

# **COMMUNITY OF EASTERN KINGS**

## **2013 OFFICIAL PLAN**

# Table of Contents

- 1. Introduction ..... 1
  - 1.1. Purpose ..... 1
  - 1.2. Planning Area ..... 1
  - 1.3. Legal Enablement ..... 1
  - 1.4. Official Plan Review and Monitoring ..... 1
- 2. The Community of Eastern Kings ..... 2
  - 2.1. Historical Background ..... 2
  - 2.2. Site and Situation ..... 3
  - 2.3. Existing Land Use ..... 4
    - 2.3.1. Development Levels ..... 5
    - 2.3.2. Subdivision Permits Issued ..... 6
    - 2.3.3. Residential ..... 6
    - 2.3.4. Commercial and Industrial ..... 6
  - 2.4. Population Analysis ..... 6
  - 2.5. Municipal Services/Infrastructure ..... 7
  - 2.6. Transportation ..... 7
  - 2.7. Institutional Facilities ..... 7
  - 2.8. Recreation ..... 8
- 3. Vision, Goals, Objectives, Policies and Plan Actions ..... 9
  - 3.1. Vision ..... 9
  - 3.2. Future Development Goals ..... 9
  - 3.3. General Future Land Use Map ..... 9
  - 3.4. Goals ..... 9
    - 3.4.1. General ..... 9
    - 3.4.2. Social ..... 10
    - 3.4.3. Economic ..... 10
    - 3.4.4. Physical ..... 10
    - 3.4.5. Environmental ..... 10
  - 3.5. Agriculture and Resource Use ..... 11
    - 3.5.1. Agricultural and Resource Use Policies ..... 11
  - 3.6. Residential Development ..... 13

3.6.1. Residential Development Policies .....	14
3.7. Commercial Zone .....	17
3.7.1. Commercial Development .....	17
3.7.1.1. Commercial Designations .....	18
3.7.1.2. General Commercial Development Policies .....	18
3.8. Industrial Zone.....	19
3.9. Institutional Zone.....	20
3.9.1. Institutional Development .....	20
3.9.1.1. Public Service and Institutional Development Policies .....	21
3.10. Parks and Conservation Zone.....	21
3.10.1. Parks and Conservation Policies .....	22
3.11. Natural Areas .....	23
3.11.1. Groundwater.....	23
3.11.2. Natural Areas Policies .....	24
3.12. Environmental Protection .....	24
3.13. Transportation .....	25
3.13.1. Transportation Policies .....	26
3.14. On Site Services.....	27
3.15. Municipal Services .....	28
3.15.1. Municipal Services Policies .....	28
3.16. Regional Resources .....	29
3.16.1. Windmill Policies.....	30
4. Permits.....	32
4.1. Development Permits .....	32
4.1.1. Development permit Requirement Policy .....	32
4.1.2. Conformity with Provincial/ Federal Laws and Regulations .....	32
4.1.3. Approved Development Permit File Policy .....	32
4.2. Subdivision .....	33
4.2.1. Subdivision Permit Requirement Policy .....	33
4.2.2. Subdivision Approval Process Policy.....	33
4.2.3. Government Consultation Policy .....	33
4.2.4. Approved Subdivision File Policy.....	34

5. Implementation .....35  
5.1. Zoning and Subdivision Control Bylaw Administration Policy .....35  
5.2. Annual Review and Implementation Policy .....35  
5.3. Plan Amendment Policy .....35

# 1. Introduction

## 1.1. Purpose

The Official Plan for the Community of Eastern Kings is a formal set of goals, objectives and policies approved by Council concerning the nature, extent, and pattern of future land use and development within the Community until the year 2018.

The land use and development objectives set out in the Plan are broad statements of intent, while the policy statements serve as guidelines indicating the specific action which will be taken to achieve the stated goals and objectives. The 2013 Community of Eastern Kings Official Plan also serves as a basis for the 2013 Zoning and Subdivision Control Bylaws which will implement the policies outlined in the Plan.

## 1.2. Planning Area

The geographical area that is the subject of the 2013 Official Plan is the area within the legal municipal boundaries of the Community of Eastern Kings.

## 1.3. Legal Enablement

The Province's Planning Act R.S.P.E.I. 1988, Cap. P-8 and Municipalities Act R.S.P.E.I. 1988, M-13 gives the Eastern Kings Community Council most of its powers. Under the Municipalities Act, municipalities have the right to pass bylaws and provide services in a number of areas. Communities such as Eastern Kings that were incorporated as Community Improvement Committees (before 1983) have responsibility over Official Plans and Bylaws, fire protection, garbage collection, street lights, administration and recreation. The Planning Act gives Council the authority to appoint a planning board, adopt an official plan for the Community, and to make bylaws that will help, in part, to implement the policies identified in the Plan.

## 1.4. Official Plan Review and Monitoring

The 2013 Official Plan directs the future of Eastern Kings for approximately the next five years, and will be subject to periodic review to compare the extent to which the objectives have been achieved. An Official Plan is intended to be a dynamic planning tool and document. As such, it is subject to ongoing review. This Official Plan will be monitored on an ongoing (annual) basis to ensure compatibility with changing circumstances. A comprehensive and major review of this Plan will be scheduled for 2018.

## 2. The Community of Eastern Kings

### 2.1. Historical Background

Thousands of years before European settlers arrived in Eastern Kings, the area was home to the indigenous Mi'kmaq people. They called the island "Epekwitk", which means "cradled in the waves." These people called East Point, Kespemenegek, meaning "end of an island". It's believed that Mi'kmaq have been present on Prince Edward Island for over 10,000 years.

In the 1970s and early 1980s, several archeological sites were excavated in Eastern Kings where remnants of Mi'kmaq settlement were found. The Wakelin Site, near Basin Head, was where it was determined that Mi'kmaq had hunted in that area over 2000 years ago. The area was most likely a seasonal hunting and fishing camp. It is assumed that the Mi'kmaq would canoe across the strait from the mainland for the summer.

In 1980, the MacDonald Site uncovered more recent evidence of indigenous life in Eastern Kings, dating around 800 and 1000 AD. This spot was a more popular camping spot in the area which Mi'kmaq would camp at several times throughout the year, depending on how abundant the hunt was. Their major food source appears to have been seal in the late winter or early spring. Some of the seal may have been caught on shore, but most would have been harpooned from canoes on the water. Other animal bones found in the area, included beaver, otter, fox, turtle, and caribou. Remains of fish, such as salmon and flounder were found there too; shellfish seems to have been an important part of the Mi'kmaq diet.

Under French rule, Pointe de l'Est was first mapped in 1686 by the King's hydrographer, Jean-Baptist-Louis Franquelin of Acadia. In 1750, Pointe de l'Est was shortly known as Pointe Rouge, before the British Surveyor-General Samuel Holland named it East Point in 1765.

In the French census of 1728, Francois Douville of St. Peter's Harbour and Matthieu Turin of East Point were noted as the first known European settlers on the Island. They stated that they settled on the Island in 1719. However, in 1738, a massive fire destroyed much of Eastern Kings, including the French settlement.

The Island was ceded to the British in 1763. Captain Samuel Holland completed a survey of the Island in 1765. The Island was divided into three counties, 14 parishes and 67 townships. These townships were allocated to prominent British persons in a lottery, and hence became known as lots.

After St. John's Island was transferred to British rule, many families travelled across the Atlantic to begin a new life in the New World. Many of those original family names can still be found today in Eastern Kings; centuries of families having called this area home.

When the first British settlers arrived at North Lake after Louisburg was captured in 1759, French shallop or schooners were found there, indicating the area to have been a trading port.

Many of the families that belong to St. Columba parish can trace their roots back to the settlement of Glenaladale Estate in Tracadie and Savage Harbour. These were Highland Scots who arrived on the Island aboard The Alexander in 1772. Leaving the Tracadie area, the emigrant Scots moved out around the Island with many of them going to the eastern end.

