

Prinetown Point – Stanley Bridge Special Planning Area (SPA)
and the
Proposed Malpeque Bay Official Plan:
A Discussion Paper

1. **Background & Executive Council Decision.** In 1993 PEI's Executive Council approved and adopted a policy for the SPA, recorded as No. EC268/93 and signed by the Clerk Assistant of the Executive Council. It stated that *"It is the general intent of this policy, in the area shown as Schedule A, to provide a management strategy respecting the land and beach resources, the traditional landscape, and the natural environment, and to achieve a sustainable balance between development and resource use."* It went on to provide a total of 19 specific objectives and 19 specific policy statements for the SPA, covering:

- Scenic and Traditional Landscapes;
- Highway Access;
- Land-based Resource Areas;
- Natural Environment;
- Commercial and Tourism Development;
- Public Access to the Shore; and
- Off-shore Resource Areas.

2. **Towards A Management Plan for the SPA.** About a year prior to the above Executive Council had directed the Department of Community and Cultural Affairs and the Coastal Area Review Commission to conduct a preliminary planning study of the Prinetown Point – Stanley Bridge region. The stated purpose of that preliminary study was to:

- *"Ascertain the most effective regional geographic definition for a Special Planning Area for the Prinetown Point – Stanley Bridge region;*
- *"Indicate the terms of reference for establishment of a Special Planning Area and its relationship to the Community of Malpeque Bay; and*
- *"Provide basic data and other information which supports the objective of preparing an effective land use and development plan for the region for eventual implementation by the Province."*

The study report, which provides the basis for Executive Council's policy decision, was titled *"Towards a Management Plan for the Prinetown Point – Stanley Bridge Special Planning Area."* The report documented major concerns leading to the need for action and then provided 7 conclusions which are based, at least in part, on the premise that a management plan would be developed for the SPA. For example, conclusion #5 is that *"Concurrent with the establishment of a Special Planning Area, government should ensure that premature development does not occur during the preparation of the management plan."* However, no such management plan has ever been prepared.

3. **Special Regulations for the SPA.** Government did prepare and promulgate special regulations for the SPA which are listed under Subdivision and Development Regulations pursuant to the *Planning Act*. Section 55 formally establishes the Princetown Point – Stanley Bridge SPA, Section 56 restricts subdivisions of more than 3 lots to within 1,000 feet of shore, Section 57 provides development restrictions regarding highway access for commercial operations; and Section 58 provides conditions for approved subdivisions and development permits in the ‘scenic viewpoint zone’ (which is east of the Malpeque planning area).

There are no regulations regarding most of the study conclusions or most of the objectives-policies adopted by Executive Council. Since no management plan has been prepared, those conclusions-objectives-policies have little or no effect.

4. **SPA Regulations and the Official Plan.** The Malpeque Bay Official Plan must adhere to the special regulations in place for the SPA. If desired, Official Plan by-laws and regulations could be more restrictive than the SPA regulations, but they may not be less restrictive.

The Planning Board does have the option of submitting recommendations to the Province for revision or removal of existing SPA regulations. But existing regulations must be respected unless and until the Province amends/revokes them.

5. **SPA Policy Intent and the Official Plan.** The policy intent of the Province in establishing the SPA is spelled out in Executive Council decision No. EC268/93. It covers a much wider range of considerations than the SPA regulations. It lists 19 policy statements preceded by the words that “*it is the policy of the Province that:*” with the following being relevant examples:

- *future residential subdivisions will, in general, be designed to cover not more than 50% of the land area and not more than two-thirds of the shoreline within the 1000 foot area;*
- *environmentally sensitive sites will be identified and protected during the development approval process;*
- *three existing roads to beaches will be enhanced with public washroom and parking facilities, and preference will be given to using Provincially owned land; and*
- *a signage system and information program will inform the public of shore access locations and facilities.*

Most of the 19 policies approved by Executive Council have never been acted upon or implemented by the Province. The Planning Board may be interested in working with the Province to give effect to these policies through the Official Plan, and for the Municipality to assume responsibility for implementation within the Malpeque Bay portion of the SPA.