

# Community of Kinkora

## Official Plan



Established 1835  
Incorporated 1955

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## **1.0 INTRODUCTION**

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### **1.1 Preface**

This document together with any Appendices or Amendments constitutes the Official Plan for the Community of Kinkora. It replaces the original Official Plan for the planning area which has been in place since 1985 and the revised version of 2009.

While the original and revised Official Plan and Zoning and Subdivision Control Bylaw have served the Community well over the last 5 years and produced positive results, they are now somewhat dated. An updated Plan and Bylaw are required which reflect recent significant changes in the Community, provide clearer direction for the future and meet the new standards as established by the *Planning Act*.

### **1.2 Purpose**

The Official Plan for the Community of Kinkora is a formalized statement of Goals, Objectives, Policies and Plan Actions approved by the Community Council concerning the nature, extent and pattern of land use and development within the Community until the year 2030.

The Community's Goals as set out in the Plan indicate overall policy direction, while the Objectives and Policies deal with specific topics and issues. Plan Actions are statements indicating specific initiatives or directions which will be undertaken to implement the Plan's Policies and Objectives.

The Official Plan guides the physical, social and economic development of the Community. It provides the policy framework for the Community of Kinkora Zoning and Subdivision Control (Development) Bylaw and policy direction for Council's actions in relation to: economic development initiatives; public works; social programs; municipal services; environmental standards; and, fiscal management.

### **1.3 Planning Area**

The Official Plan covers all the geographic area contained within the legal boundaries of the Community of Kinkora. Although the Plan formally addresses only those matters which arise within the Community's legal boundaries, consideration has also been given to the Community's relationship with the adjacent rural area, other municipalities or service organizations and the province as a whole.

#### 1.4 **Legal Enablement**

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

#### 1.5 **Official Plan Review**

An Official Plan is intended to be a dynamic planning tool and is therefore subject to periodic review and/or amendment to ensure that the Plan remains compatible with changes in the Community.

The *Planning Act* requires that a formal review of this Plan must be undertaken by Council every five years. While this document represents a Plan Review of the revised 2009 Official Plan, the time frame between the two documents allowed for updating the zoning map, bylaws and the demographic data of the Community besides implementing new bylaws.

#### 1.6 **Plan Content**

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

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

This document contains six sections:

- 1) Introduction
- 2) The Community of Kinkora: Background & Issues
- 3) Future Development Goals
- 4) Objectives, Policies and Plan Actions
- 5) General Land Use Plan, and
- 6) Implementation

The first section deals with the purpose, scope and legal framework for the Official Plan. The second section summarizes the background studies and provides a description of the physical, social and economic characteristics of the Community.

The third section provides a broad summary of how the Community desires to see its development unfold in the future. The fourth section is the core of the document, stating objectives, policies and intended actions for specific topics. The fifth section includes the General Land Use Plan. The last section sets out the process for administering and implementing the Official Plan and Development Bylaw.

## **1.7 Plan Review Process**

Community Council initiated its Official Plan and Development Bylaw review in response to a directive from the Minister of Community Affairs and Attorney General. Council embarked on the process in the fall of 2014. At that time Council retained the services of a planning consultant to assist the Council with the technical elements of the review.

The first task was the preparation of a complete new set of computerized maps for the Community. Utilizing these maps, the planning consultant with assistance from the administration and Council conducted a new Land Use Survey and updated the maps accordingly. An update of the Community demographics was performed using the 2011 Statistics Canada Census data. Population and dwelling counts were compared for the past growth, building permit activity, economic development trends, servicing, fire protection and related matters.

With the benefit of this analysis, Council prepared a new draft Plan and Bylaw. These documents were summarized in a newsletter which was circulated throughout the Community. An Open House was held on February 12<sup>th</sup>, 2015 to allow the public to make any comments and discuss any concerns.

## **2.0 THE COMMUNITY OF KINKORA: BACKGROUND & ISSUES**

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### **2.1 Historical Background**

The earliest known settlement in the Kinkora area was in 1834. Substantial settlement occurred in 1841. The early settlers were predominantly of Irish ancestry, as reflected in the local names. Some of the family names associated with this early period were: Brennan, Duffy, Farmer, Keefe, Kelly, McCarville, Mulligan, Murphy,

Shreenan and Somers. Descendants of these original families are still evident throughout the Community.

From the outset, Kinkora was a service centre to a thriving agricultural region. The first settlement in 1835 was known as “Southwest”. In 1867, the name was officially changed to “Somerset” in honour of one of the original settlers, Maurice Somers. In 1884 the name was changed to Kinkora to reflect the area’s Irish heritage.

The first local incorporation was the formation of the Thistle and Shamrock School District in 1855. The Village of Kinkora was incorporated in 1955.

Kinkora has a long and rich heritage founded primarily on its role as a rural service centre. Prince Edward Island’s first grammar school was opened in Kinkora in 1869. Kinkora also saw the opening of the Island’s first high school in 1935. The first St. Malachy’s Roman Catholic Church was built in 1847 and was replaced by the current structure in 1900.

Another key date was the completion of the East Prince Branch of the CNR railroad which ran directly through the community in 1884. The railway fueled local development activity, leading to the establishment of a cheese factory, a local bank and later the ShurGain feed operation. Increasing use of automobiles and trucks and the closure of the railroad has somewhat eroded Kinkora’s economic base but the community remains a vital service centre.

The most significant recent developments include the construction of the new Kinkora Regional High School in 1962, construction of the new Somerset Elementary School in 1984, apartment developments in 1987, construction of the McGuigan residential subdivision in 1993, establishment of the Kinkora Business Centre together with a major expansion in 1995 and most recently the opening of the Kinkora Heritage Park and Kinkora Country Inn in 1997.

### **2.2 Site and Situation**

The Community of Kinkora covers a land area of 985 acres, and is situated on the Anderson Road, Route 225, and the Somerset St., Route 109. It is approximately 14 kilometers from the Confederation Bridge, 22 kilometers from Summerside and 40 kilometers from Charlottetown. This central location, combined with its prosperous



agricultural service area are the primary strengths of the community. Route 225 is a particularly busy provincial collector highway with peak daily traffic counts during the summer months of 2,700 vehicles per day. While these traffic counts represent an economic opportunity, they also create a safety concern for residents. This is particularly true in terms of the increasing truck traffic between Charlottetown and Summerside.

The topography of the area is gently rolling. A significant divide just to the south of Route 225 separates the two major drainage systems in the area. North of this divide, drainage flows north to the Dunk River and eventually to Bedeque Bay. South of the divide, drainage flows southwest to the Southwest Brook and eventually into the Dunk River on to Bedeque Bay. There are no significant depressions or wetlands within the community and storm water management should not pose a major problem.

### **2.3 Existing Land Use**

The overall development pattern in the community has a predominantly linear form, with most homes, commercial and institutional buildings having frontage on either Route 225 or Route 109. Recent developments, however, have started to be located on local streets, such as the new McGuigan subdivision. This is a very positive trend, particularly for residential development, which should continue to be encouraged. Presently there are 3 vacant lots remaining in the McGuigan subdivision.

For a relatively small rural community, Kinkora has a relatively diverse land use mix. Not surprisingly, the majority of the land base remains in agricultural production and several large potato warehouses are located both along Route 225 and along the former rail line. The intersection of the former rail line and Route 225 is also the home of a large seed grain and cereal cleaning operation.

Institutional facilities are scattered through the community with the St. Malachy's Church, the Kinkora Regional High School and the Senior's Housing Complex located on Route 225 at the eastern portion of the core built up area, the Civic Centre and Fire Hall just to the west and the Somerset Elementary School somewhat separated to the north on Route 109. This somewhat less travelled location is obviously safer for small children. It has also led directly to the development of the adjacent residential subdivision and should act as a catalyst for further residential development in this vicinity.

