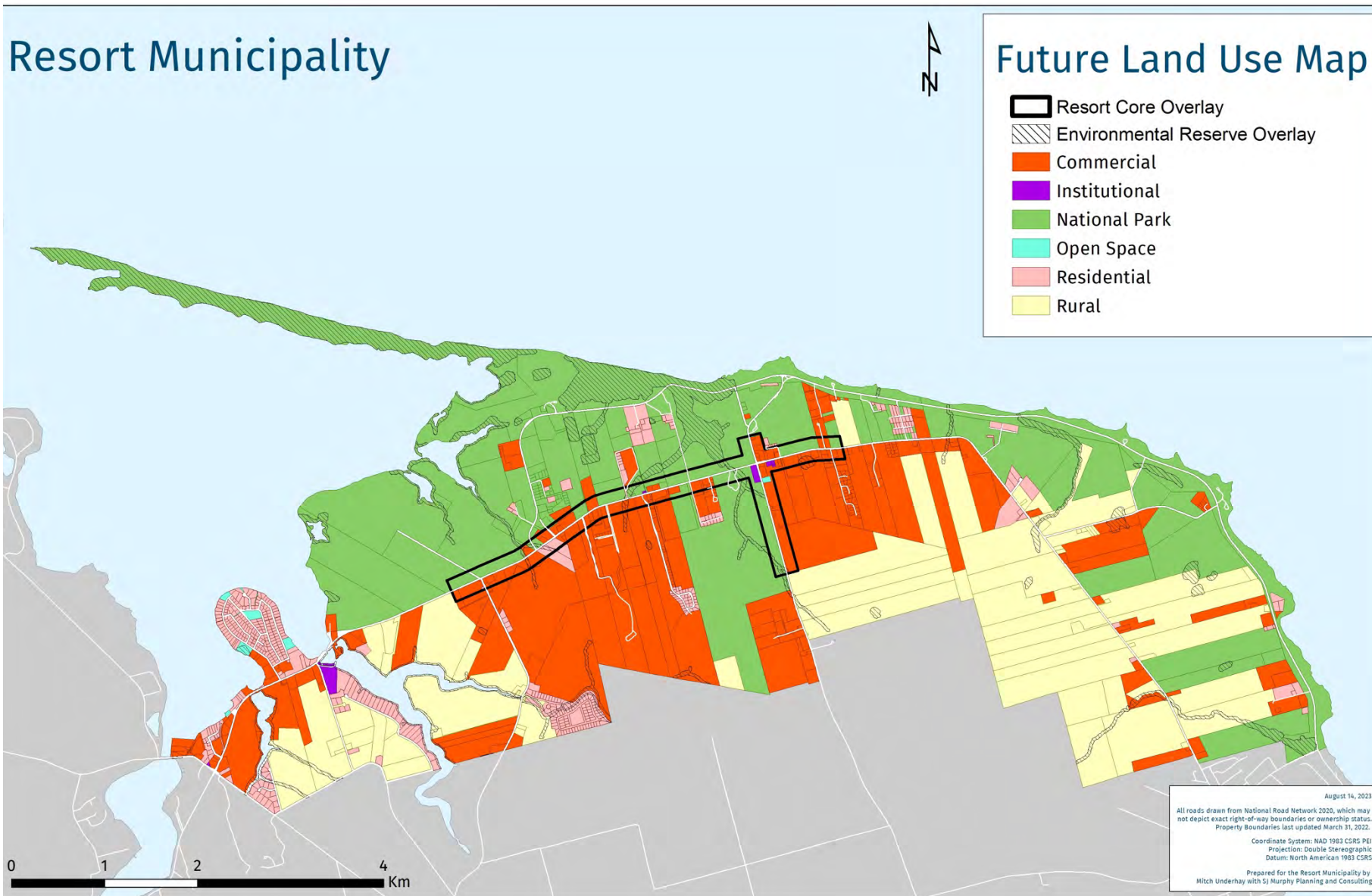
The Development Officer shall post all decisions made in respect of an application under the Bylaw, in accordance with Section 23.1 of the *Planning Act*, for:

- a) a development permit;
- b) an occupancy permit, in relation to a matter under the *Planning Act*, regulations made pursuant to the *Planning Act*, or the Bylaw;
- c) a preliminary approval of a subdivision,
- d) a final approval of a subdivision; or
- e) an amendment to a bylaw, including
 - i. an amendment to the zoning map established in the Bylaw, or
 - ii. an amendment to the text of the Bylaw.

6.6 APPEAL PROCEDURE

Any person who is dissatisfied with a decision of the Development Officer or Council in the administration of the Bylaw may, within 21 days of the decision, appeal that decision in accordance with Section 28 of the *Planning Act*.