In 1805, a Mr. Peebles and John Ford Sr. arrived at East Point after being granted government land there. Ford originated in Falkirk, Scotland and served in Halifax, N.S. with the 42nd Highlanders.

In 1808, the first settlers arrived in Kingsboro, then called West River. Their names included the following families: McLane, Kennedy, MacDonald, Stewart and Munns. Two years later, in 1810, Duncan Stewart and Donald MacDonald arrive in Kingsboro from Pethshire, Scotland.

In 1817, The Scotts, Frazers and another Duncan arrive in Munns Harbour, now called Kingsboro.

In 1818, Duncan Robertson Sr. and wife arrived from Perthshire after staying a short time with relatives in Nova Scotia.

The Rose and Baker families came from Dorsetshire, England. Peter Rose arrived at North Lake in 1790 as assistant to Captain Minwarren. A few years later, he sent a letter to his brother in England to join him in the New World. In 1804, Sampson Rose arrived at North Lake with wife, Elizabeth Baker and her cousin James Baker.

The Bruce families in Eastern Kings are descendants of two brothers from Caithnesshire, Scotland who arrived in the area in 1840.

## **2.2. Site and Situation**

The Community of Eastern Kings is the most eastern municipality in Prince Edward Island, Canada. The Municipality of Eastern Kings was incorporated in 1974 and,

according to data from the Province of Prince Edward Island, the Community has a current population of 702.

According to records from the Province of Prince Edward Island, the Municipality of Eastern Kings consists of 34,830 acres (14,095 hectares) in area. Commercial assessment in 2010 was estimated at \$16,415,400. Non-commercial assessment in 2010 was estimated at \$77,975,056. About 20 % of the total tax assessment in Eastern Kings is commercial.

Municipal boundaries encompass the local communities of Basin Head, Bayfield, Bothwell, Campbell's Cove, East Baltic, East Point, Elmira, Fairfield, Glencorradale, Kingsboro, Lakeville, Munns Road, North Lake, Priest Pond, Red Point and South Lake.

The closest town is Souris, which is about a five minute drive from Red Point Provincial Park. Many attractions are located within the community, such as the Basin Head Fisheries Museum and Provincial Park, the Confederation Trail, East Point Lighthouse and the Elmira Railway Museum.

### **2.3. Existing Land Use**

Provincial data from 2009 indicate that the Community of Eastern Kings is 141 square kilometres or 14,095 hectares /34,830 acres in area. Of that area, 8423 hectares/ 20,813.7 acres are in forest cover, 3323.7 hectares/ 8213 acres are in agricultural use, 1030.2 hectares/ 2545.7 acres are classified as wetland and 690.9 hectares/ 1707.3 acres are developed, 537.3 hectares/ 1327.7 acres of land are unclassified.

Thus, 60.1% of the land use is in forest cover, 23.7 % of the land use is in agriculture, 7.4% is classified as wetland, and 4.9% is classified as developed, with 3.8% remaining unclassified.

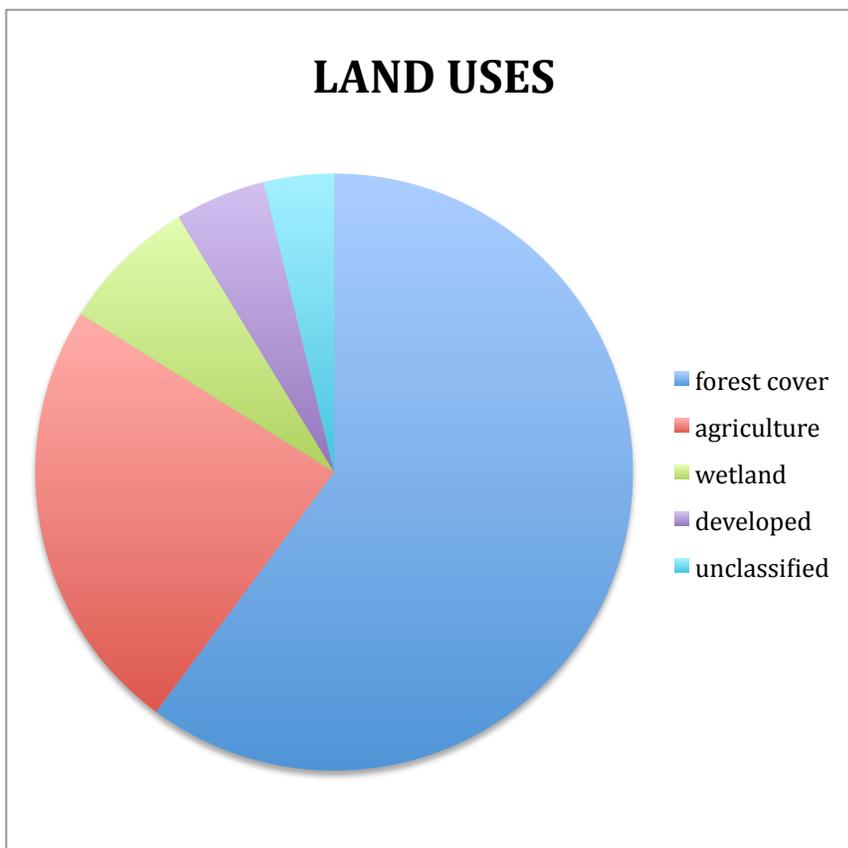
Provincial tax records for 2012 indicate that a total of 1712 properties are identified within the Municipality. 299 are identified as farm properties, 566 as residential, and 37 as commercial assessment. 11 properties are owned by the Government of Canada, and 126 are owned by the Government of Prince Edward Island.

Mapping data from the Province of Prince Edward Island indicates that in total 2119 Property Identification numbers have been issued for taxation purposes within the Municipality. 642 properties have been assigned civic addresses, which indicates some form of development on these existing lots. We assume that most are developed with residences.

It is important to note that a total of 371 properties are currently under the provincial minimum lot size of 25,000 square feet (0.23 hectares). Thus 371/2199 (or about 17%)

properties are under sized. Properties range in size from 79 square metres (850 square feet) to 1,228,308.1 square metres(303.5 acres). The median property size was identified as 13967.59 square metres ( 3.45 acres).

The total length of roads within the Municipality is 132.17 kilometres. Collector roads account for 43% (59.96km) of the road network, local public roads account for 35% (46.15 kilometres) and private roads account for 18% (24.41 kilometres) of the road network. The private roads range from narrow and short clay lanes to roadways complete with ditches and culverts. The remaining 4% (4.64 kilometres) of roadways are classified as either resource roads or service roads.



#### 2.3.1. **Development Levels**

According to general provincial records, ranging from 1999-2009, an average of 12 development permits were issued annually in this 10 year period, as shown in Table 1. This data does not classify type of development permit. This data was collected from provincial government sources, as the community does not have consistent clear records on development permits.

**Table 1: Development Levels**

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total	Average
Eastern Kings	11	11	12	17	14	14	8	15	10	11	8	131	12/year

**2.3.2. Subdivision Permits Issued**

No current records are kept on subdivision activity.

**2.3.3. Residential**

Residential development is characterized by a generally low density pattern of primarily single family dwellings dispersed throughout the municipality. A wide variety of dwellings exist, ranging in use from small seasonal cottages, or cottage rentals to large single family homes. Any residence located on a private road could be classified as a seasonal residence, even though the residence could be occupied year round.

**2.3.4. Commercial and Industrial**

Commercial businesses include agricultural operations, fishery related services, general services, tourist accommodations or tourist related operations. See the Current Land Use Map for the location of commercial and industrial activities that have been identified. A number of commercial businesses are related to either agricultural activities or to the fishery. Over 17% of the tax assessment for all developed buildings is commercial.

