

1. INTRODUCTION

1.1 Preface

The first Official Plan for the Community of Lower Montague was prepared in 1978. Prior to that date all development and subdivision of land was controlled by the Provincial Government pursuant to the provisions of the Planning Act Regulations. The Official Plan was reviewed and amended in 1999 and 2006. This document represents the third formal review of the Lower Montague Official Plan.

1.2 Purpose

The Official Plan for the Community of Lower Montague is a formalized statement of Goals, Objectives, Policies and Plan Actions approved by Community Council concerning the nature, extent and pattern of land use and development within the Community until the year 2027.

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 actions 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's Development Bylaw and policy direction for Council's actions in relation to economic development initiatives; public works; social programs; municipal services; environmental standards; and fiscal management.

1.3 Planning Area

The Official Plan covers all the geographic area contained within the legal boundaries of the Community of Lower Montague. 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 neighbouring municipalities, adjacent rural areas, the region and the province as a whole.

1.4 Legal Enablement

The Community of Lower Montague derives the majority of its powers from the Municipalities Act and the Planning Act. The Planning Act empowers Council to appoint a Planning Board, adopt (and amend) an Official Plan and subsequently to adopt implementing land use and development bylaws. The Municipalities Act empowers Council to make other bylaws and/or to implement programs, actions or 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 should therefore be subject to regular periodic review and/or amendment. The Official Plan will therefore be monitored on an ongoing basis to ensure its compatibility with changing circumstances. A formal, comprehensive review shall be undertaken every five years. The next review shall take place in 2017 or as soon as possible after that date given the Community's resources.

1.6 Plan Content

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

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

This document contains seven sections:

1. Introduction
2. The Community of Lower Montague
3. Development Issues
4. Future Development Goals
5. Objectives, Policies and Plan Actions
6. General Land Use Plan (Map), and
7. Implementation

2. THE COMMUNITY OF LOWER MONTAGUE

2.1 Location

The Community of Lower Montague is situated in Kings County approximately 50 kilometres east of the Provincial Capital Charlottetown and bordering the southern boundary of the Town of Montague. The Montague River runs along the northern boundary of the Community.

LOCATION MAP

2.2 History

Early settlement in the Lower Montague area was based primarily on farming and fishing. By the end of the 18th century there were a number of farm residences located along the Whim Road to the south and along the Ferry Road running from Montague Bridge in the west down past the Georgetown Ferry Wharf and further east to Snugburry Point (later renamed Wightman's Point for the property owner, John Wightman).

Like many communities on Prince Edward Island in the 1800's, settlement was clustered close to the water. In the vicinity of the St. Andrews Light House there was a store, a forge and a Lobster Factory, as depicted on the 1880 Meacham's Atlas. The other cluster of settlement was focused further west around the School House which remains in place today (as does the adjacent cemetery). There were also two flanking churches which have unfortunately both been lost.

With the coming of the automobile, Montague Bridge grew rapidly into a regional service centre and eventually became the Town of Montague. The Georgetown Ferry was closed and the Ferry Wharf is now evident only through some remaining timbers and crib work. A more modern fishing wharf has been constructed to the west.

After the closure of the Georgetown Ferry the local economy declined somewhat with services tending to cluster in the Town of Montague. Residential growth also slowed but in the later 1900's seasonal cottage development started along the Montague River. In recent years, year round residential growth has also started to increase, both in the area directly adjacent to the Town of Montague and increasingly along the Montague River.

2.3 Natural Features

The natural features of the Community are among its most important and attractive qualities. The Community's rolling rural landscape of open fields nestled against mixed forests, its scenic vistas of the Montague River, and its sandy beaches all contribute to a "sense of place" where life is just a bit slower and more peaceful for both Community residents and visitors alike.

Much of the Community consists of the "Alberry" soil type. This soil is coarse-loamy, deep, acidic and cool humid. The soil has good drainage capabilities and a deep water table. The terrain is gently rolling with a few accentuated slopes. Much of the land is cultivated and is suitable for a wide range of crops and as such, is also suitable for most types of development. This soil is an important resource for the Community.

There are also significant areas of the Community that consist of poorer quality "Rocky Point" soils. This soil is sandy, deep, acidic and cold peraquic. The

areas where this soil occurs are wet, drainage is poor and the water table is at or near the surface. This land is usually forested and is unsuitable for agriculture and challenging for residential development.

The Montague River is the area's most important and visible natural feature. Community residents depend on it for the fishery, recreation and the general physical and visual environment of the Community. The 1999 Official Plan recognized the significance of the Montague River, and the threat of pollution from domestic and agricultural sources and, consequently, established a special set of policies governing land use along the river. Setbacks, green belts, and public access were all encouraged in the policies. Recently, the province through the Environmental Protection Act, has adopted a series of regulations to meet similar objectives. These regulations will assist the Community in preserving the river's riparian zones and natural features.

The Community's wetlands and marshes provide abundant wildlife habitat and breeding grounds for a great many animals and birds. They also act as groundwater filters and recharge areas for the Community's drinking water and help to maintain the rural character of the Community.

The Community's wooded areas help to prevent erosion, serve as buffers between different land uses, provide wildlife habitat, serve as wind breaks, and enhance the rural character.

2.4 Present Land Use

Lower Montague has experienced significant changes in land use since the preparation of the 1880 Meacham's Atlas, but the dominant land uses remain farmland and woodland. Land use surveys were conducted in 1999 and 2006 and the results are displayed in Table 1 below.

Table 1
Land Use 1999 & 2006

Land Use	1999 Acreage *	% of Total	2006 Acreage *	% of Total
Agriculture (cleared)	1500	27	1468	26
Residential (incl. seasonal)	884	16	914	17
Commercial	181	3	181	3
Public Service & Institutional	36	1	38	1
Recreation & Public Open Space	3	<1	3	<1
Industrial	9	<1	9	<1
Wooded/undeveloped	2600	47	2600	47
Transportation (roadways)	96	2	96	2
Total	5475	~ 100	5475	~ 100

*All figures rounded to nearest whole number

A comprehensive land use survey was conducted as part of the current Official Plan review and the results are depicted on Map 2. While overall land use percentages have changed only marginally, the land use patterns are starting to reflect some significant emerging trends. These trends are discussed below under various land use categories.

