

**RESORT MUNICIPALITY OF  
STANLEY BRIDGE, HOPE RIVER, BAYVIEW,  
CAVENDISH, AND NORTH RUSTICO**

**OFFICIAL PLAN**

**1999**

**P. Wood & Associates  
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## 1.0 PREFACE

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### 1.00001 INTRODUCTION

This document together with any Appendices 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”. It replaces the original Official Plan for the planning area which has been in place since 1989.

While this document is legally a “Plan review”, it essentially represents a new Plan for the Resort Municipality. The first Plan did an exceptionally good job of bringing together a large geographic area which included such disparate elements as the Prince Edward Island National Park, various associated tourism facilities, parts or all of several rural settlements, many active farms and large expanses of rural land. The preparation of a Plan for this area required these various interests to come together for the first time as a “community” and chart a course for a common future.

The following quotation from former Planning Board Chairperson, Linda Lowther, succinctly summarizes the 1989 Plan’s intent:

**“This Plan is not a “wish list”. In this document, the Planning Board proposes overall goals that take into account what people want and what is possible, balancing the interests of all who will be affected. It identifies what the community wants to achieve and outlines broadly how the Planning Board thinks it can be achieved”.**

### 1.2 PROGRESS TO DATE

The dramatic progress which has taken place in the Resort Municipality over the last ten years is clear evidence of how well the first Planning Board accomplished its goal. During this relatively short period of time the Resort Municipality has evolved rapidly from a somewhat arbitrarily designated unincorporated rural area with a poorly defined identity, no local development standards or controls, no central services and little if any long term vision or direction for the future.

Today the Resort Municipality is a fully incorporated, dynamic and rapidly growing municipality with well established (and increasingly well accepted) development controls, strong local administration, a central waste water collection and treatment system and a rapidly evolving community identity both locally and within the province and the Atlantic Region.

### **1.3 FUTURE CHALLENGES**

As the Resort Municipality moves into its second decade (and into a new millenium) it is appropriate that we review and reconsider the contents of our key strategic development tool - the Official Pan - in the light of the progress made to date and the dramatic changes which are currently occurring and are projected to occur over the next 15 to 30 years.

The previous Planning Board could not have foreseen the extraordinary impact created by the Confederation Bridge. The visitation increases and resultant development pressures represent both an economic opportunity and a threat to our rural lifestyles, our rural landscape, our sensitive natural environment and the P.E.I. National Park. Without effective controls on future development these development pressures could easily destroy the very qualities which are at the heart of the community's strong appeal for both long term residents and visitors.

This Plan must chart a course which builds on the progress made to date but also offers a clearer vision of the future. New development must be sensitively integrated and this will only happen if clear development standards and procedures are in place prior to receipt of development proposals.

### **1.4 PLAN PURPOSE**

The Official Plan for the Resort Municipality is a formalized statement of Goals, Objectives, Policies and Plan Actions approved by the Community Council concerning the nature, extent and pattern of land use and development within the Community until the year 2014.

The Community's Goals as set out in the 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 which will be undertaken to implement the Plan's Policies and Objectives.

The Official Plan guides the physical, social and economic development of the Community. It provides the policy framework for the Resort Municipality's Development 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.

## 1.5 PLANNING AREA

The Official Plan covers all the geographic area contained within the legal boundaries of the Resort Municipality. Although the Plan formally addresses only those matters which arise within the Municipality's legal boundaries, consideration has also been given to the Municipality's relationship with adjacent municipalities and settlements, the region and the province as a whole.

## 1.6 LEGAL ENABLEMENT

The Resort Municipality derives the majority of its powers from the *Municipalities Act* and the *Planning Act*. The *Planning Act* empowers Council to appoint a Planning Board, adopt an Official Plan and to subsequently adopt implementing land use and development control bylaws. The *Municipalities Act* empowers the Council to make other Bylaws and/or implement programs and strategies to help implement other aspects of the Official Plan.

## 1.7 OFFICIAL PLAN REVIEW

An Official Plan is intended to be a dynamic tool and is therefore subject to periodic review and/or amendment. This Official Plan will be monitored on an ongoing basis to ensure its compatibility with changing circumstances. A formal, comprehensive review will be undertaken every five years, starting in the year 2004.

## 1.8 PLAN REVIEW PROCESS

As noted earlier, the first Official Plan for the Resort Municipality planning area was adopted in 1989. This current document legally represents a Plan Review as required above. While the *Planning Act* requires that such reviews must be performed every five years, this provision had not been aggressively enforced by the Minister of Community Services until very recently. In 1997 the Minister informed all municipalities in writing that the required Plan reviews must be completed in future on a timely basis.

In response to this directive the Council of the Resort Municipality formed an Official Plan Review Committee in late 1997. The membership was as follows:

Arnold Smith	-	Chairman
Brenda MacDonald	-	Secretary
Joe Trainor	-	Parks Canada
Lea Fisher	-	Member
Eric MacNeill	-	Member

Donald McKearney	-	Council Member
Paul Larkin	-	Member
Alvin MacNeill	-	Member

The Council also prepared terms of reference for the technical portion of the Plan Review and retained Philip Wood of P. Wood & Associates as the Planning Consultant to assist the Committee and Council with its task.

### **1.8.1 Technical Analysis**

Much of the original background analysis for the first Official Plan provided a useful technical foundation for the current Plan Review. This was supplemented by the preparation of a full set of computerized maps, conducting of a comprehensive present land use survey, engineering studies related to waste water collection and treatment facilities and groundwater, and analysis of building permit activity and tourism statistics.

Technical consultations were also held with the municipal engineering consultant, officials of the Department of Environmental Resources, the Department of Transportation and Public Works, the Department of Tourism and Economic Development and Parks Canada.

### **1.8.2 Public Consultation**

As part of the Plan Review the Official Plan Review Committee also conducted consultation meetings with the following groups:

- year round residents and farmers
- Women's Institute, United Church Women
- seasonal residents and cottagers
- business operators
- attraction operators
- campground operators
- Parks Canada officials
- R.C.M.P.
- 3 Regional fire departments
- the municipal utility

### **1.8.3 Approval Process**

After reviewing the results of the technical studies and consultations the Plan Review Committee performed a clause by clause review of the current Official Plan and Bylaw. A new draft Official Plan and Development Bylaw was then prepared by the Committee and the planning consultant.

These draft documents were summarized in a newsletter which was mailed to all property owners. A series of open houses were then held to receive the input of all concerned residents, business operators and property owners. Comments were also requested in writing and through one-on-one meetings. Based on the input received the Committee prepared final drafts of the two documents.

These documents were then presented to a formal public meeting for final comments on \_\_\_\_\_, as required under the *Planning Act*. The documents were forwarded to Council, together with the comments from the public meeting. Council then adopted the Official Plan by resolution, together with any recommended amendments and gave first reading to the development bylaw. Once the Official Plan was approved by the Minister, Council proceeded to give second reading and enactment to the Development Bylaw.

## 1.9 PLAN CONTENTS

The *Planning Act*, R.S.P.E.I., Cap. P-8 requires that an Official Plan shall 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:

- a) Introduction
- b) Resort Municipality: Background & Issues
- c) Future Development Goals
- d) Objectives, Policies and Plan Actions
- e) General Land Use Plan; and
- f) Implementation

The first section deals with the purpose, scope and legal framework for the Official Plan and the context of the Plan Review. The second section summarizes the background studies and provides a description of the physical, social and economic characteristics of the community. The third section provides a broad summary of how the community desires to see its development unfold in the future. The fourth section is the core of the document, stating objectives, policies and intended actions to address specific topics and issues. The fifth section includes the General Land Use Plan or map. The last section sets out the process

for administering and implementing the Official Plan and Development Bylaw.

## **2.0 RESORT MUNICIPALITY: BACKGROUND & ISSUES**

### **2.1 SITE AND SITUATION**

The Resort Municipality is made up of all or portions of the former school districts or settlements known as Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico. It is located along the north shore of Prince Edward Island in north-central Queens County. The community has a total land area of 38.04 square km, running 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 backshore ponds and wetlands. Almost fully one half of the total land area of the Resort Municipality is owned by Parks Canada, including all of this sensitive coastal zone.

The Resort Municipality is 55 km northeast of the Confederation Bridge and almost equidistant from the Provincial Capital of Charlottetown (39 km) and the province's second largest city Summerside (36 km). Immediately to the east is the flourishing fishing community and service centre of North Rustico. To the west is Stanley Bridge and New London and to the south is Mayfield. These communities are primarily farming areas but all are experiencing increasing development pressures.

### **2.2 COMMUNITY HISTORY**

Soon after Samuel Holland completed his survey of Prince Edward Island in 1765, attempts were being made to repopulate the Island under British rule. 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).

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 19<sup>th</sup> 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 Lucy Maud 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 Lucy Maud 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.

In 1943, the Historic Sites and Monuments Board of Canada declared the works of Lucy Maud Montgomery to be of national historic importance. In 1948, a monument was erected at Green Gables to commemorate the significance of Lucy Maud Montgomery, the person, thereby creating a national historic site. To this day, Green Gables continues to be a dominant feature in the Planning Area.

Tourism and related development continued in a relatively uncontrolled manner until the mid 1970's, when the Provincial Government, in response to concerns over the long term development of what was becoming a major tourism destination, launched the "North Shore Planning Study". 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 Planning Area covered by this Official Plan was designated as a Special Planning Area, pursuant to Section 46(1)(S) of the *Planning Act* with the following objective:

**“To provide for long-range development of Cavendish in terms of public health and safety, aesthetics, industry promotion, and environmental promotion; to prepare and adopt an Official Plan for the area under the direction of a joint planning board appointed by the Minister”.**

**(Royal Gazette, June 20, 1987)**

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 new 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.

### **2.3 PRESENT LAND USE**

In 1989 the land use patterns in the Planning Area were summarized in the Official Plan as follows:

**“By the late 1980's, specific growth areas have been developed within the Planning Area. In some instances,**

areas have developed with similar or compatible type operations, while in others incompatible development has occurred.

Around the Cavendish Corner, accommodation is the most prevalent type of development, with a relatively small number of commercial/retail operations scattered throughout. Within this location, there are approximately 240 accommodation units or 40% of the Planning Area's total. Development opportunities in this area hinge on a number of factors including: relative proximity to the National Park entrance and the beach, significant views of the water, and distance separation from major attractions.

A second area of development includes a heavy concentration of "Mixed" tourism operations radiating from the intersection of Highway 6 and Highway 13 to the intersection of the Gulfshore Road (Graham's Lane) and Sunset Campground. In a linear pattern along the highway, pockets of cottages, retail/commercial and attraction type operations have developed. In this area, no one development type dominates. The major factors for location in this area are: exposure to the highway traffic, proximity to the National Park, and close proximity to the critical mass of development which already exists.

Other areas of concentrated development include: the Stanley Bridge intersection of Highway 6, Highway 224 and 254 radiating east, and from the boundary of North Rustico on Highway 6 radiating west. The existing development pattern shows that market forces are not as severe in these areas as in the central Cavendish Corner area.

The existing pattern of land use in the Planning Area reflects the economic and market conditions exerted by the tourism industry. Development demand is strongest around the central Cavendish area and decreases east or west along Highway 6 and south along Highway 13. Within the Planning Area, tourism related development accounts for about 9% of the land use although its impacts and influences are much

**greater.”**

As the first task in the Plan Review, the Committee instructed its consultant to prepare a new set of computer generated maps and to conduct a present land use survey. The resultant Present Land Use Map (1997) is shown as Map 1.

Perhaps not surprisingly, many of the land use patterns described in 1989 are still quite evident. There are, however, some very significant differences which point to rapidly evolving development trends both inside the Planning Area and on its periphery. Some of these trends are positive, others could prove problematic.

Development remains focused around the two main entries to the National Park off Highway 6. Cavendish Corner is essentially fully developed and this has led to a significant spill-over effect to the east along Highway 6. Significant expansion of accommodation units has led to the growth of a major cluster of units along MacCoubrey Lane (approximately 1 km east of Highway 13).

There has also been increased development of retail and service facilities along Highway 6 in the same general area (restaurant, laundromat, gift store, expanded food store).

Some sporadic development of accommodations has also occurred adjacent to Highway 6 between MacCoubrey Lane and the western boundary of the Community of North Rustico. The most prominent new development in this area, however, has been the large new Home Hardware Building Supply Centre immediately adjacent to the boundary of the Community of North Rustico.

The other entry to the National Park at Highway 6 and Graham's Lane has seen continued development of retail/service type facilities. Infilling along Highway 6 between these two major intersections has continued primarily via the addition of new units and upgrading of existing facilities but also through construction of several new businesses. While this area is rapidly evolving into a significant commercial strip, development still remains somewhat sporadic and retains a somewhat haphazard appearance. Recent upgrading of some properties and dramatic improvements to commercial signage is, however, a very positive trend.

## **Map 1**

### **PRESENT LAND USE**

The nodes of development at Bayview on Highway 6 and at the Stanley Bridge Corner are largely unchanged but considerable upgrading has occurred together with some limited expansion.

The most marked change in land use patterns in the area has been the relatively uncontrolled development on the periphery of the Planning Area in Stanley Bridge and Mayfield. The two largest accommodation facilities in the central north shore region are now the new Stanley Bridge Resort and the new Quality Inn in Mayfield. If this pattern of large scale, uncontrolled, unserviced tourism development continues on the periphery of the Resort Municipality it could well

undermine much of the progress which has been made to date to control the future development in this major tourism region.

The other relatively recent trend in the Planning Area is the increasing number of year round residences. This is most pronounced in the Stanley Bridge area but new year round homes are emerging throughout the Planning Area. Some of these are the homes of tourism operators who have chosen to live nearer their businesses, others would appear to be commuters who travel either to Charlottetown or Summerside for work. Others are retirees or people who “work at home”. This trend of exurbanite development is also very evident in other neighbouring communities such as New Glasgow, and Rusticoville. Given ever increasing tax rates in the urban centres and the increasing cost of serviced land this trend will in all likelihood continue.

Farming activities in the Planning Area remain the dominant land use (including the farming of large tracts of land owned by the Federal Government). The dominant form of agriculture is still mixed farming including dairy, beef, hogs, mixed cropping and some potatoes. There has been some limited expansion of intensive livestock operations but no land use conflicts are evident. One complaint has been received over pesticide spraying on potato fields but this has not been a significant concern.

There are few non-resident farmers in the Planning Area and many farmers are either directly or indirectly involved in the tourism industry. These factors, combined with a highly responsible farming community and a well entrenched rural lifestyle have resulted in a very positive relationship between the area’s farmers, residents and business operators. This situation cannot be taken for granted, however, and efforts must continue to maintain the current productive relationship. Continued tourism and residential development must not, however, be permitted to undermine the long term “right to farm”.