**2.4. Population Analysis**

According to records from the Province of Prince Edward Island, the Municipality of Eastern Kings has a population of 702.

Data collected on population by Statistics Canada cover all of Lot 46 and lot 47. The boundaries used to define the census area do not correspond directly with Municipal boundaries. In 2011, the total population for lot 46 was 360 and 496 in lot 47, totalling 856 for the 2 combined census lots. This is greater than the population of the community, but the patterns noted by Census Canada can be useful to determine general patterns in the area.

In general, population in the area has declined between since 2006. Population decline for lot 46 was 10% and for lot 47 the population decline was 4.4%.

The total number of private dwellings was recorded as 237 in lot 46 and 337 in lot 47, totalling 574 private dwellings. Of these private dwellings, 183/337 were occupied by usual residents in lot 46 and 131/237 were occupied by usual residents in lot 47, totalling 314/574. Thus, about 55% of private dwellings are occupied by usual residents, leaving about 45% occupied on a temporary or seasonal basis. Almost all residential buildings are described detached single family dwellings.

The Statistics Canada data regarding the number of residential properties (574) is similar to the Provincial data collected for taxation purposes, which identifies 566 residential properties within the Municipality.

Statistics Canada indicate that the general population of the area has declined between 4-10% since the last census in 2006. If the year round population continues to decline, this will have an impact on the need for housing stock or lots for development. Also, given the significant stock of residences used seasonally, it is important to collect and maintain data on seasonal usage in order to determine whether there is increased demand for seasonal properties within the Municipality. It is important to determine whether the current stock of undeveloped properties is sufficient to meet the market demand for year round properties and seasonal properties.

The community may consider a review of delivery of services, given the significant proportion of properties that are occupied on a seasonal basis.

## 2.5. **Municipal Services/Infrastructure**

Police protection for the Community is provided by the Royal Canadian Mounted Police through a contract with the Province respecting police services in rural communities.

Fire protection for the Community is with the Eastern Kings Fire Department.

At the present time, all dwellings and public facilities within the Community are serviced by individual wells. All properties in Eastern Kings are serviced by on-site sewage disposal systems.

Garbage collection, compost collection and recycling within the Community is through the Province of Prince Edward Island's Island Waste Watch Program.

## 2.6. **Transportation**

The Community of Eastern Kings does not have direct responsibility for any of the public or private roads within the Municipality. Route 16 is classified as a secondary provincial highway; secondary highways are paved all-weather roads.

## 2.7. **Institutional Facilities**

The Eastern Kings Community Centre houses the Municipal Council Offices, meeting rooms and an auditorium. A park area is located on the building grounds. The Elmira railway station and the East Point Lighthouse are open to the public in the summer. Other institutional facilities include the Eastern Kings Fire Department Hall, some small community Halls, churches and former schools.

## 2.8. **Recreation**

Located off route 16, Basin Head is a day use park featuring a supervised white sand beach, play area, food on site, washroom and shower facilities. The park is home to the Basin Head Fisheries Museum.

A branch of the Confederation Trail leads east to the terminus of the trail at Elmira where a 1912 wooden railway station has been restored as a railway museum. From there it is a few kilometres to East Point.

## 3. Vision, Goals, Objectives, Policies and Plan Actions

### 3.1. Vision

To develop a long term sustainable economy which is in harmony with the natural carrying capacity of the local physical environment. To protect and enhance the existing natural environment and rural lifestyle while promoting a variety of housing choices and commercial and recreational opportunities within the community.

### 3.2. Future Development Goals

To protect and enhance the existing physical features to promote a viable local economy, especially related to agriculture, forestry, the fishery and recreation. To protect and enhance the health of the local watersheds by establishing a high standard of buffers along watercourses and wetlands, and by promoting a high standard of property development.

### 3.3. General Future Land Use Map

The General Future Land Use Map captures a long term vision for growth within the Municipality. The General Future Land Use Map represents a long term vision for land use patterns emerging over the next fifteen years. This map is meant to serve as a guide to the arrangement of future land uses within the Community. This map lays the general foundation and establishes the direction for the Zoning map in the Development Bylaw, which is more detailed.

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

- Land use conflicts shall be minimized;
- The Municipality shall remain low density in nature;
- Agricultural areas shall be protected;
- The local watersheds will be protected and enhanced;
- Commercial, Industrial and Institutional developments shall be located in areas that are compatible with existing and adjacent land uses; and
- All other relevant policies and principles included in this Plan.

### 3.4. Goals

#### 3.4.1. General

- To preserve the traditional rural character of Eastern Kings; and
- To promote the local economy based on the natural environment.

#### **3.4.2. Social**

- To preserve rural lifestyle and values;
- To promote a range of housing opportunities to meet the changing needs of a diverse population;
- To develop facilities to promote a variety of recreational and cultural activities; and
- To foster social interaction.

#### **3.4.3. Economic**

- To maintain affordable tax rates;
- To protect our major attractions;
- To develop a long term sustainable economy which is in harmony with the natural carrying capacity of the planning area;
- To promote existing fishing, forestry and farming economy; and
- To promote innovative economic development.

#### **3.4.4. Physical**

- To encourage a high standard of site planning and development;
- To minimize potential land use conflicts;
- To ensure that storm water run-off is managed in a safe, cost effective and environmentally sensitive manner;
- To ensure that waste water is treated and disposed of in an efficient and environmentally acceptable manner;
- To ensure a secure and safe supply of potable water;
- To encourage the development and maintenance of a safe and efficient transportation system;
- To regulate development to ensure growth and development of land is in an organized and efficient manner; and
- To encourage development of pathways, parks and additional recreational facilities.

#### **3.4.5. Environmental**

- To protect and enhance the ecological integrity of the Community;
- To promote watershed management principles in land use planning;
- To encourage responsible waste management;
- To facilitate opportunities for residents to have access to natural areas and the shoreline;
- To identify, protect and enhance important and significant environmental features;
- To encourage responsible waste management;
- To protect the quality and supply of groundwater and surface water resources; and
- To ensure that the environmental impacts of development do not compromise the ability of future generations to meet their needs and enjoy the quality of life that we enjoy today.

### 3.5. **Agriculture and Resource Use**

The Plan recognizes the overriding importance of agriculture and forestry in the economy of Eastern Kings and its role in shaping the lifestyle of the community. It follows that farming should have priority in the use and availability of prime land. Agricultural land must be protected from development that would conflict with it. Approximately 85% of the land mass in the Community is in agricultural or forestry use. The importance of agriculture and forestry to the long term health of the community has been well documented and farming and forestry are seen as a long term component of the local economy, not merely a temporary use of the land.

Council will take this preference into account when considering proposed uses of prime land that is suited for agricultural purposes, or land that is well suited for forestry purposes. The same applies when Council is deciding on a proposed development that would conflict with agriculture or forestry when that development would take place on any land adjoining active farm land or any land adjoining idle prime land.

Agricultural and forestry land shall be protected and enhanced through policies developed in the Official Plan and regulations in the Development Bylaws.

#### **Objective**

1. **To keep productive farm land in active use.**
2. **To promote agriculture and forestry within the entire community.**
3. **To minimize subdivision of farmland or forestland.**
4. **To encourage responsible and environmentally sustainable agricultural and forestry land use practices.**
5. **To minimize land use conflicts between different land uses.**
6. **To promote commercial operations that are related to agriculture or forestry.**
7. **To promote the health of the local watersheds.**
8. **To regulate the development of wind turbines on Agriculturally zoned land.**

#### 3.5.1. ***Agricultural and Resource Use Policies***

##### Policy AR-1. **Agricultural and Resource Zone Policy**

An area will be identified and zoned primarily for agricultural, forestry and resource use. Agricultural zoning provisions will be developed to protect agricultural and forestry interests and to maintain the most suitable land in viable agricultural production.