MAP 2
PRESENT LAND USE

2.4.1 Residential

The widespread growth in automobile ownership, particularly after the Second World War, has had a dramatic impact on residential development patterns. In the Lower Montague area the first impacts were the growth of summer cottages along the Montague River and the parallel growth of ``strip`` residential development, particularly along Rte. 17 (the former Ferry Road) between Montague and the Campbell Road. Just to the south of Rte. 17, east of Douses Rd. there is also a 37 unit mobile home park. Other residential clusters are located in the French River area, along the Lower Montague Rd. just north of Rte. 17 and along the Lower Montague Road from Rte. 17 running east to Wightman's Point.

Most of the development along the major transportation routes is year round housing. Most of the waterfront development is for seasonal housing but in recent years there has been a trend of converting waterfront lots for year round residential use.

There are also several multiple unit residential buildings dispersed through the Community and one large community care facility in the French Creek area.

2.4.2 Commercial

With the growing popularity of the automobile, commercial activities have tended to decline in Lower Montague and move to the larger service centre of Montague. Today most commercial activities in the Community are located immediately adjacent to Montague. Primary commercial facilities include the Provincial Liquor Store at the intersection of Commercial Rd. and the Wood Island Rd., several hair dressers, the recently closed Dr. Jim MacNeil Pub, the Royal Canadian Legion and Donald Ross Auto Sales. There are also a number of "in-home" occupations spread through the Community.

2.4.3 Institutional

Institutional development is quite limited in Lower Montague. There are two cemeteries, the pioneer cemetery at St. Andrew's Point and the larger cemetery next to the former school. The old school is still active as a community centre and has recently seen some upgrading. The Women's Institute building is just to the west of the school on the Lower Montague Rd. There are two churches close to the intersection of Douses Rd. and the Wood Islands Rd: the United Pentecostal Chapel and the Montague Pentecostal Church. In the same location are the Federal Fisheries & Oceans building, the Centre for Performing Arts and the Appleseed Daycare. The last two facilities are hard to classify in terms of land use. Similar challenges exist for the Families First Family Resource Centre and the Food Bank. Both these facilities are located near Rte. 17 and Douses Rd.

2.4.4 Open Space and Recreation

There are two parks in Lower Montague, the St. Andrew's Point Park (which is leased from the Provincial Government) and a small park area which is part of the proposed residential subdivision on the site of the former Jimmy's Montague Recreation Park (Trailer Park). Most recreational facilities in the region are located in the Town of Montague and in Cardigan. The one major exception is the regional soccer complex in Lower Montague just south of Douses Rd.

2.4.5 Industrial

There are several industrial facilities in Lower Montague including the former Choice Tobacco Plant on the Commercial Rd., Everett King Trucking on Rte. 17, and Pater Meats on the Lower Montague Road. There is also a small juice production facility located on the Haneveld Apple Farm on Rte. 17.

2.5 Transportation

All public roads in the Community are owned and maintained by the Provincial Government. There are also a significant number of private roads, primarily serving cottage subdivisions, but also servicing some year round residential developments. The major Roads in the Community include Rte. 17, Lower Montague Road, St. Andrews Point Road, Whim Road, Thornton Road, Campbell Road, Douses Road, Wood Islands Road, Commercial Road and the Valleyfield Road.

The other significant transportation facility in the Community is the Lower Montague wharf. This wharf serves the local lobster and ground fishery and the growing shellfish industry. It has also been a popular destination for local residents.

2.6 Fire Protection

Fire protection for the Community is contracted from the Montague Fire Department.

2.7 Police Protection

Police protection is provided by the RCMP via the Provincial Policing Contract

2.8 Garbage Collection

All garbage collection in the Community is provided through the Island Waste Management Program.

2.9 Social/Cultural Programs

Lower Montague is a typically close knit rural community. Other than the local Women's Institute and the two local churches, there are few programs for youth or seniors. Most recreational and social programming is available in the Town of Montague. As population continues to grow, however, there will be greater pressure on the Community to provide enhanced local social and cultural activities.

3. DEVELOPMENT ISSUES

3.1 Residential Development

The biggest challenge facing the Community of Lower Montague is the long term regulation of residential development. Except for a few properties directly adjacent to the Town of Montague which are connected to the Town's sanitary sewer and central water systems, all properties in Lower Montague are serviced by on-site septic tanks and wells. As residential densities continue to increase, the risks of scattered system failures and resulting well contamination will increase.

Many people have moved to Lower Montague at least in part for the low property tax rates and the lack of central servicing levies. Given the sporadic pattern of development in the Community, the cost to provide central wastewater treatment services would be extremely high and current Federal environmental standards would probably dictate a ground-based treatment system with no outfall into the Montague River. This would require either one massive ground-based system or a series of "cluster" systems. Looking forward, it would certainly be in the Community's interest to establish "sustainable" on-site development standards which can help to ensure the long term avoidance of expensive central systems.

The growing clustering of development along the Montague River will compound sewage loadings in this area and also increase the likelihood of salt water intrusion, particularly in shallower wells. Nutrient enrichment flowing into the Montague River will also negatively impact the fishery.

Currently the Development Bylaw enforces 1 acre unserviced lots in parts of the Community and 25,000 square foot lots in others. There are no set standards for lots connected to the Town of Montague's central systems. Moving forward, all on-site serviced lots should be at least 1 acre (if not larger). A preferable option would be for "cluster" style developments with a much larger percentage of open space and private central water systems.