Pockets of clear-cutting and other selective wood harvesting have created some localized concerns and potential environmental impacts both within and directly adjacent to the Planning Area. While somewhat out of the Community’s direct control, this activity will have to be closely monitored in the future in order to protect the area’s streams, groundwater supplies and scenic vistas.

## **2.4 RECENT DEVELOPMENT TRENDS**

### **2.4.1 Tourism**

The 1989 Official Plan clearly recognized the major significance of tourist visitation and tourism development on the Planning Area in terms of its impact on land use, the natural environment, water and wastewater management, transportation and the community in general. It would have been difficult if not

impossible, however, for the Planning Board to foresee the changes which have occurred in tourism over the last 10 years.

Total tourism visitation to the Province in 1988 was 520,000, or over four times the Island's permanent population. This number increased consistently each year to reach 650,000 by 1993 and 740,000 by 1996. With the opening of the Confederation Bridge in 1997 the total visitation soared to 1.2 million (See Figure 1). Confirming this was not a one shot phenomenon, the total increased to 1.3 million in 1998.

**Figure 1**  
**Provincial Tourism Visitation**

The relative impact on the Planning Area was even more pronounced, as shown in Figure 2. Prior to 1997, tourist overnight visitation had peaked in the Cavendish Area at 160,300 in 1994 and had declined slightly in 1995 and 1996. In 1998 the overnight visitation increased by 4.3% over the previous year to a total of 280,000. In 1998 the 1997 levels were shown to hold this level and increased somewhat to 319,000.

**Figure 2**  
**Cavendish Area Visitation**

In 1998 the Cavendish tourism region was the main overnight destination for 28% of all pleasure visitors to Prince Edward Island. These visitors stayed an average of 4.2 nights in the region and occupied an estimated 670,646 rooms nights (assuming double occupancy). When day visits by both other tourists and Islanders are added to these numbers the figures become quite staggering. In 1989, Planning Board estimated that total “visits” to the Planning Area during the tourism season totaled approximately 400,000. By 1997 this figure had probably doubled.

This phenomenal visitation increase in such a short period of time has had profound impacts on the local economy, municipal services, transportation and the operations at the National Park. Longer term impacts on land use patterns, the physical landscape and the natural environment will become more evident over time.

Table 1 illustrates the economic impact of tourism in 1998 for various regions in the Province. Total tourism receipts in the Cavendish area were \$76 million in 1998, or 27% of the Provincial total. This was second only to Charlottetown, the Provincial Capital, at \$84 million and almost three times the Summerside total (\$27.2 million). When we consider that the year round population of Charlottetown is over 40,000 people and that the City is the province’s Capital and major service centre (with the requisite infrastructure and services to support this year round activity) it becomes evident that the relative economic impact of tourism in the Capital is of a radically lower scale than that experienced by the Resort Municipality.

**Table 1**  
**Regional Shares of Tourism Receipts - 1998**

Tourism Region	Percent Overnight Visitors	Projected '97 Visitor Receipts in \$ Millions
BEACHES	5%	\$13.6
CAVENDISH	28%	\$76.1
CHARLOTTETOWN	31%	\$84.1
EASTERN KINGS	4%	\$10.9
EVANGELINE	2%	\$5.9

KENSINGTON	4%	\$10.9
NEW LONDON	2%	\$5.4
SOUTH SHORE	5%	\$13.6
SOUTHERN KINGS	5%	\$13.6
SUMMERSIDE	10%	\$27.2
WEST PRINCE	4%	\$10.9
DID NOT OVERNIGHT		\$2.7
TOTALS	100%	\$274.4

\*Based on Regional Shares of Overnight Visitations

Figure 3 illustrates the growth of the tourism economy in the Planning Area since 1993. Once again the dramatic impact of the opening of the Confederation Bridge in 1997 is quite evident.

### **Figure 3** **Tourism Expenditures**

While total visitation, peak numbers and total tourism receipts are all significant factors, there are other tourism trends which have a direct impact on the Resort Municipality, its services and resources. Table 2 illustrates Visitor Demographics. Over the past 15 years the Province (and our region) has seen a trend toward older couples rather than our traditional family market. 1997 appeared to reflect a significant reversal of this trend which must be closely monitored.

### **Table 2** **Visitor Demographics**

Type of Accommodation	1996	1997	1998
Number of Visitors	148,200	285,300	319,355
Average Party Size	2.8	3.3	3.5

Type of Accommodation	1996	1997	1998
Number of Parties	52,929	86,455	91,244
Parties Overnigheted Non Paid Accommodations (4%)	2,117	6,052	1,825
Parties Overnigheted Paid Accommodations	50,812	80,403	89,419
Parties Overnigheted Campgrounds (36%)	19,054	31,124	35,768
Parties Overnigheted Fixed Roof Accommodations	31,758	49,279	53,651

The older couples market (including working adults and retired “empty nesters”) is less bound by “summer vacation” timetables and tends to be interested in a more diverse tourism product. This has led to an obvious lengthening of our tourism season and somewhat higher quality, more diverse tourism offerings.

Rather than softening peak demands and spreading the market over a longer period, however, it is apparent that the peak period has simply expanded and is now complemented by strong “shoulder” seasons. The growth in interest in history and cultural matters and golf vacations has shown continued strong growth in recent years.

In total these recent trends in tourism will create tremendous new demands and opportunities for the Resort Municipality. The sheer value of the tourism economy will create development pressures which have not been seen in the past. The ever more sophisticated and informed visitor will continue to demand a higher quality and more diverse tourism product. Increased peak family visitation will continue to place pressures on the carrying capacity of the region’s natural systems and municipal services. While in many respects the future looks bright, market forces alone cannot be relied on to achieve a better future for the Planning Area. Without adequate planning and effective controls over development, continued rampant tourism growth in fact could easily destroy the area’s appeal and its economic vitality.

**Table 3**

**Building Permits Issued from 1990-1998 for the Resort Municipality**

STATISTICS										
	1990	1991	1992	1993	1994	1995	1996	1997	1998	Totals
Additions	9	5	5	1	7	6	5	4	5	47
Change of Use	0	0	1	1	0	0	0	0	1	3
Construct (Erect)	13	12	17	9	9	31	32	23	32	178

STATISTICS										
Reissue	0	0	0	0	1	0	0	1	1	3
Relocate	6	4	2	2	3	6	8	13	7	51
Repair (Remodel)	5	2	3	0	4	6	3	0	6	29
Subdivide	0	0	1	0	0	1	6	5	1	14
Level Property	0	0	0	0	0	1	0	0	0	1
Temporary	0	0	0	0	1	2	1	0	2	6
Totals	33	23	29	13	25	53	55	46	55	332

### **Breakdown of Building Permits (New Units)**

<b>1990</b>	-	8 new rental cottages, 1 cottage relocated rental 1 cottage relocated private, 1 single family dwelling, 4 private cottages
Total		15 new units
<b>1991</b>	-	2 single family dwellings, 4 private cottages, 3 rental cottages 2 relocate commercial buildings, 1 relocate rental cottage
Total		12 new units
<b>1992</b>	-	3 rental cottages, 3 private cottage, 1 commercial building 2 relocate private cottages
Total		9 new units
<b>1993</b>	-	1 single family dwelling, 4 rental units, 1 private summer cottage 1 relocate private home
Total		7 new units
<b>1994</b>	-	1 summer cottage, 1 commercial building 2 relocate private home
Total		4 new units
<b>1995</b>	-	4 commercial units, 9 private cottages, 13 rental units
Total		26 new units
<b>1996</b>	-	17 rental units, 5 private cottages
Total		22 new units
<b>1997</b>	-	29 rental units, 4 commercial units, 7 single family dwellings 1 private cottage
Total		41 new units

<b>1998</b>	-	1 unit new addition (rental)
		1 unit new business (retail)
		2 units moved (cottages)
		15 new rental units (cottages)
Total		19 new units

**Total of 155 new units from 1990 - 1998**

### **2.4.2 Residential Growth**

There are a significant number of private summer cottages in the Resort Municipality but we have not experienced any strong development pressure in this building sector in recent years. There have also been no requests for new private cottage subdivisions since 1990. When compared to the recent rate of growth in “rental” cottages, this sector is almost dormant.

It is difficult to predict with any level of confidence whether development in this sector will increase in the future or continue to decline. While services and amenities will no doubt continue to improve in the Resort Municipality, so will traffic volumes and other activities of a “resort” nature which may prove unappealing for private cottagers. With the construction of the Confederation Bridge, however, the Resort Municipality and the Island in general should become extremely appealing as a cottage location for many mainland Maritimers who are now within just a few hours drive. While the impact of the Bridge on seasonal tourist visitation was immediate, the impact on longer term cottage investment will take several years to assess.

Year round residential homes, however, have shown more pronounced development trends in recent years. As noted in section 2.3, the number of year round homes being constructed both within the Resort Municipality and on its periphery has increased significantly in recent years. While the total number of units is still small, given the area’s very small year round population, the percentage increases are significant.

The major residential cluster is developing in Stanley Bridge, both within the municipal boundaries and to the west. Residential development in the balance of the municipality has been somewhat scattered. There has been a noticeable trend for tourism operators to move closer to their summer operations. As stated earlier, other new home owners appear to be people who commute to Charlottetown and Cornwall, retirees and no doubt individuals who can work out of their homes. Given the general appeal of the Resort Municipality, the availability of local services, the increasing level of amenities and the short commute to Charlottetown and Summerside, this residential development trend is expected to

continue and probably increase.

The same trend is evident in many communities to the north of Charlottetown, particularly New Glasgow, North Milton, Oyster Bed Bridge and Rusticoville. Several north shore locations have seen large, year round residential subdivisions opened up in recent years. To a large extent this “exurbanite” development trend has been fueled by the Provincial Government’s policies of amalgamating the municipalities in the Charlottetown area and establishing “buffer zones” around the new municipalities where strict development limitations have been enforced. The net result has been to increase municipal taxes and bid up the price of land. When the costs of servicing new subdivisions are added, there are significant incentives to encourage residents to move to the country.

These new home owners are now being forced to locate beyond the “buffer zone” areas and the result is that the 10-20 mile commute to the north shore becomes a very small price to pay given the relative appeal of the setting and the landscape.

## **2.5 POPULATION**

Historic population figures are extremely difficult to obtain for the Resort Municipality given the fact that the census boundaries have been in place for only a few years. In 1989, the Planning Board estimated that year round population was approximately 200 people. The 1998 estimates place the year round population at 260. While this is a very modest absolute growth for many communities, it represents a 30 per cent growth rate over 9 years, or just over 3 per cent annually. This compares favourably with the fastest growing suburban areas in the Province such as Stratford and Cornwall.

Based on the factors noted earlier, the Official Plan Review Committee feels confident that at a minimum the recent 3 per cent annual population growth rate will remain in effect for the period of the Plan. If rates of residential growth continue as expected, this rate could increase to 4 per cent or greater. This population projection would result in a total population in the year 2014 of between 400 and 470. Such population increases would have a significant impact on the demand for, and likely supply of, additional year round services such as a year round service station, retail facilities and also increased demands for street lighting, policing, recreational programs, etc.

Unlike any other community in this Province, however, the year round population of the Resort Municipality is in fact much less significant than the seasonal peak population. Based on our land use survey and calculation of available beds and campground sites (combined with consistent peak periods of 100% occupancy during July and August), we estimate conservatively that summer peak population in the Resort Municipality exceeds 10,000 persons. This makes the Resort Municipality Prince Edward Island’s third most populace community for a 2

month period. With the growth of visitation in June and September this period has now probably been extended to 4 months.

The demands placed on a community of 260 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 and policing are the most obvious challenges but many other services are also stressed to their limits.

## **2.6 MUNICIPAL SERVICES**

### **2.6.1 Central Water Supply**

Water supply for all properties in the Planning Area is primarily supplied from groundwater wells drilled in the Permian bedrock aquifer which underlies the area. With one exception these wells are individually owned, on-site supplies. The only central water system is the privately owned system at Seawood Estates. The closest municipal water system is in the Community of North Rustico.

Prior to the 1989 Plan, the Water Resources Branch of the Department of Community and Cultural Affairs collected and analyzed well drillers' logs for 43 wells drilled in the Cavendish Area since 1971. The average well depth was 124 feet with only two wells greater than 200 feet in depth. Casing length averaged 40 feet and depth to water varied from near zero to about 100 feet, averaging 37 feet below ground surface. In general, on-site wells (usually 4" to 6" in diameter) have been able to provide 15-30 igpm without difficulty. Single wells with yields of up to 125 igpm have been developed. It should be noted that this information is based on wells constructed since 1971, which wells are generally of better construction, in terms of casing length and well depth, than many older wells in the Planning Area.

The bedrock aquifer from which these water supplies are obtained, is a highly fractured sandstone formation. It is overlain by 6-12 feet of sandy glacial till which generally has good permeability and drainage characteristics. The high permeability of these materials results in a groundwater recharge rate of about 30 to 35 percent of total annual precipitation.

Assuming that 50% of this recharge can be utilized (the remainder providing groundwater baseflow to streams) withdrawals of 300 igpm per km would be possible on a continuous basis for a 90 day use period. Groundwater withdrawals remain at only a fraction of this amount. The estimate of water usage in 1988 was 300 million imperial gallons per annum, with a maximum daily demand of approximately 260 igpm. Given the growth in visitation since 1988 this demand will have increased by at least 50%. This is still far below the available capacity.

The micro-biological quality of the water supply in the Planning Area shows very few problems at present. Prior to 1987 there were a number of wells which were showing some level of bacterial contamination. Table 4 below depicts the results of well tests conducted in 1987 and 1988 (based on 250 samples in 1987 and 266 samples in 1988).

**Table 4**

**Well Test Results**

Bacterial Counts	1987	1988
1-10 coliforms per 100 ml	24 samples	5 samples
10-100 coliforms per 100 ml	9 samples	4 samples
Fecal coliforms	Unknown	1 sample

The improvements in 1988 were a direct result of increased water sampling and testing by the Department of Health and Social Services and efforts by the Province to address sources of contamination such as sealing of well casings and repairs to faulty sewage disposal systems.

The combination of continued water testing, improved septic system standards and installation of the municipal central sewer system has all but eliminated this problem today.

While long term risks to the groundwater supply have been greatly reduced, they have not been eliminated. Wherever a large number of individual wells are present in a relatively built up and rapidly urbanizing area there are many risks to groundwater from factors other than fecal coliform. Underground and above ground oil and gasoline storage, chemical spills and run-off from roads and parking areas can all pose hazards to groundwater. The more wells are present, the more potential there is for possible contamination. High concentrations of moderate capacity wells can also cause localized supply problems and create higher risks for salt water intrusion in areas close to the shore. The 1989 Plan summarized the situation as follows:

**“the degree of risk to the water supplies is a function of level and nature of activities. In the area around the intersection of the Cavendish Corner and Mayfield Road, the degree of risk is considered to be moderate; in areas of lower development density and activity levels, the water supply contamination risk is considered to be low to moderate and, in general, more site specific.”**

For these reasons, once communities reach the type of urban densities which exist in the core of the Planning Area, central municipal water systems are normally installed. In fact the first stated objective of the 1989 Official Plan was:

- “1. Develop a central water system to provide potable water to residential and commercial establishments in those parts of the Cavendish Planning Area where the risk to private, individual supplies is, or will (in the future) be moderate or greater.”**

The second priority was the development of a central sewer system. While this latter priority has been addressed, no action has been taken to develop a central water supply system.

