March, 2010

Project Report

Preparation of an Official Plan for the Municipality of Malpeque Bay

The Community of Malpeque Bay

The Community of Malpeque Bay was incorporated as a municipality in 1973. The geographic boundaries of the community include the school districts of seven traditional communities: Indian River; Hamilton; Malpeque; Baltic; Spring Valley; Darnley; and Sea View. These seven traditional communities have retained their separate identities despite their many years as part of the larger incorporated community.

Initiating the Planning Process

The Municipality and its communities have been experiencing unprecedented economic development without having developed a common vision of sustainability which integrates environmental, economic, social and cultural objectives. Issues inevitably have arisen, and lack of an Official Plan to guide the Municipality was identified as a problem. This prompted Council to submit an application, in September 2007, through the Capacity Building Fund for a project to prepare an Official Plan for the Municipality of Malpeque Bay. The project was approved and work began in April 2008 with completion scheduled for March 2010.

As required by the *Planning Act* a Planning Board was established to prepare a Proposed Official Plan and recommend it to Council for adoption. Council initially appointed the following individuals to the Planning Board:

Jeremy Stiles, Chairperson
James Carruthers, Member
Stephane Senechal, Member

At a later date Bob Beairsto was added as Member. Through project funding Hal Mills was retained as a professional planning consultant, to assist the Planning Board.

Public Participation in the Planning Process

An essential part of plan preparation is involvement of residents in the planning process. From the outset it was stressed that the proposed plan would be developed through public consultation so as to become the residents' plan rather than the Planning Board's plan.

Effective public participation requires effective communications. For this planning process four modes of communications were established and maintained:

1) Public Meetings: The primary vehicle for keeping residents informed and involved was a series of 9 public meetings, hosted by the Planning Board, and held in community halls throughout Malpeque Bay.
2) Newsprint: Notices of public meetings were published in newspaper ads. As well, a series of stories on planning issues and results of public meetings were published in the County Line Courier.
3) Email: An email list of on-line participants was established as another vehicle for keeping residents informed. This proved especially useful for keeping seasonal residents involved during the off-season.
4) Website: The community website was updated and a 'Community Plan' portal was added. All available information on the proposed Official Plan is posted at ***www.malpequebay.ca***.

The Initial Public Meeting, held April 17th 2008 in the Malpeque Community Centre (approximately 20 participants), was designed to inform residents about the two-year project, and to begin involving them in it.

The 2nd Public Meeting, held July 3rd 2008 in the Spring Valley Community Centre (approximately 30 participants), was to bring people up to date on the status of the project and to begin involving them in identifying and discussing important planning issues. Samantha Murphy (Municipal Affairs) presented details on provincial requirements for preparing, approving, and implementing an Official Plan.

The 3rd Public Meeting, held August 28th 2008 in the Malpeque Community Centre (approximately 45 participants), was preceded by a workshop where residents were asked to roll up their sleeves to work on important planning issues, and then report back to the Public Meeting on their results. The Princetown Point – Stanley Bridge Special Planning Area regulations drew sharp criticism.

The 4th Public Meeting, held January 20th 2009 in the Malpeque Community Centre (approximately 50 participants), focused on planning issues related to the agricultural sector. John Sylvester (landscape photographer) gave a presentation on the 'narrowing landscape' of PEI, highlighting the importance of the agricultural landscape to tourism. Phil Ferraro (PEI ADAPT Council) spoke of ADAPT's interests in preserving agricultural land, and the possible use of trusts or investment options in raising funds to help compensate landowners.

The 5th Public Meeting, held April 17th 2009 in the Sea View Community Hall (approximately 35 participants), reviewed and discussed a document on draft vision, objectives and policies for an official plan. Appointment of the Commission on Land and Local Governance was noted, and implications of Commissioner Thompson's work for an Official Plan and for the Special Planning Area were discussed. A motion recommending discontinuance of regulations for the Special Planning Area was approved.