As noted earlier, residential development remains primarily in a linear pattern with the major exception being the new McGuigan subdivision. Opened in 1993, this subdivision has been extremely popular and now contains only 3 vacant lots. The growing pressure to have more residential lots available has resulted in the following developments. Pid no. 1053818, lands of Kinkora & Area Commission Inc. was developed to accommodate one multi-unit senior housing lot and twenty single family dwelling lots. Duffy Court, a multi-unit housing development constructed six semi-detached lots and two triplex lots. The community also has a significant cluster of

apartment units located along Route 225. These units have enjoyed high occupancy rates and further development is expected.

Commercial activities within the community include the seed grain and cereal cleaning operation noted earlier and the following businesses which are all located along Route 225, several in the Kinkora Area Business Centre:

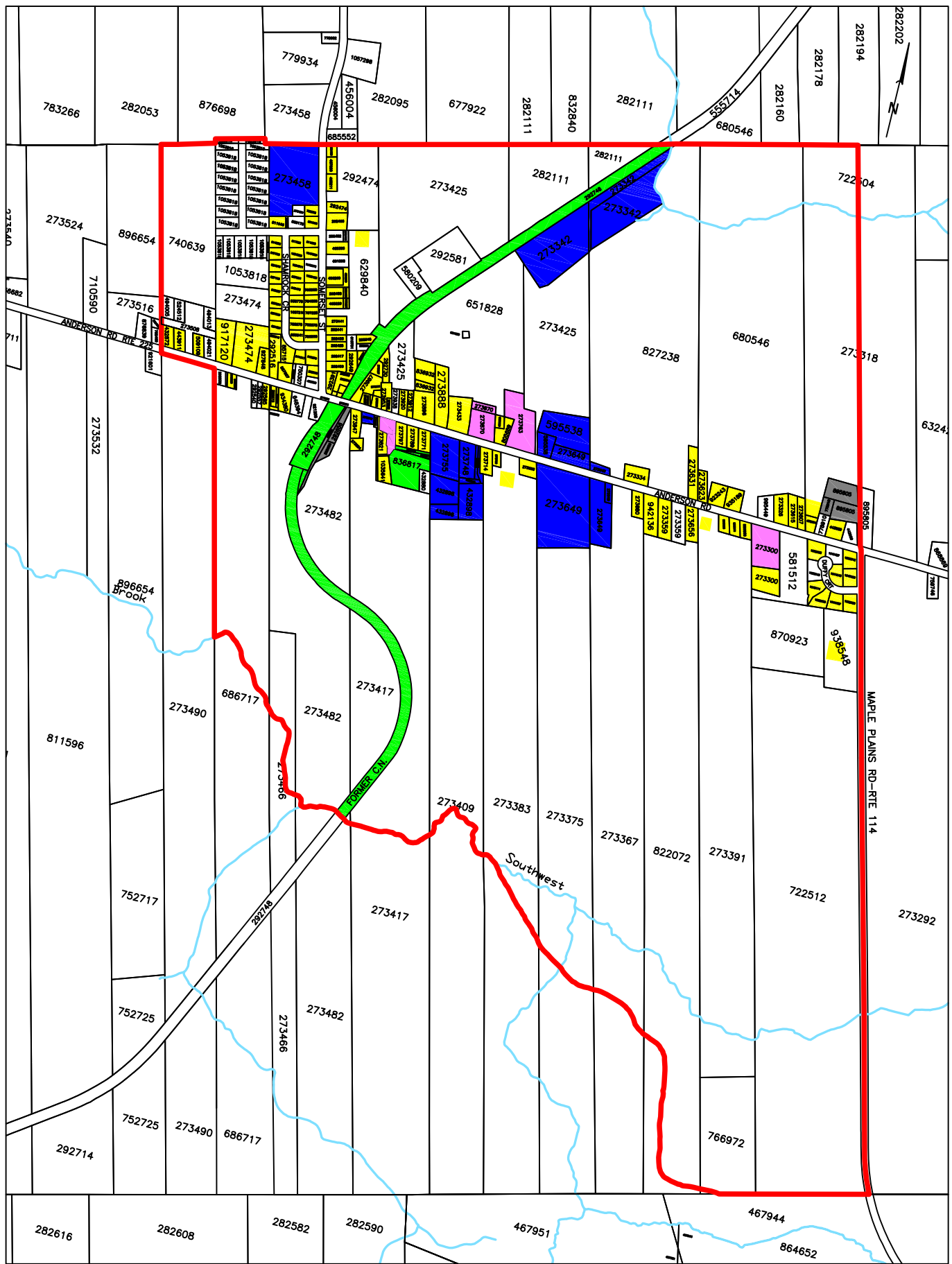
O'Shea's Pub and Eatery  
Shanise's Hair Creations  
Shea Holdings Inc.

Kinkora Irving Convenience

Kinkora Place  
- Library  
- Fire Department  
- Town Hall

Chez Shea Inn  
Sandersmith Enterprise PEI Inc.  
A.P. Mulligan Court Seniors Housing Complex  
Somerset Gardens & Landscaping  
Duffy Construction Ltd.  
Lawless Funeral Home

The Present Land Use Map (Map 1) illustrates the current pattern of land use in the Community.



Community of KINKORA

LEGEND

- RESIDENTIAL
- PUBLIC SERVICE and INSTITUTIONAL
- LIGHT INDUSTRIAL
- COMMERCIAL
- AGRICULTURAL RESERVE
- RECREATION and OPEN SPACE
- COMMUNITY LIMITS



COMMUNITY OF KINKORA  
ESTABLISHED 1835, INCORPORATED 1955

**PRESENT  
LAND USE MAP**

Prepared by: **Derek A. French Professional Services Inc.**

NOTES:

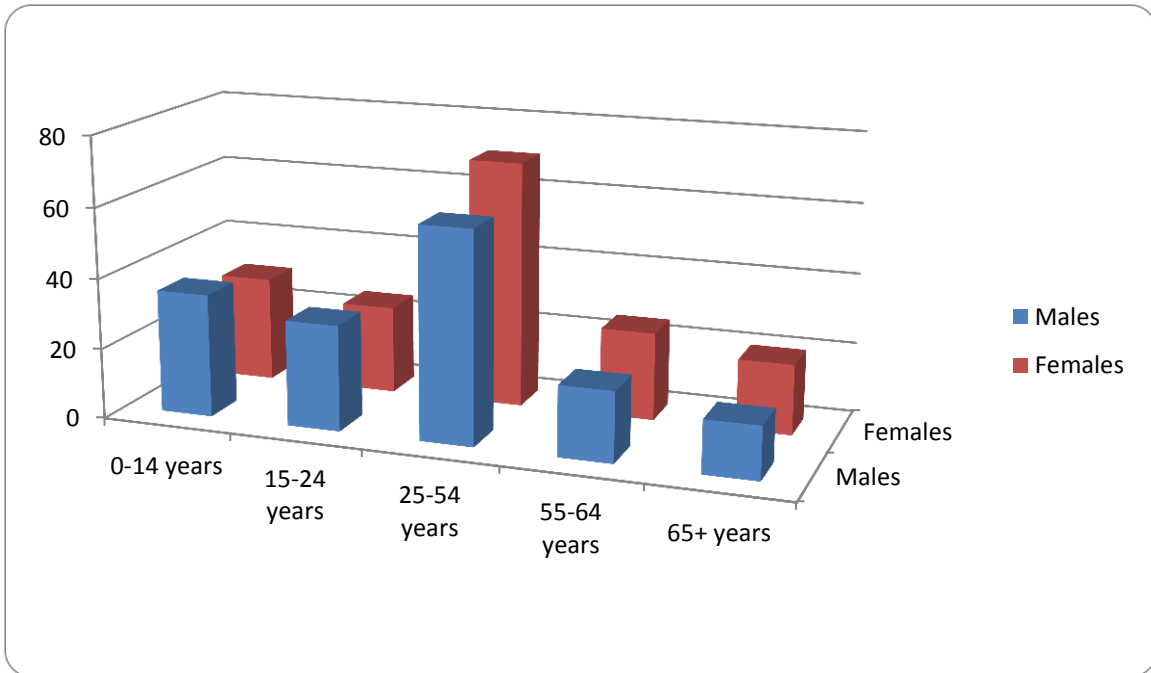
1. DIGITAL DATA SUPPLIED BY THE GOVERNMENT OF PEI, NOVEMBER, 2014.
2. LAND USE SURVEY PERFORMED ON DECEMBER 1, 2014.
3. DATE PLOTTED: DECEMBER 19, 2014.