Conversion of existing undersized cottage lots for year round use will be another challenge. The increased sewage loadings and bigger building footprints will definitely create potential problems which may be difficult and extremely

expensive to remedy. One possible solution is to establish maximum lot coverage ratios. Another would be the establishment of private “cluster” treatment facilities and central water supply systems. These systems can be difficult to establish, however, in older, established developments. The last option would be to establish much higher “performance standards” which would require comprehensive Environmental Impact Assessments for all lot “conversions” or new developments of 5 or more lots (developed in one phase or incrementally).

Another related concern is the number of private roads in the Community. Many of these roads are developed to a minimal standard and cannot adequately sustain year round use. Inadequate storm water management systems on some of these roads could also present potential problems. The Provincial Government has now established much higher minimum standards for new private streets and Lower Montague should follow suit. Upgrading of the existing private roads will be challenging and would require cost-sharing by all present users.

3.2 Population

Precise population numbers for Lower Montague are not available from Statistics Canada. Using housing numbers and average household sizes, however, we can derive some reasonable population estimates. In 2001 average household size was 3.1 persons per household. Population in 2006 was estimated to be 992 people. With an average of 7 new homes per year since 2006, current population is estimated at 1,014.

It is assumed that recent development activity rates will continue, if not increase. That would indicate a projected population of 1,344 by 2027.

Some level of population growth is healthy for any community. Excessive population growth will put pressure on agricultural land, the local environment and in all likelihood could lead to dramatic increases in tax rates and utility fees. The Community must seek to find a sustainable balance.

Table 2 illustrates development activity from 2000 to 2011.

Table 2
Development Activity from 2000 to 2011

Year	Building Permits	Subdivision Permits	# of Lots Created
2000	12	4	4
2001	15	8	8
2002	32	10	22
2003	19	6	6
2004	19	3	3
2005	24	2	2
2006	10	10	37
2007	6	8	7
2008	9	6	6
2009	7	13	13
2010	5	2	2
2011	4	3	3
TOTAL	162	75	113

3.3 Commercial Development

Most commercial services required by Lower Montague residents are available in the Town of Montague or the commercial strip through Brudenell. The few commercial services available in Lower Montague are primarily clustered close to the Town of Montague.

The 2006 Official Plan designated a commercial zone in the vicinity of the Wood Islands Road, Commercial Road intersection in order to encourage limited future commercial development. This zoning should remain in place.

The limited commercial development throughout the balance of the community is of very moderate scale or is essentially an “in home occupation”. Most of the commercial operations which exceed the “in home” scale are currently zoned as non-conforming uses in order to limit any expansion. This should continue to be the case.

As population continues to grow there may be a need for limited additional “neighbourhood” scale commercial development. While this may be appropriate in select locations, any development should proceed via a zoning bylaw amendment. Examples might be a moderate sized “Inn” a small local restaurant or convenience store.

Limited additional tourism development may also be desirable, particularly on the waterfront. Once again, it is advisable that such development proceed via a zoning bylaw amendment in order to assure adequate public input and minimize potential land use conflicts.

3.4 Industrial Development

The only industrial developments in the Community are located on the Commercial Road, in a relatively well buffered location, and on Rte. 17 in the midst of a developing residential area. The latter development is not well tolerated in its current location and land use conflicts will intensify as residential development continues. This land use is currently zoned as a non-conforming use. This zoning should continue and efforts to clean up this site and to see this property eventually evolve into a conforming use, should continue.

The undeveloped area in the vicinity of the Wood Islands Road, Commercial Road intersection has great potential as a future industrial park. It is well buffered from residential neighbourhoods, quite easily serviceable with central services and well served by existing roads. There is potential in this location for the Community of Lower Montague and the Town of Montague to jointly participate in encouraging future industrial development. This could bring badly needed assessment and new jobs to the area.

For the time being the current industrial uses in this vicinity should be zoned M1 Industrial. The balance of the land should be zoned Agricultural until such time as demand exists for additional industrial development.

3.5 Servicing

As noted earlier, the vast majority of the properties in Lower Montague are serviced by septic systems and individual wells. Limited areas directly adjacent to the Town of Montague are connected to the Town's central sanitary sewer and central water systems.

Moving forward, the Town of Montague does have adequate sewage treatment capacity and is willing to at least consider proposals to extend its services. The most logical location (other than the potential industrial development noted above) is the area to the east of Montague, running along Rte. 17. Much of this area could be served by gravity sewer.

The Zoning Bylaw will establish an RS-Serviced Residential Zone to cover the areas currently serviced by Montague's central systems. If developers can negotiate a servicing agreement with the Town of Montague for other areas, Council should consider a re-zoning application.

As conversion of cottage lots continues and as salt water intrusion becomes a potential problem, Council may need to entertain the establishment of private central water systems which would be owned and operated by a homeowner's association. In extreme cases it may also be necessary to establish private

“cluster” sewage treatment systems serving a number of undersized residential properties.

For the foreseeable future Council does not see itself becoming involved in the direct provision of central sewer or water services.

3.6 Environment

As noted in previous sections, the major environmental concerns in Lower Montague relate to the protection of surface and groundwater resources. Development in the coastal zone close to the Montague River must be sensitively managed in order to protect the river from biological, chemical and sediment impacts. The Environmental Protection Act’s riparian zones and setback requirements will be helpful, but in all likelihood some increased level of protection will be required in order to adequately protect the health of the river. Increased green space along the river will also assist in maintaining public access to the shoreline.

Groundwater resources can certainly be impacted by poorly designed, poorly maintained or simply over loaded septic systems. The current 1 acre lot sizes for on-site serviced lots may be adequate on ideal soils with minimal slopes. Where there are less than ideal conditions, larger lot sizes may be required to ensure long term sustainability. While pathogens, such as E-Coli bacteria, tend to be our major concern, nitrate levels in PEI ground and surface water are becoming an increasing concern. Wastewater loading levels can be an important contributor to nitrate levels in groundwater.

As noted earlier, excessive groundwater draw down next to salt water bodies can eventually lead to salt water intrusion in wells. Sometimes this can be cured with deeper, better protected wells. In many cases, however, new remote wells are required with associated central water systems.