##### **Plan Action:**

- To establish an Agricultural (AZ) zone;
- Zoning shall be in conformance with the General Future Land Use Map;
- Agricultural Zoning will cover the majority of the land mass within the Municipality; and

- The Development Bylaws shall list permitted uses within the AZ zone.

Policy AR-2. **Minimize Subdivision of Agricultural Land**

Subdivision provisions will be developed to minimize the subdivision of agricultural land.

**Plan Action:**

- The Development Bylaws will limit the maximum number of lots to be severed within the AZ zone; and
- Subdivision of lots on agricultural land shall conform to the minimum Provincial regulations.

Policy AR-3. **Sustainable Agricultural Practices**

Farming practices that protect the local watersheds and soil and water resources will be promoted, and Council will work to promote an awareness of the local services and products that are available.

**Plan Action:**

- Council will work with community groups, organizations and with other levels of government to promote sustainable agricultural initiatives to protect and enhance soil and water resources;
- Council shall work with the Province to protect natural vegetation adjacent to streams, wetlands and other water courses;
- Council shall work with the staff of the Minister responsible for the Environment to ensure that surface water resources within municipal boundaries are protected from degradation, and to identify and establish buffer zones to protect streams, wetlands and watercourses; and
- The Development Bylaws will regulate the establishment of buffer zones to protect streams, wetlands and watercourses.

Policy AR-4. **Intensive Agriculture**

Existing intensive agricultural operations shall be protected from encroachment. Intensive agricultural activities shall generally be contained to the Agricultural Resource (AZ) zone.

**Plan Action:**

- Residential development shall not be permitted in close proximity to existing intensive livestock operations;
- No intensive agricultural uses will be permitted within the Residential zone;
- The Development Bylaws shall define “intensive agriculture” uses; and
- The Development Bylaws shall respect Provincial policies and regulations regarding intensive livestock operations.

Policy AR-5. **Commercial Agriculture**

Certain commercial activities which are related to farm operations shall be permitted to locate in the Agricultural zone, subject to Council review and approval.

Council will review applications for Commercial Agricultural use.

**Plan Action:**

- Commercial uses permitted in the Agricultural (AZ) Zone shall be those directly related to the production or sale of products from local agricultural operations, which will include roadside fruit and vegetable stands and greenhouses. Adequate parking and safe ingress and egress shall be required; and
- The Development Bylaws will list the permitted uses within the AZ zone.

Policy AR-6. **Minimize Conflicting Land uses**

It shall be Council's policy to minimize land use conflicts between agriculture and non-compatible land uses by requiring greater building setbacks or buffers from property lines adjacent to active farmland.

Policy AR-7. **Forestry Activity**

Council will promote conversion of suitable land within the Agricultural zone not in agricultural production to forestry uses.

**Plan Action:**

- Forestry will be designated as a permitted use in the Agricultural zone.

Policy AR-8. **Wind Turbines**

The Subdivision and Development Bylaws will regulate development of Wind Turbines within the Agricultural Zone.

**Plan Action:**

- Wind Turbines will be designated as a special permit use within the Agricultural Zone.

### 3.6. **Residential Development**

Residential growth in the Community has consisted of single family homes and summer cottages and seasonal homes scattered along the coast. With changing economic and demographic conditions and changing residential patterns, Council will encourage flexibility and development in an orderly, economic manner. In facilitating residential development, Council will develop policies to protect drinking water quality. In addition, Council will develop policies to protect the integrity of residential lots to minimize potential land use conflicts. Low density residential development will be permitted within the Residential (RZ) zone.

Policies will be established to create uniform residential lot and building standards. Minimum lot sizes of one acre must also conform to the provincial standards which are in effect under the Planning Act. Home occupations or small business enterprises and bed and breakfast establishments will be regulated in the Bylaw.

## **Objective**

---

1. **To protect the quality of drinking water.**
2. **To ensure that residential development is appropriately serviced and sensitive to the natural environment.**
3. **To ensure high standards of subdivision design, site planning and physical appearance.**
4. **To promote only seasonal type activities to locate on existing seasonal roads, and private rights-of-ways.**
5. **To enable the continued development of low density large lot, on site serviced residential areas.**
6. **To minimize conflicting land uses between residential and other uses.**
7. **To enable the development of conservation subdivisions to promote a variety of housing options.**
8. **To standardize lot and development standards across the Community.**
9. **To facilitate garden suites, home businesses and bed & breakfast establishments.**

### **3.6.1. Residential Development Policies**

#### **Policy R-1. Residential Zoning**

It shall be the policy of Council to designate sufficient residential land to accommodate the projected housing needs (seasonal and year round) for the period of this plan. Council shall review market trends to determine whether the existing stock of undeveloped lots is adequate to meet the current and projected needs. Residential development shall be encouraged to locate in and adjacent to existing built up areas. A Single Family Residential Zone will be established to address low density residential development.

#### **Plan Action:**

- The Development Bylaw shall zone sufficient residential land to meet projected housing needs of the Community;
- Residential zoning shall be in conformance with the General Future Land Use Map;
- Residential development and growth will be monitored on an annual basis to measure the existing stock of undeveloped lots;
- The Development Bylaws will establish development standards for large lot on-site serviced residential subdivisions; and
- The Development Bylaws will establish development standards to facilitate servicing options and conservation subdivisions.

#### **Policy R-2. Residential Development Standards**

It shall be the policy of Council to establish development standards for residential development which ensure public health and safety, adequate servicing, lot coverage,

adequate lot sizing, building height, building setbacks, buffering, visual appearance, site compatibility and other matters to enhance the health, safety and convenience of residents.

**Plan Action:**

- The Development Bylaws shall establish residential development standards relating to lot sizes, lot coverage, set-backs, servicing, parking, buffering and other related matters;
- The Development Bylaws shall establish residential development standards relating to subdivisions such as phasing and lot configuration, subdivisions located in coastal areas will have special regard for siting of viewscales, parklands, public spaces and beach accesses;
- The Development Bylaws shall establish residential standards and policies to ensure the long-term viability of on site or common waste water treatment systems and on site or common water systems, and to ensure the protection of groundwater supplies;
- The Development Bylaws shall restrict further construction of private roads for seasonal lots. One consistent minimum development standard shall be established for all new development; and
- Residential lots will be subject to provincial minimum standards.

Policy R-3. **Residential Density Policy**

It shall be the policy of Council to maintain the existing low density character of the community. Council shall consider expanded opportunities for residential development, but in a form and scale which will not conflict with the existing low density character of the Community.

**Plan Action:**

- The Development Bylaw shall zone residential land consistent with the General Future Land Use Map;
- The integrity of existing low density residential areas will be protected;
- The Development Bylaw will zone land for low density residential use which is appropriate in size and location and in conformance with the General Future Land Use Map;
- The Community's Zoning and Subdivision Control Bylaws will state that minimum lot sizes for residential development within Eastern Kings will be at least 0.40 hectares or one acre in area and otherwise will be in accordance with minimum Provincial standards;
- Development standards and policies shall ensure the long term viability of on-site or common waste water treatment systems, and the protection of groundwater supplies;
- Provisions will be made in the Development Bylaw for elements such as landscaping, buffering, setbacks, and parking; and
- Residential development along the primary and secondary roadways will be limited.

Policy R-4. **Land Use Conflicts**

It shall be the policy of Council to minimize potential land use conflicts. Applications for re-zoning will be carefully reviewed to consider the impact of a change of use. Increased building setbacks be established between new residential development and adjacent properties where a change of use which would have the potential for conflicts.

**Plan Action:**

- The Development Bylaws will require increased building setbacks between new residential development and adjacent properties where a change of use would have the potential for conflicts; and
- The Development Bylaws will outline the process for reviewing re-zoning applications; such a review will consider the potential for land use conflicts.

Policy R-5. **Small Lots or Undersized Lots**

It shall be the policy of Council to address development of existing small or undersized lots.