As noted earlier, the central sewer system has served to further reduce the risk of biological contamination to the groundwater. It has not, however, eliminated all of the risks noted above.

Development of a central water supply system remains a priority for the Planning Area. While the need may not appear pressing at the moment, the risks to localized water supplies are very real. At a minimum the Resort Municipality should develop a contingency plan which identifies and protects a potential central well field area. Optimally, the well field should be developed in the near future and as funding permits the distribution system should be put in place.

## **2.6.2 Central Sewage Collection and Treatment**

The Resort Municipality's central sewage system was installed in 1993. The collection system was installed in several phases and now services most the properties along Highway 6 from MacCoubrey Lane to the Cavendish Boardwalk and on Highway 13 from Marco Polo Land north to Ingleside Lodge on Cawnpore Lane.

Various options have been considered for several years to provide some form of central sewage services to Seawood Estates and the adjacent commercial and residential properties. To date, however, no affordable servicing option has been identified.

Sewage collection in the Planning Area outside of the presently serviced core along Highway 6 would present extreme difficulties and very high costs. The sheer size of the municipality; its long, relatively narrow configuration; the rolling, quite varied terrain containing numerous small drainage areas; and the sporadic pattern of development outside of the core area, all contribute to making

the financial viability of further expansion of the serviced core area highly questionable.

Fortunately, soil conditions in the less well developed areas of the Planning Area are quite suitable for on-site sewage treatment systems and with proper site analysis, installation standards and maintenance there should be no need to extend sewer services beyond the existing built up core area until the area has been more fully developed. In order to ensure that utility rates remain manageable, however, the Plan must establish some clear directions for serviced and unserved development within the Planning Area, including a clear boundary between serviced and unserved areas.

The physiography and the natural environment of the Planning Area have also imposed major challenges for central sewage treatment. In that Parks Canada owns most of the shore zone of the municipality, the back shore wetlands and adjacent fields, it was almost impossible to find a site for a central treatment facility other than on Parks Canada property. The compatibility of a series of sewage lagoons in the middle of a protected natural area, however, poses obvious problems.

When planning for the location of a central sewage treatment facility one key factor is to find a relatively low site which will facilitate gravity flows. A more pressing, and often more problematic challenge is to find an appropriate location in which to disperse or discharge the treated effluent. While there are a number of land based disposal options, the normal situation is to locate a receiving body of water which has sufficient assimilative capacity to absorb the treated effluent with little or no environmental impact. In the case of the Resort Municipality sensitive habitat areas and the presence of major shell fish leases severely limited the potential bodies of water which could receive any level of treated effluent.

The proposed solution was a “100 % retention lagoon system”. In theory at least, a full retention system would only reduce effluent volumes via evaporation or by hauling the treated waste.

The location selected for the facility was just to the east of Graham’s Lane in close proximity to the National Park campground and directly adjacent to the two existing lagoons which serviced the campground. The municipal utility corporation assumed ownership and management of these two existing lagoons and also constructed a new 3 acre aerated lagoon and a larger 4 acre secondary treatment lagoon.

During the summer tourist season, these lagoons do function on the basis of 100% retention and there is no outfall pipe. The lagoons are drawn down in the spring and fall, however, by pumping the treated effluent (which is of a very high quality) into the Gulf of St. Lawrence via a pump and temporary hose. Until

1998, this arrangement had worked quite adequately.

When constructed, the municipal lagoons were intended to accommodate the needs of the Resort Municipality for an extended period of time. Unfortunately, the extraordinary growth in visitation in 1997 and 1998 has essentially consumed the full capacity of the current system. With the addition of Marco Polo Land and Sunset Campground to the system last year, the lagoons are now at 100% capacity at some periods in terms of hydraulic loading.

From a sewage treatment perspective, no further development can be accommodated in the serviced core area of the municipality until a solution is found for this problem.

One option would be to increase the physical capacity of the current cells or add an additional cell. While this might buy some time, it is not a long term solution. The long term solutions could include: moving the lagoon or establishing a second lagoon facility in another location; some form of land based disposal (probably spray irrigation); or constructing an outfall to the Gulf of St. Lawrence. The first option is highly unlikely given the problems noted earlier. The second option is promising but it may prove difficult to find an adequate (and appropriate) land base to receive the volumes of liquid required. The last option is the most efficient answer but it will be extremely expensive due to the length of the outfall required, the need to provide protection from ice scouring and the need for disinfection and possibly a filtering system to ensure there is no impact on the shoreline.

### **2.6.3 Fire Protection**

The Resort Municipality does not have its own fire department. It currently purchases fire protection from three separate fire departments. The eastern portion of the community and the entire National Park is covered by the North Rustico Fire Department. The core area of the community is covered by the New Glasgow Fire Department and the western portion of the community is covered by the New London Fire Department. While this arrangement provides excellent coverage and response times, it does create considerable confusion. Fortunately, all three departments work extremely well together and don't mind crossing each others borders if called. In the case of major incidences all three departments will generally respond.

In terms of equipment and training, the New London department is somewhat smaller and less well equipped than the other two departments. The following summary describes each department's capabilities as of 1998:

#### **New London Fire Department**

Trucks: 840 igpm Pumper (new)

	2500 gallon Tanker/Pumper
	2500 gallon Tanker/Pumper
	Rescue Truck
Portable Pumps:	4
Equipment:	Resuscitator, Rescue Equipment
Manpower:	24 active, 8 senior active
Training:	15 trained in CPR and first aid

### **North Rustico Fire Department**

Trucks:	850 igpm Pumper/Tanker igpm Pumper/Tanker igpm Pumper/Tanker Emergency Response Truck
Equipment:	Jaws of Life, Resusitator, First Aid Kits, Oxygen, 10 Scott packs, Defibrulator
Manpower:	30 men
Training:	8 first responder training (6 defibrulator

training)

### **New Glasgow Fire Department**

Trucks:	850 igpm Pumper/Tanker 850 igpm Pumper/Tanker 2200 gallon Tanker First Response Truck Rescue Truck 2 - 2400 gallon Porta Tanks
Portable Pumps:	500 igpm
Equipment:	First aid, Jaws of Life, Air Jack, Oxygen (no defibrulator)
Manpower:	33 men
Training:	Level 1&2, 8 first responders

In total, it is evident that the municipality's fire fighting requirements are well addressed. All three departments are also upgrading equipment and training on a continuing basis.

The primary issues with fire protection are: first, the confusion noted earlier for local residents in terms of coverage (who do I call); second, the weakened position the Resort Municipality has in terms of influencing fire department decisions on fire dues, equipment purchases and other services (such as EMT); and third, an increasing concern stated by all three fire departments related to fire emergency access, particularly at busy commercial sites with no designated fire lanes.

One option for the first two issues could be for the municipality to negotiate a

contract with one fire department and in exchange request representation on its Board of Directors. This would no doubt increase the community's influence on Department decisions, but it could create problems with response times. Allocating all fire dues to one Department could also possibly enable the department selected to upgrade its equipment (or lower fire dues). The other option is to maintain the status quo.

The problems related to fire emergency access need to be discussed further with major property owners and if voluntary solutions are not found a fire lane bylaw may be required.

#### **2.6.4 Police Protection**

Police protection within the Planning Area is provided by the R.C.M.P. as part of the Provincial policing contract. There is no municipal police force. While there is no permanent local R.C.M.P. detachment in either the Resort Municipality or the Community of North Rustico, as part of the Provincial Policing Contract the R.C.M.P. does operate a five person seasonal detachment out of the Cavendish Visitor Information Complex during the summer months. Rather than hiring additional officers, the R.C.M.P. annually transfers 2 officers from the Charlottetown detachment, 1 from Prince County and 1 from Kings County. For the balance of the year all calls are serviced from the Charlottetown detachment.

Given the low year round population levels in the community (and low crime rates) this arrangement has provided adequate service in the past. As the year round population of both the Resort Municipality and the Community of North Rustico continue to grow it may be desirable to consider cost-sharing a resident R.C.M.P. officer in the area on a year round basis. This would greatly assist in crime prevention and education and hopefully duplicate the success of other communities with "community policing".

The R.C.M.P. also voiced concerns during our consultations over the adequacy of the current summer detachment staffing levels, given the recent dramatic increases in visitation levels. Fortunately policing demands have not increased in proportion to the number of tourists, but traffic control demands alone are rapidly outpacing the detachment's resources. The R.C.M.P. have made requests to the Provincial Government to add more officers to the summer detachment and to extend the length of the season in response to the increasing number of visitors during the shoulder seasons.

As visitation numbers and economic activity continues to grow, it is inevitable that traditional incidences of public drinking, public nuisance, stolen property and traffic offences will increase. Increased levels of police services are therefore inevitable. Given the seasonal peaks in demand, the importance of the Cavendish Area as a provincial tourism destination (and source of Provincial revenues), and

the small year round population, it appears appropriate that the Provincial Government should provide increased policing budgets for the area.

While the R.C.M.P. provide police protection within the National Park, the Park also maintains a force of Park Wardens. These Wardens have received some security training and enforce Federal and Provincial regulations as well as assisting the R.C.M.P. in enforcement matters within the Park.

The Provincial Government is also close to implementing a 911 service across the Province. This service will be of great assistance particularly to visitors who are not aware of local emergency numbers, but there will also be implementation costs for the municipality in terms of street names, civic addresses, etc.

## **2.7. TRANSPORTATION**

### **2.7.1 Vehicular**

The two major transportation arteries in the Resort Municipality are Highway (Route) 6 and Highway (Route) 13. Highway 6 (the Cavendish Road) travels the length of the municipality, connecting it from Stanley Bridge at its western end to North Rustico at its eastern end. Highway 13 (the Mayfield Road) connects the municipality to the Provincial Highway, Route 2, and the Trans Canada Highway, Route 1, to the south. Other significant roads include the Gulf Shore Parkway, Graham's Lane, the Simpson's Mill Road and the New London Road.

All of the public roads in the municipality are owned and maintained by the Provincial Government with the exception of the Gulf Shore Road which is owned and maintained by the Federal Government. There are also a number of private roads servicing local subdivisions, both paved and unpaved. The Resort Municipality itself has no responsibility for roads in the Planning Area and that arrangement is not predicted to change during the life of the Plan.

The 1989 Official Plan identified a number of deficiencies in the road system which needed immediate attention. Considerable progress has been made on this list but significant deficiencies still exist. The status of each item is noted below:

- a) Route 6 at Route 13 Intersection - This intersection has been completely re-constructed with traffic signals, pedestrian crossings and dedicated left turn lanes. It is now functioning quite adequately, even during peak periods.
- b) Route 6 at Graham's Lane Intersection - This intersection has been completely re-constructed with traffic signals, pedestrian crossings and dedicated turning lanes and is also functioning adequately during peak periods.

- c) Route 6 between Route 13 and Graham's Lane - This entire section of roadway has been completely re-constructed with an additional centre left turn lane, storm sewers and paved shoulders. This has dramatically helped traffic flow and the safety of cyclists and slow moving vehicles. It has also added to the impression of a "main street" or core commercial area and will no doubt fuel further "infill" development.
- d) Route 6 from Route 13 east to North Rustico - The badly deteriorated pavement just to the east of Route 13 (approximately .5 km) has been resurfaced. There has been no effort, however, to add paved shoulders along this Route. Given peak traffic volumes such improvements are necessary to alleviate conflicts and safety concerns related to slow moving vehicles (such as farm equipment) and cyclists.
- e) Route 6 from Graham's Lane to New London - This portion of Route 6 is also extremely narrow with no paved shoulder (and is generally in a marginal state of repairs). Given the high volumes of traffic during peak periods, numerous RV's and trailers, slow moving farm equipment and increasing numbers of cyclists, this highway must be upgraded to include paved shoulders and left turn lanes at intersections and major attractions.
- f) Construction of new road parallel to Route 6 - The recommendations to develop a new roadway parallel (but to the south) of Route 6, running from the Simpson's Mill Road east to exit onto Route 13 south of the Green Gables Golf Course has not been pursued. This proposal does not appear to have strong support from the affected land owners and would be difficult to fund. This recommendation requires further reconsideration.

### **2.7.2 Pedestrian**

In the period of time since the completion of the 1989 Official Plan the Planning Area has seen a dramatic increase in the number of walkers, hikers, joggers and cyclists. This is due partly to the overall increase in visitation but also to the change in profile of our average visitors and to a general increase in awareness of physical fitness.

It has also been consistently demonstrated in other municipalities that where there are limited facilities to accommodate safe walking, once these facilities (such as sidewalks, boardwalks or trails) are supplied demand surges, often beyond even the most optimistic expectations. This phenomenon is referred to a “latent demand”. Experience has shown that safe and attractive pedestrian facilities not only respond to current pedestrian activity, they actually encourage and promote it.

The 1989 Plan encouraged the development of sidewalks along Route 6. In 1995 a local Committee was formed to look at pedestrian facilities in the Planning Area. It produced a report titled “A Plan for the Resort Municipality: Trails and Paths for Health and Heritage”. A 2.75 km wheelchair accessible, lighted boardwalk has since been constructed along Route 6 and other trails have been developed. There has also been more active promotion of the trail system within the National Park. Other elements of this Plan are proposed to be implemented in future years.

The 1989 Official Plan also called for the development of safer pedestrian crossings on Route 6, one of the major concerns being golfers crossing the highway near Green Gables. This concern has been addressed by the construction of two very impressive pedestrian underpasses to accommodate golf carts and walkers. An additional pedestrian crossing location between Green Gables and Graham’s Lane should however, still be pursued.

## **2.8 INSTITUTIONAL FACILITIES**

The Resort Municipality has three churches. The Cavendish United Church operates on a year round basis. Cavendish Baptist and St. Joseph’s Catholic Church offer services only during the summer months.

The Only other institutional facility in the Planning Area is the Visitor Information Complex which includes the Visitor Information Centre and Intrepretive Facility, the Municipal Office and the seasonal R.C.M.P. detachment.

Given the relatively small year round population this situation is not surprising and is not likely to change until permanent populations increase substantially. The closest school is North Shore Consolidated in North Rustico. The closest hospitals are the Queen Elizabeth Hospital in Charlottetown and the Prince County Hospital in Summerside and the closest doctor’s clinic is in Hunter River. There is also no ambulance stationed in the municipality even during the peak summer months. This lack of emergency medical services is a matter of some concern.