If continued development is to be permitted within the coastal zone and if “conversion” of undersized cottage lots is also to be permitted, contingency plans for central water supply systems should certainly be considered.

Removal of vegetation and construction activities in the coastal zone can cause significant increases in sediment run-off into rivers and streams. Subdivision Plans should impose restrictions on vegetation changes in the coastal zone. Building permits and Subdivision Agreements should address erosion control measures during construction and use of siltation dams and detention ponds.

4. FUTURE DEVELOPMENT GOALS

4.1 Introduction

The Goals presented in this Section are broad statements indicating the overall shared vision of Lower Montague's Council, residents and property owners in terms of the future evolution and development of the Community. The Goals provide a framework and general direction for subsequent, more detailed statements which follow.

4.2 Future Development Concept

The Community of Lower Montague is first and foremost a rural community. Residents treasure the quiet tranquil setting, the friendliness of their neighbours, the pastoral landscape, the beautiful water views and the lack of urban influences – including urban tax rates and utility fees.

The Future Development Concept reflected in this Official Plan would see the Community maintain and enhance its high quality rural lifestyle while continuing to accommodate limited non-farm development which will not conflict with or undermine the interests of established residents, farmers or fishers. Protection of the Community's exceptional natural environment shall continue to be a high priority and increased emphasis will be placed on the Community's social and cultural linkages.

4.3 Goals

4.3.1 General

- To enhance the appeal of Lower Montague as a place to live.
- To protect and enhance the current rural lifestyle and rural character of the Community.

4.3.2 Social

- To foster social interaction and healthy lifestyles for all residents of the Community.
- To protect the health and safety of all residents.
- To provide limited housing opportunities, which will permit a moderate level of population growth.

4.3.3 Economic

- To protect the long term viability of farming in the Community.
- To protect the long term viability of the local fishery.
- To accommodate very limited non-agricultural related commercial development.
- To accommodate limited non-agricultural related industrial development.

4.3.4 Physical

- To establish a plan for future development which minimizes potential land use conflicts.
- To encourage the maintenance of a safe and efficient vehicular circulation system in the Community.
- To encourage the maintenance of a high standard of physical appearance for all properties in the Community.

4.3.5 Environmental

- To protect the quality and supply of ground water and surface water resources in and adjacent to the Community.
- To protect the Community's sensitive coastal zone.
- To protect air quality.
- To encourage responsible waste management.
- To encourage energy conservation and use of alternate energy systems.

5. OBJECTIVES, POLICIES AND PLAN ACTIONS

5.1 Introduction

This section represents the policy core of the Official Plan. Within the broad policy framework laid down by the previous section, 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.

5.2 Agriculture

Agriculture has been the predominant land use in the Community of Lower Montague for well over 100 years and it will continue to dominate the economy and land use for the foreseeable future. While the number of full time farmers has declined dramatically and a significant amount of land is now leased, farming will continue to be the primary economic base for the period of this Plan and beyond. While there are inevitable minor conflicts between farmers and non-farm residents, the Community accepts these minor issues as part of our rural lifestyle. We strive to protect the vested rights of our farmers to farm responsibly, free from any harassment from their neighbours.

Current market conditions make farming challenging and the Community must be sensitive to these challenges. To the extent practical, however, resource lands should be encouraged to be kept in active agricultural use.

OBJECTIVES:

- To protect the long term viability of farming in the Community.
- To minimize conflicts between farmers and non-farm residents.

POLICIES

Policy PA-1: Zoning

It shall be the policy of Council to designate an Agricultural Zone which will protect farming and forestry lands from the intrusion of conflicting land uses and serve to discourage the conversion of primary resource lands into non-resource use. Where proposed uses would pose no conflicts with adjacent established land

uses, the Agricultural Zone may accommodate limited commercial and industrial development that is directly related and necessary to the farming and forestry sectors.

Plan Action:

- The Development Bylaw shall designate all those lands currently in farming or forestry use and associated residences and all vacant lands which are not deemed to have sustainable development capacity, as an Agricultural (A1) Zone.
- Council shall work with local farmers and residents to minimize land use conflicts and to protect farmers established right to farm.
- Commercial and Industrial uses which are directly related and necessary to the resource based economy may be permitted in the A1 Zone where they are compatible with land uses in the immediate vicinity in the opinion of Council.

Policy PA-2: Livestock Operations

It shall be the policy of Council to protect existing livestock operations from residential encroachment. Established residences shall also be protected, however, from encroachment by new livestock operations.

Plan Action:

- The Development Bylaw shall restrict any new residential development from locating within 500 feet (500') of an existing livestock operation, unless the residence is associated with the farm.
 - The Development Bylaw shall prohibit any new livestock operation from locating within one thousand feet (1000') of any existing residences.
 - Expansions of existing livestock operations within five hundred feet (500') of existing residences may be permitted subject to such conditions as Council may impose.
- Council will endeavor to ensure that all livestock operations in the Community comply fully with all Provincial regulations in relation to manure handling and storage and other matters which could affect public health.

5.3 Fishery

Fishing has been a mainstay of the local economy in Lower Montague since its early settlement. It is the desire of Lower Montague residents to ensure that the interests of our local fishers are protected. Storage of vessels and fishing gear is an expected component of local land use. Facilities associated with the shell fishery, however, can be somewhat more intensive and present conflicts with adjacent residences. These facilities must be situated in locations which are adequately buffered from adjacent development.

OBJECTIVES:

- To protect the long term viability of fishing in the Community.
- To minimize conflicts between fishers and other local residents.

POLICIES:

Policy PF-1: Zoning

It shall be the policy of Council to permit the storage of fishing vessels and fishing gear in all Residential and Agriculture zones in the Community. Facilities for the storage of shellfish vessels and gear, sorting, washing and related activities shall require a re-zoning application and public consultation.