**Plan Action:**

- The Development Bylaws will address development of existing small lots within the RZ zone;
- Development standards and policies shall ensure the long term viability of on-site or common waste water treatment systems, and the protection of groundwater supplies; and
- The Development Bylaw shall restrict or regulate the use of travel trailers or mobile trailer homes.

Policy R-6. **Conservation Subdivisions**

In order to promote the long term conservation of open space, and to promote a variety of housing options, Council shall enable the development of conservation subdivisions in rural areas when these subdivisions meet special requirements.

**Plan Action:**

- The Development Bylaw shall establish criteria for conservation subdivisions in the residential areas where half or more of the buildable land area is designated as undivided, permanent open space; and
- The Development Bylaw shall require that developers of conservation subdivisions establish common water and/or waste water systems in such a manner that will not damage groundwater or surface water systems.

Policy R-7. **Home Occupations**

The Development Bylaws shall facilitate diverse economic activity. In-home occupations that have no significant negative impact on adjacent properties or in the immediate vicinity will be permitted. In home offices will be a permitted use within the agricultural and residential zones.

**Plan Action:**

- The Development Bylaws shall establish criteria and standards for operation of home offices. Standards will limit the potential for conflicts such as noise, hours

of operation, square footage, number of employees, parking, signage, physical changes to the structure and any other factors which may represent an impediment to the functioning, safety, convenience or enjoyment of neighbours.

Policy R-8. **Bed and Breakfast**

It shall be the policy of Council to permit the operation of small scale Bed and Breakfast establishments in single family dwellings provided that they are limited in terms of size, signage and parking and that the overall visual appearance of the building and the character of the neighbourhood is not negatively impacted.

**Plan Action:**

- The Development Bylaw shall permit the operation of Bed and Breakfast establishments in single family dwellings provided that they are limited in terms of size, signage and parking and that the overall visual appearance of the building and character of the neighbourhood is not negatively impacted.

Policy R-9. **Garden Suites**

It shall be the policy of Council to permit Garden Suites:

- (a) in conjunction with a farm parcel, and where the use of the dwelling is clearly incidental to the use of the main building;
- (b) as a garden suite in conjunction with a single unit dwelling;
- (c) in the case of a tourist operation, where rental accommodations are grouped on a lot or existing parcel of land; or
- (d) as part of a resort development.

**Plan Action:**

- The Development Bylaw will permit the addition of a garden suites in all residential zones and shall establish development standards for these structures.

### 3.7. **Commercial Zone**

Commercial development within the community is generally comprised of a convenience store, repair shops and tourist related uses. It is the objective of the Council to permit commercial development within the Community, while maintaining the rural character and minimizing land use conflicts with adjacent land uses.

In order to protect established land uses, Council will address potential land use conflicts by ensuring high standards of development for commercial operations. This will include addressing development of traffic safety and convenience, site development and adequate buffering to establish and promote safe, attractive and well designed commercial development which will enhance residential property values and the overall appeal of the Community.

#### 3.7.1. **Commercial Development**

Council will establish a Commercial zone in the Development Bylaws to address commercial land use. This zone will establish minimum standards that will be applied to proposed commercial developments.

## Objective

---

1. To provide an opportunity for a diverse commercial development opportunities to locate within the Community;
  2. To ensure that commercial developments are of a high quality in terms of appearance, traffic safety and compatibility with adjacent land uses;
  3. To direct commercial development to appropriate locations within the Municipality;
  4. To minimize conflicts between commercial development and established or future agricultural operations or residential neighbourhoods.
- 

### 3.7.1.1. *Commercial Designations*

General Commercial activities are generally closely integrated with the established economy of the Community.

### 3.7.1.2. *General Commercial Development Policies*

#### Policy GC-1. **General Commercial Development Policy**

It shall be the policy of Council to provide a General Commercial zoning designation. A limited amount of land is currently designated for this purpose in the Development Bylaw. Areas may be designated in future, subject to a public re-zoning application and determination by Council that the development is appropriate and meets the rigorous performance criteria in terms of size, scale, visual appearance, access, buffering and effects on the environment.

It shall be the policy of Council to provide for the development of General Commercial facilities to enhance the local economy and respond to the needs of the local community. It is the vision of Council that commercial uses will primarily be related to agriculture, resource, neighbourhood convenience or service operations. General Commercial development will be directed away from potentially conflicting land uses.

#### **Plan Action:**

- The Development Bylaws shall provide for a General Commercial zone;
- Land shall be designated a General Commercial on the Zoning Map;
- The Development Bylaws will set out standards for General Commercial use;
- The Development Bylaws will set out an application process, a rezoning process, and public notification;
- The Development Bylaws will establish permitted uses and minimum development standards for General Commercial use; and
- Areas directly adjacent to existing agricultural operations or to residential areas may be required to provide effective buffering.

Policy GC-2. **Land Use Conflicts Policy**

It shall be the policy of Council that increased building setbacks be established between new commercial development and adjacent properties where there is a change of use which would have the potential for conflicts.

**Plan Action:**

- Bylaws will be adopted requiring increased building setbacks/buffers to be established between new commercial development and adjacent properties where there is a change of use which would have the potential for conflicts; and
- Areas directly adjacent to existing agricultural operations or to residential areas shall be required to provide effective buffering.

**3.8. Industrial Zone**

The majority of industrial activity within the Community is related to fishing and agricultural or forestry related uses. It is the objective of Council to encourage expansion of established industries and to permit industrial development within the Community, while maintaining the rural character and minimizing land use or environmental conflicts with adjacent land uses

A limited amount of land is currently designated for this purpose in the Development Bylaw. Areas may be designated in future, subject to a public re-zoning application and determination by Council that the development is appropriate and meets the rigorous performance criteria in terms of size, visual appearance, access and buffering. Council will determine if the development is appropriate in terms of compatibility, size, scale, visual appearance, access, buffering and effects on the environment. An Industrial zone will be established in the Development Bylaws to address Industrial land use.

**Objective**

1. **To support the establishment of appropriate light industrial uses within the Community.**
2. **To direct industrial developments to appropriate locations within the Community.**
3. **To impose high development standards to ensure compatibility of any future Industrial developments.**
4. **To limit industrial development to activities which are environmentally benign and compatible with the established character of the Community.**
5. **To minimize conflicts between industrial development and established or future agricultural operations, commercial operations or residential neighbourhoods.**

Policy Ind-1. **General Industrial Policy**

It shall be the policy of Council to encourage expansion of existing industries and to permit a limited amount of industrial development within the Community, while minimizing land use or environmental conflicts. The Development Bylaw shall establish an Industrial zone in the Development Bylaws to address industrial land use. This zone

will establish minimum standards that will be applied to proposed industrial developments. Building setbacks/ buffers may be established between new industrial development and adjacent properties where there is a change of use which would have the potential for conflicts.

**Plan Action:**

- The Development Bylaws shall provide for an Industrial zone;
- Land shall be designated as Industrial on the Zoning Map;
- The Development Bylaws will set out standards for Industrial uses;
- New Industrial uses shall only be designated via a public re-zoning application;
- The Development Bylaws will set out an application process, a rezoning process, including public notification process; and
- Areas directly adjacent to existing agricultural operations or to residential areas may be required to provide effective buffering.

**3.9. Institutional Zone**

The Community Centre forms the main meeting place in the community. A small number of churches and community halls perform similar functions. Council shall work to maintain and enhance existing facilities and to ensure that these existing facilities are protected from encroachment from conflicting land uses. Council shall seek to facilitate development of additional institutional facilities as the Community continues to grow and develop. In addition, Council shall be supportive of the actions of neighbouring communities to maintain those regional facilities on which its residents depend.

