RURAL MUNICIPALITY OF MILTONVALE PARK OFFICIAL PLAN

2016

AMENDED JULY 29, 2019

Prepared by DV8 Consulting

MAY 31, 2016

OFFICIAL PLAN REVIEW and AMENDMENT
RURAL MUNICIPALITY OF MILTONVALE PARK
Official Plan Amendment 2019-A
To amend the Rural Municipality of Miltonvale Park Official Plan.

Effective Date:

The effective date of **Official Plan Amendment 2019-A** is the date as signed below by the Minister of Agriculture and Land.

Authority:

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

Adoption and Approval by Council:

This **Official Plan Amendment 2019-A** was **adopted** by a majority of Councillors present at the Council meeting held on the 19th day of June, 2019.

This **Official Plan Amendment 2019-A** is declared to be **passed** on the 19th day of June, 2019.

Harold Parker, Mayor
(signature sealed)

Shari MacDonald, Chief Administrative Officer
(signature sealed)

Ministerial Approval:
This **Official Plan Amendment 2019-A** is hereby **approved**.

Hon. Bloyce Thompson
Minister of Agriculture and Land

Dated on this 29 day of July, 2019.

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1. INTRODUCTION

1.1 PURPOSE

The *Rural Municipality of Miltonvale Park Official Plan (2016)* is a formalized statement of Objectives, Policies and Plan Actions approved by Council concerning the nature, extent and pattern of land use and development within the Community until the year 2030.

The *Official Plan* addresses the social, economic, physical and environmental goals of the Community. It will assist Council in establishing priorities and in decision making relating to: economic development initiatives, public works, social programming, municipal services, environmental standards, and fiscal management. The *Official Plan* will also provide the policy framework for the *Rural Municipality of Miltonvale Park Zoning and Subdivision Control Bylaw (2016),* as may be amended, and which may be referred to as the *Development Bylaw*.

1.2 PLANNING AREA

The *Official Plan* applies to the geographic area contained within the legal municipal boundaries of the Rural Municipality of Miltonvale Park. The Objectives, Policies and Plan Actions within the *Official Plan* have been developed in consideration of the adjacent municipalities, including the Greater Charlottetown Area, and in consideration of trends occurring across the Province.

1.3 LEGAL ENABLEMENT

The Rural Municipality of Miltonvale Park derives the majority of its powers from the Prince Edward Island *Planning Act, R.S.P.E.I. 1988, c. P-8,* and the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1. The *Planning Act* empowers Council to appoint a planning board, adopt an *Official Plan*, and subsequently adopt bylaws to implement the *Official Plan*. The *Municipal Government Act* empowers the community to make bylaws and/or develop programs and strategies which help, in part, to implement the *Official Plan*.

1.4 PLAN CONTENT

Section 12 of the *Planning Act,* states the following:

> *An official plan shall include*
>
> *a. a statement of economic, physical, social and environmental objectives;*
> *b. a statement of policies for future land use, management and development, expressed with reference to a specified period not exceeding fifteen years;*
> *c. proposals for its implementation, administration and the periodic review of the extent to which the objectives are achieved.*

The Objectives in this *Official Plan* indicate the overall goals and policy direction of the Community. The Policies address the specific topics and issues relating to the Objectives. And, finally, the Plan Actions describe the actions and/or initiatives that will be undertaken to implement the Objectives and Policies.

2. THE RURAL MUNICIPALITY OF MILTONVALE PARK

2.1 COMMUNITY HISTORY

The Miltonvale Park area, particularly the area adjacent to the North River, was first settled by the French in the late 1600s and early 1700s, and by the English in the early 1800s. Agriculture has been the main focus of development and continues to be the prominent activity in the Community today. Miltonvale Park remained almost entirely a farming community until the early 1970s when suburban development became more popular. The peace and tranquility of the countryside, low cost of land, and proximity to the City of Charlottetown were strong selling points and continue to be the reasons why residents choose to settle in this area. Developers, farmers, and other landowners took advantage of the "housing boom" in the 1970s and 1980s, and developed several small subdivisions and building lots off the front of large farm properties and other land holdings. As a result of this activity, the majority of the current population is no longer involved in the agricultural sector.

2.2 MUNICIPAL ORGANIZATION

On July 17, 1974, Miltonvale Park was incorporated under the *Community Improvement Act* as a Community Improvement Committee. The Community incorporated for two main reasons – to collect fire dues and to have an identifiable group to represent the residents on local and regional matters. In 1975, Miltonvale Park residents adopted their first official plan. By 1983, the *Community Improvement Act* was replaced by the *Municipalities Act* and the Miltonvale Park Community Improvement Committee became the Community of Miltonvale Park. More recently, in 2017 the *Municipal Government Act* replaced the *Municipalities Act* and the name changed once again to the Rural Municipality of Miltonvale Park. The *Planning Act* vests all incorporated municipalities with the power to undertake community planning.

2.3 GEOGRAPHY

Miltonvale Park is located to the northwest of the City of Charlottetown. To the east is the Rural Municipality of Brackley, to the south and south-west are the Communities of Warren Grove, Hampshire, North Wiltshire, and Darlington (*See* Figure 1). The land to the north is unincorporated with no significant settlements or population between Miltonvale Park and the Communities of Hunter River and Oyster Bed Bridge.

Miltonvale Park is approximately 35 km^2 (8,600 acres) in area. The topography is gently rolling and is dominated by one major river, the North River, its tributaries and several smaller streams. The Community is bisected by Route 2, the major highway connecting Charlottetown and Summerside, and the central and western parts of the Province.