Plan Action:

- The Development Bylaw shall provide for the storage of fishing vessels and gear as a permitted use in Residential and Agricultural Zones.
- Facilities for the storage of shellfish harvesting equipment and gear, washing, grading, sorting or packaging shall proceed via a zoning bylaw amendment.

5.4 Residential

It is not the desire of Lower Montague residents to see the character of their community changed by large scale residential development, however, some moderate level of continued residential development is expected. The critical issue will be to accommodate future residential development in a sustainable fashion and at a scale which will not undermine the special rural qualities that existing residents cherish.

Policies to limit “strip development” and to mitigate potential problems related to the conversion of existing cottage lots are also required. Encouragement of innovative housing solutions to address the needs of seniors is a priority. Encouragement of more sustainable approaches to unserviced residential development, such as “cluster”

developments or the use of more comprehensive Environmental Impact Assessments for moderate to larger developments should be provided.

OBJECTIVES:

- To limit the extent to which large scale unserviced residential development may occur.
- To minimize the impact of new residential development on existing residents and farmers.
- To accommodate a range of residential units provided that they are architecturally compatible and environmentally sustainable.
- To accommodate the housing needs of people in various stages of life.

POLICIES:

Policy PR-1: Zoning

It shall be the policy of Council to direct unserviced residential growth to cluster in a designated Residential Zone. Very limited residential development shall also be permitted in the Agricultural Zone. Where residential development is connected to central municipal services the land shall be placed in a Serviced Residential Zone with lot standards similar to those in the Town of Montague.

Plan Action:

- The Development Bylaw shall designate an unserviced Residential Zone with sustainable development standards.
- The Development Bylaw shall designate a Serviced Residential Zone.
- The Development Bylaw shall permit limited unserviced residential development in the Agricultural Zone subject to certain conditions related to setbacks from established farming operations, safe access and environmental sustainability.

Policy PR-2: Residential Development Standards

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

Plan Action:

- The Development Bylaw shall establish residential development standards relating to setbacks, building height, accessory structures, amenity areas and open space, parking, landscaped buffers, fencing, architectural harmony and other related matters.

Policy PR-3: Minimum Lot Sizes

It shall be the policy of Council to establish both unserved and centrally served minimum residential lot sizes. Served lot sizes shall be set to be generally compatible with lot sizes in the Town of Montague and to make efficient use of central infrastructure. Unserved lot sizes shall be based on an assessment of the site's long term carrying capacity. Lots shall be of adequate size to ensure lot term sustainability.

Plan Action:

- The Development Bylaw shall establish minimum served residential lot sizes to be 10,000 sq. ft.
- The Development Bylaw shall establish a minimum unserved residential lot size of 1 acre for optimum site conditions and also require compliance with the Planning Act Regulations Minimum Standards.
- Where site conditions are less than optimal due to water tables, slopes, soil conditions or other constraints, the Development Bylaw shall establish larger minimum lot sizes and may require an assessment by a professional engineer, to be paid for by the Developer.
- Where the development involves 2 or more residential units on the same lot, the Development Bylaw may require an assessment by a professional engineer and certification of the adequacy of the waste water treatment system.

Policy PR-4: Residential Subdivisions

It shall be the policy of Council to put in place a comprehensive evaluation and approval procedure for all residential subdivisions which addresses access, long term servicing, protection of the environment, public open space, landscaping, public access to the shoreline, buffers from existing residences and farms and other matters.

Plan Action:

- The Development (Zoning and Subdivision Control) bylaw shall establish detailed procedures for the comprehensive evaluation and approval of all residential subdivisions.
- Single lots, lot consolidations, boundary adjustments and subdivisions for farm purposes shall be processed in a less comprehensive manner.
- Subdivision approvals shall be for one year, after which a new application must be filed if the terms of the approval have not been met.
- Subdivisions of over 5 lots shall be approved in phases to be determined by Council. Additional phases shall not be approved until at least 75% of the approved lots have been developed.
- Developers shall be responsible for all costs related to Council's review of the application, including the potential cost of a professionally prepared Environmental Impact Assessment, the terms of which shall be established by Council.

Policy PR-5: Cottage Subdivisions

It shall be the policy of Council to continue to approve cottage or seasonal residence subdivisions. Given the potential for year round occupation, however, development standards shall be similar to those for year round development.

Plan Action:

- The Development (Zoning and Subdivision Control) Bylaw shall permit the development of additional cottage subdivisions subject to the same or similar standards to year round residential subdivisions.
- The Development Bylaw shall require the establishment of a Home Owner's Association which shall assume ownership and maintenance of all private roads, open spaces and any central services such as central water systems or central wastewater collection and treatment systems.

Policy PR-6: Undersized Lots/Conversions

It shall be the policy of Council to permit the development of existing undersized lots and the conversion of cottage or seasonal residential lots to year round use, subject to the

developer proving adequate sustainable carrying capacity for the lot and minimizing any negative impacts on adjoining lots.

Plan Action:

- The Development Bylaw shall permit the development of an existing undersized lot for the uses permitted in the appropriate zone.
- The Development Bylaw shall establish maximum lot coverage ratios for various zones in order to limit overloading of the lot.
- Council may also require an assessment by a professional engineer for the development of undersized lots or the conversion of cottage lots documenting that the proposed development can be sustainable, that the impact on the environment will be minimal and that there will be no negative effects on adjoining properties. The cost of the assessment shall be borne by the developer.

Policy PR-7: Mobile Homes/Mini Homes

It shall be the policy of Council to prohibit the location of a mobile home anywhere in the Community except in the one designated Mobile Home Park. No further Mobile Home Parks shall be permitted. Mini Homes shall be permitted throughout the Community and shall be considered to be a Single Family Residence.

Plan Action:

- Mobile homes shall be prohibited in the Community except within an established Mobile Home Park.
- No new Mobile Home Parks shall be established in the Community.
- Mini-Homes shall be permitted wherever a Single Family Residence is permitted in the Community or as an accessory use on a farm.
- Recreational vehicles shall not be permitted to be inhabited for extended periods on a lot.