A limited amount of land is currently designated for institutional use . Areas may be designated in future, subject to a public re-zoning application and determination by Council that the development is appropriate and meets the rigorous performance criteria in terms of size, visual appearance, access and buffering. Council will determine if the development is appropriate in terms of compatibility, size, scale, visual appearance, access, buffering and effects on the environment.

**3.9.1. Institutional Development**

An Institutional zone will be established in the Development Bylaws to address Institutional land use.

**Objective**

- 1. To meet the social and cultural needs of its residents by making provision to permit a variety of public services and institutional developments to locate within the Community.**
- 2. To protect existing facilities in the community.**
- 3. To promote and protect regional facilities.**

- 
4. To explore options for shared facilities or cooperative uses by various institutions.
  5. To facilitate new institutional development in the Community, which is efficient and responsive to local needs.
  6. To monitor the use of existing facilities on an annual basis, to develop priorities for the continued development and maintenance of municipal facilities.
- 

### 3.9.1.1. **Public Service and Institutional Development Policies**

#### Policy PI-1. **Public Service and Institutional Development Policy**

It shall be the policy of Council to protect the Community's current institutional facilities and to encourage the development of new facilities in response to local needs. Council shall also support the efforts of its neighbouring communities to protect and enhance regional institutional facilities. New institutional uses may be permitted subject to Council review. Council will determine if the development is appropriate in terms of compatibility, size, scale, visual appearance, access, buffering and effects on the environment.

#### **Plan Action:**

- The Development Bylaws will set out standards for Institutional uses;
- New Institutional facilities shall only be designated via a public re-zoning application;
- The Development Bylaws will set out an application process, a rezoning process, including a public notification process;
- Areas directly adjacent to existing agricultural operations or to residential areas may be required to provide effective buffering; and
- 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.

### 3.10. **Parks and Conservation Zone**

The purpose of the Parks and Conservation zone is to conserve natural areas. Parkland is also intended for the enjoyment of residents and visitors alike.

The Basin Head lagoon contains a unique species of Irish moss that is not found elsewhere else in the world. This species, which is much larger than common Irish moss, is free floating. It contains a higher percentage of carrageenan which makes it more valuable, and could therefore have significant economic benefit to the aquaculture industry. In order to help to preserve this Irish moss, the lagoon will need protection. Such protection will also serve to protect other flora and fauna found in this very picturesque marine site. While the Federal government establishes regulations to control activities within the lagoon, the quality of water within the lagoon is largely dependent on land management within the lagoon watershed.

In the future a high level of awareness and understanding of the sensitivity and interdependence of these vital natural features must be reflected in the land use and management decisions of 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.

### **Objective**

1. **To maintain and improve the current facilities within the Community.**
2. **To provide recreational space and facilities that stimulate health and wellness.**
3. **To provide for safe passive and active natural spaces and trails.**
4. **To promote a land bank or land trust within the Community**
5. **To promote volunteerism within the Community.**
6. **To facilitate access to natural areas and to the shoreline.**

#### **3.10.1. Parks and Conservation Policies**

##### **Policy PC-1. Conservation, Open Space and Recreation Policy**

It shall be Council's policy that it shall promote a system of nature trails, open spaces, and natural areas within the Community.

###### **Plan Action:**

- The Zoning and Subdivision Control Bylaws will establish a Parks and Conservation zone (PC); and
- The Community shall develop an inventory of all parkland, natural areas and trails within the Community.

##### **Policy PC-2. Volunteerism**

It shall be the policy of Council to continue to welcome volunteer involvement and appreciation in all aspects of recreational programming.

###### **Plan Action:**

- Council will work with sports and recreation groups in the community to encourage volunteer participation; and
- The Community shall encourage and support volunteer organizations in their efforts to develop recreation and other programs.

##### **Policy PC-3. Land Bank**

It shall be the policy of Council to research and explore options to facilitate the establishment of a land bank or Land Trust within the Municipality. The intended purpose would be to protect land for future parks and conservation use.

##### **Policy PC-4. Green Space**

Council shall facilitate future public access to the natural areas and to the shoreline by creating green space common areas, which may in future be developed into designated shoreline access points.

**Plan Action:**

- The Subdivision Development Bylaws shall establish criteria for parkland/ open space/ green space/ beach access.

### 3.11. **Natural Areas**

In addition to the important role they play in the natural ecology of the Island, the Community's woodlands, watercourses and wetlands contribute significantly to the quality and quantity of the groundwater supply. As well, they contribute to the natural, pastoral beauty of the Community's rural character.

The Planning Area is totally dependent on groundwater for its domestic water supply; the local fishery, tourism and wildlife are dependent on the quality of our surface water; wildlife is dependent on the protection of habitat areas; the quality and volume of groundwater are dependent on the preservation of vegetation and aquifer re-charge areas and control of pollution. The Municipality will work to identify, protect and promote a healthy natural environment for the long term.

#### **Objective**

1. **To protect the quality and quantity of the Community's groundwater resources.**
2. **To protect and enhance the quality of surface water in the Community.**
3. **To promote establishment of conservation and natural areas within the Community.**
4. **To protect and enhance wildlife and natural habitat within the Municipality.**
5. **To cooperate with the Souris and Area Wildlife Federation/Watershed Group to address watershed integrity.**
6. **To work co-operatively with staff from the departments responsible for the environment and community groups to maintain the ecological integrity of the Community's natural areas.**
7. **To encourage preservation and expanded planting of trees within the Municipality.**
8. **To implement policies to control erosion from construction and farming activities.**

#### 3.11.1. **Groundwater**

It shall be the policy of Council to work with staff from the department responsible for the environment to protect the quality and quantity of groundwater resources within the Community.

**Plan Action:**

- Council shall assist with staff from the department responsible for the environment to identify and control potential point sources of groundwater contamination; and
- Land uses which pose a serious contamination risk to groundwater such as chemical plants or storage depots, shall not be permitted in the Municipality.

### 3.11.2. *Natural Areas Policies*

#### Policy NA-1. **Watercourse/Wetland Buffer Policy**

It shall be Council's policy that, in conformity with Provincial policies and regulations, specified buffer areas shall be maintained along all watercourses and wetlands within the Community, separating the watercourse/wetland from adjacent development, and that only those activities which do not negatively impact the quality of the watercourse/wetland shall be permitted within the established buffer areas.

##### **Plan Action:**

- The Zoning and Subdivision Control Bylaws will establish a an Environmental Overlay Zone which will designate lands to be set aside to protect watercourses/wetlands, and shall also establish regulations governing those activities which shall be permitted within established buffer areas;
- The area of the Environmental Overlay Zone will be established in accordance with Provincial policies and regulations regarding buffers and setbacks from watercourses and wetlands;
- Greater buffers will be established around specific natural areas; and
- The Development Bylaw will establish buffers in different natural areas to promote environmental protection.

#### Policy NA-2. **Watercourse/Wetlands Alteration Policy**

It shall be Council's policy that, in conformity with Provincial policies and regulations, a specified buffer area shall be maintained along all watercourses and wetlands within the Community. The alteration of any buffer along a watercourse and wetland within the Community, shall only be undertaken with the approval of the provincial staff responsible for the Environment in accordance with Provincial policies and regulations regarding such alterations.

##### **Plan Action:**

- The Community's Zoning and Subdivision Control Bylaws will establish, in accordance with provincial policies and regulations the buffer distance from watercourses and wetlands, and shall also establish regulations governing those activities that shall be permitted within established buffer areas; and
- The Community's Zoning and Subdivision Control Bylaws will establish greater buffer distance from specified watercourses and wetlands.

### 3.12. **Environmental Protection**

Long term planning for the Community must be founded on a well informed understanding and respect for the area's natural system. The area's long term economic

health can only be assured it is based on a “sustainable economy” which reflects the Planning Area’s natural carrying capacity.