## **2.9 PARKS AND RECREATION**

a) **Private Facilities**

The range and supply of private recreational facilities in the Planning Area is impressive. These facilities, however, are all available on a fee basis or are supplied for the use of guests or patrons. This arrangement tends to adequately serve the needs of most overnight guests. Day use facilities for complimentary use are, however, extremely limited.

b) **Municipal Facilities**

The Resort Municipality owns no parkland and therefore supplies no recreational programs. Year round residents are forced to utilize facilities and programs in adjacent communities (such as North Rustico) on a user pay basis. The municipality also provides no day use parks or visitor areas for transient tourists.

As increasing numbers of transient visitors frequent the Planning Area, some form of free day use park or picnic area would provide a positive welcoming gesture to visitors and serve to soften the area's "commercialized" image. As the year round population of the Planning Area continues to grow, the municipality must start to place more priority on the development of at least a limited municipal park system and associated recreational programs. In the short term a cooperative arrangement with the Community of North Rustico could be a useful option, particularly for more capital intensive facilities (such as rinks and ball diamonds).

c) **Provincial Facilities**

Other than the Visitor Information Centre, there are no Provincial recreational or tourist facilities in the Planning Area. Given the Provincial tax revenues generated in the region it may be appropriate that the Provincial Government is approached to assemble land and develop "day-use" facilities for visitors.

Day-use parks were actively promoted within the 1989 Official Plan but little progress has been made to date:

**“Views of the coast, its bays, estuaries, sand dunes and the rolling rural countryside are all part of the everyday experience observed by Islanders. These views are also considered important as they contribute to the experience and impression of visitors to Prince Edward Island. Visual access plays an important role and is closely linked with recreation and tourism**

sector objectives.

**It is not intended that these designated areas provide the recreation services of the existing National Park nor the information function offered by the Visitor Information Centres; rather, these areas will compliment such services by providing the traveller and resident informal, yet good quality facilities; a place to rest; and an experience of the hidden charm of the landscape.”**

**d) Prince Edward Island National Park**

The Prince Edward Island National Park was established in 1937 with the following stated purpose:

**“to protect for all time a nationally significant natural area which is representative of the Maritime Plain Natural Region and the cultural resources found therein, and to encourage public understanding, appreciation and enjoyment of these heritage resources so as to leave them unimpaired for future generations.”**

The Park covers an area of 18.1 square kilometres and extends for 42 kilometres along the Province’s north shore, including all of the ocean shoreline of the Planning Area. The following physical description is provided in the Park’s most recent Management Plan:

**Prince Edward Island National Park is characteristic of the southern shore of the Gulf of St. Lawrence with its sand dunes, red sandstone cliffs, and numerous white sand beaches. The rolling landscape of the Park and its surrounding area slopes gently toward the sea. The Park is a dynamic system of shifting sand carried by wind and waves. The Park’s shoreline, woodlands, and inland ponds and marshes provide an important habitat for many floral and faunal species.**

**The history of human land use has played a significant role in shaping the character of the Park as it exists today. The cultural landscapes of the Park are expressed through a blending of sea, dunes, forests, and adjacent farming and fishing activities, which provide a character unique to Prince Edward Island National Park. The**

**best known cultural feature of the Park is Green Gables, made famous internationally through Lucy Maud Montgomery's classic novel, *Anne of Green Gables*. More recent history involves the use of the land for recreation, and a thriving tourist industry has developed, focused on the recreational opportunities, beaches, and scenic qualities of the area.**

While the National Park's primary mandate is the protection and management of its unique natural and cultural heritage resources, the Park is also the Planning Area's (and the region's) primary recreational resource, offering a wide array of year round active and passive recreational facilities. These include: the Cavendish Main Beach facility with its supervised public beach, washrooms, change houses, showers, food concessions, interpretive exhibits and parking; the Green Gables House facility, including the house itself and new Visitor Reception Centre, gift shop, an Interpretative Centre (housed in a 19<sup>th</sup> century style barn) and other washroom and administrative buildings; the Gulf Shore Parkway with its wide shoulders and numerous viewing areas and day-use facilities; the numerous trail systems; miles of undeveloped beaches; playgrounds; and year round interpretive and outdoor recreation programs (hiking, skiing, snow shoeing, skating, etc.). The Park also accommodates one of the Planning Area's two golf courses (Green Gables), an excellent tennis facility (adjacent to the golf clubhouse), and provides a popular venue for both cycling and windsurfing.

It is evident that the Resort Municipality is highly dependent upon the National Park as both its primary tourist attraction and its main public recreation resource. Given the significant land holdings of the Park (over 40% of the Planning Area), the National Park also has the responsibility for preserving the rural landscape and ocean vistas which have been so eloquently described by Lucy Maud Montgomery and are so deeply ingrained in the minds of local residents and visitors from around the world.

Somewhat less obvious is the mutual dependence of the National Park with its surrounding communities, the region and the Province. Unlike more remote national parks, the Prince Edward Island National Park is completely encircled to the south by privately owned land which is actively utilized for a range of land uses, including: agriculture (including some forestry activity), residential and commercial tourist developments. The only way for visitors to access the western portion of the Park is either through the built-up core of the Resort Municipality or through the Community of North Rustico. The type of development in these communities, its quality and appearance will therefore have a significant impact on Park visitors and adjacent Park property. The adequacy of the Provincial transportation network is also critical to the success of the Park.

Given the Park's linear configuration along the north shore of the Planning Area,

its sensitive natural systems are highly exposed to the impacts of inappropriate land use activities in the balance of the watersheds which drain through the park. While the Park has been attempting to acquire lands to its south for a number of years to provide a buffer, it remains highly exposed to poor management decisions upstream which negatively impact adjacent groundwater supplies, surface water quality or habitat areas. Given the current cost of land in the Planning Area and the Park's limited budgets it is unlikely that much further land can be acquired by the Park.

The Park's managers have been well aware of the interdependency of the National Park and the Planning Area for many years and have maintained an active dialogue with the municipality, area residents, business operators and farmers. The formation of the Parks West Advisory Committee is an indication of the Park's willingness to coordinate its planning and program activities. The participation of Parks Canada staff on the Official Plan Review Committee is an indication that both the municipality and Park management understand this interdependence and the need for joint planning.

This active dialogue in recent years has often tended to be quite pointed and is reflective of the complexity of this relationship. From the perspective of the Park managers the priority must be the protection of the natural systems in the Park which give it its uniqueness. With this in mind, however, Parks Canada has recognized in its Management Plan that the Park is a major tourist destination and the focus of a thriving tourist industry. Within the constraints of Federal National Parks policy, Park Canada has continually strived to meet the needs of the ever growing numbers of visitors through the expansion of facilities and programs.

From the perspective of the residents, farmers, land owners and business operators in the Resort Municipality, while the level of understanding of the significance of the National Park is growing, the need to more effectively manage the natural systems in the balance of the Planning Area is not particularly well understood. While the 1989 Official Plan did an excellent job of identifying environmental issues in the Planning Area, the implementing Bylaw was ineffective and little progress has been made on these issues.

Substantial groundwork has been laid and some real progress has been achieved in addressing issues of mutual concern. The following is a summary of some key outstanding issues which could have significance for the Official Plan.

Land Use and Environmental Regulation. As noted above, the staff of the National Park (and others in the community) have expressed disappointment that the environmental management standards implied within the 1989 Official Plan have not been enforced. Specifically, Environmental Assessments of the impact of changes in land use or new developments have not been performed. Parks Canada officials feel that there is a need to more effectively address how the

impact of development on the greater ecosystem outside the National Park may impact the sensitive ecosystems within the Park. Lack of effective controls over tree cutting, pesticide spraying and other land use activities could place the Park and the area's other sensitive natural systems in jeopardy.

Circulation and Accessibility. Due to erosional forces and subsequent shore line recession, the Park Master Plan states that the Gulf Shore Parkway may have to be closed at some point between Cawnpore Lane and North Rustico. This would require advanced planning and joint initiatives between the Park, the Province and the municipality to facilitate alternative circulation routes, probably via a new connection to Route 6. Parks Canada is also eager to encourage shuttle services (such as the Cavendish Trolley and Beach Shuttle) to improve access and reduce parking congestion at Cavendish beach and other popular destinations.

User Fees/Cost Recovery. The Federal Government's deficit reduction strategy of increasing user fees has resulted in dramatic increases in Park fees. This has been and will no doubt continue to be a source of debate with tourists, tourism operators and Island residents.

Green Gables Site Redevelopment. The recent re-development of the Green Gables House Site has received at best mixed reviews. While the stated objective of increasing visitation capacity may have been met, the site has been dramatically altered in what some feel is a less than appropriate manner. Parks Canada's own surveys, however, indicate that response has been positive.

Cultural Landscape. The National Park has been established to protect both significant natural systems and significant heritage resources, including cultural landscapes. Given the importance of the images painted by the words of Luch Maud Montgomery, the "maintenance of scenic pastoral landscapes and ocean vistas" is critical to Islanders and visitors alike. In the Land Management Strategy (March 1997) the Community and Parks Canada have agreed to designate four "scenic view planes" where vegetation will not be allowed to obstruct particular views and other parts of the Park the agreement is to establish elements of the former Acadian Forest both of which are publicly supported. An appropriate balance between reforestation goals and the protection of the cultural landscape has been established. Any further loss of ocean vistas and the adjacent manicured farm fields and hedgerows, however, will dramatically impact the visual experience currently enjoyed by the visitors to the Planning Area.

Park Expansion. Local farmers currently lease and actively farm significant acreage of Federal Crown land adjacent to the National Park. The Land Management Plan (March 1997) identifies; 1) areas of Federal Crown Lands that will be available to local farmers for agricultural purposes, 2) areas to be reforested and gazetted into the National Park, and 3) a commitment that the areas under agricultural production in 2000 will be maintained as pastoral

landscape beyond the current ten year agricultural licences.

Tourism Development Strategy. Parks Canada officials and others have been critical over the lack of a clear Tourism Development Strategy or Direction in the 1989 Official Plan. It would be highly appropriate for the Resort Municipality, the Provincial Government and Parks Canada to develop a joint development strategy which reflects key development parameters such as: improved quality and more diversified tourism product (which could hopefully reduce visitation pressures on the Park); expanded shoulder season activity (building on the very positive recent efforts by Parks Canada and local tourism operators); a strategy that reflects the area's natural carrying capacity and is based on a "sustainable local economy"; maintenance and enhancement of the cultural landscape; and cooperative action on the part of all parties.

## **2.10 AGRICULTURE**

As noted in section 2.3, agriculture continues to be the dominant use of land within the Planning Area, particularly when the farming of significant portions of Federally owned land and various forestry activities are considered. While tourism has grown to become the most significant element of the local economy, the municipality is still primarily a rural community. The health of the predominantly family operated farms in the Planning Area remains critical to the area's economy, its rural lifestyle and culture, its physical appearance and in many respects its appeal to visitors. While many local farmers currently supplement their incomes through tourism, the tourism industry is equally dependent on our local farmers for the sensitive management of our rural landscape.

The Resort Municipality is extremely fortunate to have a strong core group of family farms, many of which can trace family linkages back to our original settlers. Unlike other areas of the Island where corporate farming and non-resident farmers have often implemented questionable farming practices, our locally owned and managed farms reflect the efforts of a knowledgeable and committed group of farmers with a close attachment to the land.

Farming in the Planning Area remains dominated by moderate sized, mixed farms including dairy, beef, hogs, mixed cropping and some potatoes. There has been some recent limited expansion of intensive livestock activities but no land use conflicts or residential conflicts are evident.

Farming across Prince Edward Island has been undergoing rapid changes over the last 20 years, culminating in the Report of the Round Table on Resource Land Use and Stewardship last year. As large scale corporate farming has tended to increase the demand for agricultural land (and its intensity of use), farmers have increasingly come into conflict with residential home owners who have been permitted to locate in agricultural areas in a relatively uncontrolled fashion.

Growing complaints about agricultural developments and practices have caused increasing demands from farmers for “right to farm” legislation which would protect farmers from harassment.

To a large extent the farmers’ problems have been of their own making. For many years the lack of development controls in rural areas was a direct result of farmers’ lobbying. The ability to sell residential lots off farms has been a popular practice in order to generate needed cash (or to accommodate relatives). Unfortunately, this freedom has in many respects led to the current land use conflicts in our rural areas. Today farm groups are becoming increasingly aware that the “right to farm” and the “right to develop” are not compatible. Many farmers now realize that some restrictions on their activities are necessary in order to preserve the environment and to protect their own long term livelihood.

The 1989 Official Plan was reflective of the agricultural attitudes of that period. Policies to protect the long term viability of agriculture in the Planning Area were weak. The Plan reflected a strong bias toward tourism and agriculture was treated more as a transitional land use than as a vital long term component of the community:

**“As the tourism industry and new plant construction maintains a steady growth rate, there will be continued pressure to take farmland out of production for non-agricultural purposes. Presently, many farmers are experiencing increasing pressures to sell farmland for non-farm purposes, especially along Highway 6.**

**Other farmers are experiencing difficulties in carrying out their day-to-day operations, such as moving farm machinery along the highways during the peak tourist season. As tourism development continues, the demands of the tourism industry will increase, resulting in growing pressures placed on the farming community to conform to the community’s “new ways”.**

**The transition of the Planning Area from an agricultural community to a more tourist destination has and will continue into the future. Although this transition has not occurred without problems, it has had many positive impacts on the community.”**

The Agricultural Goal in the 1989 Official Plan also reflected this transient attitude toward agriculture:

**“To assist in ensuring a healthy and productive agricultural**

**industry in the future and allow farm operations to change use as market demands dictate.”**

Today it is increasingly clear in all agricultural communities across the province that “market forces” if left unchecked will erode the very foundation of agriculture and seriously threaten its future.

The 1989 Plan presents a clear contradiction in terms of agricultural policy. On the one hand the Plan’s Objectives strongly acknowledge the importance of maintaining the agricultural economy of the area. The first agricultural Objective states:

- “1. Encourage the maintenance of a secure and economically viable agricultural industry in the community not only as a producer of food, but as an important component in the local economic base, a source of employment and the basis of the rural community and way of life.**

The second Objective identifies the need to “avoid the indiscriminate mixing of land uses”and states that farmers should be protected from the “hazard of non-farm complaints”.

Unfortunately, as tended to be the accepted practice of that time, these objectives were watered down (particularly through the Development Bylaw) to provide no effective protection for agriculture or regulation of the types of development that could happen in agricultural areas. As noted earlier, this was largely in response to the expressed wishes of farmers to have no restrictions on the potential use of their land. The Plan stated:

**“The community is cognizant of the present economic hardship facing many of today’s farmers and realizes that the Plan should in no way jeopardize the existing or potential income of the farming community.”**

Recent experience in farming communities across the province has proved that the single biggest threat to farming today is the lack of land use controls and the resulting land use conflicts and erosion of our productive land base due to non-farm development.