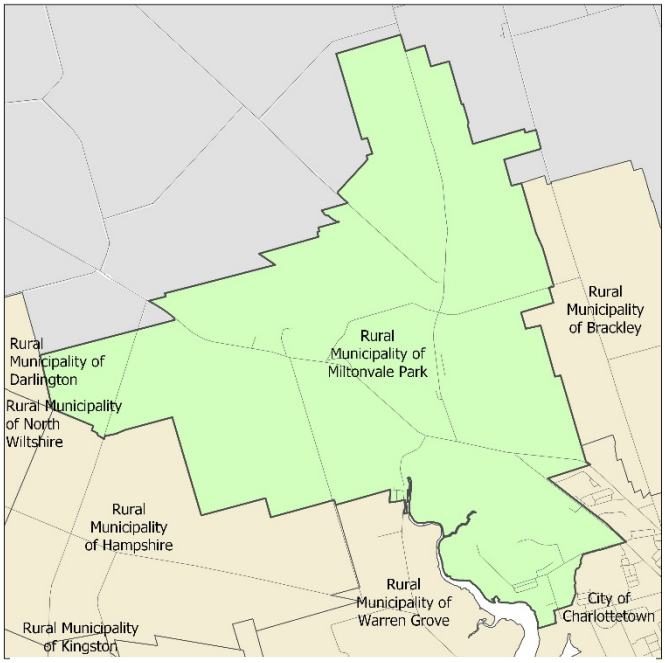


FIGURE 1. THE RURAL MUNICIPALITY OF MILTONVALE PARK AND SURROUNDING MUNICIPALITIES.

2.4 POPULATION

Population statistics for the Community are available from 1980 to the most recent Canadian census record in 2011 (*See* Table 1). In 1981, the population was approximately 941. The Community experienced steady growth until 1996, when the population peaked at 1,242. Since that time, the population has gradually declined. The current population (2011 census) is approximately 1,153, a 0.9% decrease from 2006.

In comparison to the 31 other municipalities in Prince Edward Island with official plans and bylaws, Miltonvale Park is ranked tenth in population. Its large land area (35.32 km^2) and relatively small population results in a low population density (fourth lowest).

	Community of Miltonvale Park	Prince Edward Island
Population (2011)	1,153	140,204
Population (2006)	1,163	135,851
Change in Population since 2006 (%)	-0.9	+3.2
Private Dwellings	473	66,943
Density (per km^2)	326	24.7
Land Area (km^2)	35.32	5,685.73

TABLE 1. ADAPTED FROM: STATISTICS CANADA. 2012. MILTONVALE PARK, PRINCE EDWARD ISLAND (CODE 1102040) AND PRINCE EDWARD ISLAND (CODE 11) (TABLE). CENSUS PROFILE. 2011 CENSUS. STATISTICS CANADA CATALOGUE NO. 98-316-XWE. OTTAWA. RELEASED OCTOBER 24, 2012

The population is unevenly distributed throughout the Community. There are 17 defined census Dissemination Blocks ("DB") in the Community (*See* Figure 2). The DB areas are defined by the roads and/or boundaries of standard geographic areas. An analysis of the distribution of the population indicates that the southern portion of the Community, south of Route 2 and east of the North River (equivalent to 15% of the land area), contains approximately 42% of the population.

The demographic distribution of Miltonvale Park is similar to that of the provincial population. The Community consists mainly of young adults (22% of the population is between 15–29 years of age) and adults within the range of 40–54 years of age (37%). The median age is 41, which compares with the provincial median age of 42.8. These trends indicate that the Community continues to attract families with young children, as there is not a disproportionate percentage of people over the age of 65. Eighty-five percent (85%) of the families in the Community consist of couples (married or common-law) with children. The average family size is 2.8 people, which is also consistent with the provincial average. Approximately 90 people live alone in the Community, and 185 people live in two-person households without children.

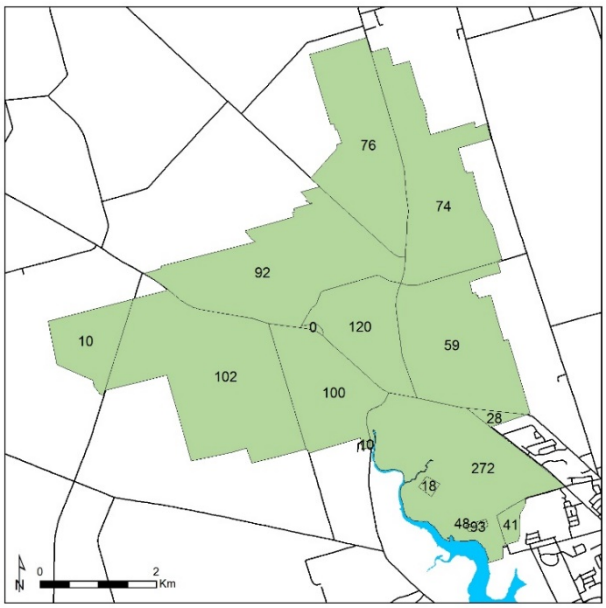


FIGURE 2. POPULATION BY CENSUS DISSEMINATION BLOCK (2011) WITHIN THE RURAL MUNICIPALITY OF MILTONVALE PARK. SOURCE: STATISTICS CANADA 2012.

2.5 MUNICIPAL SERVICES

Sanitary sewer and water

The Rural Municipality of Miltonvale Park has entered into an agreement with the City of Charlottetown for the supply of water and sanitary sewer services for the Sleepy Hollow area; more specifically, for those properties fronting on Royalty Road, Sleepy Hollow Road and Heather Drive and as identified in Schedule "B" of the agreement. The agreement also permits the development of a public utility water supply within Miltonvale Park for the City of Charlottetown. The Sleepy Hollow area is located in the south end of Miltonvale Park. This area has a relatively high population density and small property sizes. Due to soil conditions, the provision of safe on-site wastewater treatment and disposal in this area is difficult. Following the installation of the infrastructure, identified properties were given the option to be connected to the central water distribution system and to become customers of the Charlottetown Water and Sewer Utility. New residential development within the identified area will be required to connect to the water distribution system. Further connections to the sanitary sewer infrastructure may be permitted upon request to the City from the Community.

There are no other municipal or centralized services within Miltonvale Park. The rural nature of the Community would suggest that it is unlikely that a centralized wastewater system or central water distribution system will be needed. Properties in the rural areas rely on individual wells for access to potable water and on-site wastewater treatment systems.

Fire Protection

The Rural Municipality of Miltonvale Park receives fire protection from the North River Fire Department. There are usually 9-10 calls per year from Miltonvale Park. In general, the Community is satisfied with the quality and the price of the service it receives.