Policy PR-8: Innovative Housing Forms

It shall be the policy of Council to encourage innovative housing forms of up to four (4) units developed as rental units or condominiums, subject to the establishment of adequate lot sizes and sustainable on-site servicing systems.

Plan Action:

- The Development Bylaw shall permit the development of innovative forms of housing with up to four (4) units, as Special Permit (discretionary) Uses.
- Developers shall be required to retain the services of a professional engineer to certify that the subject lot has adequate size to accommodate sustainable on-site servicing systems and to provide adequate buffers between on-site wells and between existing adjacent properties.

Policy PR-9: Garden Suites

It shall be the Policy of Council to permit the establishment of one (1) Garden Suite on each residential lot for the temporary housing of an immediate family member, providing that there are no conflicts with adjacent properties.

Plan Action:

- The Development Bylaw shall permit the establishment of one (1) temporary residence on any developed residential lot for the temporary housing of an immediate family member of the owner(s) of the residences or a spouse.
- The developer must sufficiently demonstrate that the Garden Suite can be connected to the current on-site servicing systems and that these systems have adequate capacity.

Policy PR-10: Strip Development

It shall be the policy of Council to regulate the number of uncontrolled accesses to our highways in order to control strip development.

Plan Action:

- The Development Bylaw shall limit the number of accesses on Rte. 17, the Whim Road, Commercial Road and the Wood Islands Road to one (1) for every six hundred and sixty feet (660') or less of road frontage per parcel of land in existence as of the adoption of the Official Plan.

5.5 Commercial

In terms of maintaining Lower Montague's highly prized rural lifestyle, large scale commercial development is not viewed as necessary or desirable. The vast majority of commercial services required by Lower Montague residents are already available in the adjacent Town of Montague and Community of Brudenell. A limited amount of commercial development clustered in close proximity to the Town of Montague and well buffered from any adjacent residences, however, would be beneficial in terms of increased assessment, employment and convenience.

As information technology continues to change the way we do business, an increasing number of people are able to work out of their homes. These growing "in home occupations" are already a fact of life in Lower Montague and should be encouraged. Impacts on adjacent residences, however, must be minimized.

There is also some limited potential for small scale tourism development and limited neighbourhood style commercial development. Such developments must be sensitively integrated into the Community, however, and be subject to a public consultation process.

OBJECTIVES:

- To limit large scale commercial development.
- To direct commercial development to locations which are well buffered from residences and rural parts of the Community.
- To accommodate limited "neighbourhood" type commercial development where it can be sensitively integrated into the Community and will contribute to strengthening our rural lifestyle.
- To support in home occupations.
- To ensure public input into decisions affecting future commercial development in the Community.

Policy PC-1: Zoning

It shall be the policy of Council to zone all established commercial uses in the Development Bylaw as "commercial" unless they pose safety concerns or create potential land use conflicts with neighbouring properties. The Bylaw shall also designate a future commercial zone in the vicinity of Wood Islands Road and Commercial Road intersection.

Plan Action:

- The Development Bylaw shall designate all existing commercial operations as Commercial (C1) unless, in the opinion of Council, their current location is not compatible with adjacent properties or the long term development of the Community.
- Those commercial operations not zoned as Commercial (C1) shall remain as “non-conforming uses until such time as the use changes or is abandoned.
- The Development Bylaw shall designate a future Commercial (C1) Zone in the vicinity of the Wood Islands Road and Commercial Road intersection.

Policy PC-2: In-Home Occupations

It shall be the policy of Council to permit a range of in-home occupations in residential and agricultural zones, provided there is no significant impact on adjacent properties or the immediate neighbourhood.

Plan Action:

- The Development Bylaw shall establish standards for home occupations which strictly limit potential conflicts such as parking, number of employees, square footage, signage, storage and physical changes to the residence.

Policy PC-3: Bed and Breakfast

It shall be the policy of Council to permit the operation of small scale “bed and breakfast” establishments provided they have no negative effects on adjacent residences or the surrounding neighbourhood.

Plan Action:

- The Development Bylaw shall permit the operation of Bed and Breakfast operations with up to three (3) rooms and no dining facilities.
- Larger facilities may be approved at the discretion of Council where the property is large enough to accommodate off-street parking and the building is well buffered from adjacent residences.

Policy PC-4: Buffers

It shall be the policy of Council to establish adequate buffer areas adjacent to any new commercial development (or expansion) in order to minimize any negative effects on adjacent properties.

Plan Action:

- The Development Bylaw shall establish minimum landscaped buffer areas, setbacks, screening, restrictions on stray lighting, etc. in order to mitigate any negative impacts on adjoining properties.

5.6 Industrial

Traditional non-resource based industrial developments are inconsistent with the high quality rural lifestyle that Lower Montague residents desire. There are, however, well buffered, undeveloped areas close to the boundary of the Town of Montague that could accommodate limited non-resource based industrial development with little if any impact on the residential and rural areas of the Community. Limited industrial development can benefit the Community and the region by creating new employment opportunities.

There are also resource based industrial facilities that are necessary for a healthy rural economy. Where such facilities can be integrated into the Community's rural areas in a manner which will not negatively impact adjacent properties or the immediate neighbourhood, they represent a positive contribution to the Community.

OBJECTIVES:

- To strictly limit any further development of non-resource industrial development.
- To direct any future non-resource industrial development to areas where industrial developments are already established and where they are well buffered from existing residential development.
- To permit limited resource-based industrial developments where they will contribute to strengthening the local rural economy.
- To create additional employment opportunities and assessment revenues.

POLICIES:

Policy PM-1: Zoning

It shall be the policy of Council to zone existing industrial facilities as “industrial” where they are well tolerated in their current location and are compatible with future development.

A Future Industrial Park may be established at some point in the future in the vicinity of the Wood Islands Road and Commercial Road Zone intersection. The area shall be zoned Agricultural until such time as industrial demand can be established. At that time a re-zoning application may be entertained by Council.