The Round Table Report represented a cross-roads in land use policy in this province. For the first time, representatives of the farming community publicly acknowledged that the long term health of the industry required that some controls or standards be placed on agricultural land use and practices. Acceptance of this statement is not universal, but it is growing.

The Official Plan for the Resort Municipality must address this new reality. Prime agricultural areas must be identified for long term protection. A range and scale of complementary non-farm activities which will not jeopardize long term farming interests should be identified and accommodated. Activities which would seriously jeopardize farming interests should be effectively controlled and not permitted to encroach on farming areas.

The servicing constraints noted earlier serve to reinforce the need to limit development activity in the rural portions of the Planning Area. Concerns over potential impacts on the area's sensitive ecosystems provide additional support for such action.

If the Resort Municipality, with the support of its farming community, can meet this challenge and develop stronger protection for our farms and our rural landscape, it will be vital to lobby the Provincial Government to ensure that complementary policies are put in place outside the boundaries of the municipality. There is little point in controlling large scale, inappropriate development in the rural areas of our municipality if the effect is simply to see this development establish just beyond our borders.

The other issue which is of particular importance to our local farmers is access to the agricultural land base which is currently held by the Federal Government. Much of this land is under lease to local farmers and is important to their long term viability. As noted earlier, much of this agricultural land is best maintained in active use. This use ensures the maintenance of the historic cultural landscape and also maintains the scenic viewplanes which are so strongly identified with our visual image. Appropriately regulated agricultural use of these lands can also still achieve the physical protection and buffering of the Park's sensitive ecosystems which is one of the purposes for which the land was originally purchased.

## **2.11 ENVIRONMENT**

### **2.11.1 Surface Water**

The Planning Area has a number of rivers and streams, most of which have their headlands in the southern portion of the area and flow to the north, often directly impacting the National Park. The area is also bounded by two large bays and has a number of environmentally significant (and sensitive) ponds and marshes. The bays and lower sections of the rivers are utilized for shellfish leases and most surface water bodies have some form of active or passive recreational use. It is extremely evident, therefore, that any activities which damage the health of these surface water systems will have far reaching impacts throughout the area, particularly in the National Park. Contamination of surface water systems,

particularly in aquifer recharge areas can also have serious effects on groundwater quality.

For this reason the 1989 Official Plan recommended effective protection of surface water resources through:

- Establishment of buffer zones in or around environmentally sensitive areas which permit development of only those activities which pose no threat to the natural function of the system it protects.
- Prevent wetlands from being developed by conversion through draining or filling.
- Prevent indiscriminate cuttings of woodlands.
- Promote, where possible, reforestation of selected species.
- Promote hedgerows where necessary to protect soil and wildlife.
- Encourage selective development along hillsides and in areas with extreme slopes.
- Restrict development activity along the shoreline which is potentially harmful to coastal wetlands.

These policies have not been effectively enforced to date and efforts to achieve stronger enforcement in the future must be made. Of particular importance is the need to more consistently require the preparation of Environmental Impact Assessments (EIA) for all major undertakings and particularly those adjacent to surface water resources or other sensitive areas.

### **2.11.2 Groundwater**

Groundwater is contained in underground formations called aquifers. This stored water in aquifers is released to the surface through wells and springs or by seepage into lakes, rivers and wetlands. Just as groundwater ultimately returns to the surface, it is also replenished from the surface. Water from streams and lakes seeps down into an aquifer and where an aquifer is exposed to the surface, precipitation goes directly into the aquifer. Consequently, groundwater reservoirs moderate surface flow; they absorb water during rains or periods of high flow and then gradually release it during periods of low flow (Thurrow, 1975).

In Prince Edward Island, water supply is 100% dependent on groundwater reserves. In order to meet the needs of users, the water must be available on location at a certain quality and quantity. To ensure availability, groundwater should be treated as a limited and sensitive renewable resource.

Aquifers provide three major functions:

- a) Aquifers are natural reservoirs for groundwater used for drinking and irrigation. This necessitates that groundwater must be protected to ensure that the quality of water entering the aquifer meets the community's needs.
- b) Aquifers are natural filters for groundwater used for drinking and related purposes. But this filtering property of aquifers is not absolute. Leaking septic tanks, pesticides, gasoline and salt used for snow removal can pass directly into the groundwater reserves where the water table is near the surface, the soil mantle is thin, or the aquifer is very permeable.
- c) Aquifers are interconnected with surface water systems including lakes, streams and wetlands. Some aquifers depend for part or all of their recharge upon seepage from lakes and streams. Likewise, some streams and ponds and wetlands depend on flow from aquifer-fed springs for supplementary water during the dry periods. Thus pollution or depletion of surface water may similarly affect groundwater reserves, and vice versa. Landowners must be more concerned with the quality and quantity of water entering and leaving groundwater reserves.

Because of these three major functions - as a reservoir, as a filter, and as part of the hydrologic cycle - aquifers are important public resources which warrant protection. Given the rate of development in the Planning Areas and the result on groundwater reserves and threats to surface water systems and groundwater recharge levels, the level of concern over long term management of our groundwater system needs to increase.

Stronger controls need to be put in place to protect surface water systems and aquifer re-charge areas. The amount of imperious surface cover needs to be regulated. Removal of vegetative cover needs to be controlled, particularly in forested areas. Point sources of pollution (and other risks to groundwater quality) need to be monitored and controlled. Better monitoring of groundwater levels needs to be put in place. Lastly, public information and education programs need to be put in place to encourage water conservation and better understanding of the importance of groundwater supplies and the interrelated and highly sensitive nature of the hydrologic system.

### **2.11.3 Habitat**

The Planning Area is blessed with a range of significant wildlife habitat resources. Many are within the boundaries of the National Park, some are not. As noted earlier, the sensitive ecosystems within the Park are closely interrelated and

dependent upon the larger ecosystems outside the Park. Sensitive natural areas outside the Park also need to be protected from the encroachment of inappropriate development.

Through on-going co-operative discussions with the staff of the National Park and Provincial environmental officials, the Resort Municipality must seek to build a higher level of public understanding of the importance of these natural areas and strive to implement stronger long term management policies. Co-operative arrangements with private landowners is the preferred management approach, however, strengthening of land use controls is also necessary (including the broader use of EIA's).

#### **2.11.4 Air and Noise Pollution**

Air pollution has not been a problem in the Planning Area to date, but given the increasing population densities, activities which could cause significant (or even minor) air pollution must be carefully monitored. Outdoor burning must be closely regulated.

Chronic concerns have been voiced over noise pollution. As tourist activities continue to expand, there have been inevitable complaints over certain activities, such as helicopter rides and personal watercraft, which tend to create noise levels which seriously impact the "peaceful enjoyment" of most residents and visitors. Dog control is a related issue (barking).

Some of these concerns can be addressed through careful land use and development regulations. Many other activities are more difficult to regulate (or occur in areas outside our jurisdiction, i.e. navigable waters, air space, etc.). As concerns increase there may be a need to implement a Noise Control or Nuisance Bylaw. Given the cost of enforcement of such an ordinance, however, the municipality should pursue co-operative mechanisms with tourist operators and others in the short term.

#### **2.12 VISUAL IMAGE/CHARACTER**

Tourists visit the Resort Municipality from all over the world and the one reaction that is universal is the overwhelming impression created by the area's visual beauty. Many visitors arrive with vivid mental images formed by the words of Lucy Maud Montgomery, and they are, fortunately, seldom disappointed. The overall visual image or physical appearance of the Planning Area (and the surrounding rural areas) is therefore of paramount importance not only to the character and identity of the community but also to its economic well being.

In the past, the property owners and business operators within the Planning Area have not always demonstrated an adequate level of sensitivity to the issue of physical appearance or “character”. The area is (somewhat justifiably) seen by Islanders and some visitors as being overly commercialized and lacking any overall direction in terms of its physical appearance and character.

While this criticism was well founded 10 years ago, circumstances have changed dramatically since the community assumed control of its own development. The number of marginal or inappropriate developments in the area has been reduced and a new emphasis on quality is emerging. Signage was once a major negative element in the tourism landscape. With leadership from the municipal Council and many prominent local business operators, the quality of commercial signage in the area has seen a dramatic improvement. Under the guidance of the province’s most progressive Signage Bylaw, new signs are being erected which are appropriate in scale and materials and represent a very positive contribution to the physical appearance of the area. Rather than competing for the biggest and gaudiest sign, local businesses now actively compete for the most appropriate and visually appealing signage. The process of replacing older, less appropriate signs has also started to take hold.

Much of the foundation for these very positive trends was laid by the 1989 Official Plan. The Plan actively promoted more effective site planning, higher development standards, landscaping, upgraded streetscapes and promotion of “continuity” of building design and harmony with the natural and man-made landscape. Particular emphasis was placed on the need to upgrade signage.

It is quite evident that these policies have been successful and should continue with increased emphasis. Each new development project should be viewed as a demonstration project which will establish an example and a standard for future developments to meet or exceed.

What has been lacking to this point in the Planning Area is agreement on a “common theme for development of the tourism industry”. While the 1989 Plan identified this need, it was unable to identify the theme itself.

It is important to note that a development theme does not (or should not) denote a homogenous or sterile built environment. Rather it should provide a context or a common thread which unites relatively diverse elements and makes them feel like they belong together and complement each other.

The most obvious “theme” for the Resort area, and the one which has the broadest public support, is one which is founded on elements of traditional Island architecture. The Island’s architectural traditions are evident throughout rural Prince Edward Island and they are being increasingly embraced by Islanders. A development theme based on these rich traditions will not only serve to enhance

the overall appeal of the Resort area, it will complement the area's heritage resources and reinforce the "period" images painted by Lucy Maud Montgomery.

This development theme can be further reinforced through the maintenance of the cultural landscapes noted earlier. Well kept family farms, hedgerows, grazing cattle, open farm fields leading to ocean vistas - all these images are critical to our visual heritage and must be nurtured and protected.

The streetscapes in the Planning Area have been dramatically improved but this process must continue through expansion of the boardwalk system, installation of more "period" lighting and street furniture, landscaping and sensitive site planning. This process would be further complemented by the installation of more period street signs and more active use of historic local street names (such as "Cavendish Road" instead of Route 6). Local residents and businesses should be encouraged to routinely use these street addresses when referring to their location.

One of the most chronic complaints or questions from visitors is: Where's Cavendish? After driving through the Resort area (sometimes more than once), many visitors are struck by the lack of a physical community presence. Many are looking for a village setting with obvious boundaries, urban features, and some critical mass. In fact, the Resort core area is a somewhat sporadic linear development with several significant nodes of activity, large vacant fields and little obvious urban form.

The Plan should seek to address this problem by promoting the development of a community core area. This could most appropriately be accomplished by encouraging infilling between Cawnpore Lane and Graham's Lane and directing investment in public amenities and streetscape improvements which would help to create a "mainstreet" character. This evolution is, in fact, already well underway but it should proceed in a planned fashion rather than simply in response to market influences.

The preparation of a physical development plan for the "downtown" of the Resort Municipality would not only provide future direction, it would in all likelihood act as a strong catalyst for new development.

### **3.0 FUTURE DEVELOPMENT GOALS**

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#### **3.1 INTRODUCTION**

The Goals presented in this Chapter are broad statements indicating the overall shared vision of the Resort Municipality's Council, its residents, farmers, business

operators and property owners in terms of the future evolution of the community. These Goals provide the framework and general direction for the subsequent, more detailed statements which follow.

### **3.2 FUTURE DEVELOPMENT CONCEPT**

To say that the Resort Municipality is unique would be an understatement. There is no community in Prince Edward Island which comes close to duplicating the Planning Area's dramatic seasonal variations in levels of economic activity and population, the complexity and significance of its natural systems and the diversity of local interests. The views and aspirations of the area's farmers, seasonal and year round residents, businesspeople, land owners and Parks Canada are not always consistent. Within this diversity of interests, however, there are common threads of agreement that unify the community and provide the foundation of a shared vision for the future of the Planning Area.

There is a universal acknowledgment of the paramount importance of tourism to the area's economy and the need to maintain the health of this industry. While some residents would clearly prefer lower levels of tourism activity, no one questions that in the future the community will retain its "resort" status.

Given this long term "resort" status, there is a strong consensus that the area should continue to stress quality in its tourism product and services. The overall physical appearance of the area and the quality of the tourism experience not only affects tourism investments, it also impacts residential and other sectors. The need to protect those unique and memorable elements of the natural and man-made landscape which are the foundation for the area's appeal (for both tourists and residents) is also broadly accepted.

In order to avoid haphazard development the community must actively promote a clear physical image or development character which will guide future development. The strong consensus is that this image or character must be founded on traditional Island architectural themes, the development of a traditional community identity in the built up core area and stressing unobtrusive development in less built up areas which blends with the landscape and is "gentle on the land".

While for 4-5 months the Planning Area is a busy seasonal resort, for 12 months a year it is a rural community and a home for local residents and farmers. There is strong agreement that the rights of these year round interests must be protected and balanced with the interests of tourism. The long term health of farming and the area's rural lifestyle is not only important in its own right, it is also critical to tourism. Much of the area's appeal stems from its rural charm and the visual appeal of the "cultural landscape" with its patchwork of manicured field and

farmsteads.

The significance of the National Park to the region's economy is well understood and appreciated. Less well understood, but increasingly apparent, is the interdependence of the Park with its surrounding communities. Protection of the Park's unique physical features and ecosystems cannot end at the Park boundary. The natural environment of the entire Planning Area must be managed with more sensitivity and an acknowledgment of the limitations of the natural carrying capacity of the area. Joint planning is vital to the long term health of the community and the Park.

The future of the planning area must be founded on the principles of sustainable development with priority being placed on identifying and working within the capacity of the area's natural systems.

All interest groups in the Planning Area also share a common concern for maintaining other "quality of life" issues such as public safety, the right to peaceful enjoyment of property and efficiency and affordability of services.

### **3.3 GOALS**

#### **3.3.1 General**

- To foster the development of a vibrant rural community with a strong economy and a respect for traditional community values.
- To preserve the irreplaceable qualities and character of the Planning Area.
- To balance the interests of all those who live, work and play in the Planning Area.

#### **3.3.2 Social**

- To preserve our rural lifestyles and rural values.
- To foster social interaction and healthy lifestyles.
- To adequately serve the rapidly changing social demands and needs of the community.
- To better serve the special needs of seniors, youth and the mentally and physically challenged.
- To expand residential housing opportunities.

### **3.3.3 Economic**

- To develop a long term sustainable economy which reflects and is in harmony with the natural carrying capacity of the Planning Area.
- To continue the development of a strong tourism industry which is founded on quality, diversity and respect and sensitivity for the community's history and context.
- To protect and enhance the long term viability of agriculture.
- To protect the long term viability of the National Park as a major attraction.
- To maintain affordable tax rates and utility rates.