### **Objective**

- 1. To protect the natural environment from significant negative environmental impacts resulting from development.**
- 2. To mitigate the effects of climate change, erosion and flood risk.**
- 3. To require that the subdivision of land, and the construction of buildings and utilities adjacent to eroding shoreline on the perimeter coastline, and inland bays and estuaries, have shore front buffers and /or setbacks of sufficient distance from the top of the bank to ensure that the adverse effects of erosion do not endanger the development over its reasonable life.**
- 4. To require a subdivision buffer when subdividing adjacent to a watercourse / wetland.**
- 5. To prohibit building development within a distance from the boundary of the watercourse / wetland.**
- 6. To assess the environmental impact of building development applications for agricultural and industrial purposes in close proximity to the boundary of a watercourse / wetland.**

It shall be the policy of Council to identify a number of environmentally sensitive areas within the Community for protection.

#### **Plan Action:**

- The Zoning and Subdivision Control Bylaws will establish an Environmental Overlay Zone which will designate lands for environmental protection;
- The Zoning and Subdivision Control Bylaws will establish, in accordance with provincial policies and regulations, policies to address coastal change and erosion;
- A minimum coastal area setback of 30 metres (100 feet) will be established from the shoreline.
- The Development Bylaw shall require construction projects to implement erosion and siltation control measures to ensure the protection of adjacent streams and wetlands; and
- Fishing sheds, aquaculture facilities, boat launching facilities and wharves will be permitted, according to municipal, provincial and federal regulations.

### **3.13. Transportation**

The Community of Eastern Kings does not own or have direct responsibility of any of the public or private roads within its boundaries. The Community does have an important role in transportation planning. Given the important role that roadways play in providing access to properties, it is important the Council work with staff at the department responsible for Transportation to ensure a safe and efficient transportation network is created and maintained within the Community. It is important that land use patterns and

development standards do not undermine the health of the local watersheds or the efficiency or safety of the transportation network. Council shall plan for increasing use of the existing network of private and public roads.

### **Objective**

1. **To provide and plan for efficient transportation routes that will facilitate the safe and efficient movement of people and goods through and within the Municipality.**
2. **To standardize new road construction.**
3. **To develop a high level of co-operation with staff responsible for Transportation respecting the future development of the transportation routes and facilities located within the Community.**
4. **To coordinate land use planning and transportation activities.**
5. **To provide for adequate, safe access within the Municipality.**

#### **3.13.1. Transportation Policies**

##### **Policy T-1. Roads Standards Policy**

It shall be Council's policy that the Community shall adopt the standards and policies of the provincial department responsible for transportation respecting the future development or redevelopment of the Community's transportation network. In addition, Council shall establish one common standard for all new road construction.

##### **Plan Action:**

- The Community will work with staff at the department responsible for transportation to review all subdivision applications involving new road construction; and
- The Community's Zoning and Subdivision Control Bylaws will set out standards for new road construction.

##### **Policy T-2. Storm Water Management Policy**

It shall be the policy of Council to work closely with staff from the Department responsible for Transportation to ensure that storm water run-of is managed which is cost-effective, environmentally acceptable and minimizes the risk to public health, safety and public property.

##### **Plan Action:**

- Council shall work with staff from the Department responsible for Transportation to ensure that storm water systems are properly installed and maintained in the Community;
- All new subdivisions involving the construction of public roads and major developments shall be required to submit a storm water management plan, prepared by a licensed engineer for review by staff from the Department responsible for Transportation; and

- No activity within 15 m of a watercourse / wetland will be permitted without a Watercourse Alteration Permit from the Department of Fisheries, Aquaculture & Environment.

Policy T-3. **Highway Access Policy**

It shall be Council's policy that, in order to ensure safe and efficient roads exist in the Community to service residents and the travelling public, any new or proposed access to the Community's transportation network shall comply with all Provincial policies and regulations governing safe sight distance standards.

**Plan Action:**

- The Zoning and Subdivision Control Bylaws will make the provision that any person establishing a new access to the Community's transportation network must first receive a highway access permit from the provincial department responsible for transportation.

Policy T-4. **Capital Cost**

It shall be the Policy of Council to require developers of major developments contribute to the capital cost of any 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 local roads.

**Plan Action:**

- Developers shall pay the full cost of the design and construction of subdivision roads or streets;
- Developers shall be required to contribute to the capital cost of any road improvements which are necessitated by development; and
- The Development Bylaw shall require that all new subdivision roads or streets be built to provincial public road standards and deeded to the Province as a public right-of-way.

**3.14. On Site Services**

All existing properties are serviced by private sewerage treatment systems and on site water systems. There is no current central water supply or no systems to collect and treat sanitary waste within the Municipality.

**Objective**

- 1. To develop policies to promote long term maintenance of on site services.**

Policy OS-1. **Domestic Water System Policy**

It shall be Council's policy that the Community shall continue with the present system of individual water supply systems. Council shall work to ensure that private systems are functioning adequately.

**Plan Action:**

- Council will work closely with the various government departments to ensure that all on-site sewage disposal systems are installed to reflect the suitability of the site with regards to the most appropriate sewage system design; and
- Council will distribute public information on the importance of proper care and maintenance of septic systems with all new Development Permits.

Policy OS-2. **Sewage Disposal Systems Policy**

It shall be Council's policy that, except where staff the department responsible for environment has recommended or required that a communal-type sewage disposal system be installed for multiple lot subdivisions, the Community shall continue to operate on individual on-site sewage disposal systems.

**Plan Action:**

- The Zoning and Subdivision Control Bylaws will establish the requirement, as part of the subdivision permit application process, that the developer of a proposed subdivision demonstrate to Council's satisfaction that a soil test has been conducted on the land being subdivided, and that the results of the test indicate that the land in question is suitable for an individual on-site sewage disposal system, or, in the case of a multiple lot subdivision, a communal-type sewage disposal system.

Policy OS-3. **On Site Sewage Disposal System Permit Requirement Policy**

It shall be the Council's policy that any person undertaking development on any lot within the Community which will require an on-site sewage disposal system shall, prior to receiving a development permit from Council, first apply for and receive an on-site sewage disposal system permit from the Province of Prince Edward Island.

**Plan Action:**

- The Community's Zoning and Subdivision Control Bylaws will set out, as part of the development permit application process, the requirements for an on-site sewage disposal system permit.

### 3.15. **Municipal Services**

The Community of Eastern Kings currently supplies or contracts for the provision of a range of services including police services and fire services. The Community's growth rate shall be monitored on an annual basis, as some level of upgrading may be required in the future. Island Waste Management Corporation provides solid waste pick up, as well as compost pick up and recycling pick up.

#### **Objective**

1. **To provide a reasonable level of municipal services to its residents within municipal budget constraints.**

#### 3.15.1. **Municipal Services Policies**

Policy MS-1. **Fire Protection Policy**

It shall be Council's policy that the Community shall continue to acquire fire protection services from the Eastern Kings Fire Department. Council will work closely with the Fire Department to ensure that high level of fire protection services is provided to residents.

**Plan Action:**

- Council shall undertake to enter into a written agreement with the Eastern Kings Fire Department regarding services to be provided for the Municipality;
- Council will annually review the level and quality of fire protection service and security relative to the type and extent of development permitted in the Community;
- Council shall prepare a public report to be presented at the Community's annual meeting. Funding allocation will be proposed in the Community's annual budget for fire protection service; and
- Council may require, as part of a Development Agreement, that the developer contribute to the cost of providing any special fire services or facilities which may be necessitated by a major commercial or industrial development.

Policy MS-2. **Police Protection Policy**

It shall be Council's policy that the Community shall continue to utilize the police protection provided by the Royal Canadian Mounted Police under its contract with the Province of Prince Edward Island.

**Plan Action:**

- Provided that the current level of service and acceptable costs are maintained, the Municipality shall continue to purchase police services from the Royal Canadian Mounted Police; and
- The Community's approach to policing shall continue to emphasize public safety, crime prevention, education and community involvement.