The 6th Public Meeting, held July 7th 2009 in the Malpeque Community Centre (approximately 50 participants), re-examined the draft vision, objectives and policies. The mailed out newspaper document *"Proposed Official Plan for Malpeque Bay"* was presented and discussed in detail. A proposed 'Designated Area' for major commercial, industrial and green development was introduced. A 'Citizen's Committee' (Katherine Dewar, John Cousins, Clair Sudsbury, Sally Blake Hoof, Wayne Cousins and Earle Lockerby) was appointed to identify priority viewscapes.

The 7th Public Meeting, held August 25th 2009 in the Hamilton Community Hall (approximately 40 participants), began addressing possible actions to implement our draft vision, objectives and policies through an official plan. The Citizen's Committee presented its report, illustrated with pictures, of six 'favoured' and six 'runners-up' viewscapes. The Planning Board was asked to reconsider draft objectives and policies for the Special Planning Area; it was suggested that existing regulations contain some provisions not found elsewhere and provide tools for managing things such as viewscapes and development within special places.

The 8th Public Meeting, held November 17th 2009 in the Spring Valley Community Hall (approximately 30 participants), reviewed the report "Possible Actions for Plan Implementation" circulated by the Planning Board. Revised and expanded boundaries for the proposed 'Designated Area' were presented as part of the report. It was agreed to focus on a much smaller number of priority viewscapes than put forward by the Citizen's Committee, and to consider the need for infrastructure dollars to develop safe parking areas for them.

The 9th Public Meeting, held February 2nd 2010 in the Sea view Community Hall (approximately 55 participants), continued the discussion on possible actions and focused on recommendations from New Foundations, the recent Report of the Commission on Land and Local Governance. Minister Wes Sheridan and Albert MacDonald (Municipal Affairs) presented information on government response to the report, and how the recommendations may relate to Special Planning Areas and to our Official Plan. A new Landowners' Committee (Chaired by Winston Cousins) gave a brief report and moved a motion (approved) that nothing be taken to any level of government, including Council, until bylaws for all lands including the Special Planning area are written to the satisfaction of the majority of landowners. It was agreed that New Foundations recommendations and the new Landowners Committee will require additional time and resources before completion of a Proposed Official Plan.

Our Vision for Our Community

The following vision statement was developed during the planning process:

> **Vision.** ***Our vision is for a community of Malpeque Bay which values the hopes and aspirations of its permanent and seasonal residents, and which respects the traditional character of our seven original communities while embracing opportunities to provide increased societal benefits to both present and future generations.***

Components of the D-R-A-F-T Proposed Official Plan

The following eight components for a Proposed Official Plan were developed during the planning process. Although all remain in draft form, and could be subject to change at any time prior to adoption and approval of the Official Plan, there appears to be substantive agreement on statements of objectives and policies. However, additional work is required on proposed actions for plan implementation before drafting whatever bylaws that may be required.

1. Land Use and Scenic Landscapes

1.1 **Introduction.** Issues regarding land use planning and landscape have been debated throughout PEI for the past half century or more. They were principal components of public discussions during Royal Commissions on the land in 1973 and 1990, the Round Table on Resource Land Use and Stewardship in 1997, and the recent Commission on Land and Local Governance in 2009. They also were principal components of discussion during public meetings hosted by the Planning Board to prepare this proposed Official Plan for the Municipality of Malpeque Bay.

An 'Official Plan' is a land use plan, and discussion of the pros & cons of developing a proposed Official plan have continued throughout this planning process. As well, work on development of a proposed plan was complicated by two factors: the lack of a comprehensive provincial land use policy; and uncertainty over what land use recommendations would be forthcoming from the Commission on Land and Local Governance and how the province would respond to them.

New Foundations, the Report of the Commission on Land and Local Governance was released to the public in January, 2010. Its very first recommendation, central to all that follows regarding land use, is: *"That the provincial government adopt a consistent and cohesive land use plan for the entire province that is based on a comprehensive provincial policy, accurate data, effective public consultation, an element of local governance and consistent enforcement."* The recommendation clearly supports this planning process, but we are still waiting to hear whether or not the province will adopt it and implement it.