Police Protection

The Rural Municipality of Miltonvale Park receives police protection from the RCMP. This service is provided by the Province and, at present, there are no other feasible alternatives.

Solid Waste Management and Recycling

The Rural Municipality of Miltonvale Park participates in the province-wide waste reduction strategy managed by the Island Waste Management Corporation. Residents sort their household waste, compost, and recyclables for roadside pick-up.

2.6 TRANSPORTATION

Route 2 is the principal east/west transportation route for the movement of people and goods across the Province. The Malpeque Road is the local name given to the section of Route 2 between Charlottetown and Hunter River. This section bisects the Rural Municipality of Miltonvale Park and is designated as an arterial highway. The provincial *Roads Act - Highway Access Regulations* ("HAR") stipulate the requirements for the location and number of new entrance ways, and regulates any changes in land uses on properties that front on an arterial highway. Access permit approvals are required for these properties.

The Rustico Road (Route 7) is a collector highway oriented north-south within the Community. The Rustico Road is one of the primary transportation routes between Charlottetown and the communities on the north shore.

The HAR requires approval for new entrance ways and any changes in the use of existing properties fronting on this highway.

There are a few existing private roads within the Community where maintenance and the responsibility of maintaining access for emergency vehicles is the responsibility of the owner(s). The remaining roads in the Community are deemed to be local and they are maintained by the Province.

2.7 DEVELOPMENT PERMIT APPROVALS

Development permit activity over the past five (5) years has been generally consistent from year-to-year (*See* Table 2). The majority of the permits approved are for residential starts and renovations. A surge in application numbers in 2012 was due to twenty-nine (29) properties in the Sleepy Hollow area connecting to the new central wastewater and water distribution services. The increase in the institutional permits in 2011 reflected renovations to the Milton Community Hall, the Fire Training Centre, and the development of the Faithworks Centre.

	2010	2011	2012	2013	2014	2015
Agricultural	1	2	3	2	3	4
Agricultural/Residential	-	-	-	1	2	1
Institutional	1	5	-	-	1	-
Residential	14	11	48	12	20	14
Other	2	1	-	2	5	1
Subdivision Approvals	2	7	8	13	10	1

TABLE 2. DEVELOPMENT PERMIT AND SUBDIVISION APPROVALS FOR MILTONVALE PARK BY YEAR (2010-2015).

2.8 CHARLOTTETOWN REGION SPECIAL PLANNING AREA

The Rural Municipality of Miltonvale Park is located within the Charlottetown Region Special Planning Area ("SPA"), as established in the *Subdivision and Development Regulations* of the *Planning Act*. The SPA regulations pertain to subdivision and land use development in the rural areas directly adjacent to the major urban regions in the Province. They were established to protect the rural agricultural areas from inappropriate urban scaled developments and to also prevent unsustainable suburban sprawl. The objectives of the SPA regulations are:

a. *to minimize the extent to which unserviced residential, commercial and industrial development may occur;*
b. *to sustain the rural community by limiting future urban or suburban residential development and non-resource commercial and industrial development in order to minimize the loss of primary industry lands to non-resource land uses; and*
c. *to minimize the potential for conflicts between resource uses and urban residential, commercial and industrial uses.*

The *Official Plan* was prepared in conformance with these objectives. Wherever there may be any conflict between the policies of this *Official Plan* and the SPA regulations, the most stringent policy shall take precedence. If the SPA regulations are rescinded at some point in the future, the *Official Plan* shall remain in full force and effect.

3. EXISTING LAND USES

The existing (2010) land uses in Miltonvale Park are predominantly agricultural (67%) and forest cover (22%). Developed land, including all residential, commercial, industrial, institutional and transportation related land uses, cover approximately 3 km^2 (9%). The remaining 2% is designated as wetlands. (*See* Appendix 1).

3.1 AGRICULTURAL LAND USES

Approximately 21.4 km^2 (5,288 acres) of land within the Community has been identified as active agricultural land, and abandoned agricultural land accounts for an additional 2.4 km^2 (593 acres). The four predominant land use cover types are hay (43%), grain (22%), potatoes (13%), and pastures (12%).

3.2 FORESTRY

Forest-covered land occupies almost 7.8 km^2 (1,927.4 acres). The largest forested area is in the south end of the Community, between the Confederation Trail and North River. These forested properties are mainly owned by the Province and Island Nature Trust. The remaining forest-covered land throughout the Community is in the form of small wood lots at the rear of farm properties. Over half (51%) of the forest cover in the Community is characterized as a hardwood forest stand with approximately 3 km^2 (741 acres) with 75% or more hardwood and 1 km^2 (247 acres) between 50-75% hardwood. Softwood stands account for approximately 36% of the forest-covered land area, and the remaining 13% is categorized as forest plantation, clear cut, or alder.

3.3 RESIDENTIAL LAND USES

The Community has two distinct residential land use patterns. The southern portion, commonly referred to as the Sleepy Hollow area, is characterized by relatively small residential lots with suburban residential housing and a mobile-home park. In contrast, the northern portion remains primarily rural in character with a mix of active farms and farm houses. In recent years, the practice of subdividing lots from the frontage of existing farm parcels has increased. The non-farm houses in this area tend to be on large properties fronting on Route 2, the Rustico Road (Route 7) and, to a lesser extent, the Crabbe Road and the Loyalist Road.

The dwelling types within the Community are almost entirely single-detached, with 71% being single-detached houses and 25% movable dwellings. The remaining 4% are either duplex apartments, semi-detached or other attached dwellings (e.g. basement apartments, in-law suites, etc.). The 2011 census information indicates that 95% of the private dwellings are owner occupied. This statistic appears to be directly related to the single-detached dwelling types. Almost half (47%) of the dwellings were constructed after 1986, and the average value of a single-detached dwelling is approximately $195,152 as compared to the provincial average of $144,404. (Source: Statistics Canada, 2012)

3.4 COMMERCIAL LAND USES

There is no area in the Community developed as a commercial centre. The commercial sector consists mainly of small businesses, many of which operate out of residential properties which were later rezoned to reflect their primary commercial use. Generally, the commercial needs of Miltonvale Park residents are met in the City of Charlottetown.