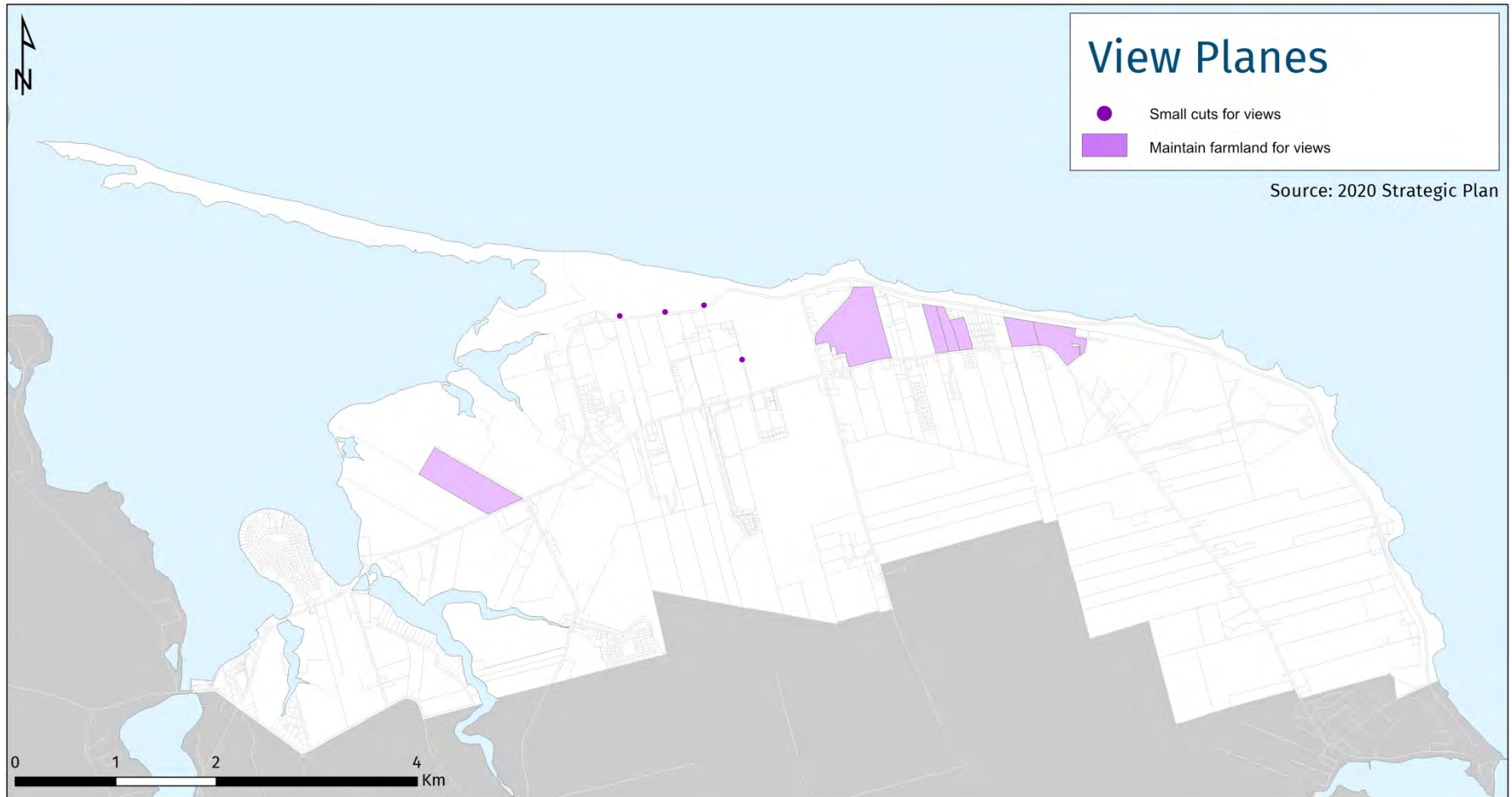
SCHEDULE A – FUTURE LAND USE MAP



SCHEDULE B – ROADS IN THE RESORT MUNICIPALITY

| Names | Class (<i>Roads Act Highway Access Regulations</i>) |
|---|--|
| Route 6 (Cavendish Rd, Rte 6), Route 13 | Collector |
| Reid Rd (Rte 502), St. Mary’s Rd (Rte 224) | Local 1 |
| Simpson Mill Rd (R112071), Cawnpore Ln, Arnold Ln, RI12142 (portion) | Local 2 |
| Cape Rd (portion) | Local 3 |
| Cape Rd (portion), Hammies Ln, Moore Rd, Bumble Bee Rd | Seasonal |
| Grahams Ln, Terre Rouge Ln, Gulf Shore Parkway, Cape Rd | Federal |
| Angus Campbell Ln, Avonlea Bl, Bayview Dr, Bonnie Acres Dr, Boyle Cr, Briar Rd, Burns Av, Carberry Crt, Clarence Ln, Clarks Ln, Cole Ln, Driftwood Ln, Eagles Glenn Bl, Forest Hills Ln, Four Winds Ln, Friendly Ln, Heaney Ln, Heron Crt, Howatts Ln, Isidores Ln, Janinas Dr, Jems View, Landing Drive, MacCoubrey Ln, MacNeill Ln, Memory Ln, Oceanview Crt, Pickering Pl, Seawood Dr, Spruce Ln, St Lawrence Av, Stanley Rd, Stewart Ln, Sunset Ln, Trimmins Ln, Waynes Ln, Wygant Pl, RI12142 (portion), | Private |
| Unbuilt/undeveloped right-of-way off Simpson Mill Rd (PID 622779) | Unclassified – not mapped |

SCHEDULE C – DESIGNATED VIEWSCAPES



SCHEDULE D – LEGACY LANDS ASSESSMENT POLICY

Reasons for the Policy

WHEREAS Legacy Lands (as defined below) exist in the Resort Municipality;

AND WHEREAS it is not always certain whether a Lot qualifies as Legacy Lands;

AND WHEREAS the Resort Municipality is desirous of determining and recognizing the existing legitimate rights of Property Owners of Legacy Lands;

AND WHEREAS the Resort Municipality is desirous of enacting this policy to guide its decision-making regarding the determination of the existence of Legacy Lands (the “Policy”).

NOW THEREFORE the Municipality wishes to adopt the following policy, effective upon approval of the 2023 Official Plan by the minister responsible for the Planning Act.

Purpose

1. The purpose of the Policy is to provide guidance to Council, Development Officers and Property Owners regarding the identification of Legacy Lands (as defined below). Council must rely on the Policy when determining the existence of Legacy Lands.

Definitions

2. Capitalized terms not otherwise defined in the Policy have the meaning prescribed in the 2023 Land Use Bylaw (the “Bylaw”).
3. “Legacy Lands” means lands which:
 - a. have a Subdivision or Development approval in effect for certain Uses,
 - b. have not yet been fully developed,