## 2.4 Population

In 2011, Statistics Canada Census placed the population of the planning area at 339 (a 4 percent increase over 2006 levels). In 1996 Census Canada placed the population of Kinkora at 321 people, an increase of 26.9 per cent over the 1991 Census. The following table provides a breakdown of the 2011 and 2006 population by age and sex.

**Table 1**  
**Population by Age and Gender**

### **Kinkora, Prince Edward Island**



Age Group	% of Population			
	2011 Kinkora	2006 Kinkora	2011 PEI	2006 PEI
0 - 14 years	19%	20%	15%	18%
15 - 24 years	16%	14%	19%	14%
25 - 44 years	24%	28%	22%	25%
45 - 59 years	21%	21%	22%	23%
60 - 64 years	6%	5%	7%	5%
65 years +	13%	12%	15%	15%

(Source: 2011 Census)

The largest age group in Kinkora is the 25 to 44 years category, with approximately 24% of the population. The second largest group is the 45 to 59 years category, with 21% of the population. The provincial average for these groups are 25% and 23%.

The distribution of Kinkora's population across these age groups is similar to the provincial age distribution.

The age profile is dominated by those under 44 years of age (59%). The large number of children and young adults (particularly women) should continue to place demands on local schools and recreation facilities and it will tend to fuel further increases in population. There is a significant senior's population, with a total of approximately 13% of the Community's population. This will also place demands on the community for services. Further increases in this age sector may result in more senior's housing opportunities.

Historic population levels in the community were quite stable prior to 1981 at around 270 persons, declining to 250 by 1991. Between 1991 and 1996 the opening of the Roberts apartment building and the new subdivision created dramatic increases in population, 26.9%. The growth of the early 1990s has come about primarily from continued housing starts in the McGuigan subdivision and natural increase due to the young population. From 2006 to 2011 the population has gradually increased by 4% to a total of 339.

Over the 15 year life of this Plan, population is projected to continue to grow at between 2 and 4 per cent per year. While this is a reasonably high figure compared to the provincial average, 3.2%, it represents relatively small population totals considering the existing base of 339 people. This projection is supported by four main trends:

1) continued housing starts in the McGuigan subdivision; 2) continuing interest in more residential development; 3) some expressions of interest in upgraded senior's accommodations; and 4) natural increase due to the empty nest population looking to down size accommodations.

The community is also expected to show some moderate aging over the next 15 years as the new neighborhood matures, but given projected high mobility rates, the number of young children is not expected to decline markedly. This is due primarily to the proximity of the Somerset Elementary and Kinkora Regional High Schools and their appeal to young families.

## **2.5 Building Permit Activity**

Building permit records for the community were reviewed from 1986 to present. The following table summarizes the total number of permits, number of new dwelling units and total value for each year.

**Table 2**

**Building Activity - 1986 – 2014**

<b>Year</b>	<b># of Permits</b>	<b># of Dwelling Units</b>	<b>Total Value</b>
1986	5	4	152,400
1987	3	1	122,000
1988	1	0	15,000
1989	1	1	45,000
1990	5	1	110,000
1991	5	1	103,200
1992	3	3	265,000
1993	9	12	624,000
1994	7	3	348,000
1995	3	1	410,000
1996	3	14	300,000
1997	6	2	344,000
1998	6	0	414,000
1999	na (not available)	na	na
2000	na	na	na
2001	na	na	na
2002	na	na	na
2003	na	na	na
2004	na	na	na
2005	na	na	na
2006	na	na	na
2007	na	na	na
2008	16	8	na
2009	1	1	150,000
2010	1	2	200,000
2011	2	4	465,000
2012	8	13	1,765,000
2013	1	1	na
2014	2	2	230,000

Compared to similar rural communities in Prince Edward Island, Kinkora has experienced encouraging growth, particularly in the last seven years. Since the opening of the new residential subdivision housing growth has been steady. The construction of the Roberts 22 unit apartment building in 1993 had a dramatic impact on both population levels and assessment. Total increases in real property assessments over the past five years has been \$3,828,180, which averages a 4.8% increase in value per year.

In addition to the obvious growth in residential units, new commercial investment in recent years has also shown encouraging trends.

## **2.6 The Local Economy**

Agriculture remains the dominant sector of the regional economy but is dwindling in physical and economical size. In 2011 Statistics Canada reported there were 1495 farms in the Province, down 12.1% from the 2006 census. The total gross farm receipts have decreased as well by 14.6% since 2006. These trends across the Province are relevant in Kinkora as well with the loss of agricultural lands to housing developments.

From the list of businesses noted in Section 2.3, it is evident that the community remains primarily a service centre, supplying the needs of its residents and the surrounding rural area. Businesses within the Business Centre serve both local and external markets and significant vacant space is available to accommodate further growth.

A significant number of the new families who have located in the community commute to employment in either Summerside or Charlottetown, with some families splitting their jobs between the two centres. Kinkora's central location, appealing rural lifestyle and modern schools make it particularly appealing for young families whose members are employed in the Province's two major centres.

## **2.7 Municipal Services/Infrastructure**

### **a) Sewage Collection & Treatment**

The community's sewage collection and treatment system originated in 1963 with an expansion to the sewer mains in 1988. In 2002 an additional non-aerated sewage lagoon of 3.5 acres in size, was located adjacent to the existing 1963 non-aerated sewage lagoon of 2.5 acres in size. These lagoons are located in the north eastern portion of the community adjacent to the former CN Railway, now Confederation Trail.

There are currently 185 properties (164 in 2009) in the community of which 127 properties are paying sewer services fees. Most of the sewage collection system was installed in 1963 and is made of concrete pipe. Additional plastic sewer lines were added in 1993 to service the McGuigan subdivision. Of the total sewer line length of 15,000 feet, approximately 2,600 feet (17%) remains the older style concrete pipe. Unfortunately the older style concrete pipe is subject to significant infiltration and blockage from tree roots. The areas of major concern: Anderson Road from the St. Malachy's Roman Catholic Church easterly to Duffy's Construction.

To date no major problems have been detected but the community would be well advised to perform a video inspection of all the older concrete lines and eventually, to embark on a sewer line replacement program as dictated by the results of the inspection. Improvements to the current collection system will also

have the additional benefit of reducing infiltration levels and reducing the hydraulic loading on the treatment lagoon.

**b) Central Water Supply**

The Community of Kinkora currently has no central water supply system. All properties are served by individual wells.

Given the linear nature of development in the community and the general lack of major point sources of pollution this arrangement has not presented problems. The existence of a central waste water collection and treatment facility has also significantly minimized risks to groundwater supplies.