3.5 INDUSTRIAL LAND USES

The existing industrial properties within the Community are located within proximity to one another, near the intersection of Route 2 (Malpeque Road) and Route 248 (Warren Grove Road).

The former Charlottetown and Area Bulk Landfill Site located in the Sleepy Hollow area was de-commissioned by the Province in 2003. This 60-acre brown-field site holds great potential for re-development.

3.6 INSTITUTIONAL LAND USES

Institutional properties within the Community include the Provincial Correctional Centre, the PEI Firefighter Training Centre, St. John's Anglican Church, Faithworks Centre, and the Milton Community Hall.

The Provincial Correctional Centre was constructed in the 1970s and occupies about 0.18 km^2 (46 acres) of land in the south end of the Community, south of the Confederation Trail and adjacent to the North River. The PEI Firemen's Training Centre was constructed nearby in 1989. The facility includes a fire tower, fire pits, a garage, and classroom facilities, and occupies approximately 3.2 ha (8 acres) of land. St. John's Anglican Church is located on Route 2, and the Faithworks Centre is situated on an 18 ha (45 acres) parcel on the Loyalist Road.

The Milton Community Hall is located at the intersection of the Route 7 (Rustico Road) and the New Glasgow Road (Route 224). The Hall is owned and operated by Milton Community Hall Inc. and serves residents of Miltonvale Park and surrounding areas. The second floor of the Hall houses the Council offices and a meeting space. The Hall is widely known for its socials – including the seasonal rhubarb, strawberry and apple socials. Card parties are held on Thursday nights from June through September, and weekly church services are held for the Open Bible Baptist Church. Concerts, dinners, fundraisers, meetings, dances, and workshops and celebrations also take place at the Hall.

There are also several social or service groups in the Miltonvale Park area, including the Springvale, South Milton and North Milton branches of the Women's Institute.

3.7 RECREATIONAL AND OPEN SPACE LAND USES

Miltonvale Park has one public community park in the Sleepy Hollow area in the south end of the Community. The park contains a softball diamond, a children's play area, a soccer field, a walking trail, park shelter, dog run, and a small wooded area about one acre in size. The location of the Community Park is not geographically central, which may affect its utilization by residents in the Springvale and North Milton areas of the Community.

The Community also has about 25 ha (62 acres) of linear recreation space in the form of the Confederation Trail running across the Community in an east-west orientation. Developed throughout the 1990s on the former railway lines, this trail is commonly used for walking, hiking, and bicycling in the spring, summer, and fall. The PEI Snowmobilers Association has exclusive use of the trail in the winter months.

3.8 SURFACE AND GROUNDWATER RESOURCES

The protection of surface and groundwater resources is a top priority for the residents of the Rural Municipality of Miltonvale Park. The Community is almost entirely located within the North River Watershed, with relatively small areas on the west and north ends of the Community falling within the Wheatley River and Black River Watersheds. The North River, including its tributaries and streams, are protected by the provincial *Watercourse*

and Wetland Protection Regulations, which require that property owners maintain a buffer zone along any watercourse or wetland, whether it contains water or not. Activity within and around any wetland and watercourse is also strictly regulated. The purpose of the buffer zone is to provide a protected area that separates the developable part of a property from the watercourse or wetland.

Most Miltonvale Park residents are dependent on groundwater through private wells for their domestic water supply. The aquifers in Miltonvale Park not only supply the needs of the local residents, but will also supply the City of Charlottetown and the residents in the Sleepy Hollow area through the City's new water distribution system. The City's well field is located on the eastern boundary of the Community. Although owned and operated by the City, the Community has a responsibility to ensure that good planning practices and land management plans are in place for the long-term protection of the well field.

4. THE COMMUNITY GOAL

The Community Goal is a broad statement indicating the overall shared vision of Council, residents and property owners for the future of the Community. The Goal provides the framework and general direction for the subsequent more detailed Objectives and Policies of the *Official Plan*.

The Rural Municipality of Miltonvale Park has a strong sense of community identity and independence. Most residents of Miltonvale Park moved to the Community (or stayed here) because they did not want to live in the City of Charlottetown. Residents value the small community charm, the rural lifestyle, the open space and scenic agricultural landscapes, and the convenience of commercial services within a relatively short drive.

Even with the introduction of centralized wastewater treatment and water services in the Sleepy Hollow area, residents of Miltonvale Park still desire to see their Community develop slowly and wish to protect the viability of the farming community and other resource-based activities. Residents recognize that, in order to maintain the viability of the Community and to support expanded public services, future development is necessary. The Sleepy Hollow area has been identified as the most appropriate area for growth as a residential hub within the Community. Future development of this area will be dependent on the new wastewater treatment and water services, and on the potential opportunities to extend those services in the future.

Residents in the Community have expressed their desire for more options in terms of residential dwelling types within the Community. Alternative housing options will allow current residents to age-in-place as their needs change in the future, while the Community continues to attract residents of all age groups and income levels.

The Sleepy Hollow area also presents an opportunity for additional recreational space on the former Sleepy Hollow landfill site. The 0.25 km^2 (60 acres) site is bordered by the Provincial Correctional Centre and the Confederation Trail. The site offers an easy roadway access and contains a mixed growth of mature trees surrounding the site. The Council is in agreement that the Rural Municipality of Miltonvale Park should not be the owner/operator of any recreation facilities created on the site. Instead, private or community groups should be encouraged to step forward as leaders in this initiative.

Miltonvale Park residents value the physical appeal and overall health of their local and regional environment. The *Future Land Use Map* will emphasize the importance of moving toward a watershed land use planning approach and will seek to protect ground and surface water resources and significant natural areas.

In summary, the Goal of the Rural Municipality of Miltonvale Park is to continue to be a rural agricultural community while supporting residential development in appropriate areas, and promoting recreational and institutional services for its residents.