 - c. meet the assessment criteria prescribed in the Policy, and
 - d. currently do not comply with the Municipality’s Bylaw.

Assessment Criteria

4. Three criteria will be considered. The examples accompanying each criterion will be used in the assessment of the Legacy Lands.
 - 1) What is the pre-existing approved Use of the Lot and how has the Lot been actively put towards that Use?

- (i.) Examples:
 - (A) the extent to which the lands have been developed,
 - (B) whether the Developer was in the process of actively developing the Lot at the time the Bylaw was passed,
 - (C) how long the Lot has been vacant and/or unused,
 - (D) what are the real and reasonable expectations of the Property Owner, as evidenced by their actions or inactions with regards to the Lot.
- (ii.) The following shall not be considered:
 - (A) the contemplated Uses of the Lot,
 - (B) the probable eventual Uses of the Lot, or
 - (C) the desired Uses of the Lotwhich have not been actualized on the date the Bylaw came into effect.
- 2) Is the proposed Development merely a continuation or evolution of the existing Use or is it a new Use?
 - (i.) Examples:
 - (A) extending a cottage is likely a continuation of a Use,
 - (B) finishing a subdivision is likely a continuation of a Use whereas beginning to build a new one (i.e. beginning with the subdivision of a Parcel) is likely a new Use, and
 - (C) removing substantially all of a structure to build a larger structure would be a new Use.
 - 3) If the Use of the Property is merely an evolution of an approved Use, does the expanded use balance with the community's interest in maintaining the character of the surrounding lands?
 - (i.) Example:
 - (A) Continuing the construction of a residential subdivision development is in the interest of the community and the Property Owner.
- 5. Two interpretation principles will guide the application of the criteria:
 - 1) The resulting characterization of the Legacy Lands should not be so general as to liberate the Property Owner from constraints of what they actually did, and not be so narrow as to rob them of some flexibility in the reasonable evolution of prior activities. The degree of this flexibility may vary with the type of Use.
 - 2) While the definition of the Legacy Lands will always have an element of subjective judgment, the criteria mentioned above ground the decision-making in objective facts. The outcome of the balancing in step three of the analysis should not turn on personal value judgments.