The importance and value of landscape has been an ongoing subset of discussions on land use, starting with the 1973 Royal Commission which observed that *"During the past decade the very special landscape of Prince Edward Island has come suddenly within the recreational land market of Central Canada and the Northeastern United States,"* and that *"These new pressures come at a time when the Island landscape is particularly vulnerable…."* In 2009 the Institute of Island Studies issued an important

policy brief (authored by Carol Horne) titled *The Island Landscape: A Non-renewable Resource.* It highlights the importance of the Island landscape, both culturally and economically to visitors and to residents, and stresses the need to identify and manage *"the most valuable of the province's scenic assets."*

At the 6th public meeting a Citizen's Committee, consisting of 6 volunteers Chaired by Earle Lockerby, was established with the objective *"To manage priority landscape and priority viewplane lands by preserving and enhancing them to the extent possible."* The Citizen's Committee reported back to the public at the end of August 2009 with a presentation and report identifying 5 favourite and 5 'runner-up' viewscapes, along with suggested measures to protect/enhance viewscapes and the fundamental principle that *"If viewscapes are to be protected for the benefit of society, then the landowners must be fairly compensated."* At the November public meeting it was agreed to focus on a smaller number of viewscape points and to identify the need for associated parking areas. In New Foundations the Commission recommended *"That the provincial government offer financial and technical assistance to municipalities and unincorporated communities to help them identify significant landscape features and to develop their own plans to protect scenic viewscapes, including recommendations leading to possible statuatory designation."*

1.2 **Objectives.** The objectives for land use and scenic landscapes are:

a) to maintain Malpeque Bay's traditional character of rural, agricultural communities and dispersed settlement patterns;
b) to provide a mechanism and process that will mitigate potential conflicts associated with development of the area; and
c) to preserve and enhance key aspects of scenic landscapes and view planes for the benefit of present and future generations of residents and visitors.

1.3 Policies. It is the policy of Malpeque Bay that:

a) growth and development happen in a planned and organized manner, and be designed to provide opportunities that will support both permanent and seasonal residents;
b) the Official Plan will provide guidance to residents and developers alike, clearly identifying land use preferences and encouraging development that promotes sustainability within Malpeque Bay; and
c) key scenic landscapes and view planes be identified, and that a restoration and preservation program be developed.

1.4 Proposed Actions. Proposed actions for Plan Implementation:

a) The Planning Board, in consultation with Council and the Citizen's Committee, is to focus on a small number of priority viewscapes.
b) Council will manage priority scenic viewscapes that everyone can enjoy (based on the report of the Citizen's Committee) through cooperation and consultation with landowners, and not through regulations or bylaws.

c) Council will publicize the existence and attributes of priority scenic viewscapes, and take steps to reward landowners for their past & present stewardship of viewscape lands (through public recognition, education, promotion, persuasion, and possibly through tax concessions and covenants).

d) New businesses and industries will be encouraged to establish operations close to the center of our seven traditional communities.

2. Agriculture

2.1 Introduction. The Municipality of Malpeque Bay is blessed with a generous amount of the very best agricultural land on Prince Edward Island. There are some limitations of course: portions of the area are wetlands or highly-sloped lands, otherwise environmentally sensitive, or impacted by salt spray. But a large portion of the municipality is intensively farmed prime agricultural land, and many of our residents have derived a portion of their livelihood from agriculture, either directly or indirectly. Agriculture is seen as a foundation of our community economy.

At the same time the entire farm economy of PEI is in crisis and faces imposing economic challenges. Only a short time ago our thriving traditional family-community based mixed-farm agricultural economy began to be impacted by industrial scale agricultural economies and globalization. Industrial and global forces quickly led to fewer and more specialized farming operations, while making it increasingly difficult for remaining farmers to compete, and contributing to environmental degradation. Recently the following initiatives have tried to assess the challenges and to find a way for the agricultural sector to thrive again by becoming more innovative and competitive.