**c) Solid Waste and Recyclables**

Solid waste collection and disposal in the community is handled by Island Waste Management. The service also provides the collection of a variety of recyclables: plastics, glass, metals, paper and compost. Council should continue to actively promote the 3 r's of reducing solid waste, reusing materials wherever possible and recycling waste. This will not only reduce pressures on the environment but hopefully serve to maintain manageable solid waste collection fees.

**d) Fire Protection**

The Kinkora Fire Department is a municipal fire company that also services a large rural fire district which includes Bedeque, Albany, Middleton, Chelton, Freetown, Newton, Ferwood, Maple Plains, Rose Valley and Shamrock. Not only is this service area large in geographic terms it also contains a significant number of large, relatively complex buildings. These factors combine to place significant demands on the fire company, its firefighters and equipment.

The Fire Department currently has a compliment of 30 fire fighters, including the Fire Chief. All members are volunteers and the company reflects an excellent balance between youth and experience. All fire fighters have mandatory NFPA 1001 Level 1 Standard plus all members have Medical First Responder credentials.

The Fire Department was formed by the former Village of Kinkora in 1957. The Department services 3 incorporated communities - Kinkora, Bedeque and Central Bedeque and the Kinkora Fire District. The Fire District is an independent body much like the other rural fire districts in the province. Funds required to operate the Fire Department are collected by the three communities through their municipal tax rates. In the fire district fees are collected through provincial tax assessment. Present rates are \$.11/\$100 residential and \$.13/\$100 commercial of assessment to a maximum charge of \$250 per property annually.



The fire hall is part of the Kinkora Municipal Complex which was constructed in 1978 and expanded in 2005 and renovated in 2012. The expansion allowed for an additional bay door for a total of 3.

The Kinkora Fire Department's present capital assets include the following:

- a) a 1989 International Tanker truck;
- b) all personal safety equipment has been updated in February 2013;
- c) all 30 fire fighters are certified as medical first responders;
- d) in 2010 replaced all pager and portable radios;
- e) in 2012 I am Responding (IAR) dispatch system was implemented;
- f) in 2014 replaced Jaws of Life;
- g) 1996 GMC Topkick pumper truck;
- h) 1989 Ford L8000 heavy rescue truck;
- i) 2014 Dodge Ram 4x4 crew cab medical response vehicle;
- j) 2015 Peterbilt Fort Garry 4 man crown pumper; &
- k) AED & Medical bags at Llody Molyneaux doctor's office.

The department is reviewing its water fill bay. It presently lacks pressure and will need a high capacity pump added. Jaws of Life, rescue slay, portable pump, hoses, fittings, etc. are some of the equipment that has been updated recently.

Training remains a priority for the department with regular training sessions and continual upgrading of levels of certification. In addition to fires, the department also responds to numerous vehicular and other emergencies. Upgrading of emergency response training and equipment is therefore an additional priority.

e) **Police Protection**

All police services in the planning area are supplied by the R.C.M.P. under the provincial policing contract. Costs are reflected in the provincial property tax rates. This arrangement is providing adequate protection and no change is foreseen for the period of the Plan.

## **2.8 Transportation**

As noted earlier, the planning area's transportation infrastructure is dominated by provincial collector highway 225 (the Anderson Road) and provincial Route 109 (the Newton Road). Other local streets include Farmer St., and Shamrock Crescent.

All streets and roads in the planning area are owned and maintained by the provincial government. With peak daily traffic counts during the summer months of 3,249 vehicles up 17% from 2,700 in 2009, highway 225 represents a busy collector highway. As noted earlier, while this represents an economic opportunity the increasing number of cars and trucks also represents an increasing safety concern. The community currently has sidewalks from St. Malachy's Roman Catholic Church on highway 225 to Route 109, continuing along Route 109, ending at the Somerset Elementary School. It is the community's intention to expand the sidewalks throughout the municipality as funding becomes available.

## **2.9 Institutional Facilities**

Kinkora is extremely well supplied with institutional facilities given its relatively small population base.

St. Malachy's Roman Catholic Church was originally established in 1847. The current structure was constructed in 1900. It is an imposing and impressive architectural presence and is the dominant feature in the local landscape. The church plays an equally important role in the social life of the community and its rural hinterland.

While the church is definitely the centrepiece of the community, perhaps the most significant institutional facilities in the community are the two schools: Kinkora Regional High School and Somerset Elementary School. The modern elementary school, constructed in 1984, is generally considered to be a primary factor in the decision of many new families to locate in Kinkora.

**Table 3**  
**School Enrollment**

	<b>2001</b>	<b>2006</b>	<b>2011</b>	<b>2013</b>
Kinkora High School	210	196	175	146
Somerset Elementary	188	171	176	169

As seen in Table 3, the school enrollment in Somerset Elementary is maintaining approximately 170 students. The enrollment at Kinkora High School is showing a steady decline. This is the result of the larger groups of grade twelve students graduating (approximately 50) and being replaced with classrooms of (approximately 30) students. This is a reflection of larger families being replaced with one or two children families.

The community also possesses one of the most impressive civic centres of any small community in Prince Edward Island. Constructed in 1978, this modern complex houses the municipal administrative office, Council chambers, a provincial library, the fire hall, the Kinkora Firefighter's Association, the Maple Leaf Seniors Club, AA, bingo and a social facility called the Kanata Club. The community hall was renovated in April 2012 to upgrade the library and add the new community office. This facility is truly a focus for social activities and a cornerstone of the community. In 2008 a geo-thermal heating system was installed to help reduce the use of oil and electricity. Two 20 kilo-watt wind turbines were installed in 2009 but have proven to be cost prohibitive and will be dismantled in the near future.

## **2.10 Parks and Recreation**

There are three significant parks in the community: the park adjacent to the civic centre, the sport fields adjacent to the high school (and tennis court) and the Kinkora Heritage Park adjacent to the Confederation Trail. Recreational activities also take place in the civic centre and in both of the schools. The Confederation Trail itself also represents a significant recreational resource for walking, hiking, biking and snowmobiling.

The community's ball fields are a particular focus of activity during the summer months, serving the needs of both the community and the neighbouring rural areas.

## **3.0 FUTURE DEVELOPMENT GOALS**

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### **3.1 Introduction**

The Goals presented in this Chapter are broad statements indicating the overall shared vision of Kinkora's Community Council, its residents, property owners and business people in terms of the future evolution of the Community. These Goals provide the framework and general direction for the subsequent, more detailed statements which follow.

### **3.2 Future Development Concept**

The Community of Kinkora is a small but thriving rural service centre. While the shift from rail transport to road has diminished some of its locational advantage and somewhat weakened its economic base, the community has maintained and expanded its other services such as the church, schools, fire and safety services and recreational and social facilities. The efforts of the Kinkora and Area Business Commission are also showing signs of successfully re-building the community's economic base.

While the increased mobility provided by the automobile initially caused some centralization of economic activity and resultant decline in rural communities like Kinkora, it is now showing signs of the reverse effect. The combination of superior municipal services, a high quality rural lifestyle and minimal commuting times have resulted in Kinkora becoming a very attractive location for young families who are employed either in Charlottetown or Summerside. When land costs, taxes and utility rates are considered, Kinkora offers a very appealing option to suburban subdivisions in either of the major centres.

The Future Development Concept reflected in this Official Plan would see the Community of Kinkora maintain its high quality, rural lifestyle while continuing to stress the quality (and affordability) of its local services. At the same time, the Council understands that to keep the community healthy, both socially and financially, moderate population and economic growth must be maintained. Continued emphasis on the development of safe and efficient residential neighbourhoods must be balanced with efforts to continue to build on the encouraging recent growth of economic activity in the community. The Community of Kinkora is aware of the pressures to consider the incorporation or the expansion of their boundaries. In order to be a sustainable entity, the Community of Kinkora has to be opened minded to the establishment of a possible regional municipality.