### **3.3.4 Physical**

- To encourage the development and maintenance of a safe and efficient vehicular and pedestrian circulation system in the Planning Area.
- To promote improvements to the provincial transportation system.
- To ensure a secure and safe supply of potable water within the Planning Area.
- To ensure that waste water is treated and disposed of in a healthy, efficient and environmentally appropriate manner.
- To ensure that storm water run-off is managed in a safe, cost-effective and environmentally sensitive manner.
- To establish a plan for future development which maximizes the efficient use of public infrastructure and minimizes land use conflicts.
- To encourage a high standard of development and site planning.

### **3.3.5 Environmental**

- To generally promote higher standards of environmental management within the Planning Area.
- To protect the quality and supply of groundwater and surface water resources in the Planning Area.

- To protect and enhance significant natural areas.
- To encourage responsible waste management.
- To encourage the protection of the area's cultural landscape and maintenance of strategic viewscales.
- To minimize air and noise pollution.

## **4.0 OBJECTIVES, POLICIES AND PLAN ACTIONS**

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### **4.1 INTRODUCTION**

This Chapter represents 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 which address specific issues and concerns within the Municipality.

Policies and Plan Actions outline the proposed course of action to achieve the performance targets described in the Objectives. Policies indicate with some precision the approach the Municipality will take in pursuing its Objectives. Plan Actions are concrete measures which implement that approach.

### **4.2 AGRICULTURE**

Even given the most optimistic growth rates for tourism, it is evident that outside of the National Park the majority of the Planning Area's land base should remain available for agriculture and forestry uses for the foreseeable future. Agriculture cannot remain viable, however, without some controls on indiscriminate development.

The importance of agriculture to the long term health of the community has been well documented. In the future, farming must be seen as a long term component of the local economy, not merely a temporary use for land. It is unlikely that either market demand or the natural carrying capacity of the area will ever permit wholesale intensive development of the entire Planning Area.

While intensive commercial development should be directed to the serviced core area where the required infrastructure and services have been provided, rural areas need not be devoid of development opportunities. Local farmers have consistently requested that complementary developments be permitted on farms. This could include bed and breakfast and small scale cottage clusters, where on-site servicing is practical and land use conflicts are minimized. As the core area

is infilled, there should be a clear policy to facilitate the transition of agricultural land into more intensive uses in response to market forces and servicing capability.

Within designated rural areas, the rights of farmers must be given priority and farming activities must be protected from harassment by non-farm interests.

**OBJECTIVES:**

- To keep productive farmland in agricultural use until it is required for appropriate development.
- To support the long term economic viability of farming in the Planning Area.
- To minimize land use conflicts between farmers, residents and tourism operators.
- To accommodate a range of limited, compatible development in rural areas.
- To encourage responsible farming and forestry practices.
- To encourage an active dialogue and exchange of information between farmers, residents, tourism operators and Parks Canada.
- To facilitate the appropriate transition of rural lands to more intensive development use in response to market demand and sound planning principles.

**POLICIES:**

**Policy PA-1: Zoning**

Council shall identify an area primarily for agriculture and compatible rural land uses. This will include all rural lands outside the boundaries of the developed core area and not currently approved for development. Limited tourism and residential development may be permitted where it is environmentally appropriate and compatible with adjacent farming activities. Land shall not be removed from the rural designation until it is required for more intensive uses and subject to an impact assessment.

**Plan Action:**

- The Development Bylaw shall designate as Rural Reserve (RR) all

those lands which are not currently approved for development and are outside the boundaries of the core area.

- Within this zone, agricultural activities shall be given priority and protected.
- Limited residential and small scale accommodation uses shall be permitted where such development is compatible with adjacent agricultural activities.

**Policy PA-2: Property Taxes**

Council shall apply property tax concessions for rural land.

**Plan Action:**

- Council shall establish a two tiered municipal tax system which provides for tax rebates for land which is designated Rural Reserves and seek to ensure that property assessments reflect any land use restrictions.

**Policy PA-3: Non-Farm Complaints**

Council shall adopt a policy supporting the rights of farmers in the Planning Area to conduct appropriate farming practice without harassment.

**Plan Action:**

- All building permits issued by Council shall contain a caveat (which could also be filed at the Registry Office) stating that the Resort Municipality is a rural community and property owners are therefore notified that they will be subject to exposure to agricultural odors, slow moving farm equipment, noise and dust from cultivation, agricultural chemicals and other normal farm activities.
- Farm buildings shall be protected from encroachment from non-farm developments.

**Policy PA-4: Agricultural Practices**

While Council has a limited role in the regulation of agricultural practices such as spraying, crop rotation, cultivation and grazing practices, etc., Council intends to work with the farming community and the Provincial

Government to encourage responsible agriculture and forestry practices and to foster a better level of understanding between residents and farmers.

**Plan Action:**

- Council shall establish provisions in the Development Bylaw restricting disturbance of natural vegetation adjacent to streams, wetlands and other surface water features.
- Council shall maintain an active dialogue with the farming community and the Provincial Government aimed at fostering responsible agriculture and forestry practices.
- Council shall work closely with the Department of Environmental Resources to ensure that the Planning Area's surface water resources are protected from degradation and that appropriate penalties are applied and remedial action taken where damage has occurred.
- Council will foster the distribution of public information on farming practices.

**4.3 RESIDENTIAL**

There are strong indications that year round residential development pressures are increasing in the Planning Area. While this is desirable in many respects, it does present new challenges for Council. The level of demand for private seasonal residences has been low, but the Confederation Bridge could change that trend over the next several years. Policies must be in place in advance of this new residential development in order to ensure that it is properly serviced, land use conflicts are minimized and that a balanced and sustainable land use pattern emerges.

Residential development should also be encouraged to complement the high development standards and traditional character which are being promoted throughout the Planning Area. Subdivision design and site planning should seek to minimize disruption of natural vegetation, sensitive natural areas and viewplanes and establish safe and efficient circulation systems.

**OBJECTIVES**

- To encourage appropriate new year round and seasonal residential development in the Planning Area.
- To ensure high standards of subdivision design, site planning and

physical appearance.

- To minimize land use conflicts with established farms, tourism operations and the National Park.
- To limit residential encroachment and strip development in rural areas.
- To ensure that residential development is appropriately serviced and sensitive to the natural environment.

**POLICIES:**

**Policy PR-1: Zoning**

Residential development shall be permitted in commercial and mixed use areas as a subordinate use. Existing residential areas shall be zoned for residential use and large new residential subdivisions shall proceed via rezoning applications.

It shall be the policy of Council to permit limited residential development in rural areas 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 Action:**

- Currently developed seasonal and year round residential subdivisions and development clusters shall be zoned R1-Residential in the Development Bylaw.
- Certain limited accessory uses shall be permitted in the R1 Zone, where they will not conflict with residential use.
- The Development Bylaw shall permit limited residential development in the Rural Reserve Zone, subject to proof of site suitability for on-site services, appropriate setbacks from adjacent farming activities and subject to the “10 chain rule”.
- Residential uses shall be permitted 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.

- Major seasonal and year round residential subdivisions (over 5 lots) shall proceed via a re-zoning application and shall be subject to an environmental impact assessment.

**Policy PR2: Development Standards**

Council shall impose high development standards for all new residential subdivisions and dwellings in terms of subdivision design, site planning, landscaping and physical appearance.

**Plan Action:**

- The Development Bylaw shall establish residential subdivision standards relating to lot sizes, circulation, lot configuration, open space, servicing, setbacks, and protection of natural features and hazard areas.
- Council shall encourage sensitive management of viewsapes and existing vegetation.
- The Development Bylaw shall encourage residential architectural standards which reflect traditional Island building forms and compatibility with adjacent structures.

**Policy PR-3: Bed & Breakfast**

It shall be the policy of Council to permit the operation of small scale “bed and breakfast” establishments in any residence, provided that they have no negative effects on surrounding residences.

**Plan Action:**

- The Development Bylaw shall permit the operation of “bed and breakfast” establishments in all zones provided that in residential areas they are limited in terms of size, signage, and parking and that the overall visual appearance of the building and character of the residential area is not negatively impacted.

**Policy PR-4: Mobile Homes**

It shall be the policy of Council not to permit mobile homes to be located within the Planning Area.

**Plan Action:**

- The Development Bylaw shall restrict the location of any mobile home in the Planning Area.
- The Bylaw shall restrict the long term use of travel trailers except for temporary residential use in a designated trailer park or via a temporary permit.

**4.4 COMMERCIAL**

The vast majority of commercial activities in the Planning Area are seasonal and are targeted at the tourism market. These include: tourism accommodations, attractions, restaurants, retail outlets and other services (service stations, laundromats, rentals, food stores, etc.) and specialty outlets. As tourism visitation continues to grow and tourism expenditures rise, there will be continued growth in this sector. In fact, this sector is projected to continue to dominate development activity in the Planning Area for the foreseeable future.

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.

As noted earlier, commercial activities tend to be focused along Route 6 (the Cavendish Road) between Cawnpore Lane and just west of Graham’s Lane. Infilling of the large vacant areas within this corridor with appropriate commercial development and complementary amenities and services should be encouraged to create a true “mainstreet”. Council should show leadership in long term planning for this area.

Given the dominance of commercial development activity in the Planning Area, 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.

As the tourism season expands and year round population increases, there will be a need to encourage commercial operators to extend their season and in some cases remain open year round (ie. service station, food stores, bank machines, post office, etc.).

**OBJECTIVES**

- To encourage new, high quality commercial development within the Planning Area.
- To continue to encourage the development of a commercial core area or “mainstreet”.
- To minimize conflicts between commercial development and farmers, seasonal and year round residents, and the National Park.
- To ensure that commercial development can be efficiently and appropriately serviced.
- To encourage commercial development which reflects high development standards and an appropriate image and character.
- To limit commercial development in rural areas.
- To work with the Provincial Government to limit large scale, unserviced commercial developments outside the boundaries of the Planning Area.

## **POLICIES:**

### **Policy PC-1: Commercial Designations**

It shall be the policy of Council to provide for four commercial land use categories as follows:

- 1) General Commercial
- 2) Resort Commercial
- 3) Resort Accommodation
- 4) Resort Campground

General Commercial activities include a range of retail/service and office functions which are not solely focused on the seasonal tourism market and are located outside of the Resort Core Area.

Resort Commercial activities include a mix of tourism attractions, retail and service activities, tourism accommodations and complementary activities. They are focused in the Resort Core Area, but also exist as existing stand- alone facilities outside of the Core.

Resort Accommodation activities includes hotels, motels, rental cottages, inns, and similar facilities. They are generally located within the Resort

Core Area, on its periphery, in isolated clusters through the rural area and in the National Park.

Resort Campground activities include a range of camping facilities ranging from tent sites to full service R.V. facilities and include a range of complementary on-site services, such as convenience stores, restaurants, laundromats and recreational facilities.

**Plan Action:**

- The Development Bylaw shall establish the types of commercial uses and development standards which will be permitted within each specified commercial zone.

**Policy PC-2: General Commercial**

It shall be the policy of Council to provide for limited General Commercial development outside of the Resort Core Area. All existing retail and service activities which are outside of the Core Area shall be designated on the Zoning Map and future developments shall proceed via a re-zoning application. The decision to re-zone shall be based on the need for the proposed facility, compatibility with adjacent land uses, serviceability and impact on traffic circulation and public safety.

**Plan Action:**

- The Development Bylaw shall designate those existing commercial facilities outside of the Resort Core Area as General Commercial.
- The Development Bylaw shall establish permitted uses and development standards for this zone.
- No tourism attractions shall be permitted in this zone.
- No further land shall be developed for General Commercial use without a Development Bylaw amendment.

**Policy PC-3: Resort Commercial**

It shall be the policy of Council to designate the Core Area of the Planning Area as Resort Commercial, together with those peripheral areas where a significant cluster of commercial tourism related development has occurred, including stand alone attractions. Infilling and appropriate

expansion of the Resort Core Area shall be encouraged.

**Plan Action:**

- The Development Bylaw shall designate the existing Resort Core Area adjacent to Route 6 as Resort Commercial, together with an appropriate amount of land to accommodate future growth. Those stand alone attractions and clusters of commercial tourism activity on the periphery of the Core Area shall also be designated Resort Commercial.
- The Development Bylaw shall establish permitted uses and development standards for this zone.
- This Zone shall be designated as a mixed use area and protection shall be provided for existing residential uses. Further residential development shall, however, be discouraged and the area's predominantly "commercial" character shall be recognized and supported.
- The Development Bylaw shall provide for effective buffers between commercial and residential zones.

**Policy PC-4: Resort Accommodations**

It shall be the policy of Council to provide for a Resort Accommodation area which would serve to encourage further development of this sector, protect such developments from commercial encroachment and optimize future servicing. Resort Accommodation activities shall be encouraged to locate on the periphery of the Resort Core Area and adjacent to other compatible developments.

**Plan Action:**

- The Development Bylaw shall designate all existing tourism accommodation facilities of over ten (10) units as Resort Accommodation. 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.
- The Development Bylaw shall establish permitted uses and development standards for this zone.

**Policy PC-5: Resort Campground**

It shall be the policy of Council to designate all existing campground facilities within the Planning Area as a Resort Campground zone. Given the potential environmental impacts of such facilities, future developments shall be carefully controlled.

**Plan Action:**

- The Development Bylaw shall designate all existing campground facilities in the Planning Area as Resort Campground.
- The Development Bylaw shall establish permitted uses and development standards for this zone.
- The Resort Campground Zone shall also provide for appropriately scaled complementary facilities, primarily aimed at servicing the needs of guests.
- No further land shall be designated as Resort Campground.
- New campground applications may be considered but shall proceed via a re-zoning application and shall be subject to a comprehensive Environmental Impact Assessment.

**Policy PC-6: Resort Core Area**

It shall be the policy of Council to encourage the continued development of a commercial core area adjacent to Route 6, in the area bounded by MacCoubrey Lane to the east and the Cavendish Boardwalk to the west.

**Plan Action:**

- Council shall work closely with land owners and developers within the designated Resort Core Area and the Provincial Government to facilitate the long term development of a true “Mainstreet” character for the area.
- Council will prepare an overall development concept for this area and will facilitate co-operative efforts between adjacent property owners to co-ordinate site planning, building design, signage,

parking and pedestrian circulation.

- Council will 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.

#### 4.5 IMAGE/CHARACTER

Whenever the Planning Area is compared to similar resort areas elsewhere, such as Cape Cod and Martha's Vineyard, while the natural setting, seascapes, and rural landscape is highly comparable in terms of its quality and appearance, the man-made or built environment is usually found somewhat lacking. Much of the criticism is directed at the lack of any overall unifying "theme" or character. Other criticisms have been aimed at a perceived lack of quality in both buildings and site development and poor quality, unattractive signage.