5. FUTURE LAND USE MAP OBJECTIVES

5.1 *FUTURE LAND USE MAP* OBJECTIVES

The *Future Land Use Map* (*See* Appendix 2) reflects the overall Goal of the Rural Municipality of Miltonvale Park to remain as a distinct and viable agricultural community, while recognizing that future development in residential land uses is desirable. The *Future Land Use Map* is a conceptual representation of the direction Council envisions land use patterns to develop over the next fifteen (15) years. It lays the foundation for the *Zoning Map* in the *Development Bylaw.*

In developing the *Future Land Use Map*, Council has applied the following Objectives:

- Agriculture shall remain the dominant land use in the Community.
- New resource-based commercial and industrial development will be supported in appropriate areas.
- New centrally or municipally serviced residential development will be supported in the serviced area.
- Environmentally vulnerable or sensitive areas will be protected.
- Opportunities for future recreation and open spaces will be identified.
- All other relevant policies and principles included in this Plan will be implemented.

5.2 *FUTURE LAND USE MAP* - SERVICED RESIDENTIAL POLICY

It is the policy of Council to support a variety of residential dwelling types at an appropriate scale and density, in the serviced and serviceable areas in the Community.

Plan Action(s):
The area identified as serviced, and that area that is most likely to be serviceable in the future, is the most appropriate area for future residential development and will be identified as such on the *Future Land Use Map*.

5.3 FUTURE LAND USE MAP – ENVIRONMENTAL RESERVE OVERLAY POLICY

It is the policy of Council to identify on the *Future Land Use Map* environmentally vulnerable or sensitive areas in the Community, including those areas that affect surface water and groundwater resources.

Plan Action(s):
An Environmental Reserve Overlay will be added to the *Future Land Use Map* to identify the properties and/or portions of properties having wetlands and watercourses.

An Environmental Reserve Overlay will be added to the *Future Land Use Map* to identify the properties and/or portions of properties that are located within the zone of influence for the City of Charlottetown's well field site.

5.4 *FUTURE LAND USE MAP* – RECREATION AND OPEN SPACE POLICY

It is the policy of Council to identify on the *Future Land Use Map* the areas the Community values for their recreational uses and/or potential future uses.

Plan Action(s):

The Confederation Trail will be identified as a Recreational and Open Space land use on the *Future Land Use Map.*

The former landfill site will be identified as a Recreational and Open Space land use on the *Future Land Use Map.*

6. SOCIAL OBJECTIVES

The Social Objectives of the Community are:

- To preserve and enhance the rural character of the Community.
- To foster a sense of safety, security, and stability.
- To promote social interaction and healthy lifestyles.
- To support a variety of residential dwelling types to meet the changing needs of a diverse population.
- To support residential development in appropriate areas based on the scale of the development and the availability of services.

6.1 RESIDENTIAL COMPATIBILITY POLICY

It is the policy of Council to support a variety of residential dwelling types where they are compatible with surrounding areas and uses.

Plan Action(s):

Multi-unit residential development will be permitted if it will not detract from existing low density neighbourhoods and the lot on which the development located has suitable services.

Residential developments of more than one building on a property (i.e., grouped dwellings) will generally be supported if the lot on which the development is to be located has suitable services and the scale of the proposed development is compatible with the surrounding area.

Modular homes will be permitted in any zone that permits a single detached dwelling.

Mini homes will only be permitted to locate in an approved manufactured housing park and the Agricultural (A1) Zone.

Permanent occupancy of travel trailers or recreational vehicles (RVs) will be prohibited.

6.2 RESIDENTIAL DEVELOPMENT STANDARDS POLICY

It is the policy of Council to establish residential development standards relating to density, architectural harmony, setbacks, parking, and land use buffers in order to enhance the health, safety and convenience of residents.

Plan Action(s):

The *Development Bylaw* will establish residential zone designations for mini homes, modular homes, single detached dwellings, attached dwellings.

The *Development Bylaw* will establish development standards relating to lot sizes, setbacks, servicing, open space, parking, buffers and other related matters.

6.3 ACCESSORY APARTMENTS POLICY

It is the policy of Council to permit the addition of an accessory apartment in a single detached dwelling or accessory building to a single detached dwelling, provided that the exterior of the dwelling retains an appropriately residential appearance, the addition is compatible with surrounding areas and uses, and the property has suitable services.

Plan Action(s):

The *Development Bylaw* will permit the addition of an accessory apartment in a single detached dwelling or in an accessory building to a single detached dwelling.

Mini homes may be used as an accessory apartment on properties in the agricultural zone when the primary use of the property is resource-based.

6.4 ON-SITE SERVICES POLICY

It is the policy of Council that residential development with on-site services for potable water and wastewater treatment will not be permitted where central or municipal services are available.

Plan Action(s):

The *Development Bylaw* will only permit on-site services for residential development where central or municipal services are not available.

On-site services for residential development will have to comply with provincial requirements for the installation of on-site wastewater treatment systems and water services.

Residential development with on-site services will be in conformance with the objectives of the SPA regulations.

6.5 MINIMUM LOT SIZES POLICY

It is the policy of Council to establish minimum residential lot sizes to preserve the rural character of the Community.

Plan Action(s):

The *Development Bylaw* will establish a minimum lot size for lots in the residential and agricultural zones where on-site services are required for residential development and all properties will have to be of an adequate size to accommodate the installation of a second tile field in order to better ensure the long-term sustainability of the on-site wastewater system.

The *Development Bylaw* will establish a minimum lot size for lots in the serviced area of the Community and those sizes will be consistent with the existing density and character of the surrounding areas and uses.

6.6 UNDERSIZED LOTS POLICY

It is the policy of Council to allow appropriately-scaled development on existing undersized lots.

Plan Action(s):

The *Development Bylaw* may permit development of an existing undersized lot where a licensed engineer has certified both the design and installation of the on-site wastewater treatment system.

6.7 IN-HOME OCCUPATIONS AND BED & BREAKFAST POLICY

It is the policy of Council to allow in-home occupations and bed and breakfast establishments on residential properties.

Plan Action(s):

The *Development Bylaw* will establish standards for in-home occupations and bed and breakfast establishments to limit potential conflicts with surrounding residential uses, such as standards related to hours of operation, square footage, number of employees, parking, outdoor storage, signage, and any other factors that may represent an impediment to the safety, convenience or enjoyment of neighbouring properties.