The Agricultural Zone shall permit limited resource-based industrial development subject to a public meeting and at the discretion of Council.

Plan Action

- Existing non-resource based industrial developments shall be zoned Industrial (M1) in the Development Bylaw where Council deems that the development is well buffered from adjacent development and will be compatible with future development in the area.
- Those industrial developments that are not compatible with adjacent residential development or future development in the area will become “non-conforming uses” and should be encouraged to eventually come into conformance with the surrounding land uses.
- The Development Bylaw shall permit limited resource-based industrial developments where Council deems that they are necessary to the health of the rural economy and where they will not negatively impact adjacent properties or the immediate neighbourhood.

5.7 Transportation

Most roads in the Community of Lower Montague are public roads owned and maintained by the Provincial Government. Private roads serving either seasonal or year round developments must be developed to a high standard in order to ensure year round emergency access and adequate storm water management.

Council will impose limitations on strip development on major transportation routes in order to protect the safety of the travelling public.

OBJECTIVES:

- To maintain the efficiency of the transportation system in the Community.

- To enhance the safety of the travelling public.
- To ensure year round emergency access to all properties in the Community.
- To enhance storm water management on all roads in the Community.

Policy PT-1: Public Roads

It shall be the policy of Council to work with the Provincial Government to ensure a high standard of maintenance on all public roads in the Community.

Plan Action:

- Council shall meet with the Provincial Government on an annual basis to identify road maintenance priorities in the Community.

Policy PT-2: Private Roads

It shall be the policy of Council to establish higher standards of construction and storm water management for all private roads.

Plan Action:

- The Development Bylaw shall require that all private roads serving more than four (4) lots shall be constructed pursuant to the standards established by the Provincial Government for public roads, except for pavement.

Policy PT-3: Access

It shall be the policy of Council to ensure that private access to the public road system is controlled in a manner that will enhance public safety.

Plan Action:

- The Development Bylaw shall require compliance with the access requirements of the Provincial Highways Act.
- The Development Bylaw shall impose restrictions on private accesses on designated highways, restricting the number of private accesses to one (1) for every six hundred and sixty feet (660') or less of road frontage per property.

Policy PT-4: Lower Montague Wharf

While the Lower Montague Wharf is outside of the jurisdiction of Community Council, it shall be the policy of Council, however, to work closely with the local Wharf Committee, users and the Provincial Government to ensure that the wharf remains safe, well maintained and appealing for users and the general public.

5.8 Public Service and Institutional

Council shall designate all current Public Service and Institutional uses as conforming uses. Future Public Service and Institutional uses are encouraged but shall be processed as a Zoning Bylaw amendment.

OBJECTIVES:

- To protect established Public Service and Institutional uses in the Community.
- To encourage new Public Service and Institutional uses in appropriate locations in the Community

Policy PSI-1: Zoning

It shall be the policy of Council to zone all established Public Service and Institutional uses as conforming uses. Future Public Service and Institutional uses shall proceed via a re-zoning application.

Plan Action:

- The Development Bylaw shall designate all public service and institutional facilities as a Public Service and Institutional (PSI) Zone.

5.9 Open Space and Recreation

Council shall designate all current open space and recreational facilities as conforming uses. All future subdivisions over four (4) lots shall be required to designate up to ten percent (10%) of the total land area and ten percent (10%) of total shore frontage for public open space.

OBJECTIVES:

- To protect all existing public open space and recreational land.
- To ensure that adequate public open space is provided for all future residential subdivisions.
- To ensure adequate public access to the shoreline.

POLICIES:

Policy POS-1: Zoning

It shall be the policy of Council to ensure the protection of all existing open space and recreational land and to ensure adequate provision of open space and shore access in future subdivisions.

Plan Action:

- All existing public open space and recreational land shall be zoned as Open Space (OS) in the Development Bylaw.
- The Development Bylaw shall require that all new residential subdivisions must dedicate up to ten percent (10%) of the total land area and total shore frontage for public use.

5.10 Environment

The residents of Lower Montague are highly concerned about the long term protection of their surface and groundwater resources. The vast majority of homes in the Community rely on on-site wells. Groundwater supplies can be placed at risk by chemical and biological contamination and by excessive water demands. Local rivers and streams can be negatively impacted by erosion and sedimentation due to construction activities and removal of vegetation. Poorly maintained or overloaded septic systems can create biological contamination and serious nutrient enrichment which can destroy the long term health of the adjacent water body.

In order to maintain the health of our surface water systems, and our groundwater, development in the coastal zone must meet long term sustainability standards. Riparian zones or “buffers” must be put in place which reflect local conditions. Buffers are also required adjacent to agricultural fields in order to reduce erosion of top soil and run-off of chemicals (pesticides, herbicides and nutrients).

Council is also committed to maintaining public access to the shoreline and to encouraging energy conservation and responsible solid waste management.

OBJECTIVES:

- To protect the quality and supply of groundwater and surface water resources in and adjacent to the Community.
- To protect the Community’s sensitive coastal zone.
- To protect air quality.

- To encourage responsible waste management.
- To encourage energy conservation and use of alternate energy systems.
- To maintain and enhance public access to the shoreline.

POLICIES:

Policy PE-1: Riparian Zones

It shall be the policy of Council to support the protection of Provincially designated Riparian Zones adjacent to streams and wetlands in the Community, and where necessary or appropriate to impose larger conservation areas.

Plan Action:

- Council will work with the Provincial Government to ensure that designated Riparian Zones adjacent to streams and wetlands are appropriately protected and managed.
- Where Council deems that the Provincially required Riparian Zones are not adequate to protect the long term health of the stream or wetland, Council may require a larger buffer area as part of a subdivision or development approval.

Policy PE-2: Septic Systems and Wells

It shall be the policy of Council to work with the Provincial Government to ensure that all on-site sewage treatment systems and wells in the Community are installed at a high standard and are appropriately maintained. Where systems are abandoned, Council shall endeavour to ensure that the systems are removed and proper abandonment techniques are utilized.