The reasons for these perceived weaknesses have been twofold: first, the extreme seasonality of the tourism market would often not justify or support higher levels of investment; and second, there has been no broadly established or accepted design theme or standards for the area.

Over the last ten years, significant changes have taken place in both these areas. The Planning Area has rapidly expanded its tourism season from two months to four (in many cases five) months. Associated tourism revenues now exceed \$70 million annually. This market pressure, combined with an increasingly sophisticated and more demanding tourist, has placed overwhelming pressures on tourism operators to improve quality. The positive results are evident throughout the community.

While a clearly articulated image or architectural character for the Resort Municipality is still somewhat lacking, the efforts of the 1989 Official Plan to establish architectural standards and a "Heritage" area have combined with the efforts of many local businesspeople to create more appropriate and certainly more attractive building designs. The dramatic improvement in commercial signage, as a result of the Signage Bylaw, has already been well documented.

Council must now act to reinforce these very positive trends by promoting an overall unifying architectural theme which would, over time, serve to draw the diverse man-made elements in the community together. As noted earlier, the design theme which is most appropriate to the area's important cultural heritage is one founded on the elements of traditional Island architecture.

This need not imply that all new buildings should precisely mimic traditional heritage structures. While preservation, restoration and re-creation should be

strongly encouraged, the overall standard should be one of “appropriateness” in terms of building form, scale and exterior treatments and details. A new building can maintain a relatively modern appearance and yet still be reflective of traditional design elements and complement adjacent heritage structures.

As emphasized in earlier sections, Council must also encourage the preservation of the natural and cultural landscapes which provide so much of the area’s overall character and appeal. Beautification programs which encourage and provide recognition for superior landscaping efforts, building improvements and site improvements should be promoted. Efforts to create the impression of a village “mainstreet” will be further reinforced by the addition of period street signs, street furniture, flowers and other appropriate amenities. Extension of the boardwalk and period style, pedestrian scale lighting should also be encouraged.

### **OBJECTIVES**

- To promote an identifiable and appropriate community image.
- To promote the adoption of architectural design standards which are reflective and in harmony with traditional Island building forms.
- To protect and enhance the natural and cultural landscape of the Planning Area.
- To promote the creation of a traditional “mainstreet” atmosphere in the Resort Core Area.
- To promote high standards of site planning, landscaping and “beautification” throughout the community.
- To continue to encourage appropriate commercial signage which makes a positive contribution to the visual character of the community.
- To preserve and promote significant heritage places and structures throughout the Planning Area.

### **POLICIES:**

#### **Policy PV-1: Architectural Standards**

It shall be the policy of Council to encourage architectural standards within the Planning Area which reflect or are in harmony with the Island’s architectural traditions.

**Plan Action:**

- The Development Bylaw shall include architectural design standards which encourage building form, scale, exterior treatments and architectural details which are reflective, sensitive or in harmony with traditional Island architectural forms. Single family homes, cottages and smaller structures will be encouraged to conform to these standards. Larger buildings shall be required to demonstrate compliance with the standards. Infilling in existing built up residential areas should either meet the new standards or at least be compatible with existing residences in the area.

**Policy PV-2: Site Planning Standards**

It shall be the policy of Council to impose site planning standards for all commercial and institutional buildings which ensure public safety, efficiency, appropriate buffering, high standards of landscaping and overall visual appearance and site compatibility.

**Plan Action:**

- The Development Bylaw shall 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 commercial and institutional developments.

**Policy PV-3: Natural and Cultural Landscape**

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

**Plan Action:**

- Council shall continue to work closely with Parks Canada to preserve the historic cultural landscape and scenic viewplanes within the National Park.
- Council shall continue to protect the long term viability of agriculture in the Planning Area.

- Council shall act in a proactive manner through the subdivision and development approval process to encourage landowners in the Planning Area to minimize the disruption of viewplanes and removal of established vegetation.

**Policy PV-4: Beautification**

It shall be the policy of Council to actively promote “beautification” efforts throughout the Planning Area.

**Plan Action:**

- Council shall work closely with the local business community, CACRA, SEPOA, the Women’s Institute and other local interest groups to encourage beautification activities in the Planning Area.
- Council shall pursue the implementation of a recognition program aimed at providing public recognition and awareness of outstanding beautification efforts by local residents and businesses.

**Policy PV-5: Heritage Places**

It shall be the policy of Council to identify and provide protection for significant heritage places and structures within the Planning Area.

**Plan Action:**

- The Development Bylaw shall provide for the formal identification and protection of significant heritage places and structures.
- Council shall also pursue protection under the provisions of the Provincial Heritage Places Protection Act.
- Council shall work closely with Parks Canada to develop a long term Heritage Places Strategy for the Planning Area.

**Policy PV-6: Resort Core Area**

It shall be the policy of Council to encourage the development of village “mainstreet” atmosphere in the designated Resort Core Area.

**Plan Action:**

- As part of the development concept for this area, landowners and developers will be encouraged to implement building designs and

site features which contribute to the establishment of a “village centre” or “mainstreet” atmosphere, including such features as pedestrian linkages, benches, gardens, clock towers, period light fixtures, and architectural elements denoting a somewhat more urban flavour.

#### **Policy PV-7: Signage**

It shall be the policy of Council to continue to encourage the erection of appropriate commercial and non-commercial signage in the Planning Area and to encourage the use of signage as a positive element of our visual character.

#### **Plan Action:**

- Council shall continue to enforce the provisions of the Signage Bylaw and to work proactively to reinforce the positive trends now in place.
- Council shall install heritage street signs on all primary streets and encourage all residents and business operators to utilize these traditional street names on a day-to-day basis.
- Off-premise signs shall continue to be prohibited.
- Council will work with the Provincial Government to implement changes to the Highway Information Signage program to provide more appropriate directional signage for operations which lack high visibility.

## **4.6 TRANSPORTATION**

While the Resort Municipality does not own or have direct responsibility for any of the public or private roads in the Planning Area, Council 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 Council work closely with the Department of Transportation and Public Works to ensure that safe and efficient transportation facilities are provided to service the needs of the Municipality, and that land use patterns and development standards do not undermine the efficiency or safety of the transportation network.

Council will work to ensure that the transportation system efficiently serves both local and regional needs. Arterial, collector and local roads must be designed to reflect their unique roles and functions. Access to the roads system must be

controlled to maximize safety and efficiency. Council must also continue to assist the Province in identifying annual road maintenance requirements and significant safety, design and drainage problems in the Planning Area (and outside the area on major approach routes). Council must also plan for the accommodation of the rapidly increasing pedestrian flows within the Planning Area.

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.

#### **OBJECTIVES:**

- To continue to work closely with the Provincial Government to ensure the development and maintenance of a safe and efficient transportation system both within the community and within the Province as a whole.
- To co-ordinate land use planning and transportation planning activities.
- To provide for the safe circulation of pedestrians within the Planning Area and the region and to stimulate pedestrian and bicycle use as a means to reduce parking and traffic congestion.
- To facilitate trail system interconnections.
- To stimulate alternative transportation options.

#### **POLICIES:**

##### **Policy PT-1: Co-ordination**

It shall be the policy of Council to work closely with the Department of Transportation and Public Works in the design and management of the community's transportation system. 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 storm water management.

#### **Plan Action:**

- The Council will meet routinely with officials of the Department of

Transportation and Public Works to jointly review and approve: new subdivision roads; private road accesses; annual road maintenance priorities; speed limits; roadway and intersection improvements; and developments which will generate significant traffic volumes.

- Council will lobby the Department of Transportation and Public Works to make improvements to the overall Provincial roads network, specifically Council will target the following: 1) reconstruction of the balance of Route 6 from North Rustico to New London with the addition of wide paved shoulders; 2) reconstruction of Route 13 from the Trans Canada Highway north to Route 6 with addition of paved shoulders from New Glasgow.
- Council will actively encourage the maintenance and improvement of services at the Charlottetown Airport and the Wood Island Ferry service.

**Policy PT-2: Capital Cost**

It shall be the policy of Council to require that developers of major developments contribute to the capital cost of road improvements which are required as a direct result of the development. Developers of residential subdivisions shall continue to be responsible for the full cost of all subdivision streets.

**Plan Action:**

- The Development Bylaw shall require comprehensive impact assessments to be performed for all major developments, including traffic impact assessments.
- Developers shall be required to contribute to the capital cost of any road improvements which are necessitated by the development.
- Developers shall pay the full cost of the design and construction of subdivision streets and storm water systems.

**Policy PT-3: Pedestrian Circulation**

It shall be the policy of Council to promote pedestrian and bicycle traffic and to provide for the safe movement of pedestrians and cyclists within the Planning Area.

**Plan Action:**

- 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 Planning Area.
- Council shall continue to support efforts to create a linkage to the Confederation Trail.

#### **4.7 MUNICIPAL SERVICES**

The Resort Municipality currently supplies only three municipal services: municipal administration, central wastewater collection and treatment and pedestrian facilities. It also contracts on behalf of its ratepayers for fire protection. A range of other services are provided by the Province, Parks Canada and adjacent communities as noted earlier in the Plan.

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

Council must monitor demands for various municipal services and implement changes or upgrading in a well planned manner, keeping in mind the priorities of public health and safety, maintenance of affordable tax and utility rates and protection of the natural environment.

#### **OBJECTIVES:**

- To provide efficient, cost-effective and environmentally appropriate central wastewater collection and treatment services to the core area of the municipality.
- To enact policies and regulations which will ensure the long term effectiveness of on-site wastewater treatment systems in the outlying, less densely developed areas of the municipality.
- To ensure an adequate supply of high quality domestic water supply for all residents, visitors and business operators.
- To provide for solid waste management, collection and disposal in a manner which minimizes financial cost and environmental impacts.

- To provide cost effective and high quality fire, police and emergency services.
- To manage storm water run-off in the most cost effective and environmentally appropriate manner.
- To provide a strategy for responding to man-made and natural disasters which could affect the Planning Area..

## **POLICIES:**

### **Policy PS-1: Central Sewage Collection and Treatment**

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 Action:**

- Council shall work with the Utility Corporation to put in place an immediate resolution for the current lack of hydraulic capacity in the central treatment facility and shall also prepare a strategy to put in place a long term solution which will appropriately accommodate the future demands of the rapidly developing core area.
- 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.
- No further developments shall be connected to the central wastewater collection system until additional treatment capacity is in place.
- The Development Bylaw and Utility Regulations shall restrict the connection of sump pump and drainage tile systems to the sanitary sewer and shall also require that swimming pools be drained into surface ditches rather than into the sewer system.

### **Policy PS-2: On-Site Wastewater Treatment**

It shall be the policy of Council to work with the Provincial Department of Environmental Resources to ensure that all development within the

Planning Area not serviced by the central wastewater system is serviced by high quality, well maintained, on-site wastewater treatment systems which are designed to reflect site suitability and long term operational requirements.

**Plan Action:**

- Council will work closely with the Department of Environmental Resources 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.
- Council will distribute public information on the importance of proper care and maintenance of septic systems, including routine pump out and inspection.
- Council may impose on-site wastewater system standards which exceed those of the Provincial Government where they are deemed appropriate.

**Policy PS-3: Water Consumption**

Given the environmental sensitivity of the Planning Area and the high costs (both financially and environmentally) of wastewater treatment, it shall be the policy of Council to encourage water conservation.

**Plan Action:**

- Council shall distribute public information on water conservation.
- The Utility Corporation shall be encouraged to consider a significant surcharge on customers who's water consumption exceeds normal levels.
- Council shall promote the use of low flush toilets and may require their installation in new developments.

**Policy PS-4: Central Water Supply**

While groundwater supplies are not currently a problem in the Planning Area, given the potential risks to groundwater supplies noted earlier, it shall be the policy of Council to adopt a Contingency Plan for a Central Water System.

**Plan Action:**

- Council shall begin work immediately on a Contingency Plan for a Central Water System which shall include: the identification of candidate central wellfield sites; negotiations with landowners for terms of access, protection or purchase; implementation of an exploratory drilling and testing program; purchase and/or protection of the designated wellfield.
- As budgets permit or as circumstances demand, the development of the wellfield and the development of the distribution system should proceed, starting with the most densely developed areas or those most at risk from pollution sources.
- Land use regulations shall be imposed in the vicinity of the well field to limit risks of pollution.

**Policy PS-5: Stormwater Management**

It shall be the policy of Council to work closely with the Department of Transportation and Public Works to ensure that stormwater run-off is managed in a manner which is cost-effective and environmentally sensitive and which minimizes risks to public health, safety and private property.

**Plan Action:**

- Council shall develop an overall Stormwater Management policy for the Planning Area.
- Council shall work with the Department of Transportation and Public Works to ensure that stormwater systems are properly installed and maintained in the Planning Area.
- All new subdivisions and major developments shall be required to submit a stormwater management plan, prepared by a licensed engineer and subject to standards imposed by Council and the Department of Transportation and Public Works.
- Wherever possible it shall be the policy of Council to protect and enhance the existing surface water drainage system in the Planning Area, and to upgrade its capacity to handle stormwater run-off.
- No physical changes or infilling of any stream, wetland or water

course shall be allowed without the approval of Council and an assessment of any stormwater run-off implications.

**Policy PS-6: Solid Waste**

It shall be the policy of Council to promote solid waste reduction, re-use and re-cycling and to work with the Provincial Government to put in place a solid waste disposal system which is economical and environmentally appropriate.

**Plan Action:**

- Council shall continue to work with the Provincial Government to implement a provincial Waste-Watch system.
- Council shall work with residents and business operators to promote solid waste reduction, re-use and re-cycling within the Planning Area.
- There will continue to be no municipal solid waste collection or disposal service for the foreseeable future.

**Policy PS-7: Police Services**

It shall be the policy of Council to ensure that an adequate level of police protection is supplied within the Planning Area and in a cost-effective manner.

**Plan Action:**

- Council shall encourage the Provincial Government to expand both the manpower levels and the length of operation of the local seasonal R.C.M.P. detachment.
- Council shall enter into discussions with the Community of North Rustico to determine the feasibility of cost-sharing a resident R.C.M.P. officer to provide community policing in the two municipalities on a year-round basis.
- Council shall maintain an active dialogue with the R.C.M.P. on security issues in the Planning Area.

**Policy PS-8: Fire Protection**

It shall be the policy of Council to ensure that adequate fire protection

services are provided to all property owners in the Planning Area 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 Action:**

- Council shall continue to purchase fire protection services from the adjoining fire departments.
- Council shall examine alternative arrangements in order to gain better control over fire protection rates and levels of service.
- Council shall meet on a regular basis with our fire departments to discuss fire services, dues and fire prevention programs.
- 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.