7. ECOMOMIC OBJECTIVES

The Economic Objectives of the Community are:

- To protect the long-term viability of farming and other resource-based commercial and industrial activities.
- To support established businesses in the Community.
- To limit new non-resource commercial and industrial development.
- To minimize conflicts between resource and non-resource land uses.

7.1 AGRICULTURAL LAND USE POLICY

It is the policy of Council to designate an Agricultural Zone that will protect farm and forestry lands from the intrusion of conflicting land uses and serve to discourage the conversion of primary resource lands into non-resource use.

Plan Action(s):

All those lands currently in agriculture use will be designated on the *Zoning Map* as Agricultural Zone.

The boundaries between resource-based and non-resourced based land uses will be buffered to minimize land use conflicts.

7.2 RESOURCE-BASED COMMERCIAL AND INDUSTRIAL LAND USE POLICY

It is the policy of Council to support resource-based commercial and light-industrial activities that are necessary services for an agricultural community and located in appropriate areas.

Plan Action(s):

The *Development Bylaw* will permit resource-based commercial and industrial developments within the Agricultural Zone provided that safe access will be provided and potential land use conflicts will be mitigated.

7.3 NON-RESOURCE BASED COMMERCIAL AND INDUSTRIAL LAND USE POLICY

It is the policy of Council to continue to support existing non-resource based commercial and industrial uses within the Community and to encourage reasonable growth of those businesses.

Plan Action(s):

New non-resource based commercial uses will not be permitted.

New non-resource based industrial uses will not be permitted.

The *Development Bylaw* will permit existing non-resource based commercial and industrial land uses to grow where the proposed development will not involve the loss of existing resource land for a non-resource use.

7.4 LIVESTOCK OPERATIONS POLICY

It is the policy of Council to protect existing livestock operations from residential encroachment, and to protect existing residential areas and uses from the encroachment of livestock operations.

Plan Action(s):

The *Development Bylaw* will require that any new intensive livestock operation provide a buffer between the proposed development and primarily residential areas.

8. PHYSICAL OBJECTIVES

The Physical Objectives of the Community are:

- To establish a plan for future development that minimizes land use conflicts.
- To support improvements of the existing provincial transportation system and to establish minimum standards for the development of new transportation infrastructure.
- To ensure that wastewater is treated and disposed of in a healthy, efficient, and environmentally acceptable manner.
- To ensure a secure and safe supply of potable water.

8.1 SURROUNDING LAND USES POLICY

It is the policy of Council to establish adequate buffers between commercial and industrial developments and nearby land uses to minimize negative effects on the surrounding areas and uses.

Plan Action:

The *Development Bylaw* will require buffering (e.g., setbacks, vegetation, screening, landscaping etc.) for commercial and industrial developments in order to mitigate negative impacts on surrounding areas and uses.

The *Development Bylaw* will require buffering (e.g., setbacks, vegetation, screening, landscaping etc.) for any non-residential development adjacent to the Confederation Trail and other areas zoned as Recreation and Open Space.

8.2 MINIMUM ROAD STANDARDS POLICY

It is the policy of Council to require that all new subdivisions and developments involving the creation of new roads to meet the provincial requirements for new public roads and that new roads be owned and maintained by the Province.

Plan Action:

No new private roads will be permitted.

8.3 RIBBON/STRIP DEVELOPMENT POLICY

It is the policy of Council to regulate the number of accesses in the Agricultural Zone in order to prevent strip development patterns.

Plan Action:

Applications for new developments and new accesses will comply with the regulations for access under the provincial HAR.

The *Development Bylaw* will permit the subdivision and development of “panhandle” lots and, where appropriate, will encourage the use of a safe and shared access.

8.4 ON-SITE WASTEWATER AND WATER SERVICES POLICY

It is the policy of Council to require that all new subdivisions and developments meet the provincial requirements for the installation of on-site wastewater treatment and wells.

Plan Action:

The *Development Bylaw* will require provincial approval for on-site wastewater and water services prior to subdivision approval or a development permit being issued.

Council will encourage all property owners to perform regular maintenance on their on-site systems.

The *Development Bylaw* will require that on-site systems are removed, or that proper abandonment techniques are utilized, when a permit is issued for the demolition or relocation of a serviced structure.

9. ENVIRONMENTAL OBJECTIVES

The Environmental Objectives of the Community are:

- To protect and enhance the quality of groundwater and surface water.
- To protect and enhance significant natural areas.
- To support renewable energy generation.
- To minimize air and noise pollution.

9.1 POINT SOURCES OF POLLUTION POLICY

It is the policy of Council to work with the provincial government to identify and control potential point sources of pollution in groundwater and surface water.

Plan Action:

Council will work with the provincial government to help identify potential point sources of pollution, including underground and above-ground petroleum storage tanks, pesticide and fertilizer storage sites, other chemical storage locations, manure storage sites, etc.

9.2 WETLAND AND WATERCOURSE POLICY

It is the policy of Council to support the protection of the buffer zones adjacent to watercourses and wetlands in the Community.

Plan Action:

Council will work with the provincial government to ensure that buffer zones adjacent to watercourses and wetlands are appropriately protected and managed.

The *Development Bylaw* will require applicants to submit confirmation that any necessary provincial permits or approvals have been obtained before any decision is made on an application for a subdivision or a development permit related to properties with, or nearby, a wetland or watercourse.

All properties or portions of properties having a wetland, watercourse or buffer zone will be designated as the Environment Reserve Zone (Overlay), and applications for subdivision and development permits on these properties will be referred to the provincial department responsible for the *Environmental Protection Act.*

All properties or portions of properties within the zone of influence of the City of Charlottetown's well field site will be designated as the Environment Reserve Zone (Overlay). Applications for subdivision and development on these properties will involve notification to the City of Charlottetown and may require additional consultation to ensure that necessary measures are taken to protect the Charlottetown Well Field from potential direct, indirect and long term impacts.

9.3 ALTERNATE ENERGY SYSTEMS POLICY

It is the policy of Council to support the use of alternate energy systems in the Community.