Policy MS-3. **Waste Collection Policy**

It shall be Council's policy that waste collection within the Community shall be in accordance with the Province of Prince Edward Island's Waste Management Program.

**Plan Action:**

- To continue to cooperate and support the Provincial initiatives for waste management and recycling.

### 3.16. **Regional Resources**

The Community of Eastern Kings supports some regional resources, such wind turbines. The Community will regulate all windmill/ wind turbine development. The potential exists for renewable energy generation facilities, utilizing sun, wind, flowing water and biomass production, to develop within the Community.

**3.16.1. *Windmill Policies***

It shall be Council's policy that the Community shall regulate windmill development in the Development Bylaw. Viewscapes of the shoreline will be protected from development of large scale wind turbines.

Council will adhere to provincial regulations addressing wind energy production. In addition, it is Council's aim to address opportunities for wind development appropriate in size and scale to the Municipality.

## Objective

---

1. It is the Community's objective to permit windmills within the Community for the purposes of electrical power generation.
  2. Council will require evidence that any proposed windmill does not pose any significant aesthetic, environmental or public safety threats to the Community residents or the travelling public.
  3. To minimize potential land use conflicts, environmental and aesthetic conflicts between renewable energy generation facilities and other land uses within the Community.
  4. To protect shoreline viewscapes.
- 

### Policy RR-1. **Windmill Policy**

It shall be Council's policy that renewable energy generation facilities, as defined in the Province's Renewable Energy Act, R.S.P.E.I., 1988, Cap. 16, shall be permitted within limited zones within the Community; such facilities shall be subject to specific restrictions. It shall be Council's policy that windmills, wind turbines or wind energy conversion system may be permitted within the Community for the purposes of electrical power generation, provided they do not pose any significant aesthetic, environmental or public safety threats to the Community residents or the travelling public.

It shall also be Council's policy that windmills shall be subject to a special permit process and a public review process prior to approval or denial by Council.

#### **Plan Action:**

- The Community's Zoning and Subdivision Control Bylaws will address the application process for any wind turbine development;
- The Community's Zoning and Subdivision Control Bylaws will make provision for a public review process of any wind turbine development proposal which may come before Council; and
- The Community's Zoning and Subdivision Control Bylaws will address size and location of any wind turbine development within the Municipality.
- No large scale wind turbines will be permitted within 2 kilometres of the shoreline.
- Council will develop a spatial guide to identify future location for large scale wind turbine development, including large scale wind farms.

## 4. Permits

### 4.1. Development Permits

The Municipality will regulate development within the Community through an application and permit process.

#### 4.1.1. *Development permit Requirement Policy*

It shall be the Council's policy that anyone wishing to:

- a) construct, erect, demolish, change the exterior dimensions of, or construct a dwelling or residence or, any building or structure within the Community;
  - b) change the use of any land or existing building or structure in the Community, or expand the existing use of a building or structure in the Community to the extent that it will require provision of new or expanded services by the Community; or
  - c) move within or into the Community any building or structure,
- shall be required to apply for and obtain a development permit from the Community prior to commencing any construction, erection, demolition, movement, change of use or site excavation.

#### **Plan Action:**

- Regulations governing buildings and structures and development permit applications will be established in the Community's Zoning and Subdivision Control Bylaws.

#### 4.1.2. *Conformity with Provincial/ Federal Laws and Regulations*

It shall be Council's policy that its development permit approval system shall conform with any Provincial or Federal laws which are in force, respecting fire protection, health and safety, sewage disposal, underground storage tanks, signage, civic addressing, plumbing and electrical installations and the like.

#### **Plan Action**

- The Community's Zoning and Subdivision Control Bylaws will make provision, as part of the development permit approval process, for the Community to forward, where appropriate and as necessary, a copy of a proposed development plan to the appropriate government department for review and comment in order to ensure compliance with Provincial and Federal regulations, prior to the issuance of any development permit by the Community.

#### 4.1.3. *Approved Development Permit File Policy*

It shall be Council's policy that the Community shall maintain a file of all approved development permits issued in the Community, and that this file shall be open to the public.

**Plan Action:**

- The Community will establish and maintain a file of all approved development permits issued in the Community, and shall present an annual report on the extent of previous year’s building activity.

**4.2. Subdivision**

A number of undeveloped lots exists within the Municipality, Council will review the existing number of undeveloped lots. All applications for new subdivisions will be reviewed with great care. The existing inventory may be adequate to meet the proposed residential needs of the community for the period of this plan and beyond.

**Objective**

- 
- 1. To balance the need for adequate and accessible residential building lots while maintaining an adequate inventory of available residential building lots.**
- 

**4.2.1. Subdivision Permit Requirement Policy**

All applications to create a subdivision over 2 lots will be reviewed by Council. Council will consider the existing inventory of approved lots, the proposed location of the subdivision, prior to any decision to approve or deny the application to subdivide land.

**Plan Action:**

- Regulations governing the subdivision of land and subdivision permit applications will be established in the Zoning and Subdivision Bylaws; and
- The Zoning and Subdivision Control Bylaws will outline the process for review of all subdivision applications.

**4.2.2. Subdivision Approval Process Policy**

It shall be Council's policy that any applicant seeking subdivision approval from Council shall first apply for approval-in-principle, and then, upon the granting of approval-in-principle, shall make application for final approval of the subdivision, and receive final approval of the subdivision before selling, deeding, or transferring title to any lot or parcel of land in the subdivision.

**Plan Action:**

- The Community’s Zoning and Subdivision Control Bylaws will set out, as part of the subdivision permit application process, the requirements and process for the granting of approval-in-principle and final approval.

**4.2.3. Government Consultation Policy**

It shall be Council's policy of submitting all new residential subdivision plans of greater than two lots, and all commercial, institutional, or industrial subdivision plans to the appropriate government department for technical evaluation and advice before any approvals are granted.

**Plan Action:**

- The Community's Zoning and Subdivision Control Bylaws will make provision, as part of the subdivision approval process, that the Community forward a copy of all new residential subdivision plans of greater than two lots, and all commercial, institutional or resource-based industrial subdivision plans to the appropriate government department for technical evaluation and comment, prior to submission of the subdivision permit application to Council for final approval.

**4.2.4. *Approved Subdivision File Policy***

It shall be Council's policy that the Community shall maintain a file of all approved subdivisions created in the Community.

**Plan Action:**

- The Community will establish and maintain a file of all approved subdivisions created in the Community, and shall present an annual public report on the extent of previous year's subdivision activity.

## 5. Implementation

It is Council's objective to implement of the Community's future land use and development policies in a fair and equitable manner, and to ensure that there is coordination between the Community's policies and any Provincial land use and development policies and regulations which may be in force.

### 5.1. **Zoning and Subdivision Control Bylaw Administration Policy**

It shall be Council's policy that the Community's future land use and development policies shall be implemented through the Zoning and Subdivision Control Bylaws, and that said bylaws shall be administered, on Council's behalf, by a Development Officer appointed by the Community.

**Plan Action:**

- Zoning and Subdivision Control Bylaws will be drafted to accompany the Official Plan. Funding allocation will be proposed in the Community's annual budget for the Community's Development Officer position.

### 5.2. **Annual Review and Implementation Policy**

It shall be Council's policy that the Community's official plan shall be reviewed annually relative to the objectives and policies set out in the plan.

**Plan Action:**

- The Community's official plan will be reviewed by Council, and a report prepared by the Administrator/ Development Officer. Funding allocation will be proposed in the Community's annual budget for review and implementation of the Official Plan and Bylaw.

### 5.3. **Plan Amendment Policy**

It shall be Council's policy that the Community's Official Plan shall receive formal major review and amendment, as required, no later than December 31, 2018.

**Plan Action:**

- The Community's Planning Board will be formally advised by Council in early 2018 to begin the official plan review/amendment process.