### **3.3 Goals**

#### **3.3.1 General**

- To preserve the unique rural character of the community.

- To foster a community environment which provides a sense of safety and stability while offering opportunities for human enrichment and economic growth.
- To preserve and promote the Community's rich cultural heritage.
- To consider the incorporation or the expansion of the Community's boundaries.

### **3.3.2 Social**

- To maintain and expand the social facilities and services provided within the community.
- To foster the creation and maintenance of a safe, efficient, stable and visually appealing residential environment.
- To provide a range of housing opportunities to meet various socioeconomic needs.
- To place increased emphasis on the special needs of seniors, youth, the mentally challenged and physically challenged.

### **3.3.3 Economic**

- To protect and enhance the long term viability of farming in the Community.
- To attract increased commercial, office and light industrial activity to the Community.
- To increase the Community's assessment base.
- To maintain affordable property tax rates and utility rates.
- To expand local employment opportunities.

### **3.3.4 Physical**

- To provide better protection against potential land use conflicts.
- To encourage the development and maintenance of a safe and efficient vehicular and pedestrian circulation system in the Community.
- To develop and maintain cost-effective, high quality and

environmentally sound central water and sanitary waste collection and treatment services which accommodate the present and future needs of the Community.

- To manage storm water run-off in a safe and cost-effective manner.
- To ensure an adequate supply of land to accommodate the projected needs of various land uses within the period of the Plan.

### **3.3.5 Environment**

- To protect the quality and supply of groundwater and surface water resources in the Community.
- To encourage responsible waste management.
- To promote environmental education.
- To promote the use of renewable energy sources.

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

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### **4.1 Introduction**

This Chapter represents the policy core of the Official Plan. Within the broad policy framework laid down by the previous chapter, the following Objectives provide more precise statements which address specific issues and concerns within the Community.

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

### **4.2 Agriculture**

While the Community of Kinkora is perhaps less dependent upon agriculture than it was in the past, agriculture remains the dominant sector of the regional economy. Kinkora lies in the heart of one of the province's richest potato producing regions, as clearly evidenced by the large potato warehouses both within the boundaries of the community and on its periphery.

With a total land area of 985 acres and a population of only 339 people, it is evident that agriculture is likely to remain the dominant land use in the planning area for the foreseeable future.

Kinkora has been fortunate to avoid the land use conflicts which have emerged in other communities between intensive agricultural activities and residents. With projected continued increases in residential development and the increasing number of non-farm related interests in the community, Council must be aware of potential conflicts and adopt land use policies which balance the interests of residents and farmers and wherever possible avoid potential conflicts.

#### **OBJECTIVES:**

- To maintain the long term viability of farming within the Community.
- To minimize land use conflicts between farmers and residents.
- To encourage responsible agricultural practices.
- To continue to foster strong linkages with the Community's agricultural service area.

## **POLICIES:**

### **Policy PA-1: Zoning**

Council shall identify an area reserved primarily for agricultural use. This will include all productive lands with the exception of those areas currently approved for urban development and adjacent lands designated to accommodate projected urban growth during the period of the Plan. No further lands shall be taken out of Agricultural zoning unless Council deems the said lands are required for urban development use within ten years of the date of application.

#### **Plan Action:**

- The Development Bylaw shall designate as Agricultural (A1) all those lands which are not currently approved for urban use or projected to be required for urban development during the period of the Plan.
- The Development Bylaw shall provide protection for agricultural activities within the Agricultural (A1) zone and shall impose restrictions on residential development and other non-farm land uses.

### **Policy PA-2: Agricultural Practices:**

While Council has no direct role in the regulation of agricultural practices such as spraying, crop rotation, cultivation practices, etc., Council intends to work with the farming community to encourage responsible practices and to foster a better level of understanding between residents and farmers.

#### **Plan Action:**

- Council shall establish provisions in the Development Bylaw restricting disturbance of natural vegetation adjacent to streams, wetlands and other water courses.
- Council will work with the farming community and the Province to provide public information on agricultural practices and to establish appropriate means of prior notification for adjacent land owners for activities which could pose a risk to health.

### **Policy PA-3: Intensive Agriculture**

Existing livestock operations and other intensive agricultural activities shall be protected from residential encroachment. More intensive agricultural activities shall be encouraged to locate in the Agricultural (A1) Zone.



**Plan Action:**

- Residential development shall not be permitted in close proximity to existing intensive agricultural uses.
- These intensive uses shall not be permitted in urban development zones.

**4.3 Residential**

The Community of Kinkora has experienced encouraging levels of residential development in recent years, both single family housing, multi-unit housing and apartments. Given the community's advantageous location, high levels of services and amenities, superior quality of life and progressive outlook, there is every reason to believe this trend will continue.

The current quality of senior's housing in the community is an issue and it is believed the newly proposed senior housing in Somerset Estates will address current demands.

While there are only 3 residential lots remaining in the McGuigan subdivision to address local housing demands, a new 20 lot residential subdivision is ready for development on portion of Pid No. 1053818 Somerset Estates.

It is the intention of Council not to allow the location of any mobile homes or mini-home developments within the Community.

**OBJECTIVES:**

- To encourage a broad range of residential development opportunities in the Community.
- To maintain an adequate supply of serviced residential land within the boundaries of the Community.
- To target the specific housing needs of seniors, young families and other housing market segments.
- To offer better protection to established residential areas.
- To impose residential development standards which stress safety, efficiency, aesthetic appeal, land use compatibility and fostering of a healthy lifestyle.

- To accommodate future housing complexes demand in an appropriate manner.

**POLICIES:**

**Policy PR-1: Zoning**

It shall be the policy of Council to provide more specific protection for existing residential neighbourhoods through designation as Single Family Residential (R1) zones. Existing apartment developments shall be designated as Multiple Residential (R4) zones. Further apartment development shall occur via a re-zoning application.

**Plan Action:**

- All existing residential areas within the Community shall be designated as R1 or R2 or R3 or R4 zones in the Development Bylaw.
- All existing apartment developments shall be zoned Multiple Residential (R4) zones in the Development Bylaw.
- The Development Bylaw shall designate sufficient additional residential lands to accommodate projected residential growth during the terms of the Plan.
- Additional apartment developments may be permitted but shall proceed via a re-zoning application. Apartments shall generally be directed to locate in higher traffic locations and adjacent to commercial developments and existing apartments.

**Policy PR-2: Residential Development Standards**

Council shall establish residential development standards relating to density, architectural harmony, setbacks, amenity areas, parking, buffering and other matters in order to enhance the health, safety and convenience of residents.

**Plan Action:**

- The Development Bylaw shall establish residential designations for single family and multiple family units.
- The Development Bylaw shall establish residential development standards relating to lot sizes, setbacks, servicing, amenity areas and open space, parking landscaped

buffers, architectural harmony and other related matters.

### **Policy PR-3: In-Home Occupations**

Dramatic changes in the workplace combined with new technology such as computers, fax machines and the internet have made it possible, and some time imperative, that more people to work out of their homes. With this trend in mind, Council shall permit a range of in-home occupations in residential areas, provided that there is no significant negative impact on adjacent properties or the immediate neighbourhood.

#### **Plan Action:**

- The Development Bylaw shall establish standards for home occupations, which strictly limit potential residential conflicts such as noise, fumes, vibration, electrical interference, hours of operation, square footage (or size), number of employees, parking, signage, physical changes to the structure and any other factors which may represent an impediment to the safety, convenience or enjoyment of neighbouring residents.
- Retailing, manufacturing, warehousing and processing shall not be permitted.