Plan Action:

Wind turbine development under the *Development Bylaw* will be consistent with provincial regulations and best land use planning practices.

9.4 SUSTAINABLE DEVELOPMENT/CONSTRUCTION POLICY

It is the policy of Council to support new development that promotes sustainable practices, including the utilization of renewable energy sources, groundwater protection, reduced water consumption, and storm water management for the purpose of groundwater recharge.

Plan Action:

Council will collaborate with the provincial government department responsible for the *Environmental Protection Act* and local watershed groups to monitor ground water usage. Land uses that utilize high volumes of fresh water may require an environmental assessment for potential impacts on groundwater resources.

The *Development Bylaw* will require that applicants submit storm water management plans for certain developments, including subdivisions with 3 or more lots, developments involving new roads, and developments that have a higher hard-surface to permeable-surface ratio (i.e., lot coverage).

10. ADMINISTRATION

10.1 ADMINISTRATION

Administration of the *Official Plan* shall be the primary responsibility of Council. Council may, however, seek the input of Planning Board on matters pertaining to the Plan. The primary implementation tool for this Plan is the *Development Bylaw*. Aspects of the Plan may also be implemented through other municipal bylaws and regulations, Council's operating policies and procedures, the municipal budget, and other actions by Council. Council may also delegate aspects of the implementation of the *Development Bylaw* to a Development Officer appointed by Council.

Immediately upon approval by the Minister of Communities, Land and Environment, Council shall amend its current *Zoning and Subdivision Control Bylaw* to be in conformance with the policies and provisions of the *Official Plan*. The revised bylaw shall be called the *Rural Municipality of Miltonvale Park Zoning and Subdivision Control Bylaw (2016),* as may be amended, and may be referred to as the *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 standards and procedures for the subdivision, consolidation, and development of land in the Community.

10.2 APPROVAL OF DEVELOPMENT OR CHANGE OF USE

The *Development Bylaw* shall require any person undertaking any development, change of use of land or premises, or subdivision/consolidation of land to apply for a permit using a standard application procedure. Exceptions shall be noted in the *Development Bylaw*. Council may attach such conditions to any permit in order to ensure conformance with the *Official Plan* and the *Development Bylaw*.

The receipt of a development permit does not excuse the applicant from complying with any provincial or federal legal requirements, including matters related to fire protection, health and safety, wastewater disposal, plumbing and electrical installation, or accessibility. Council also shall collaborate with appropriate provincial departments during the permit or approval process.

10.3 DEVELOPMENT AGREEMENTS

Council may, at its discretion, require the developer of a development or a subdivision to enter into a Development Agreement or Subdivision Agreement. These agreement will contain all conditions related to the development permit or subdivision approval and shall be legally binding on both parties. The agreement will be registered against the property in accordance with the *Registry Act*, R.S.P.E.I. 1988, c. R-11.

10.4 VARIANCES

Council may grant a variance to the provisions of the *Development Bylaw* where strict compliance would represent an undue hardship to the developer and where the general intent of the *Official Plan* is upheld.

10.5 REVIEW

Council shall, on a regular basis, review its activities in terms of successful implementation of the *Official Plan*. Periodic reviews of the *Official Plan* will take place as required by the *Planning Act.*

10.6 AMENDMENTS

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

10.7 APPEAL PROCEDURE

Any person who is dissatisfied with certain decisions of Council in the administration of the *Development Bylaw* may appeal to the Island Regulatory and Appeals Commission in accordance with the *Planning Act*.