- In *Growing the Island Way* (January, 2009) the Commission on the Future for the Agriculture and Agri-Food Economy of Prince Edward Island concluded that the current path is not sustainable, and that agriculture must focus on competitiveness, sustainability, and collaboration *(The Island Way)* in order to survive and prosper.
- In *New Foundations* (December, 2009) the Commission on Land and Local Governance noted that the province is losing prime agricultural land, has no policy on its preservation, and recommends that all land use plans include an agricultural reserve zone.
- In the *Rural Action Plan: A Rural Economic Development Strategy for Prince Edward Island* (January, 2010) the provincial government attempts to build on the above initiatives through *Goal 2: "To enable the growth of innovative, competitive and sustainable primary sectors…"* and through *Action 6:*

Supporting Innovative Agriculture and *Action 7: Increasing Competitiveness of Agriculture.* In this strategy the provincial government signals strong support for the *Growing the Island Way* report by saying that it *"provides a roadmap for an innovative, competitive and prosperous future for agriculture."*

Agricultural organizations and the provincial government are still reviewing these recent initiatives, and working towards an agreed course of action. Given uncertainty as to what this course of action will be and how quickly it will lead to change, our question is: *"What role can a municipal Official Plan play regarding agricultural issues without adding to the economic crisis?"* Our challenge is to identify ways that the Official Plan can support our farmers and contribute to sustainable agriculture, while still addressing agricultural issues that affect land use and the quality of the environment.

2.2 Objectives. The objectives for agriculture are:

b) to support emerging initiatives of the agricultural community and the provincial government to develop and implement a course of action leading to an innovative, competitive and prosperous future for agriculture.

c) to promote a healthy relationship between those who shape and work Malpeque Bay agricultural lands and the broader community of permanent and seasonal residents, based upon understanding and respect; and

d) to encourage environmentally sustainable land use practices.

2.3 Policies. It is the policy of Malpeque Bay that:

a) a Land Use Advisory Committee be established to advise Council on problems and opportunities related to land use;

b) economic initiatives that simultaneously support both agriculture and tourism will be encouraged and promoted; and

c) support for individual farmers and for organizations such as the Kensington North Watersheds Association will be given, to the extent feasible, through programs such as Alternative Land Use Services (ALUS), to promote sustainable land use practices.

2.4 Proposed Actions. Proposed Actions for Plan Implementation:

a) Council will work with members of the community to establish a Land Use Advisory Committee to facilitate communication and dialogue associated with land use issues.

b) Council will work with the farming community to encourage and promote diverse agricultural practices and promote the consumption of local produce and meats.

c) Council will promote farming practices that protect soil and water resources by making the farming community aware of the various stewardship programs that are available, and encouraging their participation in these programs which include:

- The Enhanced Environmental Farm Planning Program

- The Kensington North Watersheds Association Watershed Management Planning Initiative
- The Canada-PEI Agriculture Stewardship Program
- The Alternative Land Use Services Program
- The PEI Agri-Insurance Enhancement Program
- Nutrient Management Accountability Planning

3. Tourism, Recreation & Heritage

3.1 Introduction. The municipality enjoys substantial benefits from tourists and visitors who come here to take part in recreation or participate in heritage & cultural events. The history of European settlements within the communities of Malpeque Bay dates back to the middle of the 1600's, while Indigenous peoples have been in the area since the end of the last ice age. Our scenic "Coastal Zone" and our working agricultural landscape are part of what helps to attract tourists and visitors to the area. This Official Plan will work to encourage and promote opportunities for tourists and visitors alike to enjoy their time whether they choose to spend it time on a secluded stretch of beach, enjoy some live music at one of our festivals, or dine on some of the finest shellfish available anywhere in the world.

3.2 Objectives. The objectives for tourism, recreation & heritage are:

a) to maintain and promote Malpeque Bay as a tourism destination area;
b) to provide a variety of recreational opportunities for both residents and visitors; and
c) to increase awareness and enjoyment of our cultural and natural heritage resources (such as community halls, dwellings, churches, graveyards, archaeological sites, and natural areas), and to encourage their restoration and preservation.

3.3 Policies. It is the policy of Malpeque Bay that:

a) the tourism qualities which attract visitors to the area, particularly landscapes-viewplanes-beaches-natural areas, will be preserved and enhanced to the extent feasible;
b) opportunities to provide additional recreation facilities, such as hiking and cycling trails, will be pursued; and
c) heritage resources of Malpeque Bay will be researched, identified, publicized, and preserved where feasible, in conjunction with the Keir Memorial Museum.