### **Policy PR-4: Accessory Apartments**

It shall be the policy of Council to allow the addition of an accessory apartment to a single family dwelling in designated zones. The exterior of the residence retains an appropriate single family appearance.

#### **Plan Action:**

- The Development Bylaw shall permit the addition of an accessory apartment in designated residential zones.

### **Policy PR-5: Bed and Breakfast**

It shall be the policy of Council to permit the operation of small scale “bed and breakfast” establishments in designated residential zones, provided they have no negative effects on the surrounding neighbourhood.

**Plan Action:**

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

**Policy PR-6: Mini-Homes**

It shall be the policy of Council not to consider a mini-home development within the Community.

**4.4 Commercial**

Given the relatively small population base and the impact of large scale shopping and service facilities in Summerside and Charlottetown, it is not projected that Kinkora will experience major commercial development. Potential does exist, however, for expansion of small scale, low order, daily use type services and facilities targeted at supplying the needs of local residents and our rural neighbours. Traffic volumes on highway 225 add further potential to this local captive market. Recent development activity reflects that there is demand for local services and some moderate growth could occur.

Commercial development will likely continue to cluster along highway 225 and should be directed to locate adjacent to existing commercial facilities.

**OBJECTIVES:**

- To maintain and enhance the viability of established local commercial facilities.
- To encourage new commercial development in the Community.
- To concentrate commercial activity in the core area of the Community.
- To minimize any potential land use conflicts caused by commercial development.

**POLICIES:**

**Policy PC-1: Zoning**

It shall be the policy of Council to designate all existing commercial facilities in the

Community as General Commercial (C1) zones. Additional commercial land shall be designated within the core area of the Community to accommodate future growth. Given the limited size of the built up area of the Community, no “neighbourhood commercial” designation should be required.

**Plan Action:**

- All existing commercial facilities in the Community shall be designated as General Commercial (C1) within the Development Bylaw.
- Additional lands within the core area shall be designated General Commercial (C1) in order to accommodate future expansion and direct future commercial development to the core area along highway 225.

**Policy PC-2: Commercial Development Standards**

It shall be the policy of Council to establish commercial development standards which ensure high quality commercial developments with adequate parking, appropriate signage, good site planning, safe access and appropriate buffers from adjacent residences.

**Plan Action:**

- The Development Bylaw shall establish commercial development standards relating to lot sizes, setbacks, parking, landscaping, site planning, outside storage and screening, access and other such matters to ensure high quality commercial developments.
- The Community shall continue to comply with the signage restrictions under the pertinent Provincial Regulations.
- All commercial developments shall proceed via a development agreement.

**4.5 Industrial**

The first Official Plan did provide for a limited light industrial area, primarily to accommodate industries and services related to agriculture. This policy remains quite appropriate. It is also important to provide stronger protection and security for the existing industrial uses in the Community, i.e., the seed grain and cereal cleaning facility, and the Duffy Construction facility.

Industrial uses must be located so as to provide some separation and buffering from

existing and future residences. Truck traffic must also be routed directly to the collector highways rather than through residential areas.

**OBJECTIVES:**

- To support the existing light industrial facilities in the Community, particularly those related to agriculture.
- To designate an appropriate area for future light industrial development.
- To provide better security for existing industrial facilities in the Community.
- To minimize land use and transportation conflicts arising from industrial development.
- To increase employment opportunities and municipal assessment.

**POLICIES**

**Policy PM-1: Zoning**

It shall be the policy of Council to designate existing light industrial facilities in the Community as Light Industrial (M1). Additional land to accommodate industrial expansion shall not be designated in the Development Bylaw but shall be dealt with via re-zoning applications. Land use and transportation conflicts shall be key locational factors in the designation of future industrial lands.

**Plan Action:**

- The Development Bylaw shall designate all existing light industrial facilities in the Community as Light Industrial (M1).

**Policy PM-2: Development Standards**

It shall be the policy of Council to permit only those industrial and service businesses which pose no significant environmental risks and can be appropriately integrated into the Community. Stringent development standards shall be imposed in order to ensure efficient and safe vehicular circulation, good site planning, efficient use of land and high standards of visual appearance. Substantial setbacks and visual buffers will be required from any adjacent residential zone.

**Plan Action:**

- The Development Bylaw shall establish the types of light industrial, service, office and related commercial activities which will be permitted within the Light Industrial (M1) Zone.
- The Development Bylaw shall establish stringent development standards related to visual appearance, ingress, egress, circulation, site planning, parking, landscaping, exterior lighting and storage, noise and other nuisances, visual screening and buffering and other such matters in order to ensure high quality development and minimizing of land use conflicts.

**4.6 Transportation**

The Community of Kinkora currently owns no roads and for the foreseeable future the ownership and maintenance of all roads and highways within the Planning Area is expected to remain with the provincial government. Council retains an important role, however, in assisting the Province in establishing annual maintenance priorities, in lobbying the province for the maintenance of the vital provincial arterial and collector highway system (including Route 225 and Route 109), in working to control unsafe highway access and in ensuring that superior design standards are applied to new subdivision streets. The Community also has the sole responsibility for pedestrian systems (with the exception of the Confederation Trail) and must continue to expand the sidewalk network within the community.

**OBJECTIVES:**

- To continue to work with the Provincial Government to ensure the development and maintenance of a safe and efficient transportation system.
- To co-ordinate land use planning and transportation planning activities.
- To provide for the safe circulation of pedestrians within the Community.
- To investigate the purchase of a radar speed station(s).

## **POLICIES:**

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

It shall be the policy of Council to work closely with the Province in the design and management of the Community's transportation system. Priorities will include co-ordination of land use planning and transportation planning, design of new transportation facilities and upgrading of existing facilities, control of private accesses and storm water management.

#### **Plan Action:**

- The Community will meet regularly with the Province to jointly review and approve: new subdivision roads; private road accesses; annual road maintenance priorities; speed limits; roadway and intersection improvements; and developments which could generate significant traffic volumes.

### **Policy PT-2: Sidewalks**

#### **Plan Action:**

- As budgets permit Council shall begin planning for the extension of the sidewalk along Route 225.

## **4.7 Municipal Services**

The Community of Kinkora directly supplies a range of municipal services including: collection and treatment of sanitary waste or wastewater; fire protection; and municipal administration. The Community also receives police protection from the provincial government and contracts solid waste collection to Island Waste Management. Council has also been examining the feasibility of installing a central municipal water system. Storm water management has not been a priority and most if not all existing facilities were installed as part of the road network.

As noted earlier, the Community's treatment lagoon(s) will have capacity for the next 15 years if the population growth and development continues at recent rates. The collection system concrete lines are in need of proper inspection and may need upgrading in the future, as indicated by the inspection.

The fire department has received considerable recent upgrading of training and equipment. The Council and fire department have secured emergency water supplies with the addition of a new well and fill system at the Fire Department site.



**OBJECTIVES:**

- To provide efficient and cost-effective central waste water collection and treatment services within the Community.
- To support and protect high quality domestic water supply for all residents and property owners in the Community.
- To minimize the costs and environmental impact of solid waste collection.
- To provide high quality, cost-effective fire services.
- To ensure that adequate police services are provided.
- To manage storm water run-off in the most cost-effective and environmentally appropriate manner.
- To update a strategy for responding to man-made and natural disasters.
- To provide Emergency Measures Organization Centre (Emergency Housing Facility) with power generation.

**POLICIES:**

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

It shall be the policy of Council to provide high quality, cost-effective central waste water collection and treatment services for the built up area of the Community.

**Plan Action:**

- Council shall implement a program of video inspection of the existing concrete sewer mains in the Community and initiate a program of upgrading as budgets permit, based on the results of the inspection.
- All future residential or commercial subdivisions shall be fully serviced at the expense of the developer.

**Policy PS-2: Central Water Supply**

It shall be the policy of Council to continue to pursue the long term installation of

a central water system in the Community.

**Plan Action:**

- Council will continue to work towards a long term plan for developing a central well field site and a central distribution system.
- Once a potential well field site is identified Council should seek to put in place some form of long term protection.
- Council shall implement measures jointly with the Province to provide increased protection for wells and groundwater supplies in the Community.

**Policy PS-3: Storm Water Management**

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

**Plan Action:**

- The Community will work with the Province to ensure that storm water systems are properly installed and maintained in the Community.
- All new subdivisions and major developments shall be required to submit a storm water management plan, subject to standards imposed by Council and the Province.
- Wherever possible it shall be the policy of Council to protect and enhance the existing surface water drainage system in the Community, and to upgrade its capacity to handle storm water run-off.
- No physical changes or infilling of any stream, wetland or water course shall be allowed without the approval of Council and an assessment of any storm water run-off implications.

#### **Policy PS-4: Solid Waste**

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

- The Community shall continue to utilize the services of Island Waste Management.
- Council shall encourage residents and property owners to adopt the 3 r's of reduction, recycling and re-use of solid waste.

#### **Policy PS-5: Police Protection**

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

- The Community shall continue to rely on the services of the R.C.M.P. as provided under the Provincial Policing Contract.
- Council shall meet regularly with the R.C.M.P. to discuss security and crime prevention issues.

#### **Policy PS-6: Fire Protection**

It shall be the policy of Council to continue to strongly support the efforts of the Kinkora and Area Fire Department and to continually monitor and upgrade its capability as demands require.

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

- Council shall continue to work with the Kinkora and Area Fire Department to keep the firemen and equipment up to date.
- Also Council shall continue its efforts to upgrade the water fill bay.

#### **4.8 Parks and Recreation**

The Community of Kinkora has an active recreation program for all ages. Facilities include the Kinkora Community Centre, the sport fields, library, the Confederation Trail and the Heritage Park and shared facilities at Somerset Elementary School and Kinkora Regional High School.

Program activities include softball program for all age categories, a summer day camp, a sports camp, the Senior's Club, Central Region Sport and Recreation Council, Library

Arts and Crafts, Weekly Bingo, Children's Painting, Computer Camp, the Walking Club and the Free Throw Contest.

**Policy PPR-1: Facilities**

It shall be the policy of Council to continue to work with the Western School Board to utilize the recreational facilities in our two schools during non-school hours. Council shall also continue to upgrade municipal recreation facilities.

**Plan Action:**

- Council shall strive to maintain the existing softball field and soccer field.
- Council is considering renovating the existing tennis court to include a skateboard park.

**Policy PPR-2: Programs**

It shall be the policy of Council to continue to enhance and build upon the established recreation programs in the Community.

**Plan Action:**

- Council shall continue to support the established recreation program in the Community.
- Council shall pursue opportunities to develop new recreation programs for all ages.

**4.9 Institutional**

The Community of Kinkora is blessed with an exceptional array of institutional facilities for a community of its size. Ensuring the long term health and viability of the church and the two schools must be a high priority for the Community. The civic centre is equally impressive and is concrete evidence of the Community's civic pride and spirit and its strength and resolve. While increased institutional development is a worthwhile objective the paramount concern should be to ensure the long term viability of the existing facilities.

**OBJECTIVES:**

- To work with the School Board, local principals, staff and parents to ensure the long term health and viability of Kinkora Regional High School and the Somerset Primary School.

- To work with local church groups to maintain the viability of St. Malachy's Church.
- To continue to maintain and upgrade the Kinkora Community Centre.
- To encourage the development of additional institutional facilities in the Community.

## **POLICIES**

### **Policy PI-1: General**

It shall be the policy of Council to protect the long term interests of established institutional facilities in the Community and to provide opportunities for further development.

#### **Plan Action:**

- The Development Bylaw shall include institutional facilities such as schools and churches in designated Public Service and Institutional (PSI) zones.
- Council shall work actively with local school and church groups to identify and address any issues which could jeopardize the long term health and viability of these facilities.
- Council shall continue to place a high priority on the maintenance and upgrading of the Kinkora Community Centre.

### **4.10 Environment**

While there are no significant or extremely sensitive natural areas within the Community which require special protection, Council must develop policies which ensure long term protection of surface and groundwater resources and which contribute to the visual appeal and overall environmental health of the Planning Area.

The most significant concern is the protection and long term management of groundwater supplies. The Community, like most in Prince Edward Island, is totally dependent on groundwater supplies for all its water needs.

The surface water drainage systems to the north and south of the Planning Area are

closely tied to both the groundwater system and the adjacent stream and river systems. Policies must be developed therefore to ensure their protection from degradation due to pollution or siltation.

The Community is strongly committed to working with the two senior levels of government and other concerned agencies in East Prince to establish a Community Environmental Centre in Kinkora.

**OBJECTIVES:**

- To protect the quality and quantity of the Community's vital groundwater resources.
- To protect and enhance the quality of surface water in the Community.
- To control erosion from construction and farming activities.
- To encourage acceptable minimum maintenance standards and the control of unsightly premises.
- To control sources of air pollution.
- To promote environmental education.

**POLICIES:**

**Policy PE-1: Groundwater**

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

**Plan Action:**

- Council shall assist the Province in identifying and controlling potential point sources of groundwater contamination such as underground gasoline or fuel oil tanks, chemical storage areas and refuse or dump sites.
- Land uses which would pose serious groundwater contamination risks, such as chemical plants or storage of pesticides shall be discouraged or carefully controlled within the Community.
- Development permit applications shall be required to identify any chemical storage areas or underground petroleum

storage.

- Council will identify literature on water conservation, safe disposal of household hazardous wastes and other information pertaining to the protection of the groundwater supply and make it available to residents and property owners.

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

It shall be the policy of Council to protect and where possible enhance the quality of streams and wetlands within the Community.

#### **Plan Action:**

- The Development Bylaw shall establish conservation setbacks or buffer areas adjacent to all streams and wetlands, limiting construction activities and minimizing the disruption of natural vegetation.
- The Development Bylaw shall restrict infilling or alteration of surface drainage features without the issuance of a stream alteration permit where required by Provincial regulations.

### **Policy PE-3: Air Quality**

It shall be the policy of Council to restrict those activities in the Community which would be detrimental to air quality and to promote tree planting and tree preservation.

#### **Plan Action:**

- The Development Bylaw shall not permit the establishment of industries or other land uses which are known to cause or contribute to air pollution.
- Council supports the Provincial Regulations controlling the burning of leaves, grass or refuse in the Community.

## **5.0 GENERAL LAND USE PLAN**

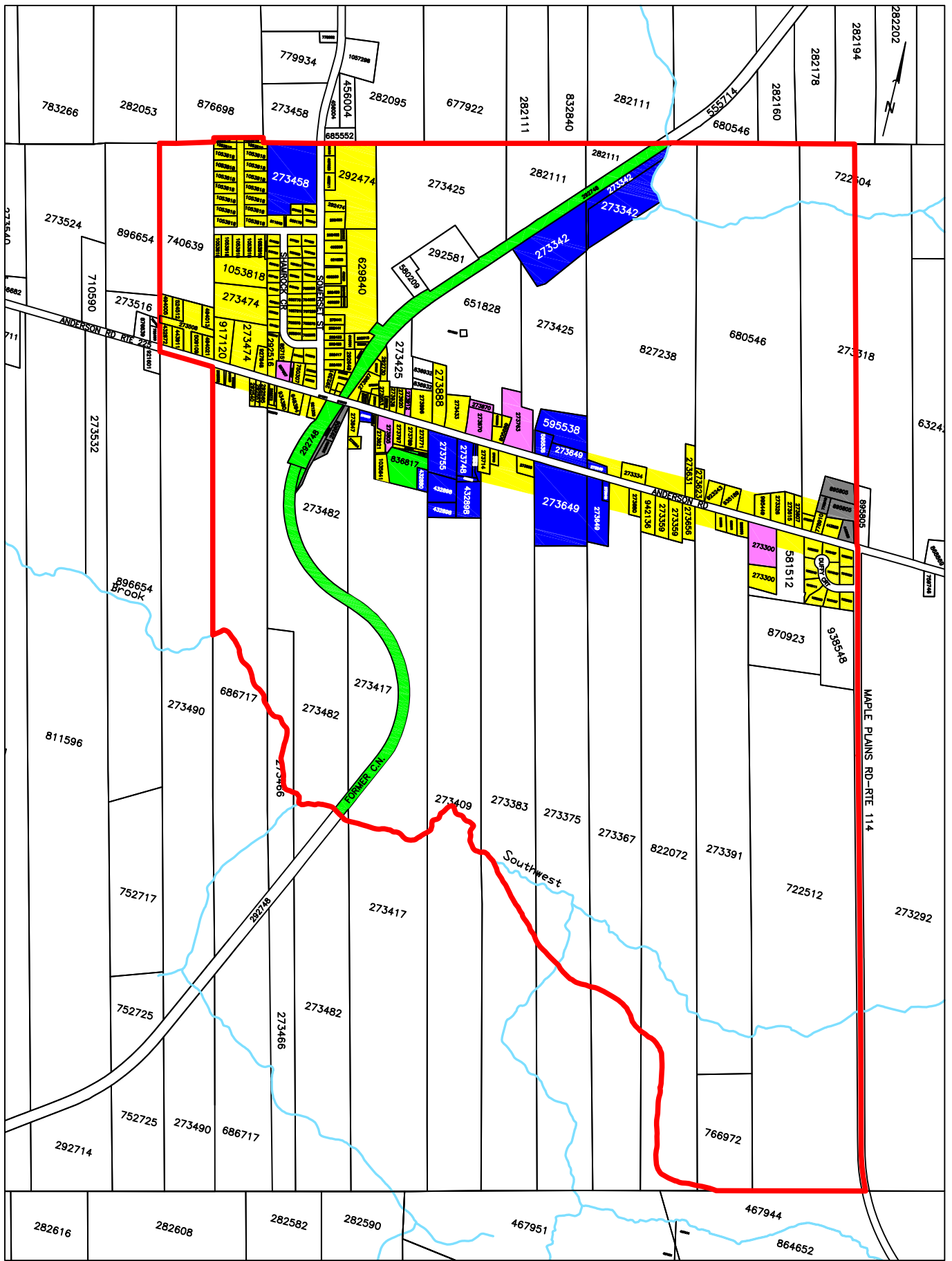
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The General Land Use Plan (or Official Plan Map) is a conceptual representation of the direction Council envisions land use patterns emerging over the next fifteen years. It lays the foundation and establishes the direction for the Zoning Map in the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

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

- land use conflicts shall be minimized.
- agricultural areas shall be protected.
- higher density residential developments will be situated in close proximity to commercial and institutional services and adjacent to major traffic routes.
- as far as possible, single family residential development shall be directed to local streets.
- better protection shall be provided for all land uses through clearer land use designations.
- commercial development shall be directed to locate adjacent to existing commercial activity and adjacent to major traffic routes.
- industrial activity shall only be permitted in designated areas which are well segregated from residential areas.
- all other relevant policies and principles included in this Plan.





Community of KINKORA

LEGEND

- RESIDENTIAL
- PUBLIC SERVICE and INSTITUTIONAL
- LIGHT INDUSTRIAL
- COMMERCIAL
- AGRICULTURAL RESERVE
- RECREATION and OPEN SPACE
- COMMUNITY LIMITS



COMMUNITY OF KINKORA  
ESTABLISHED 1835, INCORPORATED 1955

**GENERAL LAND USE PLAN**

Prepared by: **Derek A. French Professional Services Inc.**

NOTES:

1. DIGITAL DATA SUPPLIED BY THE GOVERNMENT OF PEI, NOVEMBER, 2014.
2. LAND USE SURVEY PERFORMED ON DECEMBER 1, 2014.
3. DATE PLOTTED: DECEMBER 19, 2014.

## **6.0 IMPLEMENTATION**

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### **6.1 Administration**

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

### **6.2 Development Bylaw**

Immediately upon the approval of this Plan by the Minister of Community Affairs and Attorney General, Council shall amend its current zoning and subdivision control bylaws to be in conformance with the policies and provisions of this Plan, according to the provisions of the *Planning Act*. This revised and consolidated document shall be referred to as the Community of Kinkora Development Bylaw. The Development Bylaw shall set out specific land use zones, permitted uses for each zone, standards and procedures for development and land use, and procedures and standards controlling the subdivision and consolidation of land in the Community. The Bylaw may also provide for "conditional" and "special permit" uses.

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

The Development Bylaw shall require any person undertaking any development or change of use of land or premises to apply for a development permit using a standard application form. Exceptions shall be noted in the Bylaw. Council may attach such conditions as it deems appropriate to any development permit in order to ensure conformance with this Plan.

The Bylaw may also require submission of a Construction Plan for the development outlining such details as construction phasing, stockpiling of soil, screening or fencing, erosion or run-off control measures, heavy truck access and any other item which could present a nuisance or hazard during construction.

Once the development is approved, a numbered permit will be issued which must be displayed at the site. The receipt of a development permit does not excuse the applicant from complying with any provincial or federal laws in force, such as fire protection, health and safety, sewage disposal, signage, plumbing and electrical installation, and others. Council will maintain a liaison with provincial officials during the permit-issuing process.

### **6.2.2 Development Agreements**

Council may, as its discretion, require the developer of a subdivision or a development to enter into a Development or Subdivision Agreement. This agreement will contain all conditions which were attached to the building permit or subdivision approval and will be legally binding on both parties.

### **6.2.3 Variances**

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

### **6.3 Budgeting**

While the Development Bylaw and other Bylaws passed under the *P.E.I. Municipalities Act* are the primary tools for controlling and directing private sector development activities in the Community, the Municipal Budget is the key policy tool for directing the activities of Council. As such the Budget is a key implementation tool for the policies laid out in this Plan and, to the extent practicable, the Budget should conform with the policies of this Plan.

#### **6.3.1 Budget Policies**

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

- As a general policy Council shall strive to maintain stable and affordable property tax and utility rates.
- Council shall not budget for an operating deficit in any fiscal year.
- Any incurred deficit will be addressed as part of the subsequent annual budget.
- Council shall aggressively pursue all options for cost-sharing and maximize assistance from other levels of government.
- Council shall generally apply a “user pay” approach for the majority of programs and services, while being sensitive to the needs of the less fortunate.
- Annual budgets may include a Capital Reserve Fund.
- Smaller, routine capital expenditures shall be expensed on an

annual basis.

- Major capital expenditures shall be amortized over an appropriate period of years in order to maintain stable tax rates and utility rates.
- Council shall continue to maintain low permanent staff levels and contract out for specialized services until needs and projected savings warrant further staffing.

### **6.3.2 Capital Priorities**

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

- a) Sewer Main Inspections and Upgrading
- b) Sidewalk extensions
- c) Recreation
- d) Upgrade water pressure for the Fire Hall's water fill bay

### **6.4 Review**

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

### **6.5 Amendments**

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

### **6.6 Appeal Procedure**

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