10.8 BUDGETING

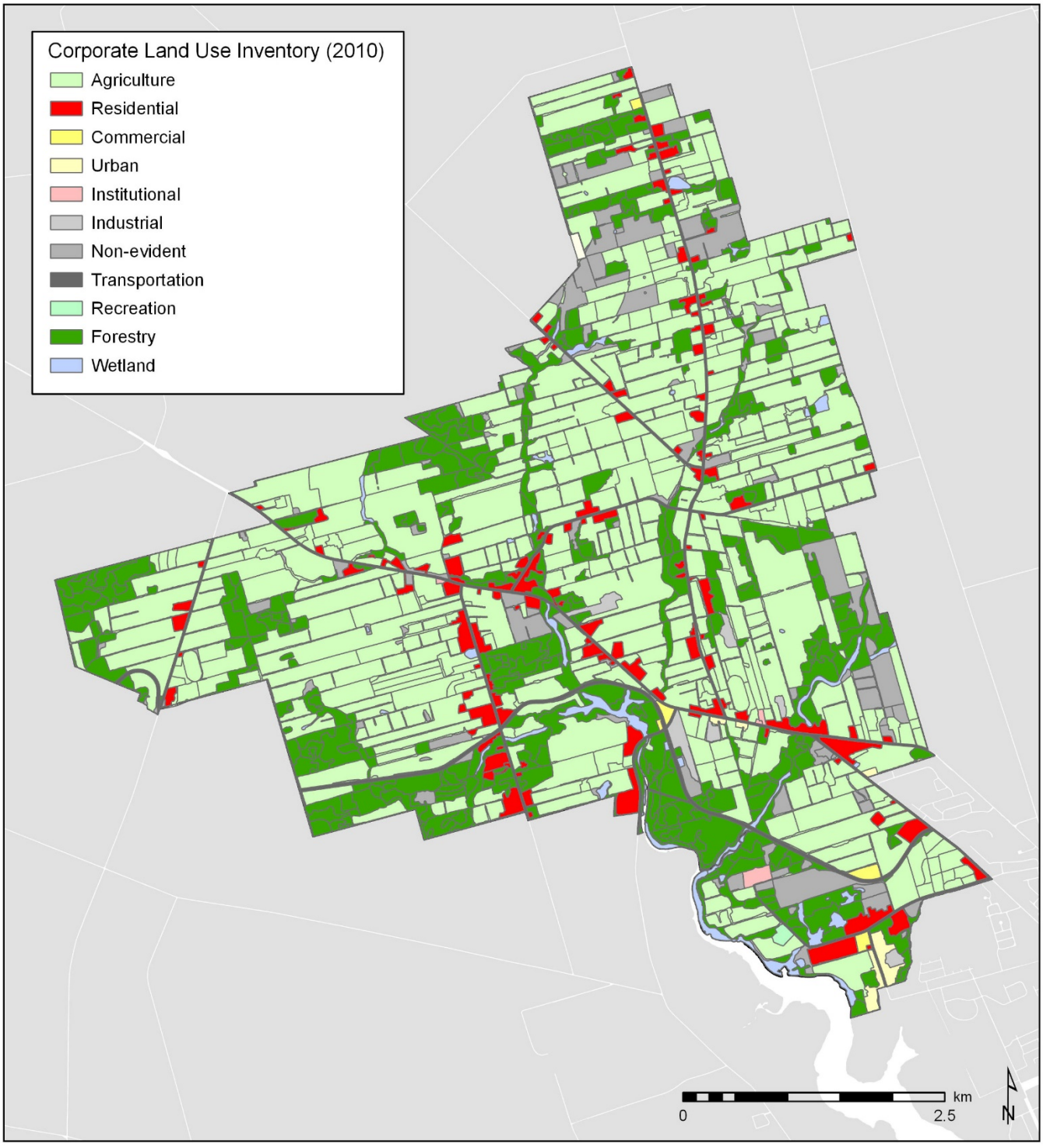
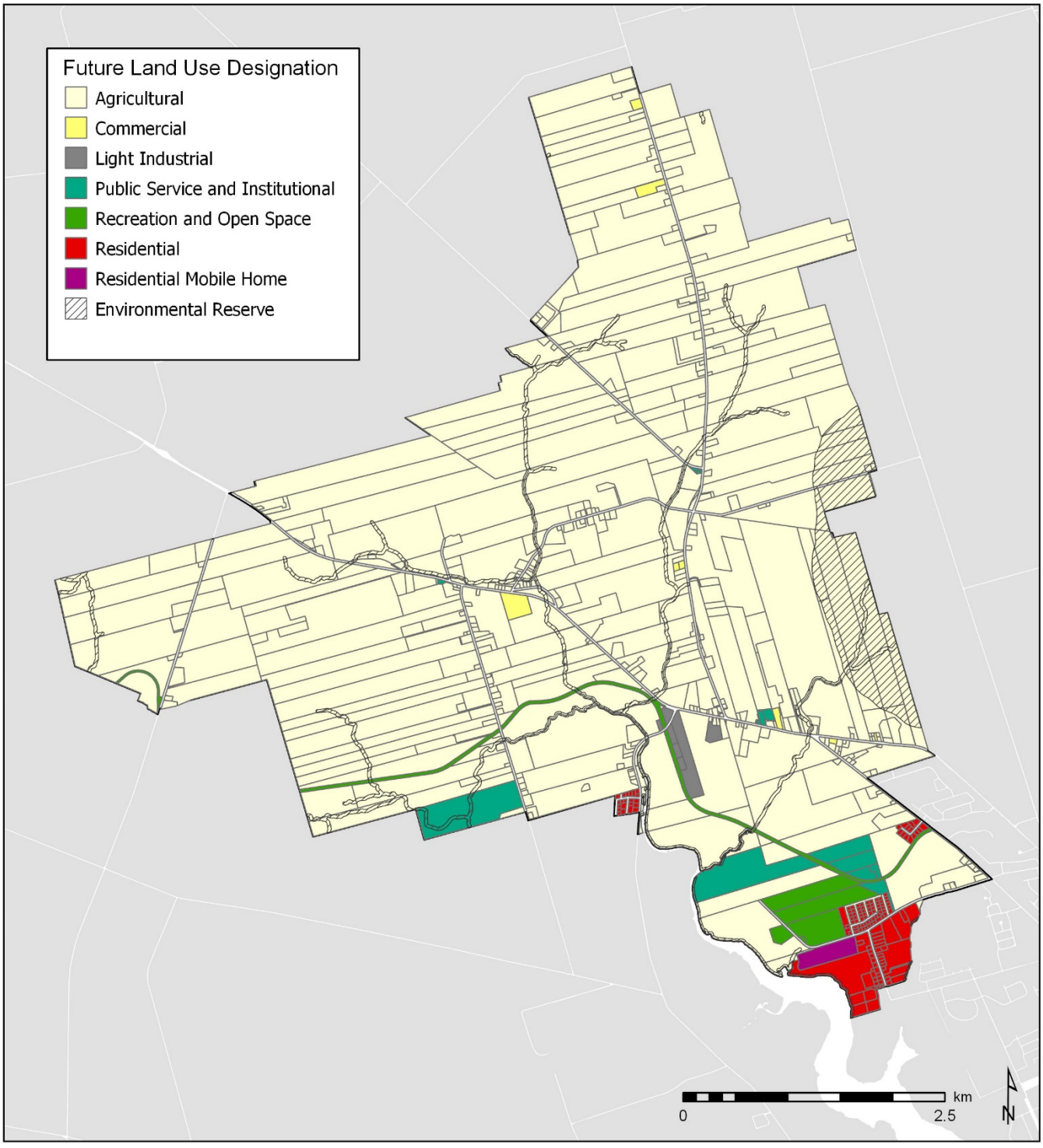
While the *Development Bylaw* and other bylaws passed under the *Municipal Government Act* are the primary tools for controlling and directing development activities in the Community, the Community budget is the key policy tool for establishing the annual priorities of Council. As such, the budget is a key implementation tool for many of the policies and plan actions laid out in the *Official Plan*. To the extent practicable, the budget should reflect the policies of the *Official Plan*.

10.9 BUDGET POLICIES

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

- Council will advocate for stable and affordable property tax rates.
- Council will pursue all available options for cost-sharing and maximize financial assistance from other levels of government.
- Council will pursue a “user pay” approach for programs and services where appropriate.
- Council will not budget for an operating deficit in any year.
- Any incurred deficit will be addressed as part of the subsequent annual budget if possible.
- Council will maintain lower staffing levels and contract out for specialized services until the needs and projected savings to the Community warrant additional staffing.

APPENDIX 1. CORPORATE LAND USE INVENTORY MAP



APPENDIX 2. FUTURE LAND USE MAP