3.4 Proposed Actions. Proposed Actions for Plan Implementation:

a) Council will work with the Kier Memorial Museum to identify and research significant heritage resources;

b) Council will establish, publish and maintain a list of businesses and establishments associated with tourism and recreation;

c) Council will work with PEI Trails Inc. and the Province to identify, enhance, publicize and promote use of roads-trails suitable for cycling or hiking;

d) Council will welcome sustainable and responsible recreational fishing, hunting and trapping activities; and

e) Council will collaborate with Regional and Provincial tourism associations regarding future tourism promotions and initiatives.

4. Residential - Cottage Development and Subdivisions

4.1 Introduction. Cottage developments and subdivisions are located primarily within the Coastal Zone of the municipality in the area that was previously defined as "The Special Planning Area". The Coastal Zone currently contains 62 subdivisions/phases which consists of ~ 1250 individual lots, of these lots ~1100 are located with the "Coastal Zone". A few of the subdivisions are designated residential (meaning that they are approved for year round use) however, the majority are zoned recreational and approved for seasonal use only. As a result of this development within our "Coastal Zone" the population of the municipality increases substantially during the tourist season, the benefits associated with the influx of seasonal visitors are felt throughout the community and the surrounding areas.

4.2 Objectives. The objectives for residential-cottage development and subdivisions are:

d) to ensure availability of suitable land to meet present and future demands for cottages, houses, apartments and subdivisions;

e) to manage priority landscape and viewplane lands by preserving them and enhancing them to the extent feasible;

f) to ensure a high quality of drinking water in adequate quantities for all subdivisions; and

g) to promote permanent residential development that centers on our seven traditional communities.

4.3 Policies. It is the policy of Malpeque Bay that:

a) growth and development of cottages, houses, apartments and subdivisions is to happen in a planned and organized manner;

b) growth and development of cottages, houses, apartments and subdivisions will be encouraged to take place away from areas identified by residents and council as priority landscapes or viewplanes; and

c) growth and development of subdivisions will be monitored and managed with respect to septic systems and the quality of drinking water.

4.4 Proposed Actions. Proposed Actions for Plan Implementation:

a) New subdivisions will be subject to a minimum lot size as defined in the Provincial Planning Act and Regulations (currently 25,000 square feet. There is no intention ever to exceed Provincial standards).
b) Where central water systems are installed, the lot size will be reduced.
c) Council will promote the benefits of placing utility lines underground within priority scenic viewscape areas. There will be no regulations or bylaws requiring underground lines within viewscape areas, actual installations will remain optional to developers and landowners.
d) Developers of new subdivisions will be required to establish a 'Homeowners Association' to address the use and maintenance of common areas and to manage drinking water.
e) Except for subdivisions of 5 or fewer lots, the developer shall set aside 10% of the total area as greenspace common area.
f) New housing development will be encouraged close to the center of our seven traditional communities.

5. Major Commercial, Industrial and Green Development

5.1 Introduction. Commercial, industrial or green development is limited at present within the municipality. The municipality encourages development within its boundaries that will provide employment opportunities to the residents and that is sustainable. Throughout the planning process it was apparent that the majority of residents were in favour of locating this type of development away from the Coastal Zone. Within the municipality and away from the Coastal Zone the Plan establishes a zone where major development is encouraged to locate. In addition to defining where these developments are allowed to locate, this Official Plan seeks to ensure that all major developments located within the municipality provide a net benefit to the residents.

5.2 Objectives. The objectives for commercial, industrial and green development are:

a) to minimize the visual and environmental impacts of major developments;
b) to encourage a limited amount of major industrial development, especially agriculture-related industrial development; and
c) to promote major green development initiatives such as, but not limited to, solar and wind.

5.3 Policies. It is the policy of Malpeque Bay that:

a) major commercial and industrial development initiatives be located away from the coastal area, with the possible exception of those related to the fisheries industry;
b) major development projects shall be located only within the designated area, with the possible exception of those related to the agriculture industry (note: see attached map of the proposed designated area);

c) proposed major development projects must be of benefit to the Community of Malpeque Bay; and
d) all major commercial, industrial, and green development project proposals shall be subject to public review.