**Policy PS-9: Emergency Measures Plan**

It shall be the policy of Council to routinely review and update the community's Emergency Measures Plan.

**Plan Action:**

- Council shall review its Emergency Measures Plan on an annual basis to ensure that it continues to reflect the rapidly changing nature of the Planning Area.

**4.8 PARKS AND RECREATION**

To date the Resort Municipality has not seen the need to provide any municipal parks, recreational facilities or recreational programs for its residents, or its visitors. The Provincial Government, despite drawing huge revenues from the area, has also not developed any public parks or recreation facilities in the Planning Area. While some year round facilities are available within the National Park, the majority of local residents have been forced to utilize recreational programs and facilities in adjacent communities.

**OBJECTIVES:**

- To provide a limited number of public day-use facilities within the Planning Area.
- To promote healthy lifestyles and social interaction within the community.
- To identify and respond to the recreational needs of the community.
- To target the special needs of youth, seniors and the physically and mentally challenged.

**POLICIES:****Policy PP-1: Day-Use Facilities**

It shall be the policy of Council to work with the Provincial Government, Parks Canada and the business community to facilitate the development of a number of public day-use parks in the Planning Area which would provide an opportunity for visitors to relax, receive information about the area and enjoy scenic vistas.

**Plan Action:**

- Council shall designate a number of candidate day-use park locations and shall approach the Provincial Government, 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 physical separation from residential and accommodation facilities.
- These sites shall be equipped with parking areas, washrooms, picnic facilities and information kiosks.
- No commercial concessions or activities shall be provided and late night or overnight parking shall be prohibited.

**Policy PP-2: 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 “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; participation of community associations; and recreation programming.

**Plan Action:**

- Council shall appoint a citizen’s advisory committee to assist in the development of a long term Parks & Recreation Strategy, to identify medium and long term priorities, and to facilitate co-operative discussions with Parks Canada, the private sector and our neighbouring communities.

**Policy PP-3: Recreational Support**

It shall be the policy of Council to subsidize the user fees of local children who participate in recreational programs in adjacent communities.

**Plan Action:**

- Council shall institute a policy of subsidizing user fees for families whose children participate in recreational programs outside the community. Contributions shall be made directly to the recreation programs based on the level of local participation.
- Information on regional recreation programs which are supported by the municipality will be circulated in the Newsletter.

#### **4.9 THE NATIONAL PARK**

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 Planning Area. 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:**

- To continue to strengthen co-operative and joint-planning efforts between the municipality and the National Park.
- To continue to promote the long term role of farming within the Park's adjacent Crown lands.
- To consider the impact on the long term health and viability of the National Park as a key factor in land use planning and development decisions within the Planning Area.
- To more closely co-ordinate activities related to: heritage preservation and promotion; signage; tourism planning and promotion; recreation; transportation and parking; and central services.

**POLICIES:**

**Policy PNP-1:Co-operation/Joint Planning**

It shall be the policy of Council to continue to foster co-operation and joint- planning activities with the National Park.

**Plan Action:**

- Council shall continue to participate in the Parks West Advisory Committee.
- Council shall meet on a routine basis with senior management at the National Park to discuss matters of mutual interest and concern.
- Council shall appoint a representative from Parks Canada to sit on

the Planning Board.

- Council shall work with Parks Canada and the Provincial Government to develop a Joint Tourism Development and Promotion Strategy.
- Council shall consult Parks Canada on all major development applications which could directly affect the Park's interests.
- Council shall seek the input of Parks Canada officials on heritage and natural area issues in the Planning Area.
- Council will request 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.

**Policy PNP-2: Viewplanes/Farming Activities**

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 viewplanes” within the Park.

**Plan Action:**

- 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.

**Policy PNP-3: “Commercialization”**

It shall be the policy of Council to oppose inappropriate “commercialization” of the National Park.

**Plan Action:**

- Council will continue to oppose inappropriate “commercialization” activities in the Park.

**Policy PNP-4: Circulation/Parking**

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

**Plan Action:**

- Council shall participate in long term planning with Parks Canada and the Department of Transportation and Public Works to develop appropriate solutions to the problems created by the potential closure of Gulf Shore Parkway between Cawnpore Lane and North Rustico.
- Council will continue to examine options to connect municipal and National Parks trail systems.
- Council shall continue to work with Parks Canada to encourage pedestrian and bicycle access to the National Park.
- Council will continue to pursue alternative transportation modes within the Planning Area, such as expanded shuttle services and other means to reduce traffic loadings on the National Park.
- Council will continue to promote alternative attraction facilities and other amenities which will complement the National Park and hopefully reduce peak visitation pressures.

**4.10 INSTITUTIONAL**

As noted earlier, the Resort Municipality has very limited Institutional facilities and this situation is not likely to change until year round population figures increase dramatically. Council must, however, be sensitive to the needs of our present institutional facilities and supportive of the actions of our neighbouring communities to maintain those regional institutional facilities on which our residents depend.

**OBJECTIVES:**

- To protect the existing Institutional facilities in the community.
- To protect those other regional facilities in which our residents depend.
- To promote expanded institutional development within the Planning Area.

**POLICIES:****Policy PI-1: General**

It shall be the policy of Council to protect the Planning Area'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 Planning Area depend.

**Plan Action:**

- The Development Bylaw shall designate all Institutional facilities within the Planning Area as PSI-Public Services and Institutional.
- The Development Bylaw shall establish permitted uses and development standards for this zone.
- Council shall support the efforts of its neighbouring communities to ensure the long term health and viability of regional institutional facilities, such as schools, churches, health centres, etc.

#### **4.11 ENVIRONMENT**

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 Planning Area's intrinsic natural carrying capacity.

The Planning Area is totally dependent on groundwater for its domestic water supply; the local fishery, tourism and wildlife are all dependent on the quality of our surface water; 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.

In the future a higher level of 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.

**OBJECTIVES:**

- To protect the quality and quantity of the area's vital groundwater resources.
- To protect and enhance the quality of surface water.
- To protect and preserve the area's significant natural features.
- To protect and enhance wildlife habitat areas.
- To minimize erosion and siltation resulting from construction and farming practices.
- To prevent indiscriminate cutting of woodlands and removal of hedgerows.
- To minimize air and noise pollution.
- To protect the sensitive ecosystems within the National Park.

**POLICIES:**

**Policy PE-1: Groundwater Protection**

It shall be the policy of Council to work with the Department of Environmental Resources to protect both the quality and quantity of groundwater resources in the Planning Area.

**Plan Action:**

- Council shall assist the Department of Environmental Resources 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.
- Land uses which would pose serious groundwater contamination risks, such as chemical plants or storage depots shall not be permitted in the Planning Area.
- Development permit applications shall be required to identify any chemical storage areas or underground petroleum storage.

- Council shall encourage the maintenance and protection of features which contribute to groundwater re-charging such as wetlands, storm water retention areas, trees and other dense vegetation. Council shall seek to identify and protect major aquifer re-charge areas.
- Council shall encourage site plans which minimize the use of impervious surfaces.
- Land uses which would utilize extremely high volumes of fresh water shall not be permitted.
- Council will 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. Council will encourage the use of low flow toilets and other water conservation measures.
- Council will work with the Department of Environmental Resources to identify and appropriately seal all abandoned wells, and to encourage improved protection for active wells through management of surface run-off, grouting, casing and other measures. Well water quality will continue to be closely monitored and localized pollution issues addressed.
- Council shall develop a Central Water Supply Contingency Plan which would include the identification, testing and acquisition of a central wellfield site.

**Policy PE-2: Surface Water Protection**

It shall be the policy of Council to protect and enhance the quality of streams, ponds, rivers, wetlands and other surface water features in the Planning Area.

**Plan Action:**

- The Development Bylaw shall establish a conservation setback or buffer zone adjacent to all drainage courses or bodies of surface water (including seasonal retention areas), limiting construction activities and minimizing the disruption of natural vegetation.
- The Development Bylaw shall prohibit any 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.

- Council will attempt to establish public ownership of surface water systems through open space dedication and negotiations with land owners.
- Council will work with the Department of Environmental Resources, Parks Canada, the Island Nature Trust, Ducks Unlimited and other interested parties to develop management plans for all major stream systems and wetlands in the Planning Area.

**Policy PE-3: Erosion and Siltation Control**

It shall be the policy of Council to regulate development activities in order to minimize soil erosion and resultant siltation of surface water bodies.

**Plan Action:**

- The Development Bylaw shall require construction projects to implement erosion and siltation control measures to ensure the protection of adjacent streams and wetlands and prevent damage to adjacent properties.
- Site plans shall be required to identify adjacent surface water features, steep slopes and existing vegetation and demonstrate how these features have been protected.

**Policy PE-4: Habitat Protection**

It shall be the policy of Council to work with the Department of Environmental Resources and Parks Canada to identify significant habitat areas in the municipality, to restrict development in and adjacent to these areas, to encourage the implementation of management plans and to work with our neighbours to protect significant habitat areas in the region.

**Plan Action:**

- Where significant habitat areas have been identified Council shall work with land owners and other interested parties to develop management plans.
- Council may consider the zoning of particularly significant areas as conservation areas or environmental reserves.

- Council will attempt to encourage public control and ownership of these areas through “open space dedication”, donations or purchase by other public or private conservation interests.

**Policy PE-5: Air Quality/Noise**

It shall be the policy of Council to restrict those activities in the Planning Area which would be detrimental to air quality or affect the rights of residents to the peaceful enjoyment of their property.

**Plan Action:**

- The Development Bylaw shall restrict land use activities other than farm activities, which pose a public nuisance due to: smoke; odors; dust or other emissions; noise or excessive vibrations; hours of operation or excessive lighting.
- Council shall continue to address nuisance complaints through direct negotiation with the parties.
- Council shall consider the implementation of a Nuisance Bylaw or Business Licensing Bylaw if negotiated solutions are deemed to be ineffective.

**Policy PE-6: Visual Amenity**

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

**Plan Action:**

- Council shall enact a Minimum Maintenance Bylaw which will impose 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.
- Council shall encourage developers to consider the visual context of their developments and to sensitively integrate new developments into the surrounding natural and man-made landscape.

## **5.0 GENERAL LAND USE PLAN**

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

In formulating the General Land Use Plan, Council has applied the following criteria:

- land use conflicts shall be minimized
- agricultural areas shall be protected
- commercial development shall be focused in the serviced core area
- a Resort Core Area shall be designated
- attractions shall be directed to locate in the Core Area
- the National Park shall be designated as a special area
- all other relevant policies and principles included in this plan.

## **6.0 IMPLEMENTATION**

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### **6.1 ADMINISTRATION**

Administration and implementation of this Official Plan is the responsibility of Council. The Council shall, however, seek the input of Planning Board on matters pertaining to the Plan. The primary implementation tool for the Plan is the Development 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 Plan to a Development Officer appointed by Council.

### **6.2 DEVELOPMENT BYLAW**

Immediately upon the approval of this Plan by the Minister of Community Services and Attorney General, Council shall adopt a new zoning and subdivision control bylaw which is in conformance with the policies and provisions of this Plan, pursuant to the provisions of the *Planning Act*. This revised document shall be referred to as the Resort Municipality Development Bylaw.

The Development 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 for controlling the subdivision and consolidation of land within the

municipality. The Bylaw may also provide for “conditional” and “special permit” uses.

### **6.2.1 Approval of Development or Change of Use**

The Development Bylaw shall require any person undertaking any development or change of use of land or premises to apply for a development permit, using a 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 in order to ensure conformance with this Plan.

The Bylaw may also provide for 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 which could present a nuisance or hazard during construction. The Bylaw shall also provide for the submission of Environmental Impact Assessments assessing such development impacts as Council may determine and recommending remedial actions.

Once the development is approved, a numbered permit will be issued which must be displayed at the site. The receipt of a development permit does not, however, excuse the applicant from the requirement to comply with any other municipal, provincial or federal laws in force relating to the development, such as fire codes and regulations, health and safety codes, sewage disposal regulations, signage regulations, plumbing and electrical regulations and other such laws or regulations. Council shall maintain a liaison with other regulatory bodies and agencies during the permit approval process.

### **6.2.2 Development Agreements**

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

### **6.2.3 Variances**

Council may grant variances to the provisions of the Development Bylaw where strict compliance to the precise terms of the Bylaw would represent an unreasonable or inappropriate burden on the applicant and where the general

intent and purpose of the Bylaw and this Plan is upheld.

### **6.3 DEVELOPMENT ASSISTANCE AND PROMOTION**

Council shall direct its staff to provide hands-on assistance to prospective developers in terms of explaining the provisions of the Development Bylaw and promoting good design and safe, efficient use of land.

Council shall continue to work with the Provincial Government, Parks Canada and local business groups and development agencies to promote the Planning Area as a tourism destination, a residential location and an excellent place in which to invest.

### **6.4 BUDGETING**

While the Development Bylaw and other bylaws passed under the *Municipalities Act* are the primary tools for controlling and directing land use, development, cultural and economic activities in the Planning Area, the Municipal Budget is also a key implementation tool for many of the policies laid out in this Plan and, to the extent practicable, the Budget should conform with the overall policy framework of the Plan.

#### **6.4.1 Budget Policies**

Council has established the following fiscal policies as a framework to guide municipal revenues and expenditures:

- As a general policy, Council shall strive to maintain stable and affordable tax and utility rates.
- Council shall adopt a two-tier property tax system with a lower rate for rural designated properties.
- Council shall not budget for an operating deficit in any fiscal year.
- Any incurred deficit shall be addressed as part of the subsequent annual budget.
- Council shall aggressively pursue all options for cost-sharing and shall maximize financial assistance from other levels of government and other sources.
- Major capital expenditures shall be amortized over an appropriate period of years in order to maintain stable tax rates and utility

rates.

- Council shall continue to maintain low permanent staff levels and contract out for specialized services until needs and projected savings warrant further staffing.

#### **6.4.2 Capital Priorities**

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

- a) Central Wastewater Treatment System Upgrading
- b) Additional Street Lighting
- c) Boardwalk/Trail Extension
- d) Central Water Supply Contingency Plan
- e) Wellfield Testing
- f) Central Wellfield Acquisition
- g) Day Use Areas
- h) Resort Core Area Development Concept Plan
- i) Parks and Recreation Development Fund
- j) street signs

#### **6.5 REVIEW**

Council shall, on a regular basis, review its activities in terms of the successful implementation of this Plan in conformance with the provisions of the *Planning Act*.

#### **6.6 AMENDMENTS**

The Official Plan and Development Bylaw may be amended as circumstances change in the community or in response to requests from the public, provided that all relevant provisions of the *Planning Act* are complied with.

#### **6.7 APPEAL PROCEDURE**

Any person who is dissatisfied with a decision of Council in the administration of the Official Plan or Development Bylaw may, within 21 days of the decision, appeal the decision to the Island Regulatory and Appeals Commission in accordance with the provisions of the *Planning Act*.