Plan Action:

- The Development Bylaw shall require that all new on-site treatment systems and wells are approved by the Provincial Government.
- Council will encourage all property owners to perform regular maintenance on their on-site systems.
- Where Council deems that a site may present significant limitations for the installation of a traditional on-site sewage

treatment system, Council may require that the site be assessed and the system designed by a licensed Engineer.

Policy PE-3: Point Sources of Pollution

It shall be the policy of Council to work with the Provincial Government to identify and control potential point sources of groundwater and surface water pollution.

Plan Action:

- Council will work with the Provincial Government to help identify potential point sources of pollution such as underground and above ground petroleum product storage, pesticide and fertilizer storage, salt storage, other chemical storage, manure storage, fluids from stored vehicles, etc.

Policy PE-4: Alternate Energy Systems

It shall be the policy of Council to encourage the use of alternate energy systems in the Community.

Plan Action

- A windmill system section will be added to the Development Bylaw.
- Council will endeavour to encourage the use of alternate energy systems in the Community and will work to reduce or eliminate and regulatory hurdles that may be in place.

Policy PE-5: Excavation Pits

It shall be the policy of Council to draft a Bylaw for regulatory excavation pits, taking into consideration Provincial regulations, requirements for an Environmental Impact Assessment and a Restoration (after-use) Plan.

Plan Action:

- Council shall adopt a section in the Development Bylaw for Excavation Pits taking into account existing Provincial regulations, requirements for Environmental Impact Assessments and a Restoration (after-use) Plan.
- The Development Bylaw shall be amended to include Excavation Pits as a “restricted use” or “special permit use” in designated zones.

Policy PE-6: Hazard Zones

It shall be the policy of Council to establish severe development restrictions in designated Hazard Zones.

Plan Action:

- The Development Bylaw shall establish a Hazard Zone which shall include any wetland and any land within 15 metres of a river, stream or wetland.
- Areas with extreme slopes or which are subject to high rates of erosion or flooding may also be subject to development restrictions.

Policy PE-7: Environmental Impact Assessments

It shall be the policy of Council to require the preparation of an Environmental Impact Assessment by a qualified licensed engineer for any major development which Council deems could have a significant impact on the natural environment or on the immediate neighbourhood or the Community at large.

Plan Action:

- The Development Bylaw shall authorize Council to require the preparation of a comprehensive Environmental Impact Assessment (EIA) for all major developments prepared by a competent professional. Terms of Reference for the EIA shall be as determined by Council.
- Council shall have total discretion to determine whether a development's use, scale, location or site conditions qualify it as a "major" development.
- Change of use, including the conversion of seasonal developments to year round use, may also require the preparation of an EIA.

Policy PE-8: Central Servicing System

It shall be the policy of Council to consider developments with central water supply systems and/or central wastewater collection and treatment systems, either through connection to the municipal systems in the Town of Montague or via private systems owned and operated by a private developer or home owners' association.

Plan Action:

- Where a Developer is able to enter into a binding agreement with the Town of Montague to permit connection to the Town's central water and central sewer systems, Council may consider the application of appropriate fully serviced development standards.
- Any changes as noted above shall proceed via a zoning bylaw amendment.
- Council may consider the installation of a private central water supply system for any new or existing development based on the approval of the Provincial Government and based on an assessment and engineering plan prepared by a licensed PEI Engineer.
- Where existing on-site wastewater treatment systems are proving inadequate, Council may approve the installation of a privately owned central wastewater collection and treatment system, subject to standards established by the Provincial Government and subject to a site assessment and engineering plan prepared by a licensed PEI Engineer.
- A binding agreement signed by all affected land owners, addressing long term ownership, fees and maintenance must be registered as part of the approval of any privately owned central servicing system.

6. GENERAL LAND USE PLAN

The General Land Use Plan 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 normally more precise in terms of boundaries and land use designation. The Zoning Map must, however, conform to the General Land Use Plan.

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

- land use conflicts shall be minimized.
- Commercial development shall be limited and directed toward established commercial clusters.
- no new large scale residential development is envisaged.

- agriculture shall remain the dominant land use in the community.
- all other relevant policies and principles included in this Plan shall be implemented.
- industrial development shall be discouraged unless directly related to the primary sector.

GENERAL LAND USE MAP

7. IMPLEMENTATION

7.1 Administration

Administration of this Plan shall be the responsibility of Council. Council shall, 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 appropriate Council actions. Council may also delegate aspects of the implementation of this Plan or the Development Bylaw to a Development Officer appointed by Council.

7.2 Development Bylaw

Immediately upon the approval of this Plan by the Minister of Finance and Municipal Affairs, Council shall amend its current Zoning and Subdivision Control (Development) Bylaw to be in conformance with the policies and provisions of this Plan, in accordance with the provisions of *the Planning Act*. This revised bylaw shall be referred to as the Community of Lower Montague Zoning and Subdivision Control (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 and consolidation of land in the Community. The Bylaw may also provide for "conditional" and "special permit" uses. Conditional uses shall be subject to such restrictive conditions as Council deems appropriate. Special Permit uses represent exceptions to the "permitted uses" in each zone and shall be approved at the sole discretion of Council.

7.2.1 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 Bylaw. Council may attach such conditions as it deems appropriate to any 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 traffic access, hours of operation and any other items 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, plumbing and electrical installation, disabled access.

Council shall maintain liaison with appropriate Provincial officials during the permit issuing process.

7.2.2 Development Agreements

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

7.2.3 Variances

Council may grant a variance to the provisions of the Development Bylaw where strict compliance would represent an inappropriate burden to the developer and where the general intent of this Plan and the Bylaw are upheld.

7.3 Budgeting

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

7.3.1 Budget Policies

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

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

7.4 Review

Council shall on a regular basis review its activities in terms of successful implementation of this Plan.

7.5 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.

7.6 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 the decision to the Island Regulatory and Appeals Commission.