5.4 Proposed Actions. Proposed Actions for Plan Implementation:

a) 'Major' development will be defined as development primarily for a commercial export purpose (for example, the development of wind energy projects that would produce power or manufacture products for use outside the Municipality). Development primarily for use by residents, business and industry within the Municipality shall not be defined as 'major'.

b) Council will develop and enforce a Bylaw restricting 'major' development to within the proposed designated area. Note: In response to public input, the scope of the proposed designated area has been expanded, and a new map has been prepared which can be viewed at ***www.malpequebay.ca***. This map will be displayed at the November 17th public meeting.

c) All proposals for 'major' development will be subject to public review to ensure that residents are made aware of development implications.

6. Coastal Management

6.1 Introduction. Citizens of the Community of Malpeque Bay historically have been linked to the land and the sea. The coastal area in our community continues to play an integral part in the development and prosperity of the area. Many of our houses and the majority of our cottages are built within the coastal zone. The coastal area continues to be farmed, and we enjoy working on the water as well as relaxing along the shore. The Official Plan seeks to maintain the traditional coastal landscape to the benefit of all residents, and ensure that access to the coastal zone is maintained for generations to come.

New Foundations, the Report of the Commission on Land and Local Governance completed in December 2009, recognized the vulnerable position that we now find ourselves in where our most precious resources are concerned. Our land, water, natural areas, viewscapes and architectural heritage will not look after themselves. The Official Plan for the Community of Malpeque Bay seeks to ensure that the principles of responsible stewardship are employed when making land use decisions that are apt to have an impact on the coastal area.

6.2 Objectives. The objectives for coastal management are:

a) to maintain and enhance traditional coastal landscapes to benefit residents and the tourism industry by minimizing visual and environmental impacts of coastal area developments;
b) to recognize and support conservation objectives established for marine and coastal wetlands of the Malpeque Bay Ramsar Site;

c) to ensure that there are sufficient properly identified public accesses to the shore to serve a variety of shore uses;
d) to reduce any negative impacts of public shore access on coastal environmentally sensitive areas; and
e) to identify and preserve one or more priority coastal natural areas for the enjoyment of residents and visitors, and ensure public access to them.

6.3 Policies. It is the policy of Malpeque Bay that:
a) visual and environmental impacts of coastal development will be minimized to the extent feasible;
b) public access roads to beaches will be enhanced where feasible with additional amenities, with preference given to using Provincially owned land;
c) a signage system will be established indicating shore access from the main roads, and an information program will inform the public of shore access locations and facilities;
d) community groups such as Kensington North Watersheds Association will be consulted regarding the identification and management of coastal environmentally sensitive areas; and
e) Council will work with government and non-government organizations towards maintaining and enhancing Cabot Park as a priority coastal natural area, to be preserved in perpetuity.

6.4 Proposed Actions. Proposed Actions for Plan Implementation:
a) Coastal areas are defined as all lands (including surface water bodies, streams and rivers) within 500 meters of the mean high water mark of all coastal and tidal waters (taken from Coastal Area Regulations EC159/92).
b) Coastal areas with public access will be positively identified to promote continued public access.

7. Environmental Management

7.1 Introduction. The Community of Malpeque Bay enjoys a working landscape that provides benefits for many of our residents. Land use practices have an impact on the environment, and this Official Plan seeks to mitigate these impacts. The Official Plan recognizes that the quality of life enjoyed by the residents of Malpeque Bay is directly linked to our natural environment. The conservation and preservation of our natural environment is meant to ensure that this quality of life is enjoyed by our residents for generations to come.

7.2 Objectives. The objectives for environmental management are:
d) to protect the ecological and educational value of selected natural ecosystems;
e) to lessen the impact of siltation and excessive nutrient enrichment of wetlands and watercourses;

f) to encourage the replanting of marginal agricultural lands to trees;
g) to protect and enhance fish and wildlife habitat; and
h) to maintain the continued availability of high quality groundwater.

7.3 Policies. It is the policy of Malpeque Bay that:

a) environmentally sensitive sites will be identified and protected during the development approval process;
b) the establishment of greenbelts along freshwater watercourses within the area will be encouraged;
c) Council will work towards a short-term target of 23% coverage for natural environment and trees (it was 20.6% in 2000);
d) visual and environmental screens of mixed tree and shrub species, are to be established where practical between subdivisions and adjacent lands; and
e) organizations such as Kensington North Watersheds Association and the Island Nature Trust will be consulted regarding management of environmentally sensitive areas and important fish and wildlife habitat.

7.4 Proposed Actions. Proposed Actions for Plan Implementation:

a) Council will work with organizations like Kensington North Watersheds Association and the Island Nature Trust to identify environmentally sensitive areas, and to improve the habitat for fish and wildlife.
b) Council will work with the Province to designate Cabot Park as a 'Natural Area' and to develop a management plan for it.

8. Special Planning Area (SPA)

8.1 Introduction. The Province established the Princetown Point – Stanley Bridge SPA in 1993 (About 60% of the SPA is within our Municipality). In the policy document approved by Executive Council (EC268/93) it was stated that *"It is the general intent of this policy…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."* A set of regulations then was put in place to regulate development within the SPA.

During each and every public meeting hosted by this Planning Board objections were raised to the SPA and associated regulations, with SPA issues dominating debate more than any other issue throughout the planning process. At the 5th public meeting (April 17th, 2009 in Sea View) the following motion was unanimously approved: "*We therefore move that this meeting recommend to the CIC, Department of Community Services, and the Commission on Land and Local Governance that special planning area regulations be discontinued and one set of planning regulations be established to guide development in all rural areas of the province."* The Planning Board passed this motion on to Council and

the Province, and included it in a brief presented to the Commission June 5th, 2009.

At subsequent public meetings (particularly August 25th, 2009 in Hamilton) objections to the above motion were raised by residents who felt that SPA regulations may be flawed, but that they also contain worthwhile provisions not found elsewhere and provide tools for managing things such as viewscapes and development. In New Foundations, the Report of the Commission on Land and Local Governance (December, 2009) the Commission stated that SPA regulations should be amended or eliminated eventually, *"but not until they are replaced by something better."* It added that *"No SPA should be eliminated until it can be replaced by a municipal plan and bylaw which is guided by a comprehensive provincial land use policy and is approved by the Minister."*

This Official Plan seeks to eliminate the SPA and replace it with a comprehensive set of regulations that have been developed with input received from all stakeholders. Going forward the municipality now defines the area of the SPA located within our boundaries as the "Coastal Zone". It is the general intent of this Official Plan to provide a management strategy which respects the land and beach resources, the traditional landscape, and the natural environment within this Coastal Zone in order that we may achieve sustainability insofar as development and resource use is concerned.

8.2 Objectives. The objectives for the Princetown Point – Stanley Bridge Special Planning Area established by the Province in 1993 are:

a) to transfer management of the Malpeque Bay portion of the SPA from the Province to the Municipality;
b) to review and consider proposed changes regarding SPAs coming from Government re New Foundations, the Report of the Commission on Land and Local Governance; and
c) to address key recommendations (as detailed in Executive Council decision # EC268/93) associated with the SPA that seek to better define and enhance access to the shore.

8.3 Policies. It is the policy of Malpeque Bay that:

a) Provincial regulations for the SPA will be respected and implemented for as long as they remain in force;
b) Proposed changes regarding SPAs coming from Government re New Foundations, the Report of the Commission on Land and Local Governance will be considered for implementation by Malpeque Bay;
c) residents shall be consulted about considerations for proposed changes regarding SPA regulations; and
d) beach access points will be identified, and additional amenities provided to the extent feasible, in order to promote and encourage use of those areas by residents and visitors alike.

8.4 Proposed Actions. Proposed Actions for Plan Implementation:

a) Council will ask the Province to transfer management responsibilities for the Malpeque Bay portion of the SPA to Malpeque Bay and, if the Province is agreeable, negotiate terms of the transfer.
b) Council, in collaboration with the Province, will work on development of an improved management plan for the area, including related bylaws.
c) Council will provide a public forum for both seasonal and permanent residents to have input to any proposed revisions to existing SPA regulations.
d) Council will work to identify and publicly post information on public beach access points within the SPA. Council will negotiate with government to secure funds for additional amenities at selected